

1 COMMITTEE ON FINANCE JOINTLY WITH THE COMMITTEE ON
AGING, THE COMMITTEE ON OVERSIGHT & INVESTIGATIONS
2 AND THE COMMITTEE ON TRANSPORTATION 1

3 CITY COUNCIL
4 CITY OF NEW YORK

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6 TRANSCRIPT OF THE MINUTES

7 Of the

8 COMMITTEE ON FINANCE JOINTLY
9 WITH THE COMMITTEE ON AGING,
10 THE COMMITTEE ON OVERSIGHT &
INVESTIGATIONS AND THE
11 COMMITTEE ON TRANSPORTATION

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12 May 7, 2021
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15 HELD AT: REMOTE HEARING (VIRTUAL ROOM 2)

16 B E F O R E: Daniel Dromm,
Chairperson for Committee on
Finance
17
18 Margaret Chin,
Chairperson for Committee on Aging
19
20 Vanessa Gibson,
Chairperson for the Committee on
Oversight & Investigations
21
22 Ydanis Rodriguez,
Chairperson for the Committee on
Transportation

23 COUNCIL MEMBERS:
24 Adrienne E. Adams
Alicka Ampry-Samuel
25 Diana Ayala
Selvena N. Brooks-Powers

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3 COUNCIL MEMBERS (CONT.):

4 Robert E. Cornegy, Jr.
Laurie A. Cumbo
5 Darma V. Diaz
Oswald Feliz
6 Vanessa L. Gibson
Barry S. Grodenchik
7 Karen Koslowitz
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10 James G. Van Bramer
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11 Deborah L. Rose
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Brad S. Lander
16 Robert Holden
17 Stephen Levin
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2 A P P E A R A N C E S

3 Lorraine Cortés-Vázquez
4 Commissioner of the New York City Department for
the Aging

5 Jose Mercado
6 Chief Financial Officer for the New York City
Department for the Aging

7 Michael Ognibene
8 Chief Operating Officer for the New York City
Department for the Aging

9 Margaret Garnett
10 Commissioner of the New York City Department of
Investigation

11 Hank Gutman
12 Commissioner of the New York City Department of
Transportation

13 Joseph Jarrin
14 Executive Deputy Commissioner of the New York
Department of Transportation

15 Zeeshan Ott
16 Director of Government Affairs of the New York
Department of Transportation

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2 SERGEANT BRADLEY: PC recording is up.

3 SERGEANT KOTOWSKI: Cloud recording is started.

4 Sergeant Bradley, can you give us the opening please?

5 SERGEANT BRADLEY: Good morning and welcome to
6 the today's New York City Council Executive Budget
7 hearing on Finance joint with Aging, Oversight &
8 Investigations and Transportation.

9 At this time, will all panelists please turn on
10 your videos for verification purpose. To minimize
11 disruption, please place electronic devices on
12 vibrate or silent mode. Thank you for your
13 cooperation. Chairs, we may begin.

14 CHAIRPERSON DROMM: Thank you very much. Good
15 morning and welcome to the City Council's second day
16 of hearings on the Mayor's Executive Budget for
17 Fiscal 2022. My name is Daniel Dromm and I Chair the
18 Finance Committee. We are joined by the Committee on
19 Aging, Chaired by my colleague Council Member
20 Margaret Chin. I am going to start by acknowledging
21 my colleagues joining us and they are Council Member
22 Grodenchik, Adams, Feliz, Minority Leader Matteo,
23 Powers, Ampry-Samuel, Chin and Reverend Diaz are here
24 with us. Thank you all for joining us this morning.

25

The Executive Budget for the Department of Aging totals \$440 million. Up \$56.5 million from its Preliminary Budget just three months ago and includes \$36.2 million in federal revenue received from President Biden's stimulus package. Significantly, this growth isn't just a temporary increase. It includes \$49.4 million in new baselined funding to support several new needs championed by the Council in our budget response.

First, the Executive Budget includes \$39.4 million for the first year of a five year community care plan for older New Yorkers, which creates 25 new senior centers or naturally occurring retiring communities known as NORCs.

Second, the Executive Budget finally adds \$10 million for the second phase of the senior center model budget, hooray, which will increase rates to service providers and increase staffing and programming at senior centers. Initially, it was expected that senior center model budgeting would be fully funded by Fiscal '21 but due to budget constraints because of COVID-19, it was delayed and will now be funded in Fiscal 2022.

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3 Third, the Executive Budget increase support for
4 the City's Indirect Cost Rate Initiative by \$6.3
5 million for a \$9.2 million total. This increase will
6 also be retroactive to Fiscal 2021, meaning that
7 providers will receive 100 percent of their approved
8 indirect funding for Fiscal '21 rather than the
9 expected cut of up to 70 percent.

10 There are still a few important items that the
11 Council called for in the budget response that didn't
12 make it into the Executive Budget and which we hope
13 to see included in the Adopted Budget.

14 For example, we sought \$16.6 million to increase
15 reimbursement rates for home delivered meals. Serve
16 more seniors and add weekend meals. \$6 million to
17 expand case management and clear the home care wait
18 lists. \$4.9 million to address the growing need for
19 mental health services by expanding the clinicians in
20 Senior Centers Initiative and the Visiting program
21 for Homebound Seniors program. \$4.4 million for
22 10,000 additional internet connected tablets to help
23 more seniors bridge the digital divide and pay equity
24 for human service workers.

25 We are also very concerned by the Executive
Budgets proposed 48 percent decrease since the

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Preliminary Budget in capital funding over the next
four fiscal years. We look forward to working and
continuing to work with DFTA and the Administration
to ensure that these initiatives are prioritized.

I want to say thank you to Daniel Kroop, Dohini
Sompura, Noah Brick and Dohini and Daniel from the
Finance Division for the preparations for today's
hearings. I will now turn it over to Chair Chin for
her opening statement. Chair Chin.

CHAIRPERSON CHIN: Thank you Chair Dromm. Its
been a pleasure serving with you for this past – this
is our 12th year together and this is our 4th budget
together and you as the Finance Committee Chair and I
am really grateful for all your support.

Good morning. I am Council Member Margaret Chin,
Chair of the Committee on Aging and welcome
Commissioner Cortés-Vázquez from the Department for
the Aging.

In today's Executive Budget hearing, we will hear
testimony from the Department for the Aging, also
known as DFTA on its Proposed \$440 million budget for
Fiscal Year 2022. Which is \$42 million greater than
its Fiscal 2021 budget. The Executive Budget adds
\$48 million for a community care plan that will

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2 create 25 new senior centers or NORCs. It also adds
3 the long way to \$10 million increase for senior
4 center model budget and fully funds the Indirect Cost
5 Rate for providers with \$6.3 million.

6 During my time as Chair of the Committee on
7 Aging, DFTA's budget has grown by 67 percent. We
8 have moved from cutting services to adding them. I
9 am proud to say that in this budget we have achieved
10 an historic new investment in New York City's senior
11 services. Congratulations to the Commissioner,
12 providers, advocates and Council Members who have
13 pushed relentlessly for this Administration to do the
14 right thing in the face of the COVID-19 pandemic.
15 Together, we are building critical new supports for
16 this city's growing senior population. Federal
17 revenues from the American Rescue plan drive this
18 expansion and I thank our partners in Washington for
19 their efforts as well.

20 Despite these huge strides forward, we are not
21 done yet. Providers are concerned about the short
22 timeframe for a new RFP for senior centers and NORC.
23 I am concerned to given that senior centers are hard
24 at work preparing for their first grab and go meals
25 in over a year which begins on Monday. In addition,

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2 the Executive Budget still lacks the \$16.6 million
3 for the Council's call in its Preliminary Budget
4 response for home delivered meal, as well as \$6
5 million for the case management. \$4.9 million for
6 mental health and \$4.4 million for technology.

7 We also need our one time Council and
8 Administrative funding restored. Commissioner, there
9 is still time for DFTA's budget to pass the half a
10 billion dollar for the first time and create a senior
11 service network that makes New York the best city in
12 the world to age in. So, let's get it done this year
13 to be truly the year of the seniors.

14 I would like to thank the Committee Staff for
15 their hard work in preparing for this hearing. The
16 Senior Financial Analyst Daniel Kroop, Unit Head
17 Dohini Sompura, our Committee Counsel Nuzhat
18 Chowdhury, Policy Analyst Kalima Johnson, of course
19 our Finance Director Latonia McKinney and Regina
20 Poreda Ryan and also, my Deputy Chief of Staff Kana
21 Ervin and my Legislative Associate Angela Seeger.

22 Now, I would like to turn it back to our
23 Committee Counsel who will review some procedural
24 items relating to today's hearing before we swear in
25 the Commissioner. Thank you.

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2 CHAIRPERSON DROMM: Just before we go back to our
3 Committee Counsel, I just want to say thank you also
4 Chair Chin for your very kind words and it has been
5 such a pleasure to work with you over these last 12
6 years. You are genuine and I really feel lucky to
7 know you and to have worked with you. I have really
8 enjoyed our tenure with you in the City Council. So,
9 thank you Chair Chin for everything you have done.
10 Yes, we can give her a round of applause.

11 CHAIRPERSON CHIN: Thank you Chair Dromm. I also
12 want to thank you to Council Member Vallone, who was
13 my partner on this Committee who is still my partner
14 on this Committee and he has been such a strong
15 advocate for our senior center. So, I wanted to give
16 a shout out to Council Member Vallone. Thank you.

17 CHAIRPERSON DROMM: Absolutely and I have not had
18 the pleasure to work with him for twelve years but
19 for the last eight years I have had that pleasure.
20 So, thank you Council Member Vallone and I want to
21 say you are here. Thank you very much for being
22 here. Also, we have been joined by Council Member
23 Rose, Treyger and Moya. And just I have to read a
24 statement just before we go to Counsel. Thank you
25 Chair Chin. We will now hear testimony from DFTA

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2 Commissioner Lorraine Cortés-Vázquez who is also
3 someone who I have known and had the pleasure to work
4 with over many years now. So, thank you Commissioner
5 for all that you have done for the City of New York
6 and for the State of New York as well.

7 So, she is joined by Chief Operating Officer
8 Michael Ognibene and Chief Financial Officer Jose
9 Mercado. So, I am going to turn it over to Counsel
10 to swear in the witnesses and Counsel, thank you for
11 all of your work as well.

12 COMMITTEE COUNSEL: Thank you Chair Dromm. My
13 name is Noah Brick and I am Counsel to the New York
14 City Council Committee on Finance. Before we begin,
15 I want to remind everyone that you will be on mute
16 until you are recognized to speak. At which time,
17 you will be unmuted by the Zoom host. If you mute
18 yourself after you have been unmuted, you will need
19 to be unmuted again by the host. Please be aware
20 that there could be a delay in muting and unmuting,
21 so please be patient.

22 During this portion of today's hearing, we will
23 hear testimony from the Department for the Aging.
24 During the hearing, if Council Members would like to
25 ask questions, please use the Zoom raise hand

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2 function and you will be called upon to speak. We
3 will be limiting Council Member questions to five
4 minutes including responses.

5 I will now administer the affirmation to the
6 Administration witnesses. Do you affirm that your
7 testimony will be truthful to the best of your
8 knowledge, information and belief? Commissioner
9 Cortés-Vázquez?

10 LORRAINE CORTES-VAZQUEZ: I do.

11 COMMITTEE COUNSEL: Mr. Ognibene?

12 MICHAEL OGNIBENE: I do.

13 COMMITTEE COUNSEL: And Mr. Mercado?

14 JOSE MERCADO: I do.

15 COMMITTEE COUNSEL: Thank you. Commissioner, you
16 may begin when ready.

17 LORRAINE CORTES-VAZQUEZ: Thank you very much.
18 Good morning. This is quite a day that we have come
19 to. It's the last hearing for many of us. It's the
20 last Executive Budget Hearing for many of us. So,
21 good morning Chair Chin, good morning Chair Dromm.
22 It's always a pleasure to work with you and to all
23 the members of the Aging and Finance Committees.

24 I am Lorraine Cortés-Vázquez, I am the
25 Commissioner of the New York City Department for the

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2 Aging. I am joined this morning, as you just heard,
3 by Jose Mercado who is the Chief Financial Officer
4 and Michael Ognibene our Chief Operating Officer.
5 And I want to thank you for this opportunity to
6 discuss DFTA's Executive Budget for Fiscal Year 2022.

7 In addition to working to eliminate ageism and
8 ensuring the dignity and quality of life of older New
9 Yorkers, providing high quality services and
10 resources are among the Department's top priorities.
11 To support this important work, our FY 2022 Executive
12 Budget, as you both have said this morning, projects
13 \$439.9 million in funding, of which \$285.6 million is
14 city funds. And other \$230.3 million of those
15 support older adult centers, which incorporates the
16 \$8 million in NORC funding. \$41.8 million of home
17 delivered meals and \$38 million for case management,
18 another \$34.4 million to support home care for
19 homebound seniors who are not Medicaid eligible, and
20 \$8.1 million for caregiver services.

21 There is also an additional \$6.2 million in
22 Indirect Cost funding. In addition to supporting
23 these services, the Administration has invested
24 heavily in responding to the continued pandemic.
25

2 This Administration has consistently made major
3 investments in aging services. And I thank all of
4 you who helped make that possible. Including an
5 overall increase of \$150 million in baseline funding.
6 If you recall, the prior administration had taken
7 \$110 million away from aging services. In this
8 Executive Budget, an additional \$10 million, the long
9 waited \$10 million food model budget was included.
10 Fulfilling a promise to right-size many contracts.
11 Additionally, the \$39.4 million for funding for older
12 adult and senior centers and NORC contracts, to be
13 allocated through an RFP. It is the largest
14 investment in aging services in 20 years. It is the
15 first time we have had an opportunity to expand in
16 that same period of time.

17 The FY '22 Executive Budget adds \$115.4 million
18 in coronavirus state and local recovery funds over
19 three years. These funds are allocated to the
20 community care investment that I just referred, the
21 indirect cost rate, which is extremely important and
22 the senior center model budget phase II. We are also
23 incredibly grateful for the ongoing support of the
24 City Council, which in FY 2021 awarded DFTA with over
25 \$38.1 million in discretionary funding, allowing us

to make even greater investments in often underserved
or unserved communities.

We know that older adults overwhelmingly prefer
to age in their homes and in their communities if
given the choice. To achieve these, many need a full
range of high-quality critical services, resources
and opportunities that will support them in their
daily living activities. With this in mind, we have
released a five-year community care plan which
promotes universal access to a continuum of services
and supports in the community that will help prevent
institutional care or nursing homes.

With the current administration's investments, we
have reversed losses and added slightly more from
previous administrations. Additional investments are
needed to help keep pace with the growth and the
diversification and financial pressures facing older
adults. Additionally, DFTA aims to increase the
diversity in its portfolio of providers to address
historical funding inequities. We know that roughly
half of the older adults use centers in their
districts, while another half travel to other
centers.

We also hope to tap into the technologies that have come online in recent years and that have reached isolated older people, connect people with their communities and help address a variety of presenting needs. A critical next step in this plan is to reimagine Older Adult Centers OACs as we are calling them now. Always Loved and Reviewed and Call Senior Centers and Naturally Occurring Retirement Communities to promote collaborations, innovations and synergy between these two core DFTA programs. It is to be accomplished through the current Request for Proposal.

To start to achieve these goals, the budget includes \$39.4 million to fund an additional 25 Older Adult Centers or NORCs and to support and ensure full utilization. This includes better marketing outreach to inform the community of the rich array of community care services available to them. It also encompasses expanded transportation to reach those who are geographically isolated and live in transportation deserts, which we will be able to fund this also in FY23.

This Executive Budget also includes the \$10 million of the non-food model budget funding, which

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2 focuses on programming and program staff. As you may
3 recall, the model budget exercise aimed to achieve
4 two goals. One was to increase revenues and ensure
5 strong programming in our network of congregate
6 centers. And the second was to make more uniform
7 funding levels of each center to support equity in
8 staffing structure and salary.

9 In FY18, the first phase of this process began
10 and it focused on programming and program staff and
11 resulted in a significant investment of \$10 million
12 of baseline funding to our network of older adult
13 centers. This allowed centers to right-size
14 salaries, hire more staff and expand and enrich
15 center programming. We appreciate the Council's
16 continued advocacy for these funds and the Mayor's
17 commitment to them. As you know, the Council, the
18 Mayor and service providers have been working
19 collaboratively to address indirect costs. These are
20 a portion of provider costs that are not directly
21 attributable to service delivery but are necessary
22 for operations like accounting, human resources, fund
23 raising, rent, general operations and other eligible
24 costs.

25

2 DFTA contracts will receive \$6.2 million in
3 funding to cover these indirect costs. And I am
4 going to – this is an important feature, especially
5 for the smaller nonprofits and the supports of their
6 administrative operations. This funding will help
7 stabilize contracts for social service providers
8 across the city. You know that many older adults
9 lack access to technology, which has been a lifeline
10 especially during the pandemic. We recognize the
11 value and the importance of virtual programming. In
12 addition to the device itself, reliable internet and
13 digital literacy training are fundamental components
14 of access.

15 As you know, last summer, through a program led
16 by the Mayor's Office of the Chief Technology, with
17 the support of the New York City Housing Authority
18 and DFTA, the city delivered 10,000 free Wi-Fi-
19 equipped tablets to older NYCHA residents. The
20 program included one year of free internet, which was
21 set to expire this month. Though we are thrilled
22 that the city has extended the free Wi-Fi along with
23 the contract to the Older Adults Technology Services,
24 which we all know as OATS, to continue to provide
25 training, education and technology support.

We have continued to invest in planning for increased access and support in this area. This is a fundamental component of our community cares plan as well and we continue to explore ways, not only to ensure access but also to innovate our use of technology to make access to other services easier.

The pandemic has been a strain on all of us, that is an understatement. Especially older adults who are most vulnerable and isolated. Since the start of the pandemic, we have increased supports to address isolation. In March 2020, we started with wellness calls to older adults in all our programs and to date have conducted over 4 million calls. These serve an essential purpose not only to check-in on the older adults to reduce isolation but also to provide referrals to other services. Like food insecurity, Friendly Visiting, elder abuse, mental health and other services.

In addition to DFTA's Geriatric Mental Health programs, Friendly Visiting has also served as a mental health intervention program. It focuses on isolated, largely homebound seniors who are connected with DFTA's contracted case management agencies. The program matches older adults facing the negative

1 effects of social isolation with well trained,
2 matched volunteers who spend time with them to
3 provide social interaction. The program expands the
4 older adult's connection to their community and helps
5 prevent the isolated older adult from declining into
6 depression and loneliness.
7

8 During the last years, these visits have
9 continued and have been continued virtually as well
10 as telephonically. To expand services and to support
11 the social isolation and loneliness of a broader
12 range of older adults, DFTA also launched the program
13 called, Friendly VOICES in October 2020. This
14 program was established to open eligibility to a
15 wider range of older adults and will remain virtual.
16 Friendly VOICES offers older adults the opportunity
17 to be matched to a volunteer, a peer or a small group
18 and the Friendly VOICES program currently has
19 openings for older adults to join.

20 To sign up as a volunteer or an older adult,
21 individuals can call our Aging Connect program, which
22 is an entrée to all aging services and the number
23 there is 212-244-6469. I am proud of DFTA's most
24 recent campaign, which was an anti-ageism campaign,
25 Ageless New York, which focuses on the pervasive

1 thoughts and attitudes New Yorker have on aging and
2 older adults. And the negative impact that ageism
3 has on personal lives, self-esteem, the workplace,
4 the health industry and our economy. The campaign
5 highlights real older New Yorkers who are active and
6 defy the stereotypes about older adults. The
7 messaging focuses not only on aging and not stopping
8 individual's uniqueness, gifts or contribution. It
9 highlights those.

11 The anti-ageism campaign consists of both visual
12 and video PSAs which are running in bus shelters,
13 LinkNYC boards, Facebook and Google ads and a website
14 nyc.gov/agelessnewyork, and NYC Media assets,
15 including NYC TV and New York City taxi monitors.
16 Our hope is that as more people get information about
17 ageism, those of us who are older will not be
18 effected by these insidious attitudes that we
19 experience regularly.

20 The COVID pandemic has challenged us – the other
21 thing I want to say is that ageism is insidious. We
22 all do it in sometimes unbeknown to ourselves and so
23 this campaign also challenges individuals to look at
24 their own attitudes of ageism. The COVID pandemic
25 has challenged us to do more with our limited

resources, while underscoring the critical importance
of community care. On the one hand concentrating on
the older adult persons in an institution has been a
tragic driver of death tolls in this pandemic. It
also resulted in the detrimental mental health
effects to the many isolation unnecessarily imposed
upon nursing home residents during this time and to
their families. Those isolating at home have feared
far better in terms of physical health. It has been
much easier to avoid the worst effects of isolation
within homebased settings. Which has allowed
continuing connection one by one in family households
and via community care professionals.

The community care plan will achieve the City's
long-term vision of providing universal access to
appropriate, high-quality community care services and
supports for growing older multicultural population.
This included a continued investment in virtual
programing, as well as the support of older adults
accessing a device, connectivity, technology and
literacy training.

Additionally, continued strategic investments to
expand case management, homecare services, caregiver
services and other essential services including

referrals to services such as mental health programming. More older adults will have the option to age in place. We look forward to advancing these goals with you this year and in the next four years of the plan.

I continue to be proud of the work that DFTA has done and I am proud of the incredible talented staff that DFTA has assembled and look forward to an influx of additional resources and investments in the years to come towards the community care plan. As also, we are grateful to the Chairs and the Committees for your advocacy and continued partnership to support older New Yorkers and I thank you for that.

CHAIRPERSON DROMM: Thank you very much Commissioner. Before we go to questions, I would just like to announce that we have been joined by Council Members Ayala and Brooks-Powers and let me start off with some questions regarding the planning for COVID-19 recovery.

So, I want to credit the Administration for heeding the Council's call in Fiscal '22 Preliminary Budget response to enhance support for the city's \$1.6 million seniors with its \$47.6 million baselined investment to create 25 new senior centers and NORCs

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2 and the prize \$10 million for model budgeting. So,
3 when can we expect to see all of the 25 new senior
4 centers or NORCs opened?

5 LORRAINE CORTES-VAZQUEZ: The goal is and it is
6 an ambitious goal because we would like to make sure
7 that that happens this year so that the investment
8 could be realized. And the goal is to start those
9 programs October 1st. The RFP is currently in the
10 field. We have in addition to releasing the RFP over
11 two weeks ago. We have a robust addendum which
12 addresses all of the questions raised during the
13 bidders conference and the RFP. So, we expect the
14 programs to start October 1st.

15 CHAIRPERSON DROMM: So Commissioner, I have heard
16 some concern from senior centers and advocates about
17 the deadline on the RFP. I think it's May 27th if I
18 am not mistaking. Is there a possibility that that
19 deadline can be extended?

20 LORRAINE CORTES-VAZQUEZ: Well, I am proud to
21 tell you and I said this to Chairwoman Chin last
22 night, that yes, the deadline has been extended. We
23 have also heard those concerns and the deadline has
24 been extended to June 10th.

25 CHAIRPERSON DROMM: Okay.

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2 LORRAINE CORTES-VAZQUEZ: And so, there is an
3 additional two weeks, so there is a total of close to
4 nine weeks to address the RFP.

5 CHAIRPERSON DROMM: Okay, thank you. That's
6 great news.

7 LORRAINE CORTES-VAZQUEZ: Yes, thank you.

8 CHAIRPERSON DROMM: Is there a model budget for
9 these new centers in NORCs?

10 LORRAINE CORTES-VAZQUEZ: The model budget
11 process that we have employed in the past will also
12 be the model budget process that we are looking at as
13 part of the RFP.

14 CHAIRPERSON DROMM: Okay, thank you. And will
15 the \$47.6 million support the \$1.3 million for nurses
16 at NORCs? The City Council has added in the past two
17 years.

18 LORRAINE CORTES-VAZQUEZ: I believe it is a part
19 of the RFP process but I am going to turn to Jose
20 Mercado, the Chief Financial Officer who has the
21 details, specific details on the budget on this
22 category. Jose.

23 JOSE MERCADO: Yeah, that is correct that
24 information. That those funds are a part of the
25 current RFP.

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2 LORRAINE CORTES-VAZQUEZ: Yes.

3 CHAIRPERSON DROMM: Okay, thank you.

4 LORRAINE CORTES-VAZQUEZ: And can I just add one
5 more thing to that?

6 CHAIRPERSON DROMM: Sure.

7 LORRAINE CORTES-VAZQUEZ: The other, one of the
8 other things that we have done in the RFP is also
9 encourage. If you weren't a NORC or were a senior
10 center, that that was also a service that we would
11 like to see as an enhancement.

12 CHAIRPERSON DROMM: Okay.

13 LORRAINE CORTES-VAZQUEZ: So, I just - I am sorry
14 about that.

15 CHAIRPERSON DROMM: Yes and just one of the
16 concerns that I have is the last time that the NORCs
17 went out for other - that the RFP went out for NORCs,
18 three centers were left out. One in my district, one
19 in former Council Speaker Melissa Mark-Viverito's
20 district and one in southern Queens. Mine is self-
21 help and the Southern Queens is JASA and the other
22 one may have been JASA as well. Is there any
23 assurance that those NORCs will not be cut out? They
24 weren't cut out because they didn't qualify. They
25 qualified but there was not enough funding.

2 LORRAINE CORTES-VAZQUEZ: So, I and Jose will
3 correct me if I am overstating but my understanding
4 is that we have normalized that and included those in
5 the RFP so that they do not find themselves year by
6 year as you have just well said. You know we have
7 funded them every year. We have had to do it as a
8 special add on and but all of that has been included
9 as part of the RFP. Is that accurate Jose?

10 JOSE MERCADO: Yeah, I just want to add as well,
11 the RFP actually has three competitions. There is
12 one strictly you can bid for NORC by themselves,
13 right? You can bid strictly for older adult centers
14 by themselves and you can also bid for two combined.
15 So, you actually have three pots of money. So,
16 anyone can compete for all three of those.

17 So, from our perspective, we have for example for
18 the NORCs, we have baseline of \$23 million. That's
19 what we are assuming that's the base, the minimum,
20 with \$23 million on top of that. We couldn't
21 increase more and more. That's part of the 25. So,
22 from that perspective, there is a separate
23 competition just for NORCs.

24 CHAIRPERSON DROMM: Okay and I would like to know
25 if we can continue the discussion into the Adopted

Budget so that we know whether or not those NORCs in particular will be funded. So, that if not because the Council has also been putting in funding for those NORCs and that we can figure out what we are going to do so that none of them are cut out.

LORRAINE CORTES-VAZQUEZ: Yeah, so you know obviously this is all about getting the RFP's, looking at who is the bidders, reviewing it. So, we will have a much better sense by October – I am sorry by June 10th, the number of prospects that have come in and have some sense of where we are. Alright, a better sense.

CHAIRPERSON DROMM: Okay and then also concerning, the centers and the NORCs, what about things such as case management, mental health counseling and new technology? Will that be included in the new NORCs and centers?

LORRAINE CORTES-VAZQUEZ: The expansion of those services; and Jose and Michael, you can add to my comment. The expansion of those services was planned for the second year. Alright, so the expansion of homecare and the case management is planned for the second year. What we needed to do in this first year was expand the base services, which are NORCs and

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2 senior centers. And looking at, because this is a
3 five year plan, that other expansion would occur in
4 the second year of funding.

5 CHAIRPERSON DROMM: So, we are not going to see a
6 reduction in the waitlist for case management?

7 LORRAINE CORTES-VAZQUEZ: Different conversation.

8 CHAIRPERSON DROMM: Okay.

9 LORRAINE CORTES-VAZQUEZ: A different
10 conversation but uhm, we have, as you know, we have
11 seen a waitlist and it increased incrementally during
12 the pandemic. But what we have also seen as the
13 pandemic has gone down, we have seen a 46 percent
14 reduction in the case management waitlist. And I
15 also want to add, you know in anticipation of the
16 question on home delivered meals, you know we
17 immediately, as we assess someone and identified the
18 emergency needs and food insecurities, one of the
19 emergency needs, we then rely on Get Food during this
20 pandemic period to uhm, to absorb that individual
21 until they get normalized into a home delivered meals
22 program.

23 And again, in anticipation of the follow
24 question, is that we have been able to increase home
25 delivered meals and because we have used the CARES,

1 the emergency CARES money, we know that we can
2 continue that increase for the next year into the
3 next budget year. That increase demand on home
4 delivered meals. Jose, is that accurate?
5

6 JOSE MERCADO: Yeah, I just want to clarify
7 something. So, there will be for example, the
8 Commissioner has been working with OMB to expand
9 technology for the senior centers and she is correct,
10 that will be happening in Fiscal Year '22. Regarding
11 case management, there is no money in the current
12 budget for expansions for our case management as is.

13 CHAIRPERSON DROMM: So, uhm, the Executive Budget
14 didn't include any additional funding - just to go to
15 the home meals that you are referencing. It didn't
16 include any additional funding for home delivered
17 meals am I correct on that?

18 JOSE MERCADO: That is correct but as the
19 Commissioner mentioned, we were using stimulus money
20 to continue to cover our current great need in home
21 delivered meals but I am going to add more to this as
22 well. We are still for example, waiting for the
23 state to also give us our appropriation for
24 additional stimulus money. So, there is more money
25

2 coming for that for meals, for meal security in
3 general.

4 CHAIRPERSON DROMM: So, when you say the state,
5 does that include money from the feds that goes
6 through the state or do you get money from the feds
7 directly?

8 JOSE MERCADO: No, that is the former, that is
9 correct.

10 CHAIRPERSON DROMM: Okay, thank you. And since
11 April 2020, the city has been issuing Get Food – has
12 been using Get Food New York City budgeted in the
13 Department of Sanitation as the overflow plan for
14 seniors with emergency food needs that can't be met
15 within distance Own Home Delivered Meals program.
16 Given that there are thousands of seniors who have
17 been placed on Get Food due to capacity issues, is
18 DFTA working with OMB to get additional funding into
19 its Home Delivered Meals program?

20 LORRAINE CORTES-VAZQUEZ: And I am going to
21 address that and Jose, you will correct the details
22 if I am overstating again. I'm not overstating but
23 if I have left anything out.

24 We had used the stimulus money to increase the
25 home delivered meal capacity and home delivered meals

1 programs and the goal is to continue that as we go
2 forward. You know, as you know we have identified
3 somewhere, anywhere between depending on the day,
4 between \$25 and \$100,000 older adults who were not
5 participating in DFTA services who raised their hands
6 for services, primarily food services.
7

8 JOSE MERCADO: Right.

9 LORRAINE CORTES-VAZQUEZ: And those are the
10 people that we are you know normalizing if they chose
11 to go onto the Home Delivered Meal program.

12 CHAIRPERSON DROMM: Okay and then in regard to
13 the Home Delivered Meal, the Get Food program, the
14 quality of the food often times is not culturally
15 competent. What type of effort is being made to
16 ensure that those meals are culturally competent?

17 LORRAINE CORTES-VAZQUEZ: I would defer those
18 questions for Get Food to Get Food. I can tell you
19 that we have been in close partnership with Get Food
20 and have shared with them our nutritional standards.
21 Have also shared with them you know, many of the
22 culturally competent contractors and I believe that
23 they have made some efforts in that arena but I would
24 defer those questions to Get Food.
25

2 CHAIRPERSON DROMM: Okay and Commissioner, just
3 to make you aware as you may already know, from my
4 community in particular, you know often times they
5 will get lima beans but they are not the type of lima
6 that you know a certain group of people are
7 accustomed to or even the same thing with rice etc..
8 So, they get rice but it's not the rice that they
9 like to use.

10 LORRAINE CORTES-VAZQUEZ: So, I am pleased to
11 announce as Chairwoman Chin said in our opening
12 remarks and I believe you did also, that we are
13 resuming a grab and go process, where the food will
14 come back from their own senior center that they know
15 and they are familiar with and that process is
16 starting pretty soon. I mean, it's up to the
17 provider when they can and they choose to start grab
18 and go but we have with the Chairwoman's constant
19 advocacy and partnership, we have been pushing for
20 grab and go and we are at that point now. And so, we
21 are glad that we are able to do that transition as
22 the first pathway to reopening.

23 CHAIRPERSON DROMM: And we are very well aware of
24 the Chairs constant advocacy, believe me. Alright,
25 let me just finish up with this and then I will turn

1 it over to Chair Chin. There are currently \$38.1
2 million – there is a \$38.1 million deficit resulting
3 from the absence of council seniors initiatives and
4 administration one time additions for senior program
5 like NORCs, which I mentioned before, NYCHA clubs and
6 senior centers. By not baselining these programs in
7 the Fiscal '22 Executive Budget, the Administration
8 runs the risk of funding cuts to these essential
9 programs.
10

11 So, why are you not funding those programs and/or
12 baselining those programs? Maybe you answered it a
13 bit when I was talking to you about the NORCs. Can
14 you just elaborate further on that for me please?

15 LORRAINE CORTES-VAZQUEZ: Jose, can you repeat
16 how we baselined all of it into the RFP.

17 CHAIRPERSON DROMM: Oh, okay.

18 JOSE MERCADO: So, we are going to make a
19 distinction. There are discretionary money that you
20 guys fund every year and then there are agreements
21 that we have made in a couple of years but we were
22 funding those specific programs and we baselined
23 those.

24 So, those, there are two different pots of money
25 we are talking about. They are the ones that we fund

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2 right? Which we made the agreements in the past and
3 those are part of the RFP. The \$38 million that you
4 fund are not part of the RFP. Those again are we are
5 hoping that with your generous you know advocacy,
6 that these things will continue on as well.

7 LORRAINE CORTES-VAZQUEZ: And I also want to, I
8 want to underscore Chairman Chin, I am Chairman
9 Dromm, one of the first commitments you made me; you
10 asked me for when I became Commissioner was to put
11 lot of attention on the ten ethnic nonprofits that
12 you funded with discretionary funds. We have put a
13 lot of effort into those and ensured that this RFP is
14 responsive to their needs, so that they are not left
15 out because the concern was, can they compete and be
16 considered. And we have done everything that we can
17 in this RFP to ensure that they are not - put
18 anything that serves as a disadvantage to them.

19 CHAIRPERSON DROMM: Yes and I know that you
20 visited the Queens Center for Gay Seniors, are they
21 included in that as well. You mentioned ethnic but
22 not the LGBT is included as well?

23 LORRAINE CORTES-VAZQUEZ: I am sure it is, yeah.

24 CHAIRPERSON DROMM: Okay, alright thank you
25 Commissioner. I am going to turn it over.

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2 LORRAINE CORTES-VAZQUEZ: One of my favorite
3 place is that.

4 CHAIRPERSON DROMM: I know, I know you've been
5 there. I know. It's right around the block from me,
6 so it's important. Chair Chin.

7 CHAIRPERSON CHIN: Thank you Chair Dromm.
8 Commissioner, I am glad to hear that you have
9 extended the deadline for the RFP, two weeks but I
10 really ask you to consider longer than two weeks.
11 Because providers have told me that they got this
12 huge addendum back and then also for them to make
13 sure that they can really be competitive.

14 So, I ask you to consider a little bit longer,
15 more than two weeks.

16 LORRAINE CORTES-VAZQUEZ: Chairwoman Chin, you
17 know that I listen to you but we also have this
18 competing deadline which is the October 1st
19 implementation. So, yes, I am listening to that and
20 as we get more information than we can make an
21 informed decision.

22 CHAIRPERSON CHIN: Okay.

23 LORRAINE CORTES-VAZQUEZ: I am committed to
24 continuing that discussion with you.

25

CHAIRPERSON CHIN: Great, thank you. Okay, my question is well, the first question is on the model budget. I know that we finally got the \$10 million put in. I wanted you to maybe elaborate a little more on how that money is going to be spent because on the first time with the first \$10 million there were centers that did not get a dime. And like these were centers that were serving a large senior population and the Council, then we have to step in and continue to provide supplemental money for their essential services. So, can you just elaborate more like to make sure that this extra funding will go to every senior center? Because there is great need and we are still supplementing them.

LORRAINE CORTES-VAZQUEZ: Right, so what I can tell you is that there was formula that we designed with you and one of the things that goes to normalizing and rightsizing programming and staff. And so, what we are looking at is to – and we look at those programs that have the lowest number of staff and the lowest number of programs. And so, we are looking at it very, very carefully to make sure that it is incorporated into those programs so that we can right size them. Because that's what it was, it was

1 a model budget process. And Jose, if you want to
2 elaborate how we are looking at that, I would
3 appreciate it.
4

5 JOSE MERCADO: And so, I would say, I would
6 basically echo what the Commissioner said. It was
7 based on a specific formula. We were looking at
8 specific salaries to make sure that there was a
9 minimum amount per each agency. But if there are
10 specific agencies that you have concerns with, if you
11 can forward it to us and we can look at this and get
12 back to you on this.

13 CHAIRPERSON CHIN: Well, I mean, we talked about
14 it with the last model budget that came out. I mean
15 there are agencies that actually when you are just
16 talking about staffing, they have a greater need
17 because of the population they serve. They need more
18 bilingual bicultural staff and you know, all the
19 extra costs that was not covered. But we hope to
20 have this you know, continued conversation to make
21 sure that every center you know, get their fair
22 share.

23 We, on the Council -

24 LORRAINE CORTES-VAZQUEZ: That commitment is
25 there.

CHAIRPERSON CHIN: And then we at the Council are not providing money for core services. I think that is a key issue.

JOSE MERCADO: Yeah, we understand that but again the premise behind the model budget is to ensure that we are at least minimal salaries across the board. Some agencies have salaries much higher than the minimum. I think that's kind of where the model fell in that piece. Again, we can have conversations about like the Commissioner said, we can come back and look at this again.

Given the fact that this actually will be implemented again in part of the July 1, so and that's like the first three months of that first quarter and we can kind of look at this again.

CHAIRPERSON CHIN: Okay. I am going to go to talking about senior center reopening. I mean we're very happy to hear that grab and go will start on Monday May 10th but some of the providers was a one week notice.

LORRAINE CORTES-VAZQUEZ: No, no, I want to be clear. We said they could give us information and they can start as soon as they can. We don't have a

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2 mandated date when they start. They will let us know
3 when they are able and want to start, right?

4 CHAIRPERSON CHIN: My understanding and then I
5 think from the notice that was sent out that May 10th
6 is the first day that they can start the grab and go.

7 LORRAINE CORTES-VAZQUEZ: May 12th was – by May
8 12th they had to give us information and they can
9 start as early as May 10th if they are ready. All of
10 this was a voluntary process. It's not a mandated
11 opening date.

12 CHAIRPERSON CHIN: So, how many, how many centers
13 do you know is ready to start on May 10th.

14 LORRAINE CORTES-VAZQUEZ: I will get back to you
15 on that. I don't have that information right now.

16 CHAIRPERSON CHIN: But there are centers that are
17 ready to go right?

18 LORRAINE CORTES-VAZQUEZ: I believe so.

19 CHAIRPERSON CHIN: Because some seniors are
20 expecting their grab and go on May 10th.

21 LORRAINE CORTES-VAZQUEZ: That was never, that
22 was never a definitive date. I will get back to you
23 on that and we can look at, see who is ready for May
24 10th, whose ready for May 15th, who is ready. We can
25 give you that rolling deadline that they are giving –

1 I mean, the rolling opening date that they are
2 provided, alright?

3
4 CHAIRPERSON CHIN: Yeah, I mean -

5 JOSE MERCADO: I can give you a little bit more
6 clarity. So, there was a document that was sent out
7 that basically asked the provider to submit whether
8 they can opt in. You know, put in whether you want
9 to opt in, please let us know by May 12th. We think
10 as the Commissioner said, is that if you can start
11 earlier let us know. We do have a couple people, a
12 couple programs who are very eager to start on
13 Monday. I think that's where the confusion is. We
14 did not say start Monday but we do have a couple who
15 are very eager. We are looking at their finances to
16 make sure that they are viable to start on Monday.

17 CHAIRPERSON CHIN: Well, these providers
18 definitely will need the support. The resources and
19 the support to help them get started and we want to
20 make sure they have that information. And the other
21 thing is that the city is opening up. I mean
22 restaurants, you know increase the capacity. There
23 is outdoor dining. So, there are a lot of ways that
24 the seniors can go back to their center to get
25 services, not just the grab and go. I mean that's a

1 good beginning but what about you know getting some
2 social service support or mental health support, one
3 on one counseling discussion. I mean, all those
4 services should be available. I mean, that's what
5 seniors are asking. The restaurant down the block is
6 open. How come my center down the block is not open?
7

8 And it is such a critical need for them to be
9 back with their friends. The isolation that they
10 have endured for the whole past year and that's what
11 we've been you know advocating for to get them to
12 reopen as quickly as possible.

13 So, we want to make sure that they get the
14 resources and support they need from DFTA so they can
15 do that.

16 LORRAINE CORTES-VAZQUEZ: Yeah, thank you for
17 that and of course they will. And what we have done
18 also is worked and as you are well of this, we've
19 worked very closely with the Department of Health and
20 they have given us some guidelines for reopening in
21 the event that we can start congregate. And so, we
22 will be steering those and they have also given us
23 very good guidelines on low - what we are all calling
24 outdoor low-risk activities. Grab and go being the
25 first of those. And so, those guidelines have been

1 prepared. We just need to put them through the
2 administrative process. You know, meaning City Hall
3 and the Law Department but they are there when we are
4 ready to open so people will be prepared as to what
5 is going to be required for an opening. So, all of
6 that Preliminary Planning has been put in place.
7

8 CHAIRPERSON CHIN: So, when do you expect,
9 anticipate? Because the Mayor is talking about July
10 1st. The city will – is all the senior centers going
11 to be ready by July 1st?

12 LORRAINE CORTES-VAZQUEZ: Chairwoman Chin, you
13 and I both share that desire to open senior centers
14 and I always defer. This pandemic has been the most
15 eye opening, mind boggling, disease that we have ever
16 experienced and I defer to the science. And when the
17 science is and the medical community says that it is
18 safe for congregate activities and for activities
19 other than outdoor low-risk activities, we will be
20 the first there with you in reopening. But I have to
21 defer and respect the science and follow the science.

22 CHAIRPERSON CHIN: Well, I mean we will continue
23 to advocate to push because the providers have been
24 you know doing all the support work with the Grab and
25 Go, I mean with the Get Food and they were asked to

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2 be the one to help register to seniors and see if
3 they were registering, if they missed vaccine. If
4 they were having a problem doing it online, you and I
5 made robocalls and said, call your center.

6 So, we got to provide the supports so the seniors
7 come back.

8 LORRAINE CORTES-VAZQUEZ: Yeah and we do and we
9 have and we will continue to do that. What I want to
10 say is that as part of Grab and Go just precisely on
11 this vaccination question, one of the things that we
12 built in is to get information as to who might not be
13 vaccinated in a senior center and get that
14 information to the Department of Health as well as
15 getting them information, so that we could ensure
16 that as many older adults as possible are vaccinated.
17 Because that also helps the pathway to reopening.
18 And so that's going to be part of the Grab and Go
19 approach and we are very proud of that.

20 CHAIRPERSON CHIN: Okay and are your community
21 plan and the RFP; there was a concept paper that was
22 issued for the older adult center, senior center but
23 there was no concept paper for the NORC. So, how
24 much of the \$230 million in the RFP are going to the
25

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2 NORC program? And why was there not a need for a
3 concept paper for the NORCs.

4 LORRAINE CORTES-VAZQUEZ: The reason - my
5 understanding from the procurement policy
6 requirements is that there is not a need for a
7 concept paper. I've always believed in a concept
8 paper, if there was going to be a material difference
9 in the operations of a program, which is why we've
10 done that with the senior center and we did that over
11 a year ago. We started having conversations and
12 planning groups and input from the network and
13 taskforces that we have assembled, so that we could
14 inform that concept paper and then inform the RFP.

15 In the NORC program, in the programs structure
16 and design there was no material difference and
17 therefore a concept paper was not necessary.

18 CHAIRPERSON CHIN: Well, I know that the Council,
19 we put in the \$1.3 million for nursing services for
20 NORC. Is that going to be included in the RFP pot of
21 money? Because that's a core service.

22 LORRAINE CORTES-VAZQUEZ: Jose said that that was
23 based - Jose, can you address that?

24 JOSE MERCADO: So, I mean, so example, that's a
25 part of the discretionary pot correct?

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2 CHAIRPERSON CHIN: Yeah.

3 JOSE MERCADO: Right, so that is not. That is
4 not. That is not.

5 CHAIRPERSON CHIN: But that should be in there.
6 I mean, it's only discretionary because we had to put
7 it in because it's a deserving but it's a core
8 service that should be part of the NORC program,
9 right?

10 JOSE MERCADO: Yeah, I understand that but I am
11 just saying for example, what we asked for is we need
12 include a specific information. Now, for example, as
13 we mentioned earlier, there are three competitions.
14 One is the NORC itself. We have a minimum right now
15 of \$8 million set aside for NORC on top of that
16 vision and another \$7 million that can also be added
17 to that NORC competition.

18 Again, we have asked all providers to come in
19 with you know, with their requests and this could be
20 part of their request and it could be part of the RFP
21 as well.

22 CHAIRPERSON CHIN: But did you specifically
23 mention that it could be part of the RFP?

24 JOSE MERCADO: We opened, look uhm, I can get
25 back to you in terms of the details but I do know for

1 example, any provider could submit a request in terms
2 of what they want for this program to look like. So,
3 we didn't put any kind of limit on what the
4 programming should look like. We kind of left it
5 flexible so they can put in all their needs for the
6 program. As well as the funding needs or those
7 programmatic needs.
8

9 CHAIRPERSON CHIN: Okay, I mean, I just want to
10 make sure that it is part of the core program, so
11 that the Council don't have to put in the money for
12 nursing service. It was so critical that we had to
13 do it but it should be part of the RFP.

14 The other issue is uhm -

15 LORRAINE CORTES-VAZQUEZ: And I am glad you
16 mentioned that because that's going to be an
17 important part of our review then. And then we will
18 look at that very, very closely alright.

19 CHAIRPERSON CHIN: In terms of technology, in one
20 of our past hearings we talked about you know the
21 stimulus money that was coming into provide emergency
22 broadband benefits. So, is DFTA helping seniors sign
23 up for that program? Because the program will end
24 when the funds run out.

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2 LORRAINE CORTES-VAZQUEZ: Are you talking about
3 the bill that just – are you talking about the bill
4 that just went into effect?

5 CHAIRPERSON CHIN: No, this was the December 2020
6 stimulus money. It is talking about emergency
7 broadband benefit that was included in that. That
8 program allows seniors and other and low income to
9 receive a monthly discount of the costs of broadband
10 services. We talked about it in the past hearing
11 with Technology Committee because seniors definitely
12 could qualify for that.

13 LORRAINE CORTES-VAZQUEZ: I will have to get back
14 to you on that because I will tell you what we are
15 doing in technology and maybe that addresses it but I
16 want to be specific to your – answer your questions
17 specifically, alright.

18 Uhm, what we have done in – the broadband
19 technology is still not in place. The FCC has not
20 rolled out the guidelines alright. So, it needs to
21 roll out its guidelines and then we could follow
22 those. That is my understanding but what we have
23 done so far is uhm, for or has been in conversations
24 with OMB about expanding the NYCHA program, so that
25

1 we can have more technology and tablets available for
2 other than NYCHA residents.

3
4 And what we have also done is we've started some
5 conversations with some abled providers to see how we
6 could work with them and senior centers and come up
7 with a plan where they can have low-cost services.
8 Particularly to support the work that we have been
9 doing virtually. And so, those conversations are
10 going on but until the FCC rolls out its guidance, it
11 is difficult for us to do education and advocacy in
12 that arena. Although we did have conversations with
13 the CTO on how are we going to start doing that but
14 it is not in place yet.

15 CHAIRPERSON CHIN: Okay, uhm, my last question
16 and then I will turn it over to my other colleagues.
17 Mental health services, I was very excited when I
18 heard the mayor talk about providing social workers
19 to every schools for our kids, for our young people.
20 So, I wanted the same thing for our seniors, the
21 older adults. Are we going to be able to have you
22 know mental services support in every senior center?
23 In every NORC program?

24 So, how do we get to that point where - because
25 the seniors were definitely traumatized through the

1 pandemic through all the you know isolation. They
2 couldn't meet with their friends, couldn't meet with
3 their family. I mean they definitely need this
4 service. So, how are we fighting for that in terms
5 of new needs to make sure that every center, every
6 NORC, have this mental health support? Just like our
7 schools.

9 LORRAINE CORTES-VAZQUEZ: Yeah, while the
10 stimulus money, which we thought we could benefit
11 from was really directed towards education. And so,
12 but we have been in wonderful conversations,
13 productive conversations with Thrive as well as with
14 OMB around this issue. And we are also supporting
15 Thrive's grant, federal grant to the National
16 Institute of Help precisely for geriatric mental
17 health centers.

18 So, it is not something that we have expanded.
19 We have more than doubled the number of geriatric
20 mental health services and then we have also more
21 than doubled because we did that Hub and Spoke model
22 that we introduced that year. We hope that we could
23 be able to do that which is a cost effective model
24 and provides services for all.

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2 But at this point, we are in conversations about
3 how can we then expand those services with both OMB
4 as well as with Thrive.

5 CHAIRPERSON CHIN: Well, I hope that you know
6 before we adopt a budget that we hear some good news
7 on that. Because I think that it's great that you
8 know the Administration is providing the services to
9 all our young people, the student but they definitely
10 cannot forget the seniors.

11 So, we will continue to advocate for that
12 Commissioner.

13 LORRAINE CORTES-VAZQUEZ: Yes.

14 CHAIRPERSON CHIN: I want to make sure that our
15 budget go beyond at least half a billion, so that we
16 can say that the budget is more than half a percent
17 of the city's budget.

18 LORRAINE CORTES-VAZQUEZ: Yeah.

19 CHAIRPERSON CHIN: That's our goal, okay?

20 LORRAINE CORTES-VAZQUEZ: That's our goal.

21 CHAIRPERSON CHIN: Let's get over that half a
22 billion line.

23 LORRAINE CORTES-VAZQUEZ: There you go, half a
24 billion, half a billion.

25

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2 CHAIRPERSON CHIN: Alright, I am going to pass it
3 on to our Committee Counsel to call on other Council
4 Members.

5 LORRAINE CORTES-VAZQUEZ: Thank you.

6 CHAIRPERSON CHIN: Thank you.

7 COMMITTEE COUNSEL: Thank you Chair Chin. If any
8 Council Members have questions for DFTA, please use
9 the Zoom raise hand function and you will be added to
10 the queue. Council Members, please keep your
11 questions to five minutes including answers. Please
12 wait for the Sergeant at Arms to tell you when your
13 time begins. The Sergeant will then let you know
14 when your time is up. We will now hear from Council
15 Member Vallone followed by Council Member Darma Diaz.

16 SERGEANT AT ARMS: Starting time.

17 COUNCIL MEMBER VALLONE: Thank you Noah. Thank
18 you Mighty Margaret and Danny Dromm. Yes and I have
19 to echo the same sentiments. It has been an amazing
20 eight year journey fighting side by side for our
21 seniors and for all New Yorkers. It is truly a
22 privilege Margaret for all that we have done for the
23 last eight years and Danny, fighting on the budget to
24 make sure those dreams become reality. So, much of
25 the services for seniors came through on the Council

1 side when things weren't picked up. And to see a
2 budget this year Commissioner where we have that
3 additional funding coming in, I think we are really
4 ending on a positive good note on seeing the changes
5 and the prioritization of seniors.
6

7 It is what we have always said. As the highest
8 demographic in the city and growing in the number one
9 area, we always have to reflect that, so that's a
10 good win. So, thank you for that. I wish I had the
11 12 years Margaret with you and Danny but we were only
12 stuck with eight, so I would have loved another four.

13 Uhm, you know can we clear up maybe some light
14 Commissioner on the wonderful community care plan and
15 the \$48 million. Do you have any I guess estimates
16 on where those are going to be at this point and how
17 that process is going to be where how they are going
18 to be spread out over the city and what will be
19 involvement on providers in communities?

20 LORRAINE CORTES-VAZQUEZ: Sure Council Member
21 Vallone and I will be more than happy to show you. I
22 don't have it with me and even if I did, I wouldn't
23 know how to do a share screen. So, I don't have it
24 with me but I would be more than happy to share the
25 map with you. What we have done is we looked at

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2 where existing senior centers are right? And then we
3 also looked at where growth has occurred and we also
4 looked at where we have had what we have considered
5 and I think I have spoken to this at a previous
6 hearing. When we saw service deserts, alright? And
7 then service deserts coupled with transportation
8 deserts became the highest need.

9 COUNCIL MEMBER VALLONE: Well, then we check all
10 the boxes.

11 LORRAINE CORTES-VAZQUEZ: Exactly.

12 COUNCIL MEMBER VALLONE: We check all those boxes
13 out.

14 LORRAINE CORTES-VAZQUEZ: And I wish I was better
15 prepared to tell you exactly what we are doing in
16 your districts but I can tell you that I don't know
17 if it is your district in particular but Queens does
18 check a lot of those boxes.

19 COUNCIL MEMBER VALLONE: Yeah.

20 LORRAINE CORTES-VAZQUEZ: That is where the
21 greatest growth is. It is where the greatest
22 diversity has occurred because we are looking at a
23 variety of factors in our community assessment need.
24 But there is a map, I can share it with you and it
25

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2 shows you where the anticipated areas for new NORCs
3 and senior centers.

4 COUNCIL MEMBER VALLONE: That's good. We would
5 love to be part of that and just to see what the
6 initial vision is and maybe how we can enhance or
7 work with you to show you some of those areas. I
8 mean, each Council Member is always going to advocate
9 for their districts. We are all of those things that
10 you mentioned in Northeast Queens. The highest
11 population of seniors furthest away from all
12 services. No transportation options, so it is
13 critical to see that those plans are going into
14 place.

15 Is there any talk of maybe, just like we do with
16 schools, if we don't find a new senior center, maybe
17 expanding or working with the providers to an
18 extension of the existing?

19 LORRAINE CORTES-VAZQUEZ: Absolutely. That is
20 the beauty of this RFP. This RFP is really
21 revisioning. Alright, we did a community assessment
22 need and as Jose so aptly said before, people have
23 the opportunity to either create a new NORC, create a
24 senior center based on the needs and/or expand
25 existing or collapse a NORC as well as an older

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1 adult. So, that's what we are hoping to see in the
2 submissions to this RFP. That is what is possible
3 here.

4
5 COUNCIL MEMBER VALLONE: And that might be the
6 area instead of creating a whole new vision plan.
7 There are centers that we are all aware of who have
8 room for expansion or need some additional services
9 like doing the wiring and the electrical, just to
10 expand the community room and bringing some virtual
11 needs to the existing centers that we may be able to
12 do even if we don't target a new site. So, that's
13 good to hear that we can help.

14 LORRAINE CORTES-VAZQUEZ: And there also is the
15 possibility that they can have cooperative agreements
16 with each other.

17 COUNCIL MEMBER VALLONE: You provide the case
18 management; I will provide the arts program. You
19 know, that's what we are trying to do is to have
20 continuum of care in a community and kind of
21 collaborations. You know, we have been stuck in a
22 model for more than 25 years. You know, that had not
23 changed and we haven't issued an RFP in more than 10
24 years. This is an opportunity to address this
25 growth, this diversity and this total demographic

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2 change that we have had, not only in the city but in
3 the older population and that's why this community
4 care plan is so -

5 SERGEANT AT ARMS: Time expired.

6 COUNCIL MEMBER VALLONE: Well, if I could just
7 finish. I want to applaud you and your team. After
8 the last hearing, you did reach out on some of the
9 questions we had and you did work directly with the
10 providers who were asking the questions and that was
11 a big help to see that you know the team is listening
12 and same thing here. We would love to work with you.
13 I know immediately of two or three areas that were
14 either in the middle of an expansion, planning
15 expansion and the pandemic hit. Funding stopped and
16 if they can access those funds to finish off those
17 growth in the existing, that would be a huge win for
18 the seniors.

19 LORRAINE CORTES-VAZQUEZ: We will send you the
20 map and you start working at the local level. I can
21 no longer talk to individuals about the RFP because
22 the RFP is out. But I will send you the map and you
23 can do all of the discussions that you can do.

24 COUNCIL MEMBER VALLONE: I know Chair Chin tried
25 to ask but I have to ask because that is the number

1 one or not number one now. Whereas I get my
2 vaccination shot, but after that, when they will be
3 opening. You know you said you relied on the science
4 but I can't tell that to folks when they are calling
5 my office because in today's news that comes out
6 faster than everything. Everything seems to be
7 opening. What I would like to hear is maybe that we
8 can provide a date, even on a limited capacity. We
9 have to eventually start to the point of saying we
10 are opening July 1st with a percentage capacity and
11 then we are going to work with the seniors that are
12 vaccinated, not vaccinated and we have a plan and it
13 is all going to happen and it's going to expand and
14 change as we go. But right now, we still don't have
15 that answer and we really do need that answer.
16

17 I can't tell the rest of the demographic that
18 everything else is opening but centers. We can
19 target that date.

20 LORRAINE CORTES-VAZQUEZ: I hear you and what we
21 have done in response to all of your questions and
22 support has been to get that plan up and out. I
23 mean, up and ready with the Department of Health.
24 And now what we need to do is get a date but we want
25 to share that information with the network. We are

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2 going to do that within a matter of a day or two and
3 early next week and uhm, and so that people can start
4 getting ready and to know exactly what the
5 requirements are.

6 But I can't, I wish I could give you a date
7 positive but I hear you and we will go back and
8 consider it and look at it.

9 COUNCIL MEMBER VALLONE: Getting all those steps
10 in place, that's the answer, so that we don't have to
11 say we still need to do this, so as soon as we do
12 have that guidance. It's been an honor working with
13 you, your team and Margaret fighting for everything
14 from transportation services, increased social
15 services, guardianship and like Margaret Chin said,
16 the mental health issue for seniors now post-pandemic
17 at 30 years is through the roof.

18 So, that will have to be something, even if we
19 can't provide a social service worker in each center,
20 some type of service on or help or addition because
21 the minute those centers open, I believe that's going
22 to be the number one concern is the state of our
23 seniors following the pandemic is probably worse than
24 we thought it is.

25

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2 So, to get that help, I thank you very much.

3 Thank you both Chairs and thank you for the
4 additional time. God Bless.

5 LORRAINE CORTES-VAZQUEZ: Thank you.

6 CHAIRPERSON DROMM: Thank you very much. Just
7 before we go to Council, I just want to say we have
8 been joined by Council Members Cornegy, Darma Diaz,
9 Rosenthal, Gibson, Van Bramer, Yeger and Rivera. And
10 I know that we have questions from Council Member
11 Darma Diaz and Robert Cornegy and then I am going to
12 have to end it there. I will not go to a second
13 round because we do have the Department of
14 Investigation coming in to do their hearing and we
15 were supposed to start at 11, so we are running
16 behind time. But thank you.

17 Council, would you please call the next Council
18 Member?

19 COMMITTEE COUNSEL: Uh, yes, can we have Council
20 Member Darma Diaz followed by Council Member Cornegy?

21 SERGEANT AT ARMS: Starting time.

22 COUNCIL MEMBER DIAZ: Good morning and thank you
23 for this opportunity Council Member Chin and Dromm,
24 it has been excellent for me and Council Member
25 Vallone, thank you as well. As one of the newest

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2 members I was stunned. It definitely is a learning
3 process. To the Commissioner, I had three questions,
4 I am going to just ask one. In reference to your
5 Grab and Go, many of us are under the impression that
6 as of Monday, our centers would open up. I just had
7 a conversation with one of my centers and they
8 indicated that they are ready to go but they have not
9 heard back from DFTA about the funding's being
10 released so they can start purchasing. Can you
11 please explain to me what the system is and if there
12 is a disconnect?

13 LORRAINE CORTES-VAZQUEZ: There is no disconnect.
14 They got the information, once they give us their
15 needs, we review that, we give them back their
16 budgets. The money is there because we have not
17 expended money on food, so I don't know where the
18 disconnect. They may be ready to go but I think that
19 they need to let us know that. So, I will be more
20 than happy to follow up with that center to see what
21 is the issue but I doubt seriously that there
22 anything on our end holding them up, alright. So, I
23 will be more than happy to follow up with you on
24 that.

25

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2 COUNCIL MEMBER DIAZ: I am not looking to play
3 the blame game.

4 LORRAINE CORTES-VAZQUEZ: No, neither do I. I am
5 not a blamer. I am a fixer.

6 COUNCIL MEMBER DIAZ: Okay.

7 LORRAINE CORTES-VAZQUEZ: Alright.

8 COUNCIL MEMBER DIAZ: Thank you.

9 LORRAINE CORTES-VAZQUEZ: You're welcome.

10 COMMITTEE COUNSEL: We will now have Council
11 Member Cornegy.

12 SERGEANT AT ARMS: Starting time.

13 COUNCIL MEMBER CORNEGY: Can you hear me?

14 LORRAINE CORTES-VAZQUEZ: Now we can.

15 COUNCIL MEMBER CORNEGY: Hey Commissioner, good
16 afternoon. How are you?

17 LORRAINE CORTES-VAZQUEZ: I'm fine thank you,
18 great to see you.

19 COUNCIL MEMBER CORNEGY: Good to see you as
20 always. Thank you Chair Dromm, Chair Chin. I am the
21 proud recipient of NORC in my district, a relatively
22 new NORC. What the pandemic though has demonstrated
23 to us is that we need an enhancement. Are there
24 enhancements in what you have been talking about or
25

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2 the possibility for growth in those NORCs or are we
3 all talking about new NORCs?

4 LORRAINE CORTES-VAZQUEZ: No, it depends on the
5 community need. There is - I can't determine if a
6 particular NORC needs to be expanded. They may
7 choose to consolidate and expand. We cannot dictate
8 that though. Nor does the RFP prohibit that.

9 So, it is depending on the community assessment
10 and then the community profile that that particular
11 NORC or older adult center says, how are they going
12 to address the needs of that particular community.

13 COUNCIL MEMBER CORNEGY: Okay, because you know
14 obviously uhm, isolation and I think you've talked
15 about this already. Isolation was a huge portion of
16 what the pandemic exacerbated and you know our NORC
17 and other networks were very creative in getting
18 information to and connecting our seniors even in
19 spite of that but we saw a need, not to just leave it
20 there but to expand those opportunities for our
21 seniors. With access to technology, access to remote
22 learning, all of those kinds of things. So, there is
23 a hybrid system that we have in mind and that a lot
24 of NORCs probably have in mind about what [LOST AUDIO
25 1:15:19-1:15:23] and how to actually what we found

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2 was, there was an ability to bring in more seniors,
3 homebound seniors into the NORCs system and into the
4 engagement.

5 Oh, I just wanted to know if there is a
6 possibility for expansion and how we are looking at
7 NORCs going forward. They are certainly not ever
8 going to be the same. Just like the DOE is never
9 going to be the same after this pandemic.

10 LORRAINE CORTES-VAZQUEZ: Exactly, right. We're
11 looking forward to see what comes also.

12 COUNCIL MEMBER CORNEGY: Okay, so we will
13 definitely stay in touch but thank you so much
14 Commissioner for the great work. Thank you so much
15 both Chairs and no disrespect to anybody, especially
16 Council Member Chin who as you already alluded to, is
17 one of the biggest champions and advocates and I
18 would proudly say that we celebrate our NORC because
19 of her advocacy and because of her making it possible
20 for everyone. So I want to thank Chair Chin.

21 LORRAINE CORTES-VAZQUEZ: No truer words could
22 ever be spoken. She pushed for that NORC.

23 COUNCIL MEMBER CORNEGY: No, we know. There is a
24 lot of things we can't say on this Zoom but you know
25 we know Commissioner. Thank you. Thank you

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2 Commissioner. Thank you Chairs and especially, thank
3 you Chair Chin.

4 LORRAINE CORTES-VAZQUEZ: Thank you.

5 CHAIRPERSON DROMM: No worries Council Member
6 Cornegy. Everything you said is exactly right. So,
7 Council Member Chin, thank you.

8 With that, I am going to end this part of the
9 hearing and let me just read my statement and I want
10 to thank you Commissioner again for coming in. We do
11 have follow up questions and we will be asking them
12 later on.

13 So, okay, this will conclude the portion of
14 today's hearing. Thank you DFTA for being here. We
15 will now take a break until 11:00 a.m., well, it's
16 actually after 11:00 a.m. I ask my colleagues who
17 will be joining us for the DOI portion of the hearing
18 to remain in this Zoom with your microphone muted
19 until we are ready to begin. Again Commissioner,
20 thank you very much. Good luck and we look forward
21 to getting through this budget season working
22 together with you.

23 LORRAINE CORTES-VAZQUEZ: Thank you. The same
24 here. Bye, Bye.

25 CHAIRPERSON DROMM: Okay. Chow.

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2 LORRAINE CORTES-VAZQUEZ: Chow.

3 COMMITTEE COUNSEL: Chair Dromm, I think we can
4 go to your next portion of the script starting up for
5 DOI, if you are ready.

6 CHAIRPERSON DROMM: Okay and DOI is here with us
7 now?

8 COMMITTEE COUNSEL: They are.

9 CHAIRPERSON DROMM: Oh, okay, I see you, okay.
10 Good morning Commissioner.

11 MARGARET GARNETT: Good morning.

12 CHAIRPERSON DROMM: Good morning and welcome to
13 the City Council's second day of hearings on the
14 Mayor's Executive Budget for Fiscal 2022. My name is
15 Daniel Dromm and I Chair the Finance Committee. We
16 are joined with the Committee on Oversight and
17 Investigations, Chaired by my colleague Council
18 Member Vanessa Gibson. I believe we are joined by -
19 I will get that in a moment I think. Yeah, about who
20 is joining us.

21 We just heard from the Department for Aging and
22 we will now hear from the Department of
23 Investigation. In the interest of time, I will
24 forego an opening statement and I thank Chair Gibson
25 and ask her to make her opening statement now.

2 CHAIRPERSON GIBSON: Thank you so much Chair
3 Dromm and good morning ladies and gentlemen. Welcome
4 to our Executive Budget hearings. I am Council
5 Member Vanessa Gibson and I am proud to serve as
6 Chair of the Oversight and Investigations Committee.
7 I am so pleased to be conducting today's important
8 hearing and unfortunately it will be my very last
9 budget hearing as Chair of this Committee.

10 Today, I am joined by my good friend, the Chair
11 of the Finance Committee Chair Danny Dromm and my
12 other colleagues who have joined us today for today's
13 Fiscal 2022 Executive Budget hearing to review the
14 budget for the Department of Investigation.

15 The Department of Investigation promotes and
16 maintains the integrity and efficiency in all
17 government operations across the City of New York.
18 To accomplish this, DOI's Fiscal 2022 Executive
19 Budget totals \$53.2 million including \$29.4 million
20 for personnel services to support 363 positions and
21 \$23.8 million in other than personnel services.

22 I would like to thank Commissioner Margaret
23 Garnett and her team at DOI for their steadfast work
24 over the past year. The Department of Investigation
25 has successfully worked to decrease the backlog of

background investigations performed important
investigations published detailed reports and issue
policy and procedure recommendations to city
agencies, all while a great deal of staff are working
remotely.

We thank you Commissioner and the entire
Department of Investigation. I look forward to
continuing our productive conversations with our
oversight hearings; however, we do have a lot of work
ahead. Holding public officials accountable,
ensuring that public tax dollars are spent lawfully
and building faith and trust in honest government is
an arduous undertaking.

Today, I am interested in learning more about the
DHS integrity monitor, the department staffing and
what is on the horizon for the Department of
investigation. As this is my very first as mentioned
and last budget hearing as Chair of the Committee on
O&I, I look forward to learning more about the
Department and the important role that DOI plays in
New York.

I want to thank our Committee Staff for their
hard work during this process. Our Financial Analyst
Jack Kern, Unit Head Eisha Wright, Committee Counsel

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2 Johnny Ujohn[SP?], Policy Analyst Noah Meixler, Chief
3 of Staff Justin Cortes. I want to thank Regina
4 Poreda Ryan, Latonia McKinney and the entire Finance
5 Division for all of your incredible work. This is
6 our second year in which we are holding the entire
7 budget process remotely. And the Finance Division
8 has done an amazing and exceptional job and as I
9 close, I want to thank you Chair Dromm for your
10 partnership.

11 It's really been an honor. While I didn't come
12 in the Council with you, I have been serving with you
13 alongside you for the past eight years and for the
14 past four years we have been Deputy Leaders and on
15 the budget negotiating team and previously to O&I
16 Chairing the Subcommittee on Capital and it has
17 really been an honor to work with you. You are my
18 friend. You are my advocate and I look forward to
19 continued success for both of us after we leave the
20 Council. So, I thank you so much for your work, your
21 efforts and really making sure that the Council's
22 priorities are always at the forefront of our
23 discussions.

24
25

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2 I look forward to today's conversation and I turn
3 it back over to Chair Danny Dromm. Thank you so
4 much.

5 CHAIRPERSON DROMM: Thank you Chair Gibson.
6 Thank you very much for your kind words. You know it
7 has been a pleasure for me as well to be able to work
8 with you over the last eight years but particularly
9 in your role as the Chair of the Subcommittee on
10 Finance, which we worked on for three years together
11 and now, this important role and I am so happy that
12 you took it on as the Chair of the Investigations
13 Committee. And you know, you are doing a fantastic
14 job here and I know that you asked to this and you
15 stepped up to serve.

16 So, it's really great to have had this
17 opportunity to work with you. Let me also say that
18 we have been joined by Council Member Adams, Ampry
19 Samuel, Ayala, Brooks-Powers, Darma Diaz, Grodenchik,
20 Kallos, Louis, Rivera, Rose, Treyger and Yeger.

21 And just bear with me one minute. I want to
22 thank you again Chair Gibson. We will now hear
23 testimony from the DOI Commissioner, Commissioner
24 Garnett. Before we hear from the Commissioner, I

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2 will turn it over to our Committee Counsel to go over
3 some procedural items and to swear in the witness.

4 COMMITTEE COUNSEL: Thank you Chair Dromm. My
5 name is Noah Brick and I am Counsel to the New York
6 City Council Committee on Finance. Before we begin,
7 I want to remind everybody that you will be on mute
8 until you are recognized to speak. At which time,
9 you will be unmuted by the Zoom host. If you mute
10 yourself after you have been unmuted, you will need
11 to be unmuted again by the host. Please be aware
12 that there could be a delay in muting and unmuting,
13 so please be patient.

14 During this portion of today's hearing, we will
15 hear testimony from the Department of Investigation.
16 During the hearing, if Council Members would like to
17 ask questions, please use the Zoom raise hand
18 function and you will be called on to speak.

19 We will be limiting Council Member questions to
20 five minutes including responses. I will now
21 administer the affirmation to Commissioner Garnett.

22 Do you affirm that your testimony will be
23 truthful to the best of your knowledge, information
24 and belief?

25 MARGARET GARNETT: Yes, I do.

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2 COMMITTEE COUNSEL: Thank you Commissioner. You
3 may begin when ready.

4 MARGARET GARNETT: Thank you. Good morning Chair
5 Gibson and members of the Committee on Oversight and
6 Investigations and Chair Dromm and members of the
7 Finance Committee. My name is Margaret Garnett and I
8 am the Commissioner of the New York City Department
9 of Investigation.

10 On behalf of DOI, I would like to especially
11 welcome and recognize Council member Gibson as the
12 new Chair of this Committee. My staff has really
13 enjoyed introducing DOI to you and your team and I
14 look forward to working with you and this Committee,
15 with how ever much time we have left. Continuing to
16 provide a window into DOI's work and its important
17 role in supporting good government, particularly as
18 we continue to navigate these unprecedented times
19 together.

20 I am pleased to deliver this testimony via video,
21 which is the second budget testimony we are
22 presenting under the grip of the COVID-19 pandemic.
23 The serious fiscal challenges that first emerged
24 during the early days of the pandemic continue to
25 affect the city and all city agencies and DOI has

1 shared in this burden. The budget cuts, citywide
2 hiring freeze and employee furloughs over the last
3 year have presented weighty challenges for DOI both
4 in the present and as it looks to build a stronger
5 future. We have had to make hard choices and we
6 continue to make them.
7

8 Our goal is to navigate through a smaller budget
9 and a reduction in headcount without significantly
10 compromising the agency's work. However, the severe
11 constraints on hiring, salaries and promotions over
12 the last year have had an impact on the agency,
13 leaving us currently with a significant number of
14 vacancies in our workforce. And making it difficult
15 to retain staff and establish a strong, flexible plan
16 for the future. DOI is a unique law enforcement
17 agency with a broad mandate to root out corruption,
18 fraud, malfeasance and other types of wrongdoing
19 across the entire city.

20 As a result, our work and our budget, is focused
21 on the investigations we do and the people who do
22 them. Unlike many city agencies, DOI does not have
23 programs or provide direct tangible services to the
24 public. Therefore, there is no one program or area
25 where DOI could cut to realize a large sum of

savings. Rather, to satisfy the budgetary
constraints that have been imposed on us, we have to
look for small savings across the entire agency,
asking staff to carry a heavier burden and to do more
with a smaller workforce and fewer resources.

I want to recognize the determination and hard
work by DOI's staff that has made it possible to meet
the fiscal goals we have been given. And I want to
share with this Committee the dedication to public
service that DOI's staff has had in spite of the
difficulties of this past year. Swiftly and
successfully shifting into new and different work
configurations as warranted by COVID-19. From
transitioning to working remotely early last year, to
seamlessly moving to a mix of remote and on-site work
schedules last summer. DOI's staff has continued to
do their jobs and advance the agency's mission, as
well as willingly stepped up to assist other city
agencies during the crisis, including transporting
essential Personal Protective Equipment to the city's
hospitals during the pandemic's early days, advising
the citywide emergency procurement task force, and
offering to conduct expedited Vendor Name Checks on

1 companies being considered for pandemic-related
2 contracts.

3
4
5 DOI also loaned two staff members from its
6 Fingerprint Unit to assist DOHMH in conducting rapid
7 background checks for their various programs,
8 including the Learning Bridges program, which
9 provided free childcare options for children from 3K
10 through eighth grade on days they are remote
11 learning. This past year is a story of extraordinary
12 circumstances for us all. It has proven the
13 resilience of New York City and its people. And at
14 DOI, as at was at so many agencies, it has reflected
15 the perseverance of our employees and their continued
16 commitment to public service.

17 To understand our current situation, I want to
18 share some context about DOI and providing a
19 foundation for the rest of my testimony, where I will
20 discuss first the budget cuts and the savings DOI has
21 been able to realize. Second, the progress of
22 certain reforms I implemented to strengthen DOI's
23 investigative foundation. And third, the impact of
24 COVID-19 on DOI and our productivity in the face of
25 this year's many challenges.

So, I would like to begin with provide the
Committee with some budget and staffing figures. The
Proposed Budget for Fiscal Year '22 is \$53.1
million, of which \$3 million is a pass-through to
fund a mayoral initiative to audit the non-profit
homeless service sector under DHS. The remaining
\$50.1 million supports DOI's Personal Services and
Other Than Personal Services in the amounts of \$29.4
million and \$20.7 million, respectively. Fiscal '22
proposed headcount stands at 363 full-time staff,
although a significant number of vacancies and our
limited hiring authority, means we expect to begin
Fiscal '22 with a much lower active headcount.

DOI's current Expense Budget for Fiscal '21 is
\$58 million, consisting of \$29.3 million in Personal
Services for approximately 365 full-time budgeted
staff positions. The budget includes \$28.7 million
for Other Than Personal Services, such as supplies,
equipment and physical our space at 180 Maiden Lane.
Included in the \$29.3 million for Personal Services
is approximately \$5.5 million in Intra-City funding,
from Memoranda of Understanding with thirteen other
city agencies.

An additional approximately 180 staff positions are funded through various arrangements with city agencies, including the Memorandum of Understanding I just mentioned, as well as staff working at DOI's Inspector General for NYCHA, Health + Hospitals and the School Construction Authority.

Thus, the total staff headcount who report through DOI's chain of command on investigations is approximately 545, just under half of which are funded through financial arrangements with other city agencies or public authorities.

For Fiscal Year 2021 the agency provided \$2.5 million in savings, approximately \$2.15 million in Personal Services that was realized through a reduction of 22 lines, employee attrition, mandated employee furloughs and the citywide hiring freeze. Another \$353,000 in Other Than Personal Services was achieved by evaluating all discretionary spending across the agency and finding ways to cut costs. For example, renegotiating some contracts or realizing that some procurements that had originally been planned for Fiscal '21 will not occur until the following year, thereby saving those costs in the current fiscal year.

In Fiscal '22, DOI has been directed to cut costs by approximately \$1.95 million through similar approaches to cost savings, including a further baselined headcount reduction of seven lines. These reductions and constraints come at a price, namely the inability to fill critical investigative positions over the last year, coupled with delays in promotions and merit raises, all of which diminish DOI's ability to retain and hire qualified staff.

We have attempted to focus our extremely limited hiring authority on areas that can benefit investigations across the agency, such as staffing for our new initiative discussed in last year's budget testimony. To create a centralized Data Analytics Unit that will serve all of DOI's investigative squads. We have hired a director for this Unit and are actively recruiting for three data analysts to staff it.

The New Investigator Program is a second effort that is essential to shore up the agency's investigative foundation and one we also discussed in last year's preliminary budget testimony but then had to immediately place on hold due to the pandemic. This Fiscal Year and early next Fiscal Year, we hope

1 to receive approval to hire two cohorts of five
2 entry-level investigators each, that would jumpstart
3 this initiative, which will combine six months of
4 intensive training on investigative techniques with
5 close supervision on introductory casework. The goal
6 of the program is to develop investigators who can
7 then staff any one of our investigative squads but
8 also have the common understanding of investigative
9 best practices, knowledge about the specifics of
10 integrity and corruption investigations, a shared
11 commitment to a culture of integrity and preparation
12 to meet the high professional standards that DOI
13 expects.
14

15 Despite the current fiscal constraints, filling
16 investigative vacancies and doing so in a way that
17 enables us to implement this new Program, is among
18 the critical initiatives to ensure DOI's continued
19 strength in investigations in the years ahead. There
20 is no doubt that the fiscal realities of the last
21 year, along with a significant slowdown in the
22 criminal justice system and a diminished ability to
23 do certain kinds of in-person field work broadly
24 affected DOI's operations in Calendar Year 2020,
25 decreasing our number of arrests, recommendations

issued and new cases opened and closed, among other indicators.

Given the pandemic's continuing hold on New York City, we are seeing similar trends in the first half of Calendar Year 2020, which we expect will begin to turn around once the city safely and fully reopens. My executive team and I have worked hard to ensure that the savings we must realize in our budget do not fall disproportionately on any one area of oversight, because that would be a losing strategy for New York City.

Rather, DOI has tried to absorb these cuts across the board. What that means is there are fewer DOI staff, juggling more projects, under greater resource pressure, in every part of the agency. We are focused on minimizing the effect of these constraints on our work and our mission, shifting resources where necessary to staff high-priority matters that impact public health and safety. We are also hopeful that the additional flexibility provided by the federal stimulus aid to the city will ease the burden on DOI and allow for approval of the missioncritical hires I just discussed.

To better understand our current situation, I want to briefly provide some context about DOI and its mandate and how the reforms I have made since taking office in December of 2018 speak to furthering that mission. DOI is the City's Inspector General, a law enforcement agency made up of attorneys, auditors, analysts, investigators and administrative personnel. But that short description fails to acknowledge DOI's long legacy in New York City, how a massive corruption scandal led to its establishment in 1873 and how the agency has answered the call to root out corruption and fraud throughout its long history.

As a result, DOI has an extensive statutory mandate and a distinct role within city government. Protecting the city from corruption, fraud, waste and malfeasance. Exposing wrongdoing and holding accountable those who seek to steal from the city or undermine its programs and operations. Issuing recommendations to remedy the corruption vulnerabilities we find through our investigations. Arming city agencies and city government with the facts in an array of areas so that informed decisions can be made. And educating city employees about

their mandate to report corruption and fraud to DOI.

At our core, DOI is a fact-finding agency. We provide the facts to fight corruption, fraud and malfeasance that seeks to undermine the city and we foster reforms to prevent this type of conduct from taking hold in the future.

DOI's work provides the facts so that wrongdoers are held accountable and city operations can be strengthened and improved. DOI can and does investigate many matters solely on its own. But we also work with law enforcement partners, such as the FBI and the NYPD and we partner with all of the area's prosecutors, including all five district attorneys, the State Attorney General and the two United States Attorney's Offices that cover our region. Our cases can result in criminal charges and can lead to administrative action by the relevant City agency. We effect arrests but we stay behind after that arrest to recommend reforms that aim to remedy the systemic problems we uncover in our investigations. Our broad anti-corruption mandate includes investigating potential city whistleblower matters. Conducting investigations requested by the Mayor and City Council. And serving as the

designated investigators for the Conflicts of Interest Board, where we examine potential breaches of the city's ethics rules and provide those facts so the board so that the board can make a determination as to any penalties that may be appropriate.

DOI also has a discrete and targeted role within the city's contracting process. To provide information related to vendor name checks of vendors and its principals for contracts that meet the city's disclosure threshold of \$250,000 or more. To do this, DOI checks its own internal databases and relays to the contracting agency whether DOI has previously investigated a vendor or its principals and had substantiated findings from those investigations. This step enhances the checks that agency contracting officers are expected to conduct, assisting city agencies to make their own determination as to vendor responsibility and whether a particular contract should be awarded.

DOI also manages an integrity monitoring program that allows the city to, where appropriate, enter into or continue contracts with companies that might otherwise be precluded from doing business with the city due to integrity issues. Under this program,

1 the companies agree to be monitored by an outside,
2 independent monitor that reports to DOI. Presently,
3 we have approximately ten vendors in this program.
4 The city does not pay for these monitorships, rather
5 the vendor pays the integrity firm directly.
6

7 In addition to monitoring specific companies, DOI
8 also has appointed integrity monitors to help the
9 city oversee integrity issues on largescale City
10 projects. For example, in the wake of Hurricane
11 Sandy, NYCHA required an integrity monitor to oversee
12 its recovery and rebuilding efforts at NYCHA
13 properties. DOI acts effectively as a pass-through
14 agency for that funding, which is approximately \$2.5
15 million annually that goes directly to fund the
16 integrity firm that provides the day-to-day oversight
17 and reports to DOI. The same vendor integrity unit
18 will be managing the monitorship of the Bronx Parent
19 Housing Network. DOI has an ongoing criminal
20 investigation into financial improprieties at BPHN
21 that began in 2020 and has already resulted in
22 criminal charges against one defendant.

23 Because this is an ongoing and active matter, I
24 cannot provide further details about our
25 investigation at this time. Alongside our ongoing

1 investigation, we have been working closely with the
2 City's Department of Social Services to strengthen
3 its oversight of BPHN, including retaining a monitor
4 that will report directly to DOI and provide
5 additional oversight on BPHN's approximately \$80
6 million in contracts. In addition, DOI and DSS are
7 working to retain an independent monitor that will
8 also report to DOI to conduct an audit of all
9 nonprofit homeless shelter providers with city
10 contracts, providing greater oversight of how this
11 important nonprofit sector is using city dollars and
12 complying with city requirements designed to prevent
13 fraud.
14

15 Investigating city-funded nonprofits in every
16 sector continues to be an investigative priority for
17 DOI. There are hundreds of city-funded nonprofits
18 that provide critical services to New Yorkers and do
19 their jobs with integrity. However, DOI
20 investigations continue to reveal corruption, waste,
21 fraud and other abuse in this area. In addition to
22 investigations that have led to arrests and criminal
23 charges, DOI regularly makes administrative referrals
24 to city agencies that have highlighted issues such as
25 potentially wasteful spending, conflicts of interest,

1 family members on the organization's payroll in
2 violation of city contracts and other mismanagement
3 that leaves the organization, city clients and the
4 city itself vulnerable.
5

6 The city spends billions in taxpayer funds to
7 these nonprofits and depends on them to provide an
8 array of social services to the most vulnerable New
9 Yorkers. And so, it is an area where DOI continues
10 to maintain a close eye and investigates regularly.
11 A DOI investigation can start through a proactive
12 means, such as DOI deciding on its own to investigate
13 a matter based on information it has obtained. It
14 can begin through a specific request from the Mayor,
15 City Council or other relevant entity or through a
16 tip or complaint from the public or city employees.

17 DOI receives thousands of complaints annually.
18 Each is reviewed to determine whether an
19 investigation should be opened, or whether it is more
20 appropriate for another agency to handle the matter.
21 For instance, investigators might examine whether the
22 allegations involve potential criminal conduct that's
23 under DOI's jurisdiction or present issues that
24 should be expanded into a broader probe, among other
25 factors. So far this fiscal year, DOI has received

1 more than 9,500 complaints and we have opened
2
3 approximately 745 investigations. Complaints
4 received by DOI that do not result in the opening of
5 a DOI investigation, may be referred to another
6 agency that can more appropriately address the
7 allegations made in the complaint.

8 DOI also tracks and retains complaint information
9 that is not yet ripe for an investigation, to inform
10 our proactive investigative work or to provide a base
11 of information for future investigations. DOI is
12 constantly balancing the public's right to know about
13 our work with protecting confidential and sensitive
14 information from our investigations. Part of DOI's
15 mission is to promote government reforms, which often
16 requires the support and engagement of the public and
17 other government officials, including this Council.
18 The benefits of public engagement and transparency
19 must be balanced; however, with the need to maintain
20 confidentiality and integrity of our ongoing
21 investigation, so that we can do the most effective
22 investigative work and so that individuals feel
23 comfortable and confident stepping forward and
24 providing information, particularly in light of the
25

statute that mandates city employees to report
corruption to DOI.

CHAIRPERSON DROMM: Commissioner, I am sorry,
could you just – may I ask you just to wrap it up.
We are very limited in our time. I appreciate the
detailed report that you are giving. I just want to
mention that it is also online but if you can just
wrap it up and we can get to questions. I would
appreciate it.

MARGARET GARNETT: Sure, I will try to speed
through the rest. We are regularly evaluating ways
to be more transparent and use various tools to
educate the public about our work. We have begun
posting our annual Whistleblower Letter publicly and
last year we unveiled a policy and procedure portal
on our public website, which catalogs nearly 5,000
recommendations to city agencies since 2014.

When I arrived at DOI in December of 2018, my top
goals were to strengthen the agencies investigative
structure and practices and rebuild trust with our
investigative partners and within city government. I
believe we have been successful in meeting these
goals. One of the biggest problems we uncovered was
the enormous backlog in our background

1 investigations, as Chair Gibson mentioned at the
2 start of her statement.
3

4 Through reforming the structure of the background
5 investigation unit and a lot of hard work by DOI's
6 employees, we have already reduced the backlog by
7 more than half. I am happy to talk about that more
8 with questions.

9 I just want to briefly touch on DOI's response to
10 the pandemic. When all of New York State went on
11 pause last March, DOI sent nearly all of its
12 employees home and set them up to work remotely,
13 which was an enormous task and one that I am really
14 proud to say I think the agency handled really
15 successfully that has allowed us to operate at close
16 to normal throughout the past year.

17 Last July, we started brining back a portion of
18 our workforce to the office and that has been very
19 successful, both in terms of safety for our employees
20 and continuing the mission of the agency.

21 Uhm, I will skip through the work that we have
22 done in the past year and just conclude by saying
23 that the work of DOI is fundamental to the publics
24 faith in good government to the governments ability
25

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2 to hold itself accountable. I believe our work
3 reflects good government in action.

4 I am really proud of the work of DOI staff over
5 the past year under enormous challenges. Their
6 professional dedication and commitment to public
7 service and the vital mission of the agency. We are
8 the engine behind all of our achievements in the past
9 year. And I am happy to take the Council's
10 questions.

11 CHAIRPERSON DROMM: Thank you very much
12 Commissioner. Again, excuse me, again I am sorry to
13 have interrupted you. We have back to back hearings
14 all day and all month as a matter of fact.

15 MARGARET GARNETT: It's no problem. I
16 understand.

17 CHAIRPERSON DROMM: It's an incredible time. In
18 the last part of your testimony, you mentioned the
19 COVID situation. So, my first questions are around
20 COVID. The city is receiving more than \$16 billion
21 in federal funding in Fiscal '21, much of which is
22 for COVID-19 support. Following Hurricane Sandy, the
23 city also received a great deal of funding and DOI
24 was involved in multiple investigations into the
25 Hurricane Sandy recovery. One of which focused on

1 the Build it Back program, ultimately saving the city
2 an estimated \$40 million.

3
4 So, what role with the department have in
5 investing the city's increase in COVID-19 related
6 funds?

7 MARGARET GARNETT: So, you know we have had a
8 number of investigations particularly early in the
9 pandemic during what I would say the peak of the
10 emergency contracting. At least one of which has
11 already resulted in criminal charges in the southern
12 district of New York against vendors.

13 I think that you are absolutely right that the
14 influx in the last couple of months of federal money
15 that is funding many new programs around the city, I
16 guess to sort of put on my sort of cynical
17 prosecutors hat, will undoubtedly result in a lot of
18 work for DOI. I think anytime as we have seen in the
19 past, anytime there is a large influx of money to
20 particular program particularly where that money is
21 going to contracts to outside vendors, those end up
22 being a font of work for DOI because where there is
23 money, fraudsters follow.

24 So, we are watching very closely. I think each
25 time the city's announce a new program over the last

1 about six weeks since we have gotten the confirmed
2 federal stimulus, DOI has been watching that money,
3 asking questions, reaching out. Just recently I
4 think had productive conversations with small
5 business services about how to design the application
6 program for the new small business grant program
7 that's going to be operated out of SBS. Trying to
8 offer our services in the early stages of programs to
9 prevent fraud. Because what we have seen for
10 example, in our SOTA Special One Time Assistance
11 Report from late 2019, that often the people that at
12 agencies are designing application materials with
13 good intent but because of their own specialties
14 without an eye towards potential fraud or protecting
15 the city against potential fraud.

17 So, one of the things we have been doing over the
18 last month and really sense the beginning of the
19 pandemic last year, is more proactively reaching out
20 to the city agencies that are administering these
21 programs to offer our advice in the early stages,
22 rather than simply waiting until we start to see
23 fraud.

24 CHAIRPERSON DROMM: Commissioner, in the
25 beginning of your testimony, I think that you

1 mentioned that there were some concerns that you had
2 around hiring folks. Do you feel that with this new
3 influx of money coming in, that you will have the
4 capacity for you know being able to properly
5 investigate all that funding that's coming in?
6

7 MARGARET GARNETT: Uhm, well, I mean we
8 definitely have challenges around our staffing and
9 there is no getting around that. I think we have as
10 of July 1, when we get back some lines that are sort
11 of artificially depressing, our vacancies now. We
12 have about 50 vacancies, nearly all of which are in
13 investigative squads.

14 So, I think it's very important to me that DOI be
15 able to ramp up its hiring and get that approval from
16 OMB to ramp up investigative hiring as quickly as we
17 can, so that we have new folks in place for the
18 concerns that you just mentioned.

19 CHAIRPERSON DROMM: Commissioner, is that due to
20 the three to one hiring policy that you have had some
21 difficulty with hiring?

22 MARGARET GARNETT: Uh, yeah, so we came into the
23 pandemic with about 25 vacancies. Most of which were
24 in investigative squads and due to attrition, which
25 has been actually slightly below normal rates over

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2 the last year, we are now at around 50 vacancies.

3 So, over the last year, we have since April of 2020,
4 we have hired only three staff at DOI. Because we
5 had a lot of difficulties with OMB and actually
6 getting vacancies to translate into approved hires
7 from OMB.

8 So, we have a handful of other positions that are
9 in the hiring process now, which we hope to bring on
10 board in the next month or two but the key for us is
11 to fill these cohorts of new investigators that I
12 talked about in my testimony as quickly as possible.

13 CHAIRPERSON DROMM: And that's good for us to
14 know because you know ultimately with your
15 investigations, particularly in the area to funding
16 for COVID, it might cost us a bit to pay for those
17 investigators but probably, ultimately, you will be
18 saving the city money.

19 MARGARET GARNETT: I think that's true. I mean,
20 I think if you look at the history of DOI, our budget
21 is really quite small, I think relative to many other
22 city agencies. And you know, just off the top of my
23 head, you know several ongoing investigations we have
24 now that are potentially involve tens or hundreds of
25 millions of dollars of fraud. I do think that DOI

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2 pays for itself many times over but it's - we have to
3 have people right? That's the engine of DOI is its
4 people. So, that's our biggest challenge going
5 forward.

6 CHAIRPERSON DROMM: And thanks Commissioner. I
7 want to talk a little bit about the, one moment
8 please, about the George Floyd protest report. You
9 previously stated that the standard practice for DOI
10 is to provide an advanced copy of the report with the
11 Mayor and the respective agency both to have facts
12 checked and to afford agencies the time to
13 thoughtfully respond to recommendations upon the
14 reports release. Can you please expand on this? How
15 far in advance are reports shared with the Mayor and
16 the relevant agency and how is the length of time
17 determined?

18 MARGARET GARNETT: So, the length of time really
19 depends on how complex the report is. So, for
20 matters that are less complex, shorter reports,
21 particularly where we may have already been
22 discussing with the agency are concerns. So, I would
23 give the SOTA report as an example, Special One Time
24 Assistance, which is a DSS program to place homeless
25 families in longer term more stable housing.

1
2 Uhm, because we have been discussing you know for
3 months our concerns and investigation to that program
4 with DHS, I believe that they saw a final draft of
5 the report about a day and a half before it was
6 issued, maybe two days before and went to City Hall
7 at the same time. On the Floyd report, the final
8 draft went to the Police Department and City Hall
9 about five days, a little less than a week. Oh no,
10 that's not true. We issued the report on a Thursday
11 and it went on Monday to the Police Department and to
12 City Hall.

13 You know, as you recall, the report was about 125
14 pages, so it was quite expansive and dense. So, our
15 normal time period of about two days was expanded in
16 that instance to I guess about four days. It went on
17 mid-day Monday and it was issued Thursday morning
18 publicly.

19 CHAIRPERSON DROMM: Our concern was really why
20 wasn't it released to the Council also at the same
21 time. Can you elaborate on that?

22 MARGARET GARNETT: So, I mean normally when our
23 report is about city agencies, the Mayor is the
24 executive in charge of all city agencies and
25 responsible for implementing the policy

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2 recommendations that we made. So, that's not a
3 practice that I instituted. That's been the practice
4 as far as I can tell for ever at DOI that when the
5 final draft goes to the agency, it also goes to the
6 relevant Deputy Mayor at City Hall.

7 CHAIRPERSON DROMM: So, I just want to say though
8 that the Council, the Speaker did also at the same
9 time make that request. So, we would have thought
10 that we would have gotten an advanced copy at the
11 same time as the Mayor.

12 Is there a way to correct that situation, so that
13 this doesn't occur in the future?

14 MARGARET GARNETT: Yeah, so an advanced copy did
15 go to the Speakers Office but not as far in advance
16 as the Mayor, that's correct.

17 CHAIRPERSON DROMM: When did the Speaker get it.

18 MARGARET GARNETT: I would have to double check
19 but I believe it was the day before on Wednesday
20 even.

21 CHAIRPERSON DROMM: When was it released
22 Commissioner? I am sorry.

23 MARGARET GARNETT: On Thursday morning, December
24 18th.

25 CHAIRPERSON DROMM: So, barely a day before.

2 MARGARET GARNETT: Yes, that's right.

3 CHAIRPERSON DROMM: And the Mayor got it the
4 prior Friday, am I right?

5 MARGARET GARNETT: No, at the beginning of that
6 week on a Monday.

7 CHAIRPERSON DROMM: At the beginning of the week.
8 I would like to say that I feel we should have gotten
9 it at the same time as the Mayor got it. And I will
10 tell you why. The Mayor released a video at 7:30
11 a.m. on December 18th in which he discussed the
12 report that would become public later in the day.
13 His comments potentially influence the way the report
14 was received as the public first heard from the Mayor
15 and not from DOI. So, do you believe that the
16 Mayor's comments interfered with the reception of the
17 report? And has any Mayor or agency had done
18 something similar in the past?

19 MARGARET GARNETT: I am not aware of any instance
20 where the Mayor or mayoral agency has done something
21 similar in the past. It certainly was our
22 understanding that the report would first become
23 public when DOI released it at either 10 to 10:30, I
24 can't remember the precise time that morning on
25 December 18th.

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2 So, we were not part of the planning on that
3 video or the Mayor's release of it.

4 CHAIRPERSON DROMM: Okay, obviously he had some
5 advantage in terms of being able to release that
6 report before we got a hold of it. So, uhm, I hope
7 that in the future if there is a recommendation from
8 both the Mayor and the Council that we would receive
9 the report at the same time. Is that something that
10 you can commit to now?

11 MARGARET GARNETT: Yes, I think that's a
12 reasonable request. I think it is an unusual
13 circumstance that that happens but I definitely hear
14 your concerns and I think as I said, I think what
15 happened regarding the video and how that played out
16 was not - DOI was not part of that and that was
17 unusual in terms of our reports and what would
18 normally happen.

19 CHAIRPERSON DROMM: Okay, thank you Commissioner.
20 Let me just go back to something that you said about
21 OMB. What is OMB's rationale for not allowing you to
22 hire?

23 MARGARET GARNETT: There have been a series of
24 challenges and explanations as to what that's based
25 on. I think that you know there have been a number

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2 of different policies announced by OMB over the last
3 year with regard to what the hiring approval is. So,
4 there was a complete freeze understandably in the
5 city's hiring from March until through July. At that
6 point, a three for one system was introduced but it
7 was not retroactive, I mean, it didn't include
8 existing vacancies. It was limited only to on a
9 going forward basis. You have to accrue vacancies
10 from July forward to get approval on a three for one
11 basis for hire.

12 At the end of the year, we submitted at OMB's
13 request, a request for mission critical hires and a
14 small number of those that DOI requested. We are
15 approved through that process and we have been
16 working on getting those hires onboard. But I think
17 that the - you know part of the delay that we have
18 experienced over the last year has been essentially
19 long delays with many layers of approval at OMB
20 before a particular hire is approved.

21 So, it's not as if uhm, once you have three
22 vacancies, there is essentially automatic approval
23 for one hire. There is a process there and all of
24 that takes a great deal of time and then that result
25 has been as I said that since April of 2020, we've

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2 had only two people actually start at DOI. We have a
3 third person with an accepted offer who should be
4 starting shortly. And it has just been a very
5 lengthy and challenging process to navigate that with
6 OMB.

7 CHAIRPERSON DROMM: We would really like to work
8 with you on that and see that you get the resources
9 that you need, especially with this COVID funding
10 coming in. I feel that it is very important.

11 MARGARET GARNETT: Yeah, we would welcome that,
12 thank you.

13 CHAIRPERSON DROMM: Okay, thank you and my last
14 question. I used to be a New York City public school
15 teacher before I got elected to the City Council.
16 It's just on the Special Commissioner of
17 Investigations. So, the Special Commissioner for
18 Investigation fills a similar role as DOI but for the
19 Department of Education. Can you describe the way
20 DOI and SCI work together? For example, do you share
21 best practices, support each other's work, refer
22 complaints to each other? How often do you work
23 together and so on? And does DOI refer complaints to
24 SCI? And if so, how many are referred annually?

2 MARGARET GARNETT: Uhm, so, we have tried to
3 follow the findings and recommendations of the
4 government report on the structure of our
5 relationship with SCI. So, essentially SCI operates
6 largely independently as an investigative agency.
7 With a limited reporting function to me.

8 So, I would say I have a great, a very cordial
9 and positive working relationship with Anastasia
10 Coleman, who is the Special Commissioner for
11 Investigation. But SCI conducts its investigations
12 independently and DOI is really a resource to SCI
13 where they need help guidance assistance.

14 So, in general, I talk to Commissioner Coleman at
15 least once a month, typically more often, just to
16 check in and see how things are going. Share with
17 her for example, the way that DOI handled remote
18 work. Adapting to the pandemic, any training that we
19 are offering, things of that nature. I receive
20 copies of every referral, SCI referral that goes to
21 the Chancellor. So, I review those regularly. I get
22 sort of a batch of them once a week and review them
23 and if I have any concerns, questions, suggestions, I
24 will reach out to Commissioner Coleman to offer
25 those. Uhm and she will sometimes call me

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2 independently for advice about how we have handled a
3 particular investigation.

4 On referrals, when DOI receives complaints that
5 we made to the Department of Education, matters under
6 SCI's jurisdiction, we send those complaints onto SCI
7 to investigate. I don't have the exact number at my
8 fingertips but we can get that for you if you would
9 like.

10 CHAIRPERSON DROMM: Okay, alright, thank you
11 Commissioner. I am going to now turn it over to my
12 Co-Chair Chair Gibson. Thank you.

13 CHAIRPERSON GIBSON: Thank you. Thank you Chair
14 Dromm and good afternoon Commissioner. Thank you for
15 your testimony and outlining all of the work that
16 your agency has done over the past year during COVID.
17 A lot of the goals and you know guidelines that you
18 are following. I just had a couple of questions. I
19 know that hour is late today.

20 In your testimony, you talked about the Executive
21 Budget adding \$3 million for the DHS integrity
22 monitor. This is the Departments first new need
23 since the Fiscal 2020 Executive Plan. So, I wanted
24 to understand is this funding of an integrity monitor
25 a result of Executive Order 64 or was there another

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2 mandate that calls on this implementation of an
3 integrity monitor?

4 MAGARET GARNETT: So, there was another mandate -
5 it doesn't relate to Executive Order 64. It relates
6 to the Mayor's announcement in the wake of the BPHN
7 story in the New York story in the New York Times
8 that the city would be conducting an independent
9 monitorship of the entire sector of homeless
10 services.

11 So, there is really two things. One is the
12 process that we are in with DHS to conduct
13 appropriate oversight of just BPHN Bronx Parent
14 Housing Network by itself. At the same time and the
15 \$3 million new needs is to fund the CN2 fortition,
16 that mayoral mandate.

17 So, as I know you know Council Member Gibson from
18 our hearing last week, the process there is that DOI
19 and DHS jointly developed a questionnaire for all
20 approximately 75 homeless services providers that are
21 under contract with DHS, that was focused on
22 gathering information that relates to many of the
23 kind of red flags for potential fraud that DOI has
24 found from its investigations over the years in this
25 sector.

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2 At the same time, we have issued an RFP for that
3 outside auditor to conduct the audit and the precise
4 parameters of the audit of the entire sector will be
5 driven by the results that we get back from those
6 questionnaires.

7 So, that is money, the \$3 million is to fund that
8 monitorship of the entire sector is really an audit
9 more than a monitorship of the entire sector of
10 nonprofit homeless providers that have contracts with
11 New York City.

12 CHAIRPERSON GIBSON: Okay, so the \$3 million we
13 are talking about includes an actual monitor and all
14 of the staffing that would oversee all of our
15 homeless service provider contracts, correct?

16 MARGARET GARNETT: That's right. That's right,
17 so the majority of the funding will pay the audit
18 firm that will conduct the independent audit and as
19 part of that DOI requested the one line of staff
20 within DOI who will work in our Integrity Monitoring
21 Unit that essentially will oversee the work of the
22 outside audit firm.

23 CHAIRPERSON GIBSON: Okay, I understand the
24 surveys are due in June. When do you expect the
25 Integrity Monitor to be announced and is this a one-

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2 time funding stream? I don't imagine this would
3 extend into another Fiscal Year, is that correct?

4 MARGARET GARNETT: It's a one time, it's a one
5 time funding stream and the \$3 million is not to
6 exceed \$3 million. So, that's the basis for the RFP.

7 We have been conducting the questionnaire process
8 with providers on a parallel track with the RFP
9 process to secure the monitor, so that we are not
10 losing any time in this process waiting for the
11 questionnaires to come back.

12 So, I expect that we will be in a position to
13 announce the audit firm shortly after we receive the
14 results of those questionnaires.

15 CHAIRPERSON GIBSON: Okay.

16 MARGARET GARNETT: So, this summer and then the
17 basis of the RFP is that the matter will be completed
18 in less than 12 months.

19 CHAIRPERSON GIBSON: Okay, so DOI, DSS will
20 receive the Integrity Monitor over the course of a
21 year or less and then after that commences, you will
22 expect the recommendations to be made by the Monitor
23 that ultimately would be implemented by DOI and DSS
24 jointly?

25

2 MARGARET GARNETT: Yeah, so, the Monitor will
3 report to DOI and depending on the nature of those
4 reports, you know certainly any matters that suggest
5 further investigation or potential criminality will
6 be taken from there by DOI. And matters that relate
7 to the overall oversight of the sector by DHS, those
8 recommendations will go to DHS.

9 CHAIRPERSON GIBSON: Okay, okay, this is very
10 interesting. I think \$3 million is a lot of money,
11 so that's why I had to ask questions about what we
12 are looking to do. I you know realize that New York
13 Times article that came out, overseeing all of our
14 homeless service provider contracts and really making
15 sure we operate more efficiently. We root out ways
16 waste and abuse. I appreciate the effort; I just
17 think \$3 million is just a lot of money. And so, my
18 colleagues agree, they are nodding their heads.

19 Okay, I have a quick question about the Office of
20 Inspector General at the NYPD. They released their
21 annual report on April 1st and included a series of
22 updates to the previous report to the state they had
23 issued as well recent actions of the Office of
24 Inspector General and they talked about the NYPD's
25 response to the George Floyd protests. Because this

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2 was released so close to the issuance of the annual
3 report, DOI had not yet completed your own evaluation
4 of the NYPD's response to your recommendations to be
5 included in the annual report. So, confusing.

6 So, I want to understand, how long would it take
7 DOI to complete your analysis of the NYPD's response
8 to all of your recommendations?

9 MARGARET GARNETT: So, uhm, the Local Law 70
10 includes only annual reporting on the status of the
11 recommendations that we make to the NYPD. So, the
12 annual report captures those and there is a lengthy
13 back and forth process between DOI and the Police
14 Department to settle on what is the Police
15 Departments view and what is DOI's view of the status
16 of each issued recommendation.

17 When it comes to the Floyd protest report, as you
18 noted, the statutory 90-day period for the Police
19 Department to respond came in late March, very close
20 to the issuance of the annual report. So, the annual
21 report this year contains only the Police Departments
22 position on the status of implementing those
23 recommendations.

24 So, at DOI, we typically are updating our public
25 recommendations portal for all city agencies on a

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3 quarterly basis. So, my hope would be that we would
4 have some update in that portal on the status of
5 DOI's view as to the status of the Floyd protest
6 report recommendations by the middle of June, mid to
7 late June when we next do an update for that portal.

8 CHAIRPERSON GIBSON: Okay.

9 MARGARET GARNETT: The official update that
10 pursuant to Local Law 70 will come in next years
11 annual report on April 1 of 2022.

12 CHAIRPERSON GIBSON: Okay.

13 MARGARET GARNETT: But my hope is that we will
14 have something to report before then.

15 CHAIRPERSON GIBSON: Okay and so DOI is committed
16 to publishing the analysis once it is complete?

17 MARGARET GARNETT: Yes, yes we do.

18 CHAIRPERSON GIBSON: Okay and to what extent does
19 DOI have the ability to hold the NYPD accountable to
20 fulfill a lot of the recommendations that you are
21 suggesting. If you look on the portal, many of them
22 are in process right? Nothing has been really
23 complete and I think a lot of New Yorkers following
24 all of the protests, really want to ensure that there
25 is a level of accountability. And a lot of the
recommendations New Yorkers support but how do we

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2 ensure that the department is fulfilling as many of
3 those recommendations as legally we can allow them to
4 do?

5 MARGARET GARNETT: So, DOI's role in that, in
6 that process for the Police Department or any city
7 agency is simply providing the information publicly
8 to the Council, the public, the Mayor, the agency.
9 And we track it and provide transparency. We have no
10 ability to force agencies to do anything that we
11 think they should do and my own view is that that's
12 appropriate. I think the places in democratic
13 government that should be able to force other parts
14 of government to do things are the Council and City
15 Hall.

16 So, we make recommendations and we publicly track
17 their status for every city agency on our public
18 website and every recommendation we have made can be
19 tracked, the status of it on our public website,
20 since 2014. I shouldn't say forever, since 2014.
21 So, that's how DOI's role is to persuade and to
22 provide the tools for other entities, whether it is
23 the public or other parts of city government to take
24 action based on our recommendation and what their
25 status is.

CHAIRPERSON GIBSON: I want to ask a quick
question about the backlog of investigations and
where we are with that. I know you had an ambitious
agenda when you first became Commissioner and took on
that role of reducing the backlog. What's the update
in where we are today?

MARGARET GARNETT: Uhm, so, in early 2019, when I
first started to get my arms around the background
investigation backlog, the backlog was about 6,500
background applicants were in the backlog.

As of May 1st, that number is down to about 3,000,
it's 3,030 applicants still in the backlog. So, in
less than two years, we have reduced that by more
than half. When I testified about this issue in
February of 2020, I believe shortly before the
pandemic, we said then and it is still true today
that we are on track to meet the promises we made to
the Council to have the backlog totally eliminated by
at that time, I think I said January of 2024. It is
certainly my hope that we will get there before then
given the progress we have made so far. So, we
continue to make I think great progress eliminating
the backlog and I think equally importantly, at the
same time that we have done that, the restructuring

1 of the background unit has meant that since the
2 summer of 2019, we have been meeting our forward
3 looking ongoing obligations to the city by doing all
4 the background reviews that have come in since July
5 of 2019 in a timely fashion.
6

7 So, the vast majority of those have been
8 completed in less than six months with an average
9 time to completion of under 120 days. So, the
10 restructuring I think has enabled us to do both of
11 those things. You know starting today, with today
12 being July of 2019, meeting our obligations in a
13 timely manner as well as at the same time,
14 dramatically reducing the backlog.

15 CHAIRPERSON GIBSON: Great, I had a quick
16 question about the fees for Marshals that the
17 department collects. The regulation of our marshals
18 as it relates to residential commercial evictions,
19 season utility meters and ultimately carrying out
20 evictions. All of that revenue that is collected is
21 overseen by the Department of Investigation.

22 I just want to understand where that revenue goes
23 and since COVID-19, obviously all the moratoriums
24 that we have been faced with around residential and
25 commercial evictions. What oversight if any does DOI

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2 have as it relates to any of this revenue that we
3 collect when evictions aren't processed?

4 MARGARET GARNETT: So, uhm, we have, the Marshals
5 are not DOI employees. They are independent actors
6 appointed by the Mayor but we are their regulator and
7 we regulate how they conduct themselves. We require
8 their financial reports - they make their financial
9 reports to DOI and DOI collects a portion you know
10 fees based on their revenue as you noted. That money
11 goes into the city's general fund. It is not
12 retained by DOI; we turn that back over to the city.
13 But I think that you are absolutely correct to note
14 that the sort of the revenue predictions for this
15 year based on fees for Marshal activities I expect
16 will be dramatically lower than they have been in the
17 past because almost no evictions, commercial or
18 residential have occurred since March of 2020. The
19 slow down and limited capacity of the courts during
20 that time has also meant a significant slowdown in
21 another fee generating work of the Marshals which is
22 serving liens from civil judgements. That's another
23 fee generating aspect, as well as utility meter work
24 and the booting of cars for scofflaws on parking
25 fines.

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2 So, all of those activities have been down. Some
3 of them quite dramatically because of course of the
4 eviction moratoriums of the last year. So, I do
5 expect that revenue to be down very dramatically in
6 this year.

7 CHAIRPERSON GIBSON: Okay, thanks. I mean, I
8 just wanted to know if there was any influence that
9 DOI had over the revenue. We are always thinking of
10 ways to repurpose funds in more of a preventative way
11 as you look at you know, keeping people in their
12 homes and their businesses and things of that nature.
13 So, future conversations that we will be having with
14 the DOI and the city over that.

15 MARGARET GARNETT: Okay.

16 CHAIRPERSON GIBSON: Okay, my final question
17 because I have colleagues that do have questions and
18 I want to move on, is about the policy and procedure
19 recommendation. The PPR portal that DOI operates. I
20 really want to learn a little bit more about the
21 operations and the management of it in terms of
22 informing the public on the recommendations that are
23 issued by the Department and the agencies willingness
24 to except and implement any recommendations. This is
25 still a relatively new program right? It's a little

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1 over a year and I wonder what takeaways DOI has about
2 the portal. Have you seen any hitches, any
3 successes? How can we make the portal more
4 accessible to New Yorkers? How do New Yorkers find
5 out about it and is it user friendly? Are we
6 learning anything after a year to see how we can
7 operate more efficiently for New Yorkers?
8

9 MARGARET GARNETT: Yeah, so, you know I think
10 this is an initiative that we are really proud of at
11 DOI. It was a massive undertaking to create a
12 publicly searchable and accessible database. It goes
13 back to 2014. It's nearly 5,000 recommendations that
14 DOI has issued to city agencies since 2014. And it
15 is searchable, word searchable as well as sortable by
16 the agency to which the recommendation was issued by
17 date, by status. So, what it reports is the agency,
18 the date of the recommendation, the full text of the
19 recommendation that was made and the current status
20 as well as any note. There is a field for notes or
21 agency comments. The status is DOI's view of what
22 the status is of the recommendation, accepted, not
23 accepted, implemented, not implemented and so on.

24 So, unfortunately I think we were you know on
25 your larger question of how have people used it, I

1 think we were unfortunate victims of the pandemic
2 timing because we had planned a major rollout event
3 to introduce the PPR portal to the public and city
4 government at large for I believe our planned event
5 was March 18th of 2020. To really introduce this to
6 the public and to the media that covers city
7 government, it might be interested in using this in
8 the further ends of public transparency.
9

10 So, you know instead we just did of course a
11 press release. We couldn't have an event and I think
12 the public has been accessing, I mean, we don't, of
13 course DOI doesn't track who is accessing the portal.
14 That's through our public website, so we don't track
15 it. Anyone can look at it without being tracked. I
16 don't mean to suggest that.

17 So, we think it's been successful. We have been
18 updating it quarterly. We think it's as a technical
19 matter, it works extremely well. I certainly would
20 encourage any members of the press who cover city
21 government, advocates who are interested in
22 particular issues or city agencies or the members and
23 staff of the Council to take advantage of it and if
24 anyone who wants to use the portal has any technical
25 difficulties that they notify DOI right away because

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2 we think it is a tremendous step forward in
3 transparency of our work. It's a great feature for
4 the public, the media, the Council and we would
5 encourage everyone to take advantage of it.

6 CHAIRPERSON GIBSON: Thank you. Thank you
7 Commissioner. I am going to turn it back over to
8 Chair Dromm but I want to thank you again as my first
9 hearing under this new leadership Chairing O&I for
10 the cooperation of your staff and the partnership of
11 you and your team and I look forward to working with
12 you on your priorities. A lot of initiatives and
13 your ongoing work. It's been challenging for all of
14 us and certainly all of our city agencies have
15 stepped up in a major way working remotely with less
16 staff and more work. It's been a huge undertaking
17 for all of us but I have seen so many New Yorkers
18 step up in ways that we never ever imagined we have
19 to but we did it because that's exactly what we
20 needed to do.

21 So, I thank you and I look forward to our work
22 during this budget process and I thank you Chair
23 Dromm. Looking forward to our conversation. Thanks
24 again.

25 MARGARET GARNETT: Thank you.

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2 CHAIRPERSON DROMM: Thank you Chair Gibson. Let
3 me say that we have been joined by Council Member
4 Eugene, Cabrera and Lander and I know that we have
5 questions from at least two Council Members.
6 Counsel, would you please call on the Council
7 Members?

8 COMMITTEE COUNSEL: Thank you Chair Dromm. My
9 name is Noah Brick and I am Council to the New York
10 City Council Committee on Finance. Before we begin,
11 I am so sorry, I am reading the wrong portion of the
12 script. Let's try this.

13 If any Council Members have questions for DOI,
14 please use the Zoom raise hand function and you will
15 be added to the queue. Council Members, please keep
16 your questions to five minutes including answers.
17 Please wait for the Sergeant at Arms to tell you when
18 your time begins. The Sergeant will then let you
19 know when your time is up.

20 We will hear now from Council Member Adams
21 followed by Council Member Lander.

22 SERGEANT AT ARMS: Starting time.

23 COUNCIL MEMBER ADAMS: Okay, I was finally
24 unmuted. Thank you very much Chairs Dromm, Chair
25 Gibson. Thank you so much for having this hearing

1 this morning. Commissioner, it's a pleasure to see
2 you this afternoon, I should say. We are into the
3 afternoon already. Hopefully my question is a quick
4 one. It has to do with rampant issues around placard
5 abuse which continue in the city year after year
6 after year. I just need to know whether or not DOI
7 is involved in placard enforcement and if so, how?
8 That's the first part of my question. The second
9 part of my question in the interest of time is going
10 to have to do if so, is going to have to do with the
11 apparently there was a sign that was placed, a fake
12 sign that was placed or signed according to the Patch
13 today signed nailed to a tree near Washington Heights
14 NYPD Precinct. Are you aware of that and what will
15 DOI do about that? So, that's part A and part B to
16 my question. Thank you.

18 MARGARET GARNETT: So, on part A, on the
19 placards. I think DOI has done and continues to do a
20 number of investigations and cases related to forged
21 and fake parking placards. In the past year, we had
22 two separate criminal matters. One of an Assistant
23 Commissioner in a city agency who plead guilty to a
24 misdemeanor related to use of a forged fake parking
25 placard, as well as an investigation and a criminal

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1 matter into a ring of people including four city
2 corrections officers who were using and selling
3 forged disability parking placards. We have done a
4 number of conflicts of interest board matters that
5 relate to the misuse of placards as well in a number
6 of city agencies including at Health + Hospitals
7 which was made public this past year.
8

9 So, I think our work in placard abuse is mostly
10 focused on things that are either violations of a
11 conflicts of interest board rules or forged and fake
12 placards which could result in criminal action. I
13 think one, you know the largest area for placard
14 enforcement is with the Police Departments Traffic
15 Enforcement Bureau. DOI cannot issue parking
16 summonses or tickets or anything of that nature for
17 illegal parking.

18 And so, I think a huge portion of what falls
19 under the umbrella of placard abuse are matters that
20 really are up to the enforcement of the NYPD's
21 Traffic Enforcement Bureau.

22 COUNCIL MEMBER ADAMS: Commissioner, how has DOI
23 educated or continued to educate workers on the issue
24 of placard abuse because it really is still very
25 significant in the city.

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2 MARGARET GARNETT: Yeah, so I think you know as
3 we do a tremendous amount, during normal times, we do
4 a tremendous amount of anticorruption training and
5 lecturing to city employees. That has been down
6 significantly over the past year because of the
7 pandemic presenting difficulties for that. But
8 misuse of city benefits, whether that is using your
9 city ID or badge to get a benefit or get out of a
10 ticket or misuse of city cars, parking placards has
11 been a significant part of our training over the
12 years as well as our enforcement and that continues.

13 COUNCIL MEMBER ADAMS: Thank you. I just think
14 that there is still so much more to be done. The
15 complaints are still through the roof and we see them
16 on a daily basis. I would like to see DOI continue
17 to ramp up when it comes to enforcement around
18 placard abuse and thank you very much for your
19 testimony today.

20 MARGARET GARNETT: Thank you.

21 COMMITTEE COUNSEL: Council Member Lander.

22 SERGEANT AT ARMS: Starting time.

23 COUNCIL MEMBER LANDER: Thank you very much Madam
24 Chair. It's good to be here for this hearing. I am
25 encouraged to see so many things you know in the

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2 Executive Budget that were not in the Preliminary
3 Budget that we are – that it is great to see. So,
4 Commissioner and Deputy Commissioner, thank you. It
5 is encouraging to see the funding for the streets
6 master plan. For the crash investigation unit. I
7 asked about the installation of the 10,000 bike racks
8 at the Preliminary Hearing and the fact that the \$3.6
9 million is put in the Executive Budget is great and
10 of course, I am enthusiastic about the funding for
11 the dangerous vehicle abatement program and glad that
12 that will beginning and stepping up in the year to
13 come.

14 I have two questions. Uhm, first Commissioner,
15 at the Preliminary Budget hearing, I asked you to
16 take a look at the Parkside Avenue bike lane and that
17 one block where there is only a six foot two way lane
18 that is really too narrow.

19 CHAIRPERSON DROMM: Council Member Lander.

20 COUNCIL MEMBER LANDER: I'm sorry?

21 CHAIRPERSON DROMM: This is the Department of
22 Investigations.

23 COUNCIL MEMBER LANDER: Oh, this is not the DOT
24 hearing.

25

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AND THE COMMITTEE ON TRANSPORTATION 123

2 CHAIRPERSON DROMM: No, no, we haven't started
3 that yet, I am sorry.

4 COUNCIL MEMBER LANDER: I apologize.

5 CHAIRPERSON DROMM: Okay, thank you Council
6 Member Lander.

7 COMMITTEE COUNSEL: Council Member Rosenthal, is
8 your question about investigations?

9 COUNCIL MEMBER ROSENTHAL: Yes, it sure is.

10 COMMITTEE COUNSEL: Great, you may commence when
11 ready.

12 COUNCIL MEMBER ROSENTHAL: Thank you. Sorry for
13 the noise, I am in Central Park. Commissioner, thank
14 you for all your good work. I am wondering, this is
15 quite a budget question, I accept it has to do with
16 your unit that investigated the NYPD Special Victims
17 Division.

18 I am wondering whether or not you plan to issue
19 another report - sorry, given your 2018 report showed
20 that so much work had to be done at the Special
21 Victims Division. And that was just a report about
22 the adult squad. At that time, you had said, the
23 Department had said they would be investigating the
24 child squad next. Could you talk a little bit about
25 where you are with that investigative unit and

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2 whether or not you are going to be doing an
3 additional, more investigation?

4 MARGARET GARNETT: So, we don't typically talk
5 about ongoing investigations. I know that the NYPD
6 IG unit has been engaged over the last years in
7 discussions and a lot of work on potentially the
8 child victims part of Special Victims but I don't
9 have anything I can say publicly now about the status
10 of that. I will say on the Special Victims Report, I
11 know this is a focus of yours Council Member
12 Rosenthal but I think we are really proud to report
13 in this years annual report on April 1st, that there
14 has been over the last year, really significant
15 progress in implementing some of the investigations
16 from that report.

17 I think that it was a slow road but a number of
18 those investigations have shown - a number of those
19 recommendations have progressed in terms of their
20 implementation at NYPD over the last year.

21 COUNCIL MEMBER ROSENTHAL: Can you name one?

22 MARGARET GARNETT: Uhm, so I don't have the list
23 in front of me but I think the opening of those
24 facilities and improvements in staffing are two areas

25

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2 that have shown improvement over the last year in
3 terms of implementing information.

4 COUNCIL MEMBER ROSENTHAL: Right, so with all due
5 respect, we got one new unit in Manhattan. There is
6 still - we are still waiting for siting in Queens and
7 in Brooklyn. Uhm, Bronx has been somewhat renovated
8 but the site, even the Manhattan site is too small
9 because they were not built for the additional
10 staffing.

11 So, so far, their one possible positive step has
12 fallen short. They need more space because they are
13 not staffing to the level that would be required to
14 do a thorough investigation and they still refuse to
15 do the analysis or think about the promel model to
16 have a staffing level where you know investigators
17 are not depressed, sleeping on the job, overworked,
18 asking still questions in a way that is not trauma
19 informed. I haven't seen any additional training at
20 the last hearing with Commissioner Shea. He said
21 that they have not done affetti training for a number
22 of years. So, I am surprised to hear that your take
23 away is so very different than mine and I am
24 wondering if you would consider going back and
25 rethinking your finding a little bit? I mean, if

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2 that - if DOI is really satisfied with where NYPD is,
3 I would love to have a follow up meeting with you and
4 understand why you seem to think anything is better
5 now for women or people who come forward who have
6 been assaulted than it was in 2018. I think it's
7 only, the word I get from the advocates is it's only
8 gotten worse.

9 MARGARET GARNETT: So, I think, I wouldn't say
10 that we are satisfied with where things are and I
11 didn't mean to give that impression and I think we
12 absolutely welcome a meeting with you to hear more
13 about the concerns and see where the gap is I think
14 and what we think worsening at NYPD on this issue and
15 what you are hearing from advocates. So, we would
16 welcome that meeting.

17 COUNCIL MEMBER ROSENTHAL: Thank you. Do you
18 think you have enough staff to do another thorough
19 investigation of the NYPD because DOI is the only
20 independent agency who could possibly help sort
21 things out there, otherwise it's just NYPD reporting
22 on itself.

23 You know and you know, they don't put out
24 information and you know, they have been through two
25 different people to run the SVD, they have

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2 reorganized it several times. Never with success.

3 So, I am just wondering if you feel you have enough
4 staff to do a proper investigation because I am happy
5 to call on the administration to add investigative
6 staff for the NYPD in particular in my mind for the
7 SVD but I am sure there are multiple other divisions
8 that need investigation. Is that something that you
9 think DOI needs?

10 MARGARET GARNETT: So, I think that we have
11 adequate headcount but where we are having difficulty
12 is approval to fill the vacancies we have. So, it's
13 not a question I think of adding positions but rather
14 being able to fill the vacancies we have, so that we
15 are operating at full string.

16 COUNCIL MEMBER ROSENTHAL: Could you, I am going
17 to stop my questions because I know other people have
18 questions but just so, I am going to follow up with
19 you on a meeting. I really appreciate that offer. I
20 would love to you know, have your team there and hear
21 the thoughts.

22 But secondly, if you could just send over to the
23 Committee the number of headcount that are meant to
24 be filled and how many vacancies there are you know,
25 that you are waiting to fill more and my interest is

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2 in the Special Victims Division of the NYPD.

3 Perhaps, I mean I leave it to the Committee to ask
4 about other divisions as well but in particular, I
5 would like to know the headcount at DOI and what
6 positions are waiting to be filled because we are
7 anxious. The advocates are anxious to have some
8 meaningful follow up given that you know I strongly
9 believe that the NYPD has not changed its ways at all
10 since DOI issued what was a seminal report that I
11 admire and am proud to turn to.

12 So, thank you very much. That was a nod of the
13 head yes.

14 MARGARET GARNETT: Yes, we can provide more
15 detail to the Committee on our vacancies and where
16 they are. I am happy to do that.

17 COUNCIL MEMBER ROSENTHAL: Okay, great, thank you
18 so much. Thank you Chairs.

19 CHAIRPERSON DROMM: Thank you very much.
20 Commissioner, thank you as well. We do have a lot of
21 follow up questions that we weren't able to get to.
22 I am sure we will get them over to you though. I
23 appreciate you coming and giving testimony and being
24 open with us about what you have done since you
25 started at the Department of Investigation.

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2 So, thank you. We are going to conclude this
3 portion of today's hearing.

4 COMMITTEE COUNSEL: Uh, Chair Dromm? I am just
5 going to interject. Council Member Diaz is your
6 question for DOI or DOT.

7 COUNCIL MEMBER DIAZ: DOI and it is brief.

8 CHAIRPERSON DROMM: Go ahead Council Member Diaz.

9 SERGEANT AT ARMS: Starting time.

10 COUNCIL MEMBER DIAZ: Thank you for this
11 opportunity. My question is in reference to the \$3
12 million deal conversation that you are having, which
13 I find to be extreme and perhaps unnecessary. Would
14 you be able to share with the Council the tool that's
15 going to be used by the auditing firm that you are
16 going use?

17 MARGARET GARNETT: The tool? I am not sure I
18 understand the question.

19 COUNCIL MEMBER DIAZ: I come from the DHS world
20 and when we monitor, it's called a monitoring tool.
21 I would like to know your questions that you are
22 going in with? What are you looking for?

23 MARGARET GARNETT: So, we intend to structure the
24 audit in terms of division between a deep dive audit
25 versus what we would consider to be desk audit of

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2 policies and financial filings based on the responses
3 from the questionnaires that went out to the 70 plus
4 providers that are due back in June.

5 So, based on the answers to those questionnaires
6 as well as other information that DOI or DHS has
7 about the providers, the audit firms work with the
8 structuring to two groups. Those providers that will
9 get a full scale audit of their finances, policies
10 and operations and those providers that will get what
11 we would call a desk audit, which just would involve
12 reviewing their policies around nepotism,
13 professionalization of the board. Executive
14 salaries, a number of issues that we have identified
15 over the years that would be a more limited audit for
16 those providers that are in that second group.

17 COUNCIL MEMBER DIAZ: That doesn't seem much
18 different to me or different at all from what OTDA
19 comes in with. I am more than happy to have a
20 separate conversation with you but someone that has
21 gone through the OTDA process, I mean it don't seem
22 much different than what you shared with us today.

23 MARGARET GARNETT: I mean, we are happy to set up
24 a meeting with you and your staff to talk about how
25

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2 that review is being planned and what it will look
3 like.

4 COUNCIL MEMBER DIAZ: Thank you.

5 CHAIRPERSON DROMM: Thank you very much and thank
6 you again Commissioner for coming in and giving
7 testimony today. We are going to now move into the
8 Department of Transportation portion of this hearing
9 and I am going to welcome Commissioner Gutman and
10 thank him for being here.

11 We have been joined by a few Council Members, a
12 number of Council Members. Council Members
13 Rosenthal, Adams, Ayala, Darma Diaz, Reverend Diaz,
14 Holden, Koo, Lander, River and Yeger and we will be
15 joined by Council Member Rodriguez shortly.

16 So, with that, I am going to ask Council to – I
17 am going to forego my opening statement and we are
18 going to ask Council to swear in the witness and then
19 we will proceed.

20 COMMITTEE COUNSEL: Thank you Chair Dromm. My
21 name is Noah Brick and I am Counsel to the New York
22 City Council Committee on Finance. Before we begin,
23 I want to remind everyone that you will be mute until
24 you are recognized to speak. At which time, you will
25 be unmuted by the Zoom host. If you mute yourself

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2 after you have been unmuted, you will need to be
3 unmuted again by the host. Please be aware that
4 there could be a delay in muting and unmuting, so
5 please be patient.

6 During this portion of today's hearing, we will
7 hear testimony from the Department of Transportation.
8 During the hearing, if Council Members would like to
9 ask questions, please use the Zoom raise hand
10 function and you will be called on to speak. We will
11 be limiting Council Member questions to five minutes
12 including responses.

13 I will now administer the affirmation to the
14 Administration witnesses. Do you affirm that your
15 testimony will be truthful to the best of your
16 knowledge, information and belief? Commissioner
17 Gutman?

18 HANK GUTMAN: I do.

19 COMMITTEE COUNSEL: Commissioner Jarrin?

20 JOSEPH JARRIN: I do.

21 COMMITTEE COUNSEL: And Mr. Ott?

22 ZEESHAN OTT: I do.

23 COMMITTEE COUNSEL: Thank you all. Commissioner
24 Gutman, you may begin when ready.

25

2 HANK GUTMAN: Thank you. Thank you very much.

3 Good afternoon Chair Dromm, Chair Gibson, Members of
4 the Council of the Transportation and Finance
5 Committees. Thank you for inviting us to appear
6 today.

7 I am Hank Gutman, I am the Commissioner of the
8 New York City Department of Transportation. With me
9 today are Joseph Jarrin, the Executive Deputy
10 Commissioner and Zeeshan Ott, Director of Government
11 Affairs. We are pleased to testify today on behalf
12 of Mayor de Blasio on DOT's Fiscal Year '22 Executive
13 Budget and the Fiscal Year 21-31 Capital Plan.

14 Needless to say today, I am testifying before you
15 on a very different budget than the one I testified
16 on two months ago. The pandemic hit us hard, but as
17 the Mayor has said, together we will fight back and
18 drive a recovery in every neighborhood. This
19 Recovery Budget is an historic stimulus-driven
20 investment in the city's come\ back for which we are
21 grateful to Congress and the Biden Administration, as
22 well as the city administration of course.

23 The DOT's work touches every aspect of life in
24 the city and is essential to the city's recovery.
25 With an addition of \$140 million to the DOT's

baseline Expense Budget and \$4.2 billion to the
Capital Budget, we will continue to reimagine our
streets, double down on Vision Zero, provide more
public space in communities across the city, speed up
buses for our transit riders, maintain our
infrastructure and continue to operate the Staten
Island Ferry.

A few key highlights that I would like to mention
in my testimony. First, the DOT's proposed \$24
billion Fiscal Year '21-'31 Capital Plan includes:
\$11.4 billion for bridge reconstruction and
rehabilitation; \$3.9 billion for street
reconstruction; \$3.2 billion for resurfacing; \$3.4
billion for sidewalk and pedestrian ramp repair and
reconstruction; \$497 million for the Staten Island
Ferry; \$1.1 billion for streetlights, signals, and
automated enforcement; and \$626 million for the
facilities and equipment needed to support the DOT's
operations.

Our \$1.1 billion Fiscal Year '21 Expense Budget
includes: \$357 million for traffic operations,
including signals, streetlights, automated
enforcement and parking; \$196 million for roadway
maintenance; \$106 million for bridge maintenance and

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2 inspection; \$125 million for transportation planning
3 and management, including installation of street
4 signs and roadway markings; \$102 million for ferry
5 operations and maintenance; and \$251 million for
6 other DOT operations and administration, including
7 sidewalk management and inspection.

8 A few of the highlights as to where that money is
9 going. First the Manhattan Greenway. As the Mayor
10 announced, we are incredibly excited that, working
11 alongside our partners at EDC and Parks Department,
12 we will be completing the Manhattan Greenway, the
13 most-traveled bikeway in America. \$723 million in
14 capital spread across the three agencies' budgets
15 will fund completion of: the Harlem River waterfront
16 from Sherman Creek to University Heights Bridge in
17 Inwood; the Harlem River waterfront from 145th Street
18 to Highbridge Park in Harlem and Washington Heights;
19 the UN Esplanade from 41st to 53rd Streets; and the
20 East River Pinch Point from 13th to 15th Streets.

21 Next, Open Streets. In communities across the
22 five boroughs, Open Streets provided a true bright
23 spot in a very difficult year. And thanks to the
24 Council's partnership, it is now becoming a permanent
25 fixture across all five boroughs. Funding in this

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budget will allow us to support the city's nation-
leading program as it becomes permanent and to
provide more support for community partners to create
a sustainable and equitable program. The budget
funds two additional DOT staff and necessary funding
for maintenance and operations. It also funds the
City Cleanup Corps, a New Deal-style job creation
program announced by the Mayor, to support the
program and to provide jobs for young people. Open
Restaurants, next this budget invests in the Open
Restaurants program to support its permanence and to
streamline the application process.

In response to this crisis of the pandemic last
year, DOT had to re-assign staff from across our
operations and our sister agencies for inspections
and outreach. This allowed the city quickly to stand
up the program in support of our city's beloved
restaurant industry, while indoor dining was banned
or limited and helped save over 100,000 jobs. With
funding allocated in this budget, we will add 34 new
positions to manage the permanent program, including
two positions in the Mayor's Office for People with
Disabilities.

1 Vision Zero. On Vision Zero, this budget will
2 provide \$46 million in Fiscal Year '22 ramping up to
3 \$59 million in Fiscal Year '25 and the baseline in
4 funding for operations and maintenance of 360 new
5 speed cameras in Fiscal Year '21 and 600 new speed
6 cameras in Fiscal Year '22. This will bring the
7 total to 2,220 cameras citywide and will expand the
8 reach of these life-saving devices. And, in addition
9 to DOT's portion of the Manhattan Greenway, this
10 budget funds a number of Vision Zero capital streets
11 projects to make permanent safety improvements.
12 These include: \$74 million for Phase 6 of our Grand
13 Concourse Great Streets project, adding bike lanes
14 from 138th to 161st Streets; \$12 million for the
15 Southern Boulevard Bus Stops Under the El Corridor
16 project, including constructing a series of sidewalk
17 extensions to enhance safety and accessibility under
18 the elevated train line; \$19 million for the Jamaica
19 Bay Greenway Marine Parkway Connector to facilitate
20 bicycle connections to the Marine Parkway Bridge; \$13
21 million for Bayswater Park enhanced pedestrian safety
22 and access and to increase access to Bayswater Park
23 in Far Rockaway; \$9 million for the Maspeth Avenue
24 and Rust Street railroad crossing to enhance safety,
25

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2 accessibility and freight mobility at the Maspeth-
3 Rust railroad crossing; \$5 million for Willowbrook
4 Road safety and accessibility enhancements, including
5 new curbs and sidewalks; \$10 million for Manhattan
6 Safe Routes to Schools to enhance safety around seven
7 schools in northern Manhattan; \$7 million for 3rd
8 Avenue neckdowns to enhance pedestrian safety from
9 60th to 66th Streets in Manhattan; and \$11 million
10 for intersection improvements at 3rd Avenue and 138th
11 Street in the Bronx.

12 This budget also includes four headcount and
13 approximately \$1.5 million a year to implement the
14 Dangerous Vehicle Abatement Program, which we plan to
15 launch in the fall, as well as 29 headcount and \$2.8
16 million in the baseline to establish the DOT Crash
17 Investigation and Analysis Unit, in response to the
18 Council's recent legislation. Bike Boulevards and
19 Bridges for the People. With the funds in this
20 budget we will implement five new bike boulevards,
21 streets that are designed to give bicycles travel
22 priority and put cyclist safety first; including two
23 headcount dedicated to this effort.

24 We will also enhance pedestrian and cycling
25 infrastructure on two iconic bridges. Beginning this

1 fall, the left lane of the Manhattan-bound Brooklyn
2 Bridge will be ready for use as a dedicated bike
3 lane. And I should say early in the fall. And on the
4 Queensboro Bridge, we will convert the North Outer
5 Roadway to a two-way bike path and South Outer
6 Roadway to a two-way pedestrian path, with funds
7 allocated in this budget, including funds provided by
8 the Queens Borough President.
9

10 We also anticipate additional funds coming in
11 that Council Members have committed to allocating and
12 we appreciate your support and I want to thank you.
13 This budget also funds three additional staff for
14 implementing the Mayor's Green Wave plan for citywide
15 protected bike lane network efforts as well as
16 materials to replace damaged dividers. And it
17 includes funds to install 10,000 new bike racks by
18 the end of 2022, providing 20,000 additional bike
19 parking spaces citywide, an expansion I announced
20 with the Mayor when I was appointed in February.

21 This budget also makes much needed investments in
22 the state of good repair of our 6,000 miles of city
23 streets and 792 bridges and tunnels, including the
24 historic East River crossings, a surface
25 transportation network on which all New Yorkers rely

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2 for walking, biking, micro-mobility, buses,
3 automobiles and the movement of goods. On top of the
4 910 lane miles of resurfacing for this year, this
5 budget builds on six straight years of record levels
6 under the de Blasio Administration by funding 1150
7 miles per year for the next ten years, including 50
8 miles of bike lanes.

9 And this budget allocates more than \$1 billion
10 for pedestrian ramp upgrades over the next ten years.
11 This budget also includes \$246 million for protective
12 coating on the Williamsburg Bridge, \$650 million for
13 eight other bridge structures across the city in need
14 of repair and \$81 million for ten different state of
15 good repair sorry, should I continue or?

16 CHAIRPERSON DROMM: Yes, please continue.
17 Somebody is not on mute, so please mute yourselves
18 everybody.

19 HANK GUTMAN: Okay, thank you Mr. Chair. This
20 budget also \$650 million for eight other bridge
21 structures other than the Williamsburg Bridge, \$81
22 million for ten different state of good repair street
23 reconstruction projects across all five boroughs. We
24 will also upgrade our markings management system and
25

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2 invest \$78 million for several facilities needed to
3 support our growing operations.

4 Finally, when it comes to taking care of our
5 infrastructure, with funding in this budget we will
6 install ten weigh-in-motion, or WIM sensors at
7 locations around the city. While getting State
8 authority to use WIM for automated enforcement on the
9 BQE and other key points is needed urgently, it is
10 not the only highway on which weight and size limits
11 are ignored. And many of our streets in residential
12 neighborhoods are impacted by overweight and oversize
13 trucks as well. Many of which are using our local
14 streets in violation of the law.

15 These sensors will provide much needed data to
16 better manage our infrastructure and develop
17 comprehensive solutions for encouraging a culture of
18 compliance.

19 Conclusion, I would like to thank the Council for
20 the opportunity to testify before you today. I look
21 forward to working with you in this final year of the
22 de Blasio Administration to create a recovery for all
23 of us and to help this great city come back better
24 than ever. I am now happy to answer any of your
25 questions.

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2 CHAIRPERSON DROMM: Thank you very much

3 Commissioner. I appreciate you coming in and giving
4 testimony. Let me start off with something that you
5 mentioned in your testimony, which is the open
6 streets program. I am curious to know because I do
7 have an open streets, probably one of the most
8 successful in the city 34th Avenue Jackson Heights.
9 But we are very curious to know what you see as being
10 permanent. We don't know quite yet what permanent
11 means. Can you describe for us when the Mayor made
12 the announcement about making open streets permanent,
13 what did he mean? Is it going to be the same hours
14 that we have had? Is it going to be something
15 different? Can you describe your vision of what
16 permanent means?

17 HANK GUTMAN: Sure, first Chair Dromm, let me
18 congratulate for the success of your open street on
19 34th. Yours is clearly one of those we point to as a
20 dramatic success of the program. So, what it means
21 for the program to be permanent, is that this is not
22 a one year pandemic response. It may have started
23 that way but the Administration recognizes that the
24 program has been immensely popular in neighborhoods
25 all around the city and it's something that New

2 Yorkers want to continue and so, it will continue and
3 that's what permanent means. As to the details of
4 hours, configuration etc., our plan remains what it
5 has been all along, which is to make that flexible to
6 meet the needs of each neighborhood. We have
7 discovered and I think this is a benefit of one of
8 the pluses of the program, the different
9 neighborhoods, different communities want different
10 things out of their open streets.

11 And so, what we tried to design as a program
12 which isn't one size fits all driven down from City
13 Hall or from the DOT but where we provide the
14 resources so that each neighborhood can do what works
15 for them and for their community and obviously yours
16 is one of the great successes.

17 So, our input there is, don't change a thing
18 unless you decide that there is something you would
19 like to improve, in which case, we are happy to work
20 with you to do it.

21 CHAIRPERSON DROMM: That's really good to know,
22 thank you Commissioner. And I know that you put
23 formerly into the budget for expenses regarding, in
24 relation to open streets. What about capital? Is
25 there anything in the budget for capital because we

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2 are looking for capital changes. You know, on 34th
3 Avenue but also for the other group citywide.

4 HANK GUTMAN: Sure, yeah, our plan is to evaluate
5 that. I mean, you are quite correct that there is
6 not a present allocation for capital. Our plan is to
7 look at that on an ongoing basis and again, get input
8 from the local communities.

9 If for 34th Street there are capital improvements
10 that you would like to see made on a permanent basis,
11 we are happy to do that and happy to take that into
12 account and given the season I would suggest this
13 would be a good time to let us know your wishes. But
14 the idea is that we are providing the expense money
15 and the capital we will take as it goes because again
16 in some communities providing what we provide works
17 fine but we are certainly open to making permanent
18 capital improvements. We just again, we need the
19 input from the communities.

20 CHAIRPERSON DROMM: Okay, so Commissioner, we
21 have been having the workshops, the forums, we have
22 had five or six of them. I think they were in the
23 process of you know joining all those conclusions
24 together and I hope that before we go to Adoption, we
25

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2 can get an idea of what the capital needs are at
3 least for some of the open streets.

4 HANK GUTMAN: Sure and you know we - I can
5 promise you our full cooperation and not just for
6 34th street but for everybody. I mean, anybody who
7 can advance those proposals at this point, we are
8 happy to hear and happy to work with you.

9 CHAIRPERSON DROMM: And I think we should get the
10 Secretary of Transportation people to judge here a to
11 see an example of what can be done with our existing
12 street scape. Anyway, we will talk about that later
13 Commissioner.

14 HANK GUTMAN: We all look forward to the
15 opportunity to show them what we are doing in New
16 York and let them learn from it for the rest of the
17 country.

18 CHAIRPERSON DROMM: Thank you, thank you.
19 Alright, let me just talk a little bit about
20 congestion pricing. The Fiscal 2020 New York State
21 Executive Budget authorized MTA to establish a
22 congestion towing program in the city. Congestion
23 pricing revenue was projected to cover 27 percent of
24 the 2020-2024 MTA capital plan. However the rollout
25 of the program was significantly delayed under

1 President Trumps Administration but now the Biden
2 Administration has said congestion pricing can move
3 forward and authorize a less costly and time
4 consuming environmental assessment.
5

6 With congestion pricing scheduled to move
7 forward, what role is DOT playing the rollout of the
8 program and is DOT working with the state and the MTA
9 to ensure a smooth start of the program?

10 HANK GUTMAN: The simple answer is yes. There
11 has been a dramatic change with the change of
12 Administration in terms of the willingness of the
13 federal government to cooperate in getting this
14 program rolled out quickly and efficiently. I mean,
15 we have been thrilled with our interactions so far
16 with the DOT under it's new leadership. I am sorry,
17 federal DOT.

18 CHAIRPERSON DROMM: Yes. Well, you are pretty
19 new too but—

20 HANK GUTMAN: Yes, I am even newer than the
21 secretary. So, yes, so with the federal DOT, you
22 know obviously we are very pleased with the
23 cooperative attitude that they are showing and their
24 encouragement to get this proceeding at a prompt pace
25 and we are working very closely with our partners at

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2 the MTA, which as you know is the lead agency in the
3 process. And with our friends at the state DOT and
4 all three are working together closely to get this
5 done and get it implemented and to make sure that we
6 get it right.

7 So, thank you for asking. It's a great question
8 and yes, we are working as closely as possible with
9 our partners at all levels of government in this
10 process.

11 CHAIRPERSON DROMM: And I meant that in a
12 complementary way that you are new. So, we are
13 welcoming. We are welcoming.

14 HANK GUTMAN: Thank you. I appreciate that,
15 thank you.

16 CHAIRPERSON DROMM: How will congestion pricing
17 implementation effect DOT's budget if at all and does
18 DOT expect to receive grant money for implementing
19 the system on city infrastructure?

20 HANK GUTMAN: I think the answer is that there
21 will be - there maybe depending on some of the
22 details of implementation, some budgetary impact but
23 at this point, I don't think we have details to share
24 on that. Part of that, it really depends on what we
25 need to do by way of implementation.

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2 Let me ask Executive Commissioner Jarrin if there
3 is anything that he would want to add at this point.

4 JOSEPH JARRIN: Thank you Commissioner. I would
5 just add that you are correct. Details should be
6 worked out, obviously a lot of work on DOT's part to
7 implement the equipment that will be needed on the
8 streets and then so there is funding that will be
9 discussed with the MTA to make that possible. And
10 some other impacts but that sounds correct
11 Commissioner thank you.

12 CHAIRPERSON DROMM: When do you think you are
13 going to know that information?

14 HANK GUTMAN: At the earliest, I think later this
15 year. I mean these are, we are at earlier steps and
16 it may not be until next year. I mean, there are
17 details that still need to be worked out. At the
18 moment, we are looking to get the program approved
19 and to do what's required from an environmental
20 perspective and all of that and at the same time, we
21 are working on the details but we don't have
22 specifics of a budgetary nature at this point.

23 CHAIRPERSON DROMM: So, thank you. Commissioner,
24 you mentioned the expansion of bike lanes and the
25 master plan and can you elaborate a little bit

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2 further on that for us with an update on the status
3 of the overall transportation master plan?

4 HANK GUTMAN: Sure, well as to the master plan
5 itself, we are putting ourselves in position to do
6 what we have been asked to do by the end of the year,
7 in terms of all of the process steps for
8 implementation of the master plan. We are on
9 schedule to do what you have asked and assigned us to
10 do by the end of the year.

11 CHAIRPERSON DROMM: And that's the 30 miles of
12 protected bike lanes by '22 and 50 miles in the
13 outyears?

14 HANK GUTMAN: I mean, I think the implementation
15 of that, I believe starts next year.

16 CHAIRPERSON DROMM: In Fiscal '22?

17 HANK GUTMAN: Yes, so I mean, we are at this
18 point, doing the engagement process etc., that's
19 called for to be done in this year. And certainly in
20 bike lanes, I think we will be there.

21 CHAIRPERSON DROMM: And do you think the funding
22 is sufficient for this expansion?

23 HANK GUTMAN: I think for what we need to do in
24 this timeframe, yes, I think we are fine.

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2 CHAIRPERSON DROMM: Okay, does the DOT plan on
3 conducting outreach? Yes, you said that and that
4 process has begun?

5 HANK GUTMAN: Yes. We are going to be launching,
6 let me provide some details. We briefed the Speakers
7 office; we are starting outreach to the Community
8 Boards and Borough Boards. We are going to be
9 launching an engagement portal later this month and
10 we have the funding required to support the
11 development of the master plan, meet the ongoing
12 reporting requirements and begin building our
13 internal agency capacity.

14 So, for all of those processes which are supposed
15 to occur in this year, we are, we are, we believe
16 funded and we are already underway.

17 CHAIRPERSON DROMM: Okay, thank you.

18 HANK GUTMAN: Thanks.

19 CHAIRPERSON DROMM: And how will DOT ensure that
20 the master plan projects and funding are equally
21 distributed among city neighborhoods?

22 HANK GUTMAN: Well, I mean that is a key element
23 of everything we are doing. We are trying to make
24 sure that we — I mean for all of our programs. We
25 try to make sure that we are dealing with all of the

1 neighborhoods that need them or to benefit from them
2
3 and in particular, we are focusing on those
4 underserved communities.

5 I mean, I think you will see that in our
6 implementation of things like the e-mobility in the
7 e-scooter pilot program that we just launched in the
8 east Bronx. The purpose there was to try and address
9 the needs of an underserved community that didn't
10 have city bike at this point.

11 So, that is one of the defining characteristics
12 we hope of how we approach all of these issues and
13 again, you know if members of the Council, member of
14 the public have areas that they think need something
15 that we are not dealing with, we are all ears. We've
16 got five very competent Borough Commissioners who are
17 in close touch with all their local elected officials
18 and with all their community boards. Chair Rodriguez
19 and I have been on a five borough tour where we have
20 just hit Borough Three in his district and you know,
21 we are making the rounds. We are intent on making
22 sure that nobody gets left behind in this. I think
23 that's a key value of this, pursued by this
24 administration and certainly our DOT is determined to
25 do it to.

CHAIRPERSON DROMM: Good, thank you and you mentioned city bikes. I would love to get city bikes a little further out in Queens behind Long Island City. We have been looking for that for a while now in Jackson Heights and further east. So, since you asked, I had to tell ya.

HANK GUTMAN: Absolutely, happy to pass that on.

CHAIRPERSON DROMM: Okay, uh, street resurfacing. The DOT previously had a goal to repave 1,300 lane miles annually, which was reduced to 1,100 lane miles per year in Fiscal '20 and Fiscal '21. This reduced paving level was acceptable in Fiscal '21 because of a mild winter and reduction of traffic at the start of the COVID-19 pandemic. In the Preliminary Budget, lane resurfacing was further reduced in Fiscal '22 to 910 lane miles at a cost of \$205 million, prompting the City Council to request in our budget response to add and baseline \$87.9 million to the Fiscal 2022 Executive Budget to repave 1,300 lane miles annually.

However, funding for only 1,100 lanes was included. So, is the resurfacing of the 1,100 lane miles adequate to meet the city's needs?

HANK GUTMAN: The uh, we were pleased that the baseline was improved. Uhm, I mean that was good

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2 news after the austerity we had been dealing with in
3 the past.

4 Could we do more? Could we use more? I mean, I
5 think the answer is always yes. But let me tell you
6 what we can do with the baseline of 1150. It allows
7 us to plan and invest in our workforce and to
8 maintain a steady program for years to come. I mean,
9 we are counting on this going forward as a baseline.
10 We are also going to be doing 50 linear miles of bike
11 lane resurfacing with this funding. So, it's not
12 just, it's not just for motor vehicles, it's for bike
13 lanes too.

14 So, we are excited to have the higher baseline
15 that we have had in the past and we look forward to
16 continuing the conversation about what if anything
17 more is necessary or useful for the future. That's
18 certainly something we are happy to discuss.

19 CHAIRPERSON DROMM: So, do you have the staff to
20 be able to repave the 1,100 miles?

21 HANK GUTMAN: I think, I think Executive
22 Commissioner Jarrin would jump me if I said yes and
23 that wasn't true, so let me throw that to him.

24 JOSEPH JARRIN: Thank you Commissioner. I am
25 nodding my head yes. We have this season brought

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back a number of seasonal's to do this work and in
the coming years, we will have the headcount we need.
Absolutely, we will fund it and we are in a good
place here.

CHAIRPERSON DROMM: Have you noticed any
additional damage to city roads because of last
winters harsh conditions?

HANK GUTMAN: Well, we have certainly, we've
certainly had - I am not sure what the final count is
going to be but we have certainly had because of the
tough winter, a lot of repair work to do. We have
got a lot of potholes to fill. In Fiscal Year 2020,
I have got the statistic here. We filled 173-5,531
potholes. So far, we have repaired 137,677 potholes
in Fiscal Year '21 and I am sure we have a lot of
work left to do and in terms of personnel, you can
make your own judgement but on the opening day of our
pothole filling season, they had me out with a
shovel, shoveling asphalt to fill a pothole on the
lower east side. So, I think it's fair to say we
have got an all hands on deck approach to filling the
potholes and repaving the street.

So, there is always work to do but we think we
are in good shape and particularly compared to the

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2 past and the austerity. So, we are pleased to have
3 more resources this year and going forward than we
4 have had in the past. It makes a big difference.

5 CHAIRPERSON DROMM: Thanks Commissioner. I think
6 I saw you and a few other people out filling potholes
7 on that day.

8 HANK GUTMAN: Yeah.

9 CHAIRPERSON DROMM: Yeah, much appreciated.
10 Alright, I am going to stop. Go ahead, I am sorry
11 Commissioner, I didn't mean to interrupt.

12 HANK GUTMAN: I was just going to say, I was
13 happy to help. I mean, the best parts of the job are
14 when I can get out of the office and go out and see
15 where the real work is being done. So, that was a
16 real treat.

17 CHAIRPERSON DROMM: Absolutely. Alright, I am
18 going to turn it over Counsel to call on members for
19 questions and should Council Member Rodriguez get
20 here, than we will allow him to make an opening
21 statement as well.

22 HANK GUTMAN: Thanks.

23 COMMITTEE COUNSEL: Thank you Chair Dromm.
24 Before I call on Council Members, I have been
25 informed that Council Member Holden is serving as Co-

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2 Chair of Transportation in Chair Rodriguez's absence,
3 so we can go to questions from Council Member Holden.

4 COUNCIL MEMBER HOLDEN: Thank you. Just, before
5 I ask my questions, I want to because Council Member
6 Lander had his hand up in the previous hearing, so I
7 want to call on him first. I will defer to Council
8 Member Lander for his questions.

9 COMMITTEE COUNSEL: Okay, Council Member Lander,
10 you have five minutes including answers. The
11 Sergeant will let you know when your time is up.

12 COUNCIL MEMBER LANDER: That's extremely gracious
13 of you Acting Chair Holden, especially since I
14 screwed up by asking my questions in the earlier
15 hearing. So, I don't know that it should be rewarded
16 with getting to go first in this one but I am very
17 grateful and I will be pretty brief here. So, thank
18 you very much and I apologize Chair Dromm and others
19 for jumping the gun before.

20 Commissioner, now it is very good to see you.
21 Thank you for the good work in your short but
22 promising tenure. It is good to see Director Ott as
23 well with you today. Lots to like in this budget as
24 you outlined in your testimony. The funding for the
25 master plan to stand up the Crash Investigation Squad

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1 for those 10,000 bike racks. I am happy they are
2 going to be done in 2022. And the startup of the
3 Dangerous Vehicle Abatement program. A couple of
4 quick questions. One, at the Preliminary Budget
5 hearing, I asked you about the Parkside Avenue bike
6 lane and I meant to follow up offline with you
7 separately but I just want to make sure we are taking
8 a look at figuring out can we make that wide enough
9 and deal with the turning lane issue there at
10 Parkside Avenue?
11

12 HANK GUTMAN: Yes, I mean the - I am sorry if
13 this hasn't been communicated separately to you or
14 your staff but the answer is yes, we are fixing it
15 and the installation is going to begin in August.

16 COUNCIL MEMBER LANDER: Wonderful, alright,
17 that's great news. So, let's follow up offline, so
18 we can see the revised version but thank you for
19 telling me that.

20 HANK GUTMAN: Sure.

21 COUNCIL MEMBER LANDER: Second, I want to ask,
22 it's really good to hear about, hear your dialogue
23 with Chair Dromm about working with communities on
24 open streets and I was encouraged to see the
25 reference to the City Cleanup Corp and the resources

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2 that DOT will have. The thing I wanted to ask about
3 is I was a big fan' I've been a big fan of the
4 Neighborhood Plaza Partnership. Which achieved those
5 goals of putting resources into the hands of
6 communities where you don't have a business
7 improvement district or a big anchor partners. So,
8 that the neighborhood association or a civic group
9 can have the resources to do exactly what you are
10 talking about. To provide programming, to be a
11 steward, to make sure the space is well cleaned and
12 maintained.

13 But we haven't renewed that program and so, I
14 just wonder, can you help me connect the dots between
15 the ideas of the neighborhood plaza program and where
16 we are going going forward. That role of
17 neighborhood stewardship is so important. It is
18 great where you know volunteers can do it, but where
19 they can't I don't think the answer is just to have
20 the city play the role or a city organized corp. play
21 the role but to provide resources for community
22 stewards to do it and I just want to make sure we are
23 factoring that into our plans for our open streets
24 and for our plazas as well.

2 HANK GUTMAN: Sure and I don't have at my
3 fingertips the information concerning the program you
4 referenced but the idea of tapping into the community
5 resources and relying on community organizations
6 etc., is key to what we are doing for open streets.

7 I mean that's the idea. It may be a different
8 format but the same input is what we are relying on
9 in most districts and the resources we provide in
10 support, obviously are available wherever needed but
11 the focus there is on - is mostly on the communities
12 that don't have that kind of network setup. Where
13 you don't have community association setup that have
14 the funding to do this themselves. In those
15 instances, we have resources to help them out and
16 that's the idea because again, we want this to be
17 accessible to everybody and our focus. You know our
18 focus all along on this has been on the identified 33
19 neighborhoods that suffered most in the pandemic and
20 in general in any underserved communities that need
21 it and we tried to make that. When we announced;
22 when the Mayor and I announced the decision to make
23 the program permanent, we made that clear and that's
24 part of the registration process etc. That if people
25

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2 need help, they can ask for it and will get it to
3 them.

4 COUNCIL MEMBER LANDER: So, thank you for that
5 answer. I guess I really would urge you to talk to
6 folks who have the experience with the Neighborhood
7 Plaza Partnership. That was a multiyear, you know,
8 multimillion dollar DOT contract.

9 HANK GUTMAN: Sure.

10 COUNCIL MEMBER LANDER: They got a lot right but
11 I think also there were some lessons learned from it.
12 So, it does not make sense to reinvent from you know,
13 from the ground up. There was a lot about that
14 program that supported community groups to do exactly
15 the kind of stewardship that we are looking to do
16 with open streets. And that we still need in the
17 neighborhood plaza.

18 So, let me just ask you to go ahead and talk to
19 folks and see what lessons could be applied for
20 contracting and adapting a toolkit.

21 HANK GUTMAN: Sure.

22 COUNCIL MEMBER LANDER: I was going to ask you
23 about the BQE but my time is up but that's longer
24 than eight seconds, so I will let somebody else ask
25 that question. Thank you very much to the Chairs.

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2 COMMITTEE COUNSEL: Thank you. We have now been
3 joined by Chair Rodriguez. Thank you.

4 CHAIRPERSON RODRIGUEZ: So, yeah, thank you
5 Commissioner and thank you Dromm, the Chair of the
6 Finance Committee. You know, it's been a great honor
7 to be part of this Committee. Since elected in 2009
8 and was a member to 2013 and then being the Chairman
9 of this Committee from 2013 to today. We have seen
10 all the mentioned work that we have done it. We have
11 seen how Vision Zero to make a big change in the city
12 of New York and nothing is perfect. We have a lot of
13 work to do. We have to continue investing more on
14 bus lane. We need to continue building more
15 protective bike lane. We need to continue making our
16 entry of the stations more accessible but I feel that
17 again, working with City Hall, with Mayor de Blasio,
18 the team, with the former Chairman Polly Trottenberg
19 and now with you Commissioner, in the halting of DOT
20 is a great honor and we have seen how the investment
21 from the City of New York, when it comes to pull the
22 money. Where our needs are is important. Everyone
23 knows that we continue the Fiscal 2022 process, you
24 know it's a process that will lead to adoption of a
25 budget that is progressive, responsible and fair for

1 all New Yorkers but at the same time, the question
2 will be how can we also do better.
3

4 And when we look at the number, we have seen how
5 DOT's financial outlook is very different than it was
6 just a few months ago and then on March 10, 2020, one
7 day after the Committee's Preliminary Budget hearing
8 and President Biden signed American Rescue Plan, we
9 provided a significant level of federal funding to
10 New York City.

11 I think that our challenge is always, can we
12 spend the money in the timeframe that we have by the
13 way of the discretion of the federal plan. In the
14 American Rescue Plan in addition to the coronavirus
15 response and release simply means appropriation act.
16 In Acting in December 2020 will help the city to
17 recover from the financial impact of this pandemic.
18 In addition, the State Budget restored many budget
19 cuts and caused shift in pause on the city on January
20 2020. And overall, this addition of funding combined
21 with federal tax revenue forecast and has allowed the
22 DOT Budget to increase in the Fiscal 2022 when we
23 compare to the last Adopted Budget.

24 Again, in the executive expense, we have seen
25 that the budget for Fiscal 2022 is you know as the

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2 Commissioner said \$1.2 billion. In addition \$11
3 billion is budgeted for the department capital
4 program. I think that we still have a lot to
5 accomplish in the time that this administration has
6 left by January 1st, I hope again that we can make –
7 we can demand the administration should complete all
8 those miles that we want. You know, 30 miles of
9 protected bike lane by a bus lane in our city and
10 also to our companies, what we want to do with the
11 bike lane.

12 Again Commissioner, thank you for everything that
13 you are doing and as you know, working closely with
14 Speaker Johnson, also have been a great opportunity
15 because already put a vision for transportation when
16 he hold his state of the city a few years ago. Now,
17 the question is, the challenges that we have because
18 in this current administration, we have a few months
19 and I think that the administration should work to
20 leave the standard on what the future administration
21 should accomplish when the new one will take office
22 in January 1st this year.

23 I think that you know, we have seen how working
24 with many colleagues, Borough President Gale, Borough
25 President Ruben Diaz Jr. and the Brooklyn Borough

1 President Eric Adams. We have been addressing the
2 need to spend more when it comes to a bike lane. So,
3 what do you think will be your goal for a couple of
4 months to complete the protected, the numbers of
5 protected bike lane and bus lane in our city? That's
6 my first question.
7

8 HANK GUTMAN: Sure and with respect to the bike
9 lanes, Chair Rodriguez, we are committed to hitting
10 the 30 miles this year as laid out in the Green Wave
11 plan. And in terms of the more general point you
12 made as to what we can do in this timeframe, I think
13 this is an amazing period in which we can make some
14 transformative changes in the city. And the Mayor
15 has already announced and we are well on our way to
16 implementing the whole series of plans that are
17 designed to reimagine how people move to reduce
18 dependency on the car by making other alternatives,
19 like bikes, buses, e-mobility, etc. more attractive
20 and as we discussed last Wednesday on freight, we
21 have added to that. Trying to reimagine how things
22 move in our city to reduce the dependence on
23 oversized and polluting trucks. And those joint
24 visions a. we can get a lot done. The administration
25 has already gotten a lot done and b. as you say, I

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2 think we can set in place a framework that should
3 guide the next administration in terms of the
4 direction in which the city needs to move in order
5 for the recovery to be strong and work for everybody
6 and in order for us to be prepared for the challenges
7 that the rest of the 21st Century bring.

8 All of which you are quite familiar with. So,
9 it's an exciting time to get that done and we look
10 forward to meeting the various commitments that Mayor
11 has made. We keep track. We have benchmarks, we
12 keep track of them on a regular basis to make sure we
13 are not falling behind. And now we have added
14 freight to the equation because there is important
15 work to do there too. All with the same aims of
16 improving the quality of life, protecting our
17 environment, economic justice etc.

18 CHAIRPERSON RODRIGUEZ: Commissioner, as you know
19 the Ferry, the Staten Island Ferry is on the DOT.

20 HANK GUTMAN: Yes.

21 CHAIRPERSON RODRIGUEZ: And I think that that's
22 the approach on how we look at the Ferry from the
23 perspective of public transportation. However, the
24 Ferry, the other Ferry has been on the EDC and I am
25 not going to put you on the spot because there is a

1 bill that we have that it will transfer the
2
3 coordination of the other Ferry, which are not -
4 that's where the water taxi who are not the Staten
5 Island Ferry to transfer from EDC to DOT.

6 I just want more than asking a question because I
7 know at that level, you need to check you know City
8 Hall and dynamic internal between agency. But this
9 is something that there is a bill that we have an
10 interview, that we have a hearing but I hope also
11 that before the end of this administration we can
12 look at it to see how we transfer all the work from
13 EDC to DOT. And most important, I would say, what I
14 would like to ask you is, you know to get time so
15 that we can have conversations beyond this hearing on
16 the possibility to explore with City Hall, EDC and
17 you guys. Because I just think that the larger ferry
18 which is in Staten Island is on the DOT, you mean
19 that we are looking at that as a public
20 transportation for New Yorkers.

21 When you look at the water taxi, it's more like
22 you know those who live in Long Island City, those
23 who live in the Borough Brooklyn, those have been
24 COLA gentrified in our city.

2 So, one of the initiatives that we also had in
3 the past. One is again, is looking to continue
4 conversation with you in City Hall to talk about the
5 bill that we transferred the jurisdiction of the
6 water taxi from EDC to DOT. And the second
7 [INAUDIBLE 3:24:31] from my own interest for the
8 island of Manhattan is that we also want to expand
9 the water taxi along the whole island.

10 So, there is again, it's not for me to ask you do
11 you support a yes or no but I just want to let you
12 that this is important. That I would like to
13 continue conversation with you in a sense of you know
14 if we look at the island and the ferry, if we had the
15 water taxi, you know going from up to 42nd, 72nd
16 street, in 96th street, under the George Washington
17 Bridge. Under the George Washington Bridge, we also
18 allocated like close to \$20 million to build a new
19 pier and going up to Riverdale, than we can connect
20 you know use of the resource of our water also to
21 extend the opportunity for people, the option for
22 people.

23 So, to use our water taxi, so I just want to ask
24 you, you know this is something that you hope to
25

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2 continue the conversation to explore, to engage City
3 Hall and EDC with those two items.

4 HANK GUTMAN: So, let me respond Chair Rodriguez
5 by saying that we are firm believers in making more
6 use of our waterways. They were both for people and
7 for freight. They were after all the original
8 highways of this city. So, the idea you raise is
9 something that I definitely think is worth further
10 discussion and we would be happy to engage with you
11 and your colleagues on that subject.

12 CHAIRPERSON RODRIGUEZ: Okay and my last part. I
13 know that you know - I apologize you know, my delayed
14 timing Chairman for starting and I know that there is
15 other colleagues that they also raised their hands to
16 ask questions. So, I am going to be immediately
17 letting our team to follow calling them but before
18 moving forward with a new Council Member, my last
19 part is about our trains. Even though that's MTA and
20 we are not bringing MTA to this part of the budget,
21 we already had MTA like two months ago but I think
22 that we, those agencies or the Council, we know that
23 the difference of the MTA and the DOT but when you
24 look about New Yorkers, the 8.6 New Yorkers, seven
25 millions of them that they don't have a car, that

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1 they don't have a vehicle. That they rely on the
2 public transportation. So, then it's about how safe
3 are our train? How accessible are the entry of the
4 stations.
5

6 So, I also hope again that we will continue
7 working together to those level of coordination
8 between you guys and the MTA to be sure that we
9 improve safety and also to make the entry of the
10 station accessible in New York City. And with that
11 then, I am going to now be letting our team to call
12 the next Council Member that has questions.

13 HANK GUTMAN: Happy to cooperate on that Mr.
14 Chair.

15 CHAIRPERSON RODRIGUEZ: Thank you Commissioner.
16 I am sorry, the Summer Play Street. This is
17 something that has been approached by many CBO that
18 before COVID, they were putting in the application to
19 use on the street, especially closer to school which
20 they own the DOT and they use that this Summer Play
21 Street. So far there is no clarity. So far when
22 they have approached DOT, there have not been any -
23 you know the summer is coming. This is the time on
24 when DOT should be able to go through the process of
25 permit. And again, if you have an answer great and

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2 if not, then more than happy to follow with you and
3 the team when it comes on what does it take for DOT
4 to start working with the non-for-profit who have a
5 history of requesting the street to use it for the
6 Summer Play Street.

7 HANK GUTMAN: Sure, Chair Rodriguez, if you could
8 send me the details, I will make sure that our team
9 follows up and we deal with that. That shouldn't be
10 a problem.

11 CHAIRPERSON RODRIGUEZ: Okay.

12 HANK GUTMAN: Thank you.

13 CHAIRPERSON RODRIGUEZ: Thank you Commissioner.

14 COMMITTEE COUNSEL: Thank you Chair Rodriguez. I
15 will now call on Council Member Holden, who had given
16 - had yielded his time to Council Member Lander but
17 let's return to Council Member Holden.

18 COUNCIL MEMBER HOLDEN: Thank you.

19 SERGEANT AT ARMS: Time.

20 COUNCIL MEMBER HOLDEN: Thank you Chair. Just a
21 couple of quick questions and just - I would like to
22 know about talk about Vision Zero a bit. The number
23 of New York City pedestrian fatalities is up, 65
24 percent in the first four months of this year. 26
25 at this point in 2020 to 43 as of this week.

2 According to data released on Tuesday by
3 Transportation Alternatives. That's the highest
4 death toll since Mayor de Blasio took office in 2014.

5 The same year, he introduced his signature Vision
6 Zero effort with a goal of eliminating all traffic
7 deaths by 2024. So, you know in this since Vision
8 Zero, has DOT conducted a comprehensive study on you
9 know city's most dangerous intersections? Or just
10 intersections that are heavily traveled? And if so,
11 when was this study done?

12 HANK GUTMAN: Sure, let me first, before getting
13 to the specifics of the study, we are painfully aware
14 of the statistics to which you refer and we are also
15 painfully aware of the fact that these aren't just
16 statistics or numbers but that each one represents a
17 human being, a life lost, a family destroyed
18 needlessly and one of the things I hadn't appreciated
19 in taking this job is that I now get an email every
20 time there is a crash and a serious injury, so you
21 know I am more aware of it than I used to be by a
22 wide margin.

23 So, and it's awful and we need to address it. As
24 to your specific question about the geography, the
25 locations of where these things happen, we do follow

1 that closely and there is not a single study of the
2 most dangerous intersections, although I could
3 certainly get for you information of some where
4 statistically it says they are but what we look for
5 in an ongoing basis is identifying the locations
6 where these events occur and looking at whether we
7 could do something to help.
8

9 Speed cameras, red light cameras, something in
10 the structure of the road. You know and we routinely
11 make those kinds of adjustments when we see a place
12 that shows up as the location for a fatal or a
13 serious injury collision more than once but the - I
14 should say what we are observing now is - seems to be
15 uh, a continuation of the conduct that we saw during
16 the pandemic itself. When there was a huge increase,
17 I mean, there were a lot of hit and runs in there.
18 Huge increase in reckless driving. I mean just
19 reckless behavior that results in these pedestrian
20 deaths.

21 And so, I would say that in addition to
22 addressing the geography of the roads and traffic
23 lights and cameras and all of that. I mean,
24 enforcement is really a key here to and we have been
25 pushing as hard as we can, expanding electronic

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2 enforcement. Anything we can do from an enforcement
3 nature I think helps.

4 Now, we do have from 2019, the pedestrian safety
5 action plan update, which revisited the five borough
6 pedestrian safety action plans that were published in
7 2015 using more recent data. So, if it would be
8 useful, we can certainly get that for you Council
9 Member.

10 COUNCIL MEMBER HOLDEN: Sure.

11 HANK GUTMAN: But again, but again, we do look at
12 this on an ongoing basis.

13 COUNCIL MEMBER HOLDEN: Right, right. Before my
14 time is up, I just want to get in a question that
15 relates to my district. I had a few other questions
16 but now that Chair Rodriguez is back, I could get
17 onto my district a little bit.

18 I have you know several streets that they don't
19 have curbs. They just were forgotten in the capital
20 budgets over the years and I have - and most of those
21 don't have sidewalks. So, I would say about a dozen
22 streets and some of them are main areas leading up to
23 shopping areas where pedestrians have to walk in the
24 street. On a two way street that's very narrow and
25 they don't have areas to walk.

2 So, lacking curbs and sidewalks, I had seen city
3 streets be reconstructed several times over the years

4 -

5 SERGEANT AT ARMS: Time.

6 COUNCIL MEMBER LANDER: While many streets in my
7 district still go without curbs and sidewalks and we
8 are in a good, populated area of Queens obviously.

9 We are not in you know some back area.

10 So, I have asked your predecessor when I came
11 into office over three and a half years ago that,
12 could we make a priority and start you know
13 reconstructing these affairs and give them sidewalks
14 and curbs and so far, nothing. So far I have gotten
15 nothing, not one street has been put on the agenda.
16 I don't have a capital list that oh, we are going to
17 do this next year and the year after this, we will do
18 this street. I get nothing, I get no answers and the
19 same thing goes for getting a speed bump. I waited,
20 when I was campaigning in 2017 in the fall, I put in
21 for speedbumps on in certain streets and I just got
22 them finally a few months ago.

23 It took almost four years to get speed bumps.

24 So, we need some kind of - we need some answers as to
25 why things are taking so long from curbs and

1 sidewalks to basic stuff like that to speedbumps to
2
3 try to slow traffic down.

4 So, if we are going to address the deaths, we are
5 going to address the injuries, the accidents, we have
6 to put on, we have to make a priorities list. And
7 restore our streets Commissioner to really where the
8 pedestrian has a chance. At least they have a
9 sidewalk to walk on or that we can slow traffic down
10 without waiting four years for speed bumps.

11 So, I would like to invite you out to my district
12 to visit and show you some of the most dangerous
13 areas of my district, so we can talk about it. But I
14 mean, I want to thank the Chair for his indulgence of
15 you know letting me go a little over but
16 Commissioner, the invite is open and I hope you will
17 take me up on it. Thank you.

18 HANK GUTMAN: I will accept on the spot. Borough
19 Commissioner Garcia and I will be there. She has got
20 a very responsive and terrific team. I have worked
21 with them, we have made a similar visit to one of
22 your colleagues districts, we are happy to do it with
23 you and take a look at what can be done. So,
24 invitation accepted.

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2 COUNCIL MEMBER HOLDEN: Thank you. Thank you
3 Commissioner. Thank you Chair.

4 CHAIRPERSON RODRIGUEZ: You are welcome.

5 CHAIRPERSON DROMM: Counsel?

6 CHAIRPERSON RODRIGUEZ: Hey Danny?

7 CHAIRPERSON DROMM: Yes, Chair Rodriguez.

8 CHAIRPERSON RODRIGUEZ: Who are the next
9 colleagues on?

10 CHAIRPERSON DROMM: We are waiting for Counsel to
11 announce.

12 CHAIRPERSON RODRIGUEZ: Okay and thank you
13 Chairman Dromm.

14 CHAIRPERSON DROMM: Sure, thank you. I am sorry
15 we had to start but you are my friend. Counsel, can
16 you -

17 COMMITTEE COUNSEL: Yeah, sorry, I had been
18 muted. Uhm, next, we will hear from Council Member
19 Adams followed by Council Member Brooks-Powers.

20 CHAIRPERSON DROMM: Yes, I am sorry and also, let
21 me say we have been joined by Council Member Levin
22 and Brooks-Powers as indicated. Thank you both for
23 attending. Council Member Adams.

24 SERGEANT AT ARMS: Time starts.
25

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2 COUNCIL MEMBER ADAMS: Thank you very much.

3 Thank you Chair Dromm. Thank you Chair Rodriguez for
4 this hearing. Commissioner, I don't think that we've
5 met, so welcome.

6 HANK GUTMAN: Thank you.

7 COUNCIL MEMBER ADAMS: I represent the 38th
8 District in Southeastern Queens and I also am
9 Adrienne Adams. I would like to cosign before I ask
10 my question, I would like to cosign on what my
11 colleague Council Member Lander said about the Plaza
12 program, which I thought in Jamaica a few years ago
13 was very successful partnering with the Greater
14 Jamaica Development Cooperation where we did have
15 farmers markets coming into the plaza and selling
16 fresh fruits and vegetables there at Jamaica Plaza
17 right by the station. I thought it was wonderful.

18 With that said, Commissioner, one of the very
19 first pieces of legislation that I sponsored on my
20 own was Local Law 53. And the bill required that at
21 least two corners of a street intersection have the
22 appropriate street name signage installed. I am sure
23 that you will agree, this is a safety issue. The
24 bill was enacted back in March of 2019, well before
25 the pandemic.

I just want to note, we still have various streets in southeast Queens and beyond that have no street signage. Again, this law was enacted in 2019. I would like to know when the work began to complete this work, as far as correcting our street signage and when will it be completed?

HANK GUTMAN: The - I apologize Council Member if you have already provided this information to my colleagues but have you shared with us the locations where they are missing or is this a general question for the city at large?

COUNCIL MEMBER ADAMS: It's a general question. It's a general question.

HANK GUTMAN: We'll have to get back - I will have to get back to you on that. This is something where I do not have the information at my fingertips. If one of my colleagues does, this would be a good time to chime in but certainly, we will look into it and we will report back to you.

And again, if there are any specifics in your district or elsewhere that you want to bring to our attention, I will make sure they pay attention to it.

COUNCIL MEMBER ADAMS: Thank you.

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2 JOSEPH JARRIN: We do recognize there - Sorry
3 Council Member and Commissioner. We do recognize
4 there are locations that need signage replacements
5 and so, please if there are any specific locations
6 that we can look at immediately that are of concern,
7 we will do that. There is a backlog I will tell you.
8 It's a citywide issue and one that we are looking to
9 address.

10 COUNCIL MEMBER ADAMS: Yeah, there is a backlog,
11 that's why I enacted the legislation a couple years
12 ago. Because it was such a significant issue, so you
13 know, it's a little disheartening to hear that we
14 don't have any information available at all and you
15 know, at this time. As soon as the information is
16 available, I would like you know, to know what the
17 information is. How significant is the backlog. I
18 would like to know that as well. And again, I am
19 sure that you will agree, this is a significant
20 safety issue. New Yorkers need to know where they
21 are going, where they are. You know, people from out
22 of town need to know where they are. You know, when
23 they are driving around our city. I think it's a
24 little disgraceful that we don't have street signs.
25 I was in an area of Queens last year, year before

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2 last in Chair Dromm's district actually. I didn't
3 know where I was and I should have known and I looked
4 up and there was no street sign there. So, it's not
5 even my district but you are right, it's pervasive
6 throughout the city, so we really do need to do
7 something about that.

8 JOSEPH JARRIN: I can tell you - Council Member,
9 I am sorry, we do have some contracting that we've
10 just started. We can provide an update on this soon.

11 COUNCIL MEMBER ADAMS: Great, thank you very
12 much. I would also like to say that I am very happy
13 with the street resurfacing going on in southeast
14 Queens right now. It's very needed and it is
15 noticeable, so we are grateful for that. But on the
16 other side, I'd just like to note that the potholes
17 are deeper and they are definitely causing some havoc
18 on a lot of vehicles out there.

19 So, I just want to keep our minds on that as
20 well. With that, that will end my questions for now.
21 Thank you very much for your testimony.

22 HANK GUTMAN: Thank you.

23 COMMITTEE COUNSEL: Thank you. We now have
24 questions from Council Member Brooks-Powers.

25 SERGEANT AT ARMS: Time begins.

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2 COUNCIL MEMBER BROOKS-POWERS: So, good afternoon
3 and thank you Commissioner Gutman for your
4 presentation. I just had a few questions that I
5 wanted to put out there. The first one, I noticed
6 that there was a significant reduction in
7 installation of speed humps. This is something I
8 continue to hear about a need for in my district, the
9 31st Council District in Southeast Queens in the
10 Rockaways. And so, wanting to know if the Department
11 of Transportation is on track to meet its goal of 250
12 speedbumps for this year but more so, wanting to know
13 how these requests are prioritized in terms of the
14 communities across the city.

15 Next, I wanted to also just echo the sentiments
16 of Council Member Adams in terms of the street
17 repaving. There are a number of streets in,
18 especially in my district that have been identified
19 that have not been repaved in over 20 years in some
20 instances with the potholes deepening. And so, I
21 know often times we talk about equity and resources
22 and there are some communities that continue to be
23 overlooked when these massive repaving projects are
24 done.

25

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2 So, I would really implore the Department of
3 Transportation to look more towards identifying and
4 working with our offices for these streets that have
5 not been repaved in quite some time as well.

6 We also have a significant tractor trailer
7 parking dynamic in residential areas and especially
8 being nearby JFK airport, wanting to know what the
9 Department of Transportation can or has planned to do
10 to address enforcement of this issue.

11 The pilot program that you spoke about and I only
12 have two more questions. I just want to give them to
13 you all right now.

14 The pilot programs the Department of
15 Transportation often do are really good programs that
16 I would love to see prioritized in outer boroughs,
17 especially where there are significant transportation
18 deserts. I find that in my district, we are often
19 not a part of these pilot programs or you know, not
20 included until it expands more. So, I would love to
21 work with your agency to ensure that my district is
22 included in pilot programs going forward.

23 And the last statement/question uhm, pertains to
24 Brookville Boulevard in the Rosedale Community. It's
25 a significant between Rosedale and the five towns and

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2 towards JFK Airport. It is owned by three different
3 levels of government, state, federal and city but I
4 just would like to have a commitment from Department
5 of Transportation to work with the community and the
6 local elected officials coming to the table to
7 addressing the concerns there. I know it overlaps
8 with a number of city agencies in terms of sanitation
9 parkland, as well as Department of Transportation but
10 wanting to work together to address the loitering and
11 dumping that's happening there. So, thank you.

12 HANK GUTMAN: Thank you Council Member and I hope
13 I have all the questions written down but let me try.
14 Starting first with speedbumps and resurfacing. Uhm,
15 in terms of the goal of 250 speed bumps. I mean, one
16 of the issues is as we resurface, we have to
17 reinstall speedbumps as well.

18 So, in terms of 250 new speed bumps, we are
19 behind but we are furiously creating speedbumps, both
20 new ones and as we resurface streets, reinstalling
21 the old ones. So, because of the amount of
22 resurfacing being done, a lot of the speedbump work
23 that's been done has been reinstalling them where
24 they already were in the wake of the repaving, if
25 that makes sense. But again, if there are any

1 specific areas you think are unsafe that you think
2 should be priorities that we are not prioritizing, we
3 are happy to hear from you and you know, you can
4 contact me. You can contact Borough Commissioner
5 Garcia, who is incredibly responsive and we will see
6 what we can do about it.
7

8 As to - and when I was out for the pothole blitz,
9 I had the numbers in front of me. We have actually
10 set records. The de Blasio Administration has set
11 records for repaving around the city. So, I think
12 the miles to date would have, since people like to
13 count in miles, would have gone from here to Los
14 Angeles and back again and then back to Los Angeles.
15 So, that's a lot of miles but obviously we have more
16 work to do on both the repaving and the speedbumps.

17 As to truck enforcement, that is a chronic
18 problem that we are trying to figure out how to
19 address. It obviously goes beyond just our agency
20 but I have heard similar complaints from some of your
21 colleagues and I have seen it in their districts when
22 I have gone to visit. So, truck enforcement in
23 general is an issue that we need to address and we
24 are working on it and will be working on it with our
25 government partners in other agencies to see what we

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2 can do. And I believe that address is the Brookville
3 Boulevard and Rosedale issue as well but again, we
4 are happy to sit down and talk to you and hear the
5 issue and then you know, to engage with our partners
6 in government to try and provide a multidepartment
7 answer to the question. But I understand the concern
8 and you know; we should do what we can to deal with
9 it obviously.

10 I hope I didn't miss any. Was there a question I
11 missed?

12 COUNCIL MEMBER BROOKS-POWERS: Uhm, the only last
13 question was about the pilot programs but I would
14 like to say, I had met with Queens Commissioner
15 Garcia and looking forward to building a strong
16 working relationship with her as well as your agency
17 overall. But yes, the pilot program is the last one.
18 Thank you.

19 HANK GUTMAN: Yes, no and absolutely. You know
20 our priority is for any of these new programs is to
21 address transportation desert. So, if we have missed
22 something, we are happy to put it up next on the
23 list. That's what we are trying to do.

24 COMMITTEE COUNSEL: Thank you. Chair Dromm,
25 there are no other questions at this time.

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2 CHAIRPERSON DROMM: Thank you very much and I
3 guess we are going to end it here Commissioner. We
4 appreciate you coming in and giving some time. I
5 know that the Council, we had some other questions
6 but we will forward those to you in a letter to
7 answer and as we move through the negotiations.

8 I just want to know, Chair Rodriguez, did you
9 have any wrap up statement or a question?

10 CHAIRPERSON RODRIGUEZ: No, thank you Chairman
11 and Commissioner, we are going to be following up you
12 know and how we still see some area that we can do
13 better on Vision Zero but I will be following up with
14 you. So, thank you and thank you Chair.

15 CHAIRPERSON DROMM: Okay, thank you very much.
16 Again, thank you to the DOT and with that, this
17 meeting is adjourned at uh, excuse me about 1:55 in
18 the afternoon. Thank you. [GAVEL].

19 HANK GUTMAN: Thank you.
20
21
22
23
24
25

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 June 21, 2021