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1	CRC Hearing
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6	Moderated by Richard Buery
7	Tuesday, March 4, 2025
8	5:21 p.m.
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11	Fordham University, McShane Campus Center
12	441 East Fordham Road, Third Floor
13	Bronx, NY 10458
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19	Reported by: Thea Popko
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1	APPEARANCES
2	List of Attendees:
3	Richard Buery, Chair
4	Edward Kiernan, General Counsel
5	Sharon Greenberger, Vice Chair
6	Carl Weisbrod, Panel Member
7	Lisette Nieves, Panel Member
8	Anthony Richardson, Panel Member
9	Kathryn Wylde, Panel Member
10	Leila Bozorg, Secretary
11	Shams DaBaron, Panel Member
12	Valerie White, Panel Member
13	Diane Savino, Councilmember
14	Julie Samuels, Commissioner
15	Anita Laremont, Commissioner
16	Grace Bonilla, Commissioner
17	Adolfo Carrion, Jr., Commissioner
18	Lucy Joffe, Deputy Commissioner
19	Marjorie Velazques, Speaker
20	Kirk Goodrich, Speaker
21	Eric Lane, Speaker
22	Pascale Leone, Speaker
23	Craig Gurian, Speaker
2 4	Professor Mitchell Moss, Speaker
25	Sean Campion, Speaker

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1	APPEARANCES (Cont'd)
2	List of Attendees (Cont'd):
3	Shanequa Charles, Speaker
4	Brendan Cheney, Speaker
5	Maria Forbes, Speaker
6	Hadaryah Morgan, Speaker
7	Roxanne Delgado, Speaker
8	Ericka Keller, Speaker
9	David Gellman, Speaker
10	Basha Gerhards, Speaker
11	Michael Kaess, Speaker
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PROCEEDINGS

CHAIRMAN BUERY: Good evening. Can you all hear me? All right. Good morning -- good evening, everyone. And welcome to this public hearing of the New York City Charter Revision Commission. My name is Rich Buery. I'm honored to chair this work. And we are here because New York is celebrating its 400th birthday and we thought this was a fitting moment to take a fresh look at our city's governing charter.

Our goals are to think about how we can amend the charter to ensure that New York City remains a cradle of opportunity as it was for my parents when they emigrated to -- from Panama some 60 years ago.

We're going to think about how we can revive the charter to make it a more effective tool for building the more inclusive and affordable city that New Yorkers deserve.

We have the responsibility of reviewing the entire charter and suggesting changes for voters consideration. Only where voters agree to those changes at the election will any changes to the charter go into effect. I know I speak for my fellow commissioners when I say that we are committed to hearing from a broad spectrum of New Yorkers and to

1	pursuing	the	best	ideas	we	can	find.
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This hearing is just one of many public hearings across every borough to hear ideas from experts, from community leaders, from elected officials, and indeed from any member of the public who wishes to testify. And importantly, this is an independent commission. In making a recommendation to the city voters we are bound by our judgment and by our values. We will pursue ideas regardless of who propose them and regardless of who supports them.

Joining me in this task are 12 other commissioners, some of whom are attending this hearing virtually. They are Vice Chair Sharon Greenberger, Secretary Leila Bozorg, Grace Bonilla, Shams DaBaron, Anita Laremont, Dr. Lisette Nieves, Anthony Richardson, Julie Samuels, Senator Diane Savino, Carl Weisbrod, Valerie White, and Kathryn Wylde.

As I said, we'll be considering the entire charter. However, the commission is looking in particular at our charter's approach to housing and planning. From my perspective, there is no more urgent challenge for this body to take up.

As we all know in this room, our city is in the midst of a profound affordability crisis.

For millions of New Yorkers, especially for low income

New Yorkers, housing cost is a central struggle of their lives. For millions more, our housing crisis severely limits where New Yorkers can live, what schools they can attend, how they can get to work, and whether their families can stay together. These challenges will be the focus of our hearing.

So let me say a few words about how the hearing will unfold. First we will hear from several invited panelists. Each panelist is asked to speak for no more than five minutes. And when we have a group of panelists testifying together, we will then open up to questions for the panel all at once and we'll limit to our questioning to ten minutes. And I'll ask commissioners to hold any questions until all panelists have finished and to be mindful of the clock as we move through the hearing so that we can ensure that everyone who wishes to testify has a chance to testify.

After hearing from invited panelists, we will hear from members of the public. Members of the public are asked to testify for no more than three minutes. Afterwards, the commission may ask questions. We will hear from the public first those who are present in person, and then we will move to testimony from those attending virtually.

If you wish to testify virtually, there is a sign on sheet online. You can find it on the meeting page for this hearing by going to nyc.gov/charter, click on the meetings tab and selecting the Bronx hearing. We will also drop a link to that form in the chat for those of you who are attending virtually.

We will do our level best to hear from everyone who wishes to speak today. The meeting is scheduled to run until 8 p.m., and we will try our best to accommodate everyone. We have ASL interpreters who are planning to be here until eight. If -- we will ask at close to eight whether anyone needs ASL interpreters and if we still have testimony but don't need anyone who needs interpretation, we will then excuse the ASL interpreters at that time.

And if for some reason you're not able to testify this evening, just remember there are many ways to testify, including at other public hearings or by submitting written testimony, which you can do again online at nyc.gov/charter, or by emailing chartertestimony@citycharter.nyc.gov. That is chartertestimony@citycharter.nyc.gov. All our hearings are live streamed and are recording for archival purposes.

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1	So before we get to testimony, I will
2	ask the commissioners for a motion to approve the
3	minutes of our February 24th hearing.
4	MS. GREENBERGER: So moved.
5	MR. WEISBROD: Second.
6	CHAIRMAN BUERY: Thank you so much.
7	Any discussion on that motion? All in favor say
8	"aye."
9	MULTIPLE SPEAKERS: Aye.
10	CHAIRMAN BUERY: Any opposed?
11	Abstentions? All right; the minutes are adopted.
12	So with that, we will begin our
13	testimony. First, I am excited to hear from a son of
14	the Bronx, the commissioner of the City's Department
15	of Housing Preservation and Development, and a
16	longstanding public servant who spent many years in
17	service to our city, the Honorable Adolfo Carrion.
18	MR. CARRION: Thank you.
19	CHAIRMAN BUERY: Thank you.
20	MR. CARRION: Thank you very much.
21	Good evening. Thank you for this opportunity. Good
22	evening, Chair Buery, Vice Chair Greenberger,
23	Secretary Bozorg, members of the Charter Revision
24	Commission. My name is Adolfo Carrion. I am the
25	commissioner of the New York City Department of

Housing	Preservation	and	Development
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I will take 30 seconds of personal privilege to say that my parents got here in the 1950s New York from Puerto Rico. And this city provided the opportunity in less than one generation for us to go from a sub-basement apartment in -- on South Second Street in Williamsburg to public housing at Jacob Riis Houses in the Lower East Side to a federally subsidized limited equity co-op on 12th Street and Avenue C, and home ownership by 1969. So that's the kind of city we want to create and sustain.

So I'm encouraged by, sort of, your personal testimony there as chair of this. I'm -- I'm joined by my colleague Lucy Joffe, who is Deputy Commissioner for Policy and Strategy. Thank you for the opportunity to be here to discuss HPD's fair housing work and its important relationship for the Charter Revision Commission's work. We believe that a fair housing lens is critical to this discussion because housing discrimination is not just a historical matter. These issues remain present and prevalent in New York City.

Through its work in housing development, preservation, subsidization, and neighborhood health, our agency, HPD, is working to

ensure all neighborhoods are accessible, available, and appealing, giving New Yorkers the power of choice to stay in their current homes or to move, depending on their needs and preferences. But the city has a long way to go. Discrimination, the lack of available housing and the dearth of low cost and affordable rental housing all deny New Yorkers the choice in where they live.

HPD has a -- as -- was the primary architect of the city's Where We Live NYC Plan. Where We Live is an unprecedented and comprehensive set of commitments to undo New York City's legacy of discriminatory housing practices and replace it with justice and equity for those who make New York City their home.

The plan was completed at a moment when the federal government was backing away from its commitment to the Federal Fair Housing Act. Five years on from its release, Where We Live is recognized as a landmark. It continued to hold strength through both the pandemic and an administration change, and it was an inspiration for the historic citywide zoning reform which, you know, City of Yes for housing opportunity.

Just to create Where We Live, HPD and

its partners spent countless hours examining data, holding community conversations with more than 700 New Yorkers, and considering exclusionary housing practices from every angle, we heard from New Yorkers that their experiences around segregation and integration are complicated. But -- but above all else, we took from those interactions the message that New Yorkers need choice; choice in where they live.

As part of Where We Live we looked at multiple approaches to understanding the city's residential patterns and how those patterns have changed since 1990. Taken together, the data show that the city is increasingly diverse, yet still segregated by race and ethnicity by most measures. And I know we have some visuals up on the screen that demonstrate this -- this reality.

We also identified that life outcomes based on race, disability status, and other characteristics protected by fair housing laws correlate strongly with the city's patterns of segregation. Asthma rates in the predominantly Hispanic neighborhoods of Mott Haven and Melrose, for example, were outsized compared to those from lower density, more affluent, and white parts of Queens and even parts of Manhattan.

Similarly, in neighborhoods with the highest ratios of pawn shops and check cashers to banks and credit unions, all areas with predominant populations of people of color, mostly, most neighborhood residents had subprime or un-scorable credit.

Taken as a whole, the data in Where We Live reveals that the neighborhoods we call home affect our access to essential services, including affordable transportation, quality education, safe streets, and various goods and services that enhance our wellbeing. And you can see the visual about the asthma rates and the credit maps.

Undoing the city's legacy of segregation requires various interventions and investments. We must address the uneven distribution of housing production, especially the production of low cost housing so that New Yorkers can choose to live in the neighborhoods that are best for them.

Currently, however, new housing production is highly concentrated.

In recent years, some neighborhoods have added virtually zero housing, and some are even losing homes. Specifically in 2023, ten community districts produced as much as the other 49 community

districts combined. A factor that contributes to the existence of limited affordability areas.

Now, limited affordability areas are neighborhoods that fall below the 30th percentile citywide in terms of the number of homes that would be affordable to the median income New Yorker. Because of the lack of low cost housing, low income New Yorkers cannot choose to move to limited affordability areas and are effectively excluded from these communities. And you'll see up on the board our housing production map and the limited affordability area map.

HPD is working to make sure that there is more housing, especially low cost and affordable in every neighborhood. Since the release of the Where We Live -- of Where We Live in October 2020, we incorporated into our principles and our work to make good on our, on the Where We Live commitments. HPD and its partner agencies have met 50 percent of the planned commitments with over 90 percent in progress and -- or toward completion.

But HPD cannot truly unlock the power of housing development toward a more equitable and just New York alone. Key to our progress and to greater housing equity are the zoning practices and

policies that make it possible to develop affordable housing in all neighborhoods.

In addition to the commitments the city has made as part of Where We Live and consistent with the spirit of those commitments, Local Law 167 of 2023 requires the city to set community district housing production targets and to conduct an assessment of unique community housing needs. To meet those targets the city will need more tools to dismantle the obstacles to fair housing that have existed for generations.

HPD has continued to sound an alarm.

Barriers to housing and neighborhood choice are not just part of our city's history. They are a deeply unfortunate part of its present. And there is a version of the future in which we, in which we allow policies of discrimination and exclusion to persist.

The watch word from HPD's perspective is choice. The choice that all New Yorkers should have to live in the types of buildings, neighborhoods, and communities that suit their needs, the needs of their families, their health, and identities. HPD views choice as our commitment to New Yorkers and we believe it is our obligation to raise awareness of this commitment at every chance.

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We hope that the commission shares this commitment in its deliberations and that the changes to the charter reflect it. Thank you for the opportunity to speak before you today, and to all of you, thank you for your service to the City of New York as part of this commission. Thanks.

CHAIRMAN BUERY: Thank you so much,
Mr. Commissioner.

Anyone have any questions?

Commissioner Weisbrod?

MR. WEISBROD: Thank you very much,

Commissioner. Will the department be submitting any
recommendations to the commission on proposed charter
changes that would make the challenge of Where We Live
more achievable?

MR. CARRION: So we are -- we are part of a robust discussion around some of the proposals that are being talked about. Lucy can talk a little bit about the work we're doing in that regard. I -- I think what -- what we want to do is to frame the -- the challenge that we're facing, what's before you, and to let you know that the -- the obstacles are real and -- and that this commission has the opportunity to address those obstacles in -- in its deliberations.

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1	MS. JOFFE: We're here in our expert
2	capacity around fair housing. We also do extensive
3	data work and we're here to be a resource for the
4	commission.
5	MR. WEISBROD: I'm I'm sorry.
6	I I, I'm sorry, I didn't hear the last part of what
7	you said.
8	MS. JOFFE: We're here to be a resource
9	for the commission and to provide insight or
10	information that you may need.
11	MR. WEISBROD: It would, at least from
12	my perspective, it would, since you are really in many
13	respects the deliverer of housing for the city, any
14	recommendations that you might have that would, for
15	charter change, that would make your job and the
16	challenges of Where We Live more easily achievable
17	would be, at least from my perspective, very welcome,
18	so
19	MS. JOFFE: So we appreciate that.
20	MR. WEISBROD: You don't have to answer
21	that now, but but as we deliberate, it would be
22	helpful.
23	MS. JOFFE: Yes. And we look forward
24	to continuing to be a resource on that. And we can
25	certainly talk more about any of the proposals as we

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go, and some of our perspective and what we've seen as the challenges for building housing in all parts of the city, which is really a lot of our focus.

MR. CARRION: And I'll -- I'll just add very briefly that some of the legislative wins that we've had recently have moved some of those obstacles out of the way. And of course the amendments that we made to the zoning code through City of Yes for housing opportunity really created a fertile environment for us to be able to build in many of the places where these problems persisted because the zoning code just didn't allow multifamily rental housing in many places.

Some of the incentives that are built into that I think are going to show results over the next ten to 15 years. And you've heard the estimate; it's about 80, 82,000 units of additional housing that would be coming onto the market.

So, and -- and I'll -- I'll say, add this: Affordable housing production is a small slice of -- of the housing in New York City. And regulated housing is a small slice. You know, there's more than three and a half million, 3.6 million homes out there and the regulated universe is about a million units or just shy of a million units. We want to put more of

Page 18 1 those regulated units in the market to create 2 opportunity. But we also have a supply, a severe 3 supply problem in this town. And if, you know, 4 changing the zoning code has allowed us to create a 5 larger envelope of opportunity. 6 CHAIRMAN BUERY: Commissioner Nieves? 7 Press the button. 8 MS. NIEVES: Red is on. Okay, 9 MR. CARRION: When it's red it's good 10 and when it's --11 MS. NIEVES: Hi, Commissioner. 12 MR. CARRION: Hi. 13 MS. NIEVES: Good to see you. 14 MR. CARRION: Nice to see you. 15 MS. NIEVES: The question that I have 16 for you is the, we've seen a lot of studies that say 17 because we have such a low vacancy rate, we should 18 just, it doesn't matter what kind of housing we put 19 out there, if we just increase the volume of housing 20 out there, we will lower rates and thus increase 21 mobility. 22 Now there are critics of that, and I 23 really hope that -- you don't have to -- you can 24 respond to that now, -- but I really hope in your 25 testimony or whatever you submit that you really speak

Page 19 1 to that theory, which is broadly held. Flood the market, prices will go down and mobility will increase 2 for folks. 3 4 So I hope that you can, if you want to 5 say something now, that'd be great. But also I -- I 6 would love to see some written testimony in that as 7 well. Thank you, Commissioner. MR. CARRION: I will say this; that the more housing we have, the 10 better it is. We have a 1.4 percent vacancy rate. 11 And if you're a low income family in this town, 12 it's -- it's probably under 1 percent, the 13 availability of affordable units of, you know, 14 available to you or your family. 15 So supply, in general, we believe that 16 Our charge is to create more affordable it's good. 17 housing for working people and -- and lower income 18 folks, and even folks with no income. And we cover 19 that universe of households. And it's our, it's 20 our -- our responsibility as the housing agency of 21 the -- of the City of New York. But I'm -- I'm glad 22 you brought that point up. 23 MS. NIEVES: Great. I just want to 24 make sure that when you respond to that, I think the, 25 there's broad assumptions around the mobility of all

New Yorkers. And you particularly focus on those that
have no income or low income. If you could also cite
and respond to any reports that talk about the
differential mobility experiences. Thank you.

MS. JOFFE: If I can also add on to that question. You hear us talk a lot about affordable housing and absolutely the commissioner talked about our work around increasing the supply. Something that you, that we also focus on -- and that's why we call it Where We Live, -- where we build and what we build also matters. And we believe really deeply it is not an either/or, it is a both/and.

So we both need to build as much additional housing as we can, as much of that to be low and -- and low cost and affordable is great. But also there are parts of our city that have long been closed off to many New Yorkers and that is not a historical accident. It's something we've talked about throughout Where We Live, and government has at times been part of the problem and at times just stood by.

And so a lot of our work and we think the commission's work to build on what we have set in motion through City of Yes is ensuring that we can actually follow through with that commitment to build

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a little more housing in every neighborhood across the city because New Yorkers should be able to choose the neighborhood that's best for them. And if there isn't housing in every single neighborhood, they don't have that choice.

CHAIRMAN BUERY: Commissioner

Richardson?

MR. RICHARDSON: Yes. Commissioner, thank you again for your testimony. I understand that part of the HPD's or part of the production of housing comes from housing that is built on formerly city-owned property. I think what will be helpful is a follow up to understand the mapping of that.

And I know that y'all have done some great work on looking at not -- not even property that's under HPD's jurisdiction, but could be under other city agency jurisdictions. Perhaps looking at what that looks like and particularly if there are opportunities in those limited affordability areas. I think that'd be interesting.

MR. CARRION: So, you know,
that -- that is probably the freshest stuff that we're
doing, the freshest work we're doing. In addition to
the zoning code change, there is, there are a number
of initiatives where we are looking at assets that can

generate significant housing in limited affordability areas and some of them are in Manhattan.

So we've got the Manhattan plan for a hundred thousand units of housing over a fixed period of time, identifying every available site where it's possible. Midtown south rezoning, which takes a, the Garment District essentially and all of this sort of warehouse manufacturing commercial space and turns it into housing, tens of thousands of units of housing available -- will become available.

And then some -- some major sites that -- that will be offered for proposals for development, including my favorite, which is 100 Gold Street, which will be RFP'd -- hey, Shams -- which will be -- which will be put -- put up for -- for proposals within days now where almost -- almost 2000 units of housing can -- can be created.

And it'll be a mix of market rate and deeply affordable -- affordable to low income families. It will, and it's in a neighborhood that's rich with opportunity and -- and amenities. So we're very aggressively taking that approach, and I appreciate you bringing that up.

MS. JOFFE: And I'll just add that is one of the 81 commitments we made in Where We Live and

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1	so this is our work in part to follow up on that.
2	MR. CARRION: Yes.
3	CHAIRMAN BUERY: I want to thank you so
4	much for your testimony. I just wanted to reiterate
5	what Carl said, is really excited to hear your
6	specific recommendations not only in your seat now,
7	but you have such a unique set of experiences at every
8	part of this process, as the city council and the
9	borough president, HUD, now at HPD.
10	And so much of what we've been hearing
11	about are the different ways at which dynamic that
12	each of those levels can affect for the good or for
13	ill housing development including including, as
14	you're describing, equitable housing development
15	across the city.
16	So I'm really excited to hear both from
17	your current seat but from your life experiences, what
18	you would counsel us to make a charter that would've
19	made this easier at each of those, each of the seats
20	you've had.
21	MR. CARRION: Well thank you, and thank
22	you for this opportunity and we look forward to a
23	robust conversation with you.
24	CHAIRMAN BUERY: Thank you so much.
25	MR. CARRION: Thank you, members.

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1	CHAIRMAN BUERY: Appreciate it. Our
2	next panel our next speakers will be a panel. I'm
3	going to call out both Marjorie Velazquez, former
4	member of the city council, and Kirk Goodrich of
5	Monadnock Development. And I'm sorry, I think I
6	pronounced that wrong. Monadnock Development?
7	MR. GOODRICH: Monadnock. That's
8	right.
9	CHAIRMAN BUERY: Sorry.
10	MR. GOODRICH: Former councilmember
11	first, please.
12	MS. VELAZQUEZ: Okay. I'm on; right?
13	CHAIRMAN BUERY: No. The red button.
14	Red light.
15	MS. VELAZQUEZ: There we go.
16	Good evening. My name is Marjorie
17	Velazquez, and from 2022 to 2023, I served in the city
18	council representing the 13th district in the Bronx,
19	which includes Throggs Neck, Pelham Bay Park, Morris
20	Park, and other communities in the northeast Bronx.
21	The housing crisis is the defining
22	challenge facing our city. As a councilmember,
23	perhaps one of the challenges I faced the most
24	waswhen I was in office was a proposal to build
25	more housing. A rezoning to add 349 apartments in

Throggs Neck, including 168 affordable apartments for seniors and veterans in a district that added fewer than 60 affordable units in the previous eight years.

As a councilmember under the city council practice known as member deference you are at the center of the debate over housing proposals like this one. Opponents of a plan, even if they are few, know that the very best way to prevent a project is to convince a councilmember to vote against it and they focus their attention on the local member. Simply put, a small vocal minority can get in the way of an affordable housing for a majority of residents who so desperately need it.

Councilmembers hear the voices of big and small community groups and during this unprecedented housing crisis, they must strive to provide affordable housing for all families in New York. With member deference what was originally intended to be an avenue of input for all residents in the district, it's become a bludgeon for a few outspoken residents. They use their wealth and intimidation to unnecessarily divide communities.

ULURP member deference will always put elected officials in a position where it's hard to say yes to affordable housing, than no, forcing members

into a no-win political situation. New Yorkers are tough, and elected officials are used to hearing strong views from constituents. But in my case, the opposition went frighteningly outside the bounds of civil discourse.

I was doxed. I received multiple death threats. My home was broken into. My staff and I had to receive police protection. I had to have a panic button installed in my house and my office that went directly to the NYPD. The hate and the venom laced with racism and misogyny that was directed at me and my staff was overwhelming. I feared for my safety and continue to feel the effects in my community to this day.

What did I do to deserve this vitriol?

I signaled openness to voting for housing and ultimately negotiated a deal that allowed this important housing project to go forward. Projects like this in every neighborhood are the only way to make a dent in this housing crisis.

With how long the ULURP process currently takes, we will struggle to match the rate of affordable housing production that is needed to make New York City an affordable place for families to raise their children and our older New Yorkers to

Page 27 1 retire in the city they've called home for decades. I am proud of the compromise I 2 3 It took courage and I understood the negotiated. 4 stakes. Unfortunately, my decision to support new 5 housing cost me my seat at the city council. 6 I believe in community input. 7 believe in a democracy where we need communities to have a say in development. But a system that depends on councilmembers enduring death threats, hate, and 10 intimidation to approve new housing is a system that 11 cannot solve our housing crisis. The City Charter Review Commission 12 13 gives us an opportunity to address this immense burden 14 that the ULURP process heaves upon local elected officials and more importantly, would give us an 15 16 opportunity to turn our dream of affordable housing 17 into a reality. 18 So thank you for this opportunity to 19 testify. 20 CHAIRMAN BUERY: Thank you so much for 21 your testimony. 22 Mr. Goodrich. 23 MR. GOODRICH: Sure. So good evening 24 to -- to all of you and thank you for the invitation 25 to talk. So my name is Kirk Goodrich, I'm president

of Monadnock Development. I've been a developer for the last 15 years. Before that I financed housing and -- and also studied it as an undergrad, and I'm co-host of The Housing Problem podcast.

I think the Charter Revision Commission has an opportunity that's really unique. And my focus, of course, is on reform of the Uniform Land Use Review Procedure, ULURP.

And I want to echo what former councilmember Marjorie Velazquez just said and -- and just, you know, applaud her courage and what it cost her. And at a fundamental level, I've spent so much of my time engaging communities when, beginning when I was 24, which is now 32 years ago and now, and so no one I know would value community engagement as much as I do.

But the last five years have been a real eye-opening experience for me. We had four rezonings going simultaneously and the degree of disappointment I have with elected officials and community boards and so-called activists and stakeholders is really problematic.

And -- and the reality is that we have a process that doesn't incentivize projects moving quickly, doesn't recognize the pain and suffering

working people and poor and vulnerable populations are going through.

And, you know, if -- if we take a vacation and we check into a hotel with our family and we don't like it, we get them out of there. We won't even spend, allow our families to spend a single night in a hotel that we don't like. But we're okay in the name of community engagement, having people wait five, six years or longer, some public rezonings 15 years or more, while we deliberate whether affordable housing should be built and how affordable it should be. And I just -- I just think that's an abomination.

And so we need a fast track disposition, not -- no ULURP disposition for city-owned properties that are for affordable housing. If it's a hundred percent affordable housing, we -- we need an abbreviated process that, in my mind, is built around City Planning Commission approval.

And then as the -- the councilmember just said, the member deference is a toxic thing. It allows a single individual to disrupt our housing market and creates a situation where affordable housing is concentrated in East New York and Brownsville and the Bronx and huge swaths of the city don't do their fair share. And I think that's

problematic. My audience, whether it was when I was 19 and took my first affordable housing class or today, is the community of working people who are barely scraping by.

My mother spent 32 years bussing trays in a hospital kitchen with poor working people. And those kinds of people across the United States who are earning minimum wages, can't afford to rent a typical one bedroom in the 50 largest cities in the country, those people -- there's not a city, state, or county in the country where a full-time minimum wage worker can afford a typical one bedroom -- a two bedroom apartment in their market. That's a -- that's a catastrophe. It's bad housing policy, it's bad social policy, it's bad economic development policy.

We have forsaken working people in a catastrophic way in this country. My vision is simple. My parents came here from Belize in 1962. My father was a plumber. My mother worked in a hospital kitchen. They rented a room. Then they rented a -- a slightly bigger apartment, and then a bigger apartment. And by 1974 they owned a home. That path is no longer possible. We have a dysfunctional non-functional housing market, and we have to fix it.

And we laugh at communities and suburbs

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across the United States, but they've figured out
something that we've long forgotten. You create a
job, you need a housing unit. And I spent, you know,
two years as an intern in the city of Champaign,
Illinois Planning Department. And when an employer
came in with a hundred new jobs, they had to figure
out where they were going to put a hundred households.
And we just have given up on that. And we can't.
Because the lives of working people are at stake.

And there are people whose names we don't know, who don't know our names, who need us to wake up every morning and be the best version of ourselves. And they're counting on you folks and folks like us, and we can't let them down and disappoint them like we have the last 20 years. Thank you. I got --

CHAIRMAN BUERY: I want to thank

you -- thank you both for incredibly powerful

testimony. And question for you, Council Member

Velazquez, and first of all, again, thank you for your

bravery and your leadership.

In -- in some ways I think both of you are describing a central challenge that is coming up.

The need to balance the ability of communities to have some say in the direction and development of the

community, particularly in a city where not every
community has historically been given voice over the
direction of their community and balancing that
against the need to unleash the power and potential
that comes from having a supply that is adequate to
meet the needs of our city, particularly those who are
too often excluded from the economic mainstream.

And -- and I'm curious, particularly from your seat, how you would rebalance those issues in the charter. Are there particular recommendations that you would make that would prevent what -- the experience that you went through, but that would also allow local communities to have appropriate voice in how development happens in their neighborhoods?

MS. VELAZQUEZ: I've given it a lot of thought. All right. Certainly the power is going back to the community board and having those open conversations. And unfortunately community boards changing the different faces in, within the community boards has been historically a situation now with the term limits in community boards, you do have access.

So I'd say one recommendation is reviewing that and seeing the effectiveness of that.

Do the community boards actively represent the demographics of the community represents. It's one of

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them and working with the local borough presidents a	nd
the councilmembers to see how diverse that is, and a	re
we really including all the different voices when	
we're talking about those community groups.	

And making community boards more accessible to the local communities. Understanding, educating, and education and awareness of that is the first step. Because we have tools and unfortunately folks have used these tools that should be engaging with the community as weapons and as weapons of divisiveness, fear mongering.

And so taking that power away and actually going back into the community and telling them and reminding them of their full power, especially those that have just been left out of the equation because of not being aware of it and certainly not having time to participate. So meeting folks where they're at, and I think we should really delve into that a little bit better.

UNIDENTIFIED SPEAKER: Can I please -CHAIRMAN BUERY: Start with
Commissioner Wylde.

MS. WYLDE: Do you -- so thank you for your testimony, Marjorie and Kirk. And both what struck me is what you're describing, Kirk and -- and

Adolfo, both in terms of your trajectory up through the 1980s, that story was possible.

This is a relatively recent phenomenon, and I think that's something we have to think about, that -- that we have to look at what has happened in the last few years. And I think Marjorie sort of nailed it, that the politics have changed dramatically, and we had a -- had a charter that worked up through the 1980s to provide this trajectory, and no longer does.

And even though we know it's going to be, I mean, I guess my -- my question to you is, do you think it is politically feasible to enact something that reduces a charter provision, that reduces the role of community boards, perhaps flips -- and -- and the city council, more importantly? Because I -- I don't think -- member deference is a political, not a legal condition. I don't know anything we could do to stop member deference.

So I don't think that -- I don't think that per se is an option. I think the option has to be changing the process in a way that there's a voice. Some have suggested it is the borough president who can come back in with a voice or that city planning is the last stop you sit in certain. So I just wonder

		what	your	thoughts	are	on	that.
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MR. GOODRICH: So -- so what I would say is, we're in an emergency situation. And the ability of the executive and leadership of the city to act unilaterally in an emergency I think is really important.

HPD produces these vacancy studies.

But -- but if -- if 1.4 percent vacancy and, you know,
a -- a situation where 50 percent of folks are rent
burdened is -- is, you know, is not an emergency.

I -- I just think there has to be triggers in -- in
other parts of the country that flood regularly.

People who, when far less people are impacted, those
communities have the ability to mobilize and house
folks.

And we need the ability. If certain factors exist to declare an emergency and have people not go through what we went through in East New York to do 2000 units of a hundred percent affordable housing, including the dialogue with the -- the councilmember was six years before we could put a shovel in the ground. That's not acceptable. That's not a victory.

There was a -- a panel maybe last year or a couple years ago on the success of the Gowanus

	1 agc 30	
rezoning,	and they kind of lost lost me at	
15 years.	Like, I mean, the reality is that	
	MS. WYLDE: And that was a success.	

MR. GOODRICH: Right. And -- and, you know, the reality is, I have a phrase and that phrase is, when you love someone or your community or city, you become what they need when they need it. And we fail in both of those counts.

Like, when they need it. When your kid is home sick, he needs you right then. He doesn't need you when you get around to it. And our -- the world of philanthropy and government doesn't operate that way. We let people suffer. We let them scramble. We let them be in shelter. We let a hundred thousand of our kids be in shelter during the course of any year and none of that moves us to an emergency.

People will deliberate forever because fundamentally they don't, they want something far less for other families and kids than they want for their own. And that is a huge problem. The -- the only value that's propelled my career -- not my skill or anything else -- it's I want for everybody else's kids and family what I want for my own.

And unless our elected officials -- I

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can tell you that's not true for community board folks on average. I think -- and -- and if I felt that I would tell you differently. I just think there has to be an ability when we hit certain milestones and a threshold of crisis that people can move without seeking counsel. That's all.

MS. VELAZQUEZ: Thank you for sharing, Kirk. I mean, that was spot on. The average time it takes to complete a project, it's coupled with how long it takes to inform a community and it's way too long. I think as a councilmember you have but so much time to understand the project that other councilmembers are doing.

So you're asking a councilmember to, through member deference, is understanding someone else's district and putting it within a three month concept and seeing if it's good or not. And you have to believe and support that councilmember and support their decision and negotiation. However, you don't know everything that's gone on beforehand, and you have your own borough or your own district to worry about.

So when it comes to all that information, it's just overwhelming for a councilmember as well. So when we're talking about

member deference, it's really taking a step back in the process and understanding how can we best support a decision that is made under normal circumstances that really does involve the right playing actors within the community that really represent the needs of the community and not a small minority that just wants to see things as is.

MS. NIEVES: Kirk and Marjorie, thank you for -- for your statements that I -- my mom was raised in the -- projects and then same kind of story, right? That, you know, just doesn't happen in the same way.

What I would say is when you provide further testimony, any ways that you could think about in ULURP that you would want to change or any ways, particularly as Commissioner Wylde was bringing up, in the process of who has the final say is important for us. Because we -- we feel the passion, we feel -- we feel the sense of urgency. We feel all of those pieces, but we're really looking for tangible examples of where we can do that. So I just want to encourage that. Thanks.

MR. GOODRICH: So the only thing I'll say is I, I've read thoroughly -- I'm on the executive committee of Citizens Housing and Planning Council.

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1	I've read thoroughly their recommendations that they
2	will be sharing with you on Expedited ULURP. I agree
3	with those, you know, suggestions myself. So
4	that's
5	MS. BOZORG: Okay. Thanks. Thanks for
6	sharing your story, Marjorie.
7	Kirk, can you talk a little bit about
8	just the decision-making process as you're going out
9	looking for projects? We've heard a lot, we had at
10	the last hearing we heard someone say, ULURP's not the
11	problem. It's only seven months, sometimes nine
12	months. And that it itself isn't the problem.
13	There's other problems, and it's not ULURP.
14	So can you talk about and I think we
15	have a very hard time quantifying the lost opportunity
16	given, you know, what what the experience is in our
17	land use process. So can you just talk a little bit
18	about how our land use process actually impacts what
19	even gets off the ground or is conceived of?
20	MR. GOODRICH: That's a great question,
21	Leila. So what I was saying to somebody the other day
22	is the impact of member member deference means that
23	there are certain projects we won't even undertake.
24	So so my my colleagues and I, in
25	the development world, we get a steady flow of of

setups on vacant land and other things. But for this purpose, let's say vacant land. And then you have a decision to make about whether you are going to try for an entitlement in those locations.

And I could just tell you without mentioning specific neighborhoods, all of which are off the top of my head, if I, that there are many neighborhoods we all know in the city, especially in certain boroughs, where you already know that you're not going to get councilmanic support for an entitlement.

And so those situations will never even be brought forward. So there's some number of -- of rezonings that no one ever initiates because we don't believe they'll be successful, or we could get to a point where we spent a year or two or three and it will fail.

And so -- so those communities have done an excellent job of getting what they want.

Meaning, they've created such a resistance that we already know we don't want to go there. I think the correct analogy after Brown vs. Board of Ed was those communities who were able to make integration of people of color into their schools so unpleasant that folks said, "I'm not sending my kids there." And

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1	it it dragged out the process for integration of
2	public schools.
3	It's exactly the same thing.
4	That that there are certain neighborhoods where you
5	know they're not going to allow, not only affordable
6	multifamily, any multifamily. And as a developer,
7	you're a business person. So you've got a decision to
8	make. Are you going to make a principle stand and
9	lose time and money or are you going to go to the path
10	at least resistance in poor neighborhoods where the
11	electeds have been more receptive.
12	And that's what we all do. But that
13	fundamentally doesn't work. Because it's a fair
14	housing problem and because there we've gotten to a
15	place where those neighborhoods can no longer
16	accommodate the volume of affordable housing we need.
17	So that no longer works. And so from my perspective,
18	we need a dramatic change. And that's, those are some
19	examples.
20	MR. DABARON: Good to see both of you
21	and and all of you that are here.
22	So it, it's a lot of things but keep it
23	simple. The member deference, clearly you are
24	indicating that it is a hindrance to development in

certain areas where we would like to have fair share

or whatever. I would assume that it makes it where certain communities are -- are forced, so to speak, to bear the burden of building housing.

So specifically, what are your specific suggestions in terms of what we can do with the charter to sort of, like, change that or amend that?

MR. GOODRICH: So -- so first of all, it's good to see you. I would answer it similar to the way I answered Kathy's question. And just generally speaking, there's a -- there's a platform of things that revisit, that will, that CHPC is putting forward that I support.

But I think fundamentally having city planning, having a expedited process for affordable housing projects where the focal point is City Planning Commission approval, and maybe there is a reconstituted city planning where there's more representation. But I -- I see member deference as being something that would be hard to avoid because it's such an informal thing.

If -- if City Council is the final destination for land use approvals, I just think once that's the case, I just think it's really hard to -- to avoid this. Now, you could have a situation where they could be overridden by City Planning

Commiss	sion	or	where	City	Planning	Commission	is	the
final o	desti	.nat	cion fo	or app	proval.			

But I think any of those would work
better than what we have now. And -- and honestly, in
all the ULURP processes I've been through, and
there've been really very many, I've always found my
experience at City Planning Commission the most
satisfying. Because I -- I just feel that it's a, the
hearing I've gotten there on different things through
time, whether it's micro units or disposition or a
variety of other things has been fair.

I've rarely felt that way about community boards. And -- and certain community boards are worse than others, clearly. And then with councilmembers, it's completely hit or miss.

And -- and the truth of the matter is, if you've gone through the years of conversations with a councilmember and you get their support, by the time you go through this process and get to city council, normally you're in a -- a good enough place.

But without exception, I've always had the best experience and experiences before City Planning Commission, and I just feel that should really be the place that's the final arbiter of these sorts of things in my opinion.

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MR. DABARON: Can I just ask a question
to the councilwoman? So we've heard that, what I've
heard, that perhaps there's a thing about how
count oh, sorry, community board members are
chosen. And I don't know all the particulars, but is
there something to be said about that, in terms of
what shapes communities?

Because we all want to have the voices of the actual community members represented. But I have seen in certain community board situations that they're not reflective of the overall community. So do you have anything to say about that or suggestions of what we can do to, you know, to look at that?

MS. VELAZQUEZ: Sure thing. When I was a councilmember, oftentimes folks did not even know what a community board were. And so it is, once again, raising awareness and education within the community and saying, "Hey you can apply." Even, you can have the youth apply because you can go and be as young as 16.

And so it's encouraging awareness and education first within the community. And what is a community board, what can you do with this? And more importantly, how important it is to participate in such a crucial level of government. Right?

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1	And it is something that beyond
2	awareness now, the councilmember and certainly the
3	borough president, should really emphasize within
4	their communities and when they're looking to appoint
5	people is to look at the local demographics, look at
6	where the voices are needed and certainly make sure
7	that it is representative of the district itself.
8	MS. WYLDE: How about term limits?
9	MS. VELAZQUEZ: Term limits, right now
10	it's eight years. I'd like to see them shorter.
11	MR. RICHARDSON: You said shorter?
12	MS. VELAZQUEZ: Shorter. Yes.
13	CHAIRMAN BUERY: Okay. You can be the
14	last question.
15	MR. RICHARDSON: Yeah. I'll be brief.
16	Thank you both for your testimony.
17	Council Member, I'm sorry to hear your story. I think
18	that's too great of a cost for anyone to bear and I
19	certainly think it's not acceptable. So I thank you
20	for your courage.
21	Leila pointed out something earlier
22	about opportunity cost. And Kirk, I think it'd be
23	great maybe in follow up or something, because you are
24	a developer, to provide some information on during
25	the the time it takes to move something through,

how the -- the cost can increase. Because certainly in a -- in a time where there's a limited amount of money, there's another cost there of -- of crowding out other potential, you know, fundings that could happen and so forth.

MR. GOODRICH: Yeah. So -- so your -- your investment of time and money in a private rezoning, for example, means you're not doing something else. And practically, for us, it needs to be -- it needs to be a project of scale to justify the investment of -- of time and resources.

You know, if -- if you are, if
you -- if you have a piece of property that you've
bought and are carrying costs for, for
example, -- which is really hard to do in this
interest rate environment, -- the -- the private
rezoning could be two to four million and then
whatever the carrying cost on the land is on top of
that.

And so you could be in a situation, and we were, you know, during between 2020 and -- and 2024, which was really the hardest years of my career because we had multiple entitlements going on and things weren't moving well. And so the combination of the length of time, the expense, just to get to a

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closing, what I always say to folks is, it's really bad for us. It's worse for the people who are waiting for housing.

And the -- the last thing I'll say on this, which -- which I think is important, is that people talk about not wanting to embrace entitlements because they're worried about developers making money. But that's like saying, I don't want to get this abscess out of my mouth because the dentist makes too much money. Or I would really go for open heart surgery, but do you know how much cardiologists make? And my -- my son really needs help, he has a developmental disability, but do you know how much those people make when they count?

It's -- it's like a, you know, I would really want fresh food and -- and -- and fruits and vegetables, but do you know how much the grocer's going to make it? It's not a rational -- it's not a rational application. And -- and no one thinks that way in any other aspect of their life.

The question is, do I need that and is it fair? And -- and no one really takes, I think, the right approach in thinking about these opportunities as an activist or stakeholder or many councilmembers not named Marjorie Velazquez.

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1	So so I'll I'll stop there.
2	Thank you so much for this evening. It's great to see
3	you all, and
4	CHAIRMAN BUERY: I'm sorry. I have
5	another question.
6	MR. GOODRICH: I'm sorry.
7	CHAIRMAN BUERY: Can you talk about the
8	impact that these rules have on minority and
9	women-owned contractors?
10	UNIDENTIFIED SPEAKER: Yes.
11	CHAIRMAN BUERY: What opportunity is
12	lost by those who don't have the kind of capital to
13	take on some of the time and opportunity cost burden
L 4	you described?
15	MR. GOODRICH: So Chair Buery,
16	excellent question. And the reality is that if if
17	you, because it costs so much and takes so long, you
18	can't really expect anyone who is a a fledgling
19	developer or or a, or somebody who's not a
20	generational, multi-generational developer to be
21	involved in this at all.
22	And essentially what you do by having a
23	process like this is that you create a bottleneck.
24	And and that process where the people who you want
25	most to be involved in development and construction in

Page 49 1 these communities can't really participate in a 2 meaningful way without a partner. And often if 3 they're a partner, because they can't invest what other people are invest, they don't really have as 4 5 meaningful a seat at the table. And it's another example of saying we 6 7 care deeply but we care not much at all. And I think 8 that's true for MBE and WBE businesses participating 9 in this process. And it's true for the households 10 waiting for housing at the end, that this process 11 doesn't serve the people, stakeholders, and community 12 boards say they care most about. 13 CHAIRMAN BUERY: Okay. Thank you so 14 much. 15 MR. GOODRICH: Thank you. 16 CHAIRMAN BUERY: I appreciate it. 17 Thank you. 18 Our next panel includes Eric Lane, the 19 executive director of the 1989 Charter Revision 20 Commission, Pascale Leone of the Supportive Housing 21 Network of New York, and Craig Gurian of the 22 Anti-Discrimination Center. 23 Mr. Lane will be appearing via Zoom, 24 and I believe Pascale Leone and Craig Gurian are in 25 person.

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1	UNIDENTIFIED SPEAKER: Mr. Chairman,
2	that's a document to share with the commission may
3	I do that?
4	CHAIRMAN BUERY: Of course. Of course.
5	Thank you so much.
6	And just so folks are aware while we're
7	doing that, next up will be Professor Moss and Sean
8	Campion of the Citizens Budget Commission after this
9	panel.
10	Yeah. I'm going to ask Eric Eric
11	Lane to go first on Zoom if you're there. Okay.
12	Thank you.
13	MR. LANE: So thank you for the
14	opportunity to participate and being offered this
15	opportunity by several charter commissions over the
16	last bunch of years, while was refusing them because
17	it seemed to me that the, to to have a real charter
18	commission, you needed independent commissioners,
19	independent staff, and energize and issues that
20	would energize the commission. And I see that that's
21	present in this case, so I'm grateful for this
22	opportunity and I'm grateful that you're willing to
23	undertake this arduous task that you have undertaken.
24	So as is determines that I was
25	the counsel and the executive director of the '89

Charter Commission. I'm responsible for the deference that you've all heard people speaking about. And yes, I do think there's a way to address it. So let me give you the background of that, why we did it.

There's actually a lesson in it for I think the commission and how -- why this is -- Ms. Commissioner Wylde said it worked for a number of years. I don't know if she was referring to the particular -- so I'm putting this thought in her head, but it did work for a number of years, and I'll tell you why it collapsed.

So the original idea was never to have -- never to have deference among the, among councilmembers. Although I am a great fan of the legislative process, I worked as the chief counsel to the Senate Democrats in Albany for six years. I'm the co-author with Honorable Abner Mikva of two law school texts on the legislative process. And I greatly enjoyed participating in observing it.

The one thing I never wanted the council to have was the opportunity for this deference. And let me explain to you why. If you give, you know, councils work best when there's a collective sense of policy. There's an issue of policy, everybody, most people have some take on it.

The broader it is, the more important it is, the more participation. And that's what councils ought to be doing, like, zoning in -- in the land use case.

When it comes to individual projects, the same thing happens every time. They don't care. It's not a policy issue. It's a law ruling issue. It's always about if you don't, if you help me support me in my district, I'll support you when something comes up. Because some of these projects aren't -- they are so small, they're not seen as citywide or even boroughwide not having boroughwide policy impact.

So they get less attention from the legislator. There's more value for the legislator to be able to stop the process from going, to stop the project from being built than there is for -- for him or her to participate.

I think Ms. Velazquez, her story was kind of amazing to me. I would never have predicted that kind of anger, but maybe that's the time. But her explanation of what happened is exactly what was intended to happen. And, you know, I think that Rich Schwartz and I honestly heard about why we did this in the end.

So anyway, we had a plan where

originally it was called Three Yeses, where it would never go -- there -- there was no automatic call-up permissible for the council. So there had to be a -- a combination of the -- the City Planning Commission supporting a project, the city community board not supporting it, the borough president not supporting it.

And then the borough president repeating his not support of it. And if that, if those events occurred, the triple-no, then the, you know, our -- our thought was that this would be a significant enough project to allow council attention. And the hope would be that, you know, this would happen infrequently.

One of the lessons that you hopefully will pay attention to that we had was that you have to try, you know, one of your goals is to win. You're not going to spend all this time or letting people testify and then come up with a series of proposals that you think won't win. It would make no sense. It would be wasting everybody's time. So politics is part of this business of being on the charter commission.

And sort of toward August of '89, the number of our biggest allies, Ruth Messinger, a bunch

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of the -- a bunch of other groups -- started to put a lot of -- and they were strong allies of ours from a, both from a content point of view and from a political point of perspective.

And they began to really put pressure on us with respect to more community, more city council participation on narrower and narrower projects. Deference. And, you know, the long and short of it is that we -- we gave it the pressure, politically, because they were our strongest allies.

And I then had met with Peter Vallone, who was then the speaker and who was really pushing us a little bit. He didn't really, he wasn't, -- it's interesting the -- the leadership of the council was not that overwhelmingly interested in this as an outcome, but he was getting a lot of member pressure.

So we met and he agreed with, he promised me that there would never -- deference as you now understand it would never be tolerated in the council. That if the land use committee and the council made a decision that that would be the end of it.

And he had Gail Benjamin, who many of you may know, she was the council executive director and -- and she was extremely tough. And I bet you

during the last part of the -- the years after the charter was enacted under Vallone's leadership, and I don't think there was ever a case of what we're now calling deference.

And this was continued for at least the first part of Chris Quinn's speakership. I'm not sure I'm remembering when Gail Benjamin left, but it doesn't matter. At some point the pressure from members collapsed the system. And so you get what you're getting now.

It seems to me that you could -- responding to Commissioner Wylde. I think you just removed the call-up or remove part of that process again, that if the community board ended, or you could do a lead, you could go back, you could just remove the -- the automatic call-up and you could simply go back to the triple-no, the triple, sorry, the triple-no procedure, which allows a debate over whether or not something is so impactful to the community that it ought to get the council process.

But I do share the view that you should, you know, figure out something to do about this deference. It's very bad for the council. It's been obviously, as I've heard from your witnesses in the last panel back in the city, and I think

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1	easily for remedial and I don't think that, not
2	that you want it I don't think it's particularly
3	politically threatening to do that.
4	Some if you're starting to fool
5	around too much with community boards, I pay attention
6	to that from political perspective, but I don't think
7	this would be, would sink your referendum ship.
8	Anyway, thank you for your time.
9	CHAIRMAN BUERY: Thank you.
10	Ms. Leone?
11	MS. LEONE: Sure. Can you hear me?
12	UNIDENTIFIED SPEAKER: You've got to
13	hit the button.
14	CHAIRMAN BUERY: Press the red light,
15	please.
16	MS. LEONE: Okay. Good evening,
17	Chairman Buery and members of the commission. My name
18	is Pascale Leone. I'm the executive director of the
19	Supportive Housing Network of New York. We are a
20	membership organization that represents over 200
21	nonprofits that develop, own, and provide services in
22	supportive housing statewide.
23	Thank you for the opportunity to
24	testify about the important opportunities to revise
25	New York City's charter. It's just also a point of

privilege just hearing the journeys of your parents. As a first generation Haitian American, it -- it really echoes that of my parents as well. And I want to thank the previous panels for their testimony. I know they left, but for former councilman, for her bravery and her courage in -- in trying to develop housing for the last and least among us.

So the need for supportive housing, which is permanent affordable housing with onsite services, has never been greater. According to HUD's recent Point-In-Time Count, we've seen the highest number of unhoused individuals in more than a decade, with New York City experiencing an increase, 59 percent increase, in just one year.

Supportive housing is an evidence-based model that interrupts the cycles of homelessness with individualized case management to address issues like serious mental illness, substance use disorder, chronic health conditions, and other things that serve as barriers to stability.

New supportive housing residents are beautiful state of the art buildings that meet strict environmental and energy efficiency standards.

Supportive housing promotes community integration and provides at least -- at least 40 percent of the units

in any given residence as affordable housing for low income members of the community. Oftentimes it's more than that.

been working toward the creation of new supportive housing through the city's New York City 15/15 and the state's Empire State Supportive Housing Initiative.

In 2024 alone, there was over a thousand supportive housing units opened across New York City in residence containing nearly 1,933 low income affordable housing units for the community.

That brings the total number of supportive housing in New York City to just over 42,000. Twenty thousand -- 25,000 of these units are in purpose-built residence called congregate units -- congregate buildings, rather -- and 17,000 are in apartments rented on the private market, known as scattered site.

As it pertains to land use, the City of Yes streamlined zoning regulations and density bonus for supportive housing, while also opening up more opportunities for affordable and supportive housing development in lower density areas. However, to meet this moment, we need to collectively do more to ensure that we are creating the amount and type of housing

that keeps communities stable and healthy and keeps individuals and families out of shelter, off the streets, and out of the subways.

Our city's land use policies are focused, unfortunately, on just site-by-site review. This creates a framework where the impact of doing nothing is considered neutral. However, we know that the impact of not developing supportive and affordable housing is dire. Homelessness comes at a great cost to our city or to our communities. From the financial impact of paying for costly shelters to the quality of life, public health, and other safety concerns.

A typical supportive housing residence can take three to five years for development. This is before shovels even touch the ground. ULURP itself takes one to two years. ULURP pre-certification, which has no time limit, often, you know, has closed-door conversations and lengthy review from an understaffed DCP and it can stretch the process out even further, which you know, again, has no time limits.

As the Charter Revision Commission considers improvements for the city's land use processes, it's important to reach a better balance for citywide and neighborhood priorities. While the

current ULURP process is intended to function this way with consultation from community boards and borough presidents followed by approval by City Planning Commission, city council, and the mayor, there are not enough structures and incentives encouraging land use decisions that benefit our city as a whole.

One option is to explore fast tracking development proposals to meet the citywide objectives, such as a hundred percent affordable housing, deeper affordability, or meeting for housing goals. We must ensure that the voices of historically marginalized groups, people with disabilities experiencing homelessness, are included.

Too often at these community boards or other public meetings discussions are dominated by a few voices which may -- may not be representative of the community. Anyone affected by these projects that are absent from these hearings are excluded from consideration, including the people who are homeless, future residents, and even workers among them.

Additionally, the development is slowed by lack of coordination between the city agencies. A revised city charter could update the roles and responsibilities of various agencies ensuring that HPD and DCP are not duplicating efforts on planning

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I'm going to jump to the procurement issues. I'm just looking at the time. As it pertains to procurement, you know, many of the networks members operate both supportive and -- supportive housing and homeless services and make their budgets out of patchwork of state and city government contracts. And these nonprofits are the heart of the response to end and prevent homelessness.

And, you know, because, you know, the reliance of city funding, you know, we have serious concerns about the rates of late contract registration and payments. We hear from our nonprofit members that they have millions of dollars of outstanding receivables on their books and fiscally unhealthy reliance on lines of credit due to late contract registration and delayed payments. Outstanding receivables can lead to audit findings. Nonprofit could spend tens and hundreds of thousands of dollars on interest lines of credit, which is not reimbursable.

Just to jump to some of the recommendations, you know, our timeline for contract package submitted to the comptroller, the city charter creates a timeframe for the comptroller to register 30

day is a contract. And we believe that timeframe should also be created for city agencies to deliver contract package to the comptroller, interest on late payments. There must be a mechanism to hold the city to a timeframe for registration and payment. We also suggest amending the charter so that nonprofits can actually collect interest when the city pays late.

We worked with the network with HSC on your survey that found that 48 percent of respondents -- we surveyed our members, our respective nonprofit members -- had to take out loans or lines of credit valued at 87 million and almost 6 million in interest payments.

I will stop there and just say that we, my testimony has more recommendations, but we look forward to creating more transparent and efficient process and contracting as well as land use and look forward to working with the commission to that end. Thank you.

CHAIRMAN BUERY: Thank you.

MR. GURIAN: Good evening. My name is Craig Gurian. I've been a civil rights lawyer since 1988, and since 2003, the executive director of the Anti-Discrimination Center. I'm one of the few lawyers in New York City whose consistent focus has

been on housing discrimination and housing segregation, and housing segregation is where I'd like to keep the focus.

I've been a principal drafter of the structural amendments that make the city human rights law what it is today, starting with the comprehensive 1991 amendments, continuing with the 2005 Local Civil Rights Restoration Act and including a series of 2016 amendments to broaden the law and protect it from federal rollback.

I've taught the history, demographics, law and remedies of housing discrimination and housing segregation and invented and brought the landmark federal lawsuit against Westchester County that brought the concept of affirmatively furthering fair housing back from the dead.

It pains me to say that while the depth of the pathology is not as deep as it was decades ago, New York City does very much still run on residential segregation. That segregation remains, among other things, the backbone of our politics, our educational system, and our delivery of healthcare. Diverse New York City is 20.2 percent black, non-Hispanic overall. It has 59 community districts, but in 18 of those districts the black, non-Hispanic population is less

than five percent and 11 of those 18, less than three percent.

Where is affordable housing being built? Looking at the 51 city council districts, 14 of those districts had fewer than 50 units built in the period from '22 to '24. By contrast, there were more than a thousand units in each of nine council districts. Of those 14 lowest producers, ten have black, non-Hispanic populations of less than five percent.

How about where public housing is located? Fifteen council districts have more than a hundred NYCHA locations, but in the 14 lowest producing districts for affordable housing, seven apparently have zero NYCHA residential addresses.

Another has but one, and two have only ten. So the pattern is really unmistakable. Any serious effort in the direction of fair housing must tackle those disparities head on.

And one last preliminary point. There are unique and critically important data that were obtained in the happily now resolved lawsuit brought against the city for its outsider restriction policy in affordable housing lotteries where community district incumbents had preference for 50 percent of

the	units.
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We gathered data on millions of lottery applications made by several hundred thousand unique households, and it turned out that whether the household was Asian, Hispanic, black or white, approximately 85 percent of the unique applicants, about 85 percent, applied for housing outside of their community district at least 75 percent of the time.

Thus, there is a huge gap between what you hear from hyper-local advocates who proclaim the importance of maintaining the status quo and the choices actual New York families are seeking to make.

So in two minutes what's to be done? I have sketched a wide ranging variety of proposals in the document that I've circulated to you going far beyond what I have an opportunity to talk about right now. I have to take questions about that.

As others have told you, member deference has been a fair housing disaster here and everywhere else it has existed. The question isn't whether to get rid of it, but how. City of Yes took some important steps, but faltered, especially when it comes to the most exclusionary neighborhoods that have built least. The fair housing framework is also important, but lacks any mechanism for enforcement of

targets.	The	most	cond	crete	sol	uti	on me	ans	tangi	bly
reducing	the	counci	il's	abili	ty	to	block	aff	ordab	le
housing o	const	ructio	on.							

So one specific thing that would apply from a fair housing lens would be expanding beyond City of Yes, the scope of affordable housing permitted as of right in districts that remain highly segregated on at least one dimension, especially given our history, districts with a disproportionately low percentage of black, non-Hispanic residents. Two, lag significantly in affordable housing units built. And three, have disproportionately few housing units.

It could also mean applying a multiplier to the housing production targets in the fair housing plan to those districts that are most segregated and least contributing. It may be that the commission would prefer an alternative or supplemental solution that is more case by case with city -- with city planning approval required and where the giving of that approval is dispositive, absent an override by a two-thirds super majority of the council within 30 days.

One final thought very quickly. You can't solve the city's affordable housing and fair housing crises without recognizing the regional

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1	element. Suburban exclusionary zoning and segregation
2	has been intense and unrelenting for decades. Look at
3	the percentage of households in the five surrounding
4	suburban counties with household income below \$35,000
5	a year; 13 percent of households.
6	New York City, 25.7 percent;
7	essentially double. Yet no one is currently tasked
8	with trying to vindicate the city's fair housing
9	interest in suburbs taking on their fair share of
10	affordable housing production and interest, which
11	conveniently is remediable not only under federal law
12	but under state law as well.
13	So I'd be happy to take any questions
14	you have now now or later on the broader document.
15	CHAIRMAN BUERY: Thank you so much.
16	I'm going to open it up to questions
17	from the commissioners for our three panelists.
18	MS. WHITE: Hi. Good evening,
19	panelists. Thank you for your testimony.
20	Good to see you, Pascale. Glad you
21	could come.
22	MS. LEONE: Good to see you as well.
23	MS. WHITE: I had a question, or it's a
24	little bit more of a comment, but want to hear your
25	perspective as it relates to nonprofits who are

developers that have carrying costs that come along with developing property because of the length of time. And then you layer on top of that, right, the payment system, the procurement that you mentioned. We do know in New York, a lot of, you know, the Chair asked a question to Kirk about MWBE carrying costs, and that is something that is, you know, detrimental to -- to their balance sheet. But we are seeing also nonprofit developers in general starting to, you know, not be able to potentially be in existence if we can eliminate that.

So I'm glad that there are very specific recommendations that you have in the written testimony for that. But can you give a little feel as to how many of your members are in such a dire state that -- that, you know, they may be in a position of having to merge or -- or not being available to provide these services?

MS. LEONE: Yeah. No, that's a great question. And we actually looked at data for the last 20 years. Because of such low rates we've had for one particular project called NYSSHP, the New York State Supportive Housing Program, we had a third of the providers who were NYSSHP providers, either had to close their doors, had to merge with other

organizations, or even worse, had to convert, you know, supportive housing to market rate housing as a result.

And we're seeing more of this. And compounding, you named it, right, the issues of the late contract payments, the compounding issue of you know, the federal, what we're seeing at the federal level, right, with COC contracts not being renewed. This will take providers under, for sure, not having the rental assistance. It's the developers and owners who will go, projects will go under.

And again, you know, we -- we could take a page from the 1980s and the Reagan era when we saw three-quarters of HUD's budget cut in eight years. And what did that do? That led to the widespread homelessness that we see now. This was not always the case, right, and we can really tie that back. We're at this moment again where at the, you know, not being paid on time, the high cost to just construct the -- the lengthy process.

Again, I see, I know members who have spent eight to ten years to develop an open projects and then now we have this potential, not even a potential, just the looming cuts that we're waiting for HUD.

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1	MS. WHITE: Well, thank you. I'll take
2	a good look at your recommendations. So thank you for
3	those.
4	MS. LEONE: Thank you.
5	MS. NIEVES: All right. Thank you so
6	much, both of you, for your testimony. I have a
7	question for each one of you. First, for Ms. Leone,
8	you spoke a bit about and thanks for your
9	testimony housing with onsite services. You're
10	probably the only testimony we've heard to date that
11	specifically requested onsite services. Could you
12	talk a little bit more about that, a model that you
13	would love to expand and why we should be thinking
14	about this?
15	MS. LEONE: Yeah. No, and, you know,
16	supportive housing, again, came from the movement in
17	response to, you know, widespread homelessness that
18	was made due to failures in policy. And so, you know,
19	the model is actually a case management model. So
20	it's not providing clinical services.
21	And it's evidence-based. It works;
22	right? We have folks who maintain housing for the
23	long term, 90 to 95 percent in 24 months or 12 months
24	retention, right, and so it provides, you know, a case
25	manager who connects folks to resources in the

community, whether it be mental health services, substance abuse counseling, vocational services, helping with, you know, finding a job.

Just really the glue and being that person. We all need help in some capacity; right? But for folks who really struggle with underlying conditions like significant mental health disorders, having a case manager, having supportive housing has really been that lifeline. I could bring hundreds of tenants here that will tell you just how supportive housing has saved their lives.

MS. NIEVES: Yeah. And -- and we know that one time we had quite a few models and they were scaled back because the state pulled back on funding for that. So I would just like to make sure the testimony you speak to some of the -- the evidence of those models so that they could also be seen as an incentive for us.

MS. LEONE: Will do. Thank you.

MS. NIEVES: My question for you is,
you -- you began your conversation particularly
talking about black, non-Hispanic, right, and looking
at racial segregation, particularly through that lens.
But you talked about double the rate of those at
\$35,000 living in this city at 25.7 percent. Could

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1	you give me the demographic breakdown of that number?
2	MR. GURIAN: I don't I don't have
3	that at hand. I'm happy to provide that to you.
4	MS. NIEVES: Yeah.
5	MR. GURIAN: But, I mean, it's it's
6	just very compelling evidence of something that we all
7	know, which is that the suburbs have not done anything
8	like their fair share in taking on the need for
9	regional housing. They have an, they have existing
10	obligations under a variety of statutes to to do
11	that.
12	MS. NIEVES: I totally get that. But
13	when I'm looking at that number two I know it most
14	likely has a disproportionate Latino impact in that
15	number. And so it would just be really good to have
16	the demographic breakdown of that number as well.
17	MR. GURIAN: We, we'll be able to
18	easily pull that.
19	MS. NIEVES: It's, it it doesn't
20	take away from the argument. What it does is it it
21	talks about it in a in a multiple, both racial and
22	ethnic way, around the impact of who who is in need
23	of housing.
24	MR. GURIAN: Well, and and there is,
25	there's there's also a very concrete and practical

Page 73 impact on that, impact of that, because in terms of the legal remedies that are available in terms of the exclusion that so many of the suburban towns and villages practice, the fact that it has a disparate impact on prospective black and Hispanic residents is a critical legal issue. There's no question that MS. NIEVES: both the race and class piece play on this. And I just want to make sure that we -- we have the representative information of that. That's it. Thank you. MR. GOODRICH: We'll -- we'll make sure to get that to you. MS. GREENBERGER: Thank you both -- thank you all. This is a request, really, I think, for Eric and Craig to think about if you can -- one of the things that you have both mentioned, both in your written testimony, and Eric, in your verbal testimony, was the unintended consequences of changes or provisions to get put forward that create accountability issues or create a lack of collaboration that would be helpful in terms of meeting some of our overall goals.

you think about, you had said something here about the

I would ask each of you to consider, as

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1	composition of city council. And Eric, I think you
2	talked about ways that we can look at member
3	difference differently. If you can be more specific
4	with an anticipated, with at least an understanding of
5	unintended consequences that could come from whatever
6	suggestions you put forward or whatever suggestions
7	you've also heard here, I think would be very helpful
8	to us.
9	MR. GURIAN: I'd be delighted to do
10	that. But I have one just very quick piece of
11	unsolicited advice, which is a group which is serious
12	like this, which is quite a refresher from what one
13	sees on television and Twitter,
14	UNIDENTIFIED SPEAKER: We're real.
15	MR. GURIAN: There's one one of
16	the problems that comes with that is, like, this idea
17	that you're just, like, you're going to nail it and
18	you're going to get it perfect. And the
19	reality, and I think Eric would probably
20	acknowledge this, is, you know, the pendulum always
21	swings. And in that last major effort, now more
22	than
23	UNIDENTIFIED SPEAKER: Something.
24	MR. GURIAN: thirty years ago. More
25	than more than 30 years ago, you know, the pendulum

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1	swung away from executive control into a much more
2	robust, what was hoped to be a much more robust
3	council. So, you know, absolutely true. It's
4	important to think about unintended consequences. I
5	will take my homework seriously.
6	But it's also the case that there will
7	be a council Charter Revision Commissions in the
8	future who say, well, you know, now we have a
9	circumstance where the council's feeling frisky. This
10	new council is feeling frisky about development, and
11	we have a mayor who doesn't want to do anything about,
12	like, and you're going to have to revise it again.
13	It's not like the platonic ideal of
14	things, you know, you sort of have to respond to
15	political developments as they as they occur.
16	MS. GREENBERGER: No, no. I'm just
17	trying to go best to anticipate what some of those
18	swings could be and what some of the ultimate goals
19	that we're trying to achieve are and how to balance
20	those strengths.
21	MS. WYLDE: Although, the emergency
22	thing that Kirk raised was, I thought, interesting.
23	MS. NIEVES: Or the or the three
24	negative votes
25	MS. WYLDE: Because that, because you

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1	could response to the, respond to the emergency
2	situation if you put in certain guidelines. Thank
3	you.
4	UNIDENTIFIED SPEAKER: Carl
5	MS. BOZORG: First, Pascal, thanks for
6	all your work and CHNY's work and all your members'
7	work and and advocacy. It's really impactful.
8	Craig, good to see you. Last time we
9	met you were deposing me.
10	MR. GURIAN: Likewise.
11	MS. BOZORG: Yeah.
12	MR. GURIAN: Yeah. It's it's
13	amazing.
14	MS. BOZORG: I'm glad could ask ask
15	you questions this time.
16	MR. GURIAN: There are so there are
17	so many people on the on the commission who I have
18	not deposed.
19	MS. BOZORG: I was wondering, Craig, if
20	you could reflect, share a little bit. I know it's in
21	your written testimony and I'm looking forward to
22	reading it your thoughts on the speaker's fair
23	housing framework and how that helps us move the
24	needle and what more we can do to ensure it it has
25	teeth.

Pa	αe	7	7

And and as a second question, if you
could tell us a little bit of what you know about
HUD's complaints around Chicago's aldermanic
privileges practices and what similarities you see
to to practices in in New York, or differences.

MR. GURIAN: To take the second one first, I'm really not versed on the complaint itself. But, you know, I've followed quite a bit of the, sort of, informed complaints about that system. And, you know, that exists in Boston as well.

And it's -- it's pretty simple. It's a, you know, it's a very localized lens that lends itself to louder voices. Sometimes it lends itself to pernicious influences. And it's -- it's just not designed to be asking the question, what do all of us need, nor contemplating the idea that neighborhoods can be dynamic.

It's -- it's much more someone with a constituent, with a constituency who is happy with that constituency, has issues of choice as HPD is putting it, or mobility. Like, the -- the furthest thing from his or her mind. And I think it works very similarly. So I -- I don't know the -- the answer to that.

What was the -- what was the --

MS. BOZORG: The Speakers Fair Housing framework.

MR. GURIAN: Oh, yeah. I mean, like, as an analytical tool, like, I think it's -- I think it's helpful. I think it's fantastic to have citywide targets that are identified. I think that it'll be very helpful for residents, generally, and perhaps advocates even more, to understand that the deeply affordable housing doesn't all have to be in one place. That if the city is handling it and not reducing the amount of that housing, that's something to keep your eye on.

It's excellent that there are the community board targets, but there -- there are really these two issues. That there's no enforcement mechanism whatsoever, and that the -- the issues that have to do with historic segregation are not taken into account.

And they're not really highlighted, if you look through the law, which is why one of the things that I do think would be useful, and I think it does need -- for legal protection -- for there to be a -- a combination provision where the city acknowledges its own historic role. The preamble to the charter as it exists now talks very nicely about

national issues, but doesn't say anything about what New York has done in -- in the past.

So that gives you the opportunity to do things that are race based, ethnicity based, and really responding very specifically and saying, you do not make up for this disparity by saying, well, we're going to leave it all, we're not going to make it worse. But, like, ten years on, and you still have the disparity. You have to do more if you're going to be remedying.

And so that's why identifying -- it doesn't have to be ten, you know, it could be eight, it could be 12 -- you want to have a -- a mechanism so that the worst performers on the -- on the scale that I've talked about, you know, most, you know, most segregated leased public housing, leased production, have the target that would otherwise be established, but have a multiplier that, -- and, I mean, I'd be happy to talk about it more if this is something that moves forward at all -- a multiplier so that there really can be progress towards remedy, not just a, keeping things the way they are.

CHAIRMAN BUERY: Thank you.

Commissioner Weisbrod will be the last question for this panel.

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1	MR. WEISBROD: Yes. This is a question
2	for Mr. Lane. You still there? I know that the, that
3	a number of suggestions have been made to make the
4	City Planning Commission the final arbiter, if, as a
5	means of avoiding or dealing with member deference.
6	And I know the '89 Charter Commission had some
7	concerns about guardrails to make sure that the City
8	Planning Commission itself did not become a
9	legislative body or be seen as a legislative body and
10	thus potentially violating the principle of one
11	person, one vote.
12	Do you think that there are guardrails
13	in this area that would limit the City Planning
14	Commission to become the final arbiter of land use
15	actions?
16	MR. LANE: Well, the guard rails that
17	would stop them from becoming it, such as the one,
18	such as administrative body becoming a legislative
19	body?
20	MR. WEISBROD: Yes.
21	UNIDENTIFIED SPEAKER: I don't think he
22	can hear you. I think he'd say, "Yes."
23	MR. WEISBROD: The answer is yeah.
24	Yes, that was my question.
25	MR. LANE: I mean, there is a problem

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1	with the with the administrative body becoming a
2	legislative body, but I don't see the issue of
3	deference has nothing to do with the interest of being
4	a legislative body because that's why I think
5	you we gave them the power and that's why I think
6	you could take it away from them if you wanted to with
7	no trouble.
8	I don't think the question's a legal
9	question about whether the City Planning Commission or
10	some administrative agency could have, be the final
11	voice on, you know, whether whether a particular
12	small project, housing project, whatever it might be,
13	is placed in a protected district. And that's an
14	administrative decision that we tried to keep from the
15	council until we decided not to.
16	MR. WEISBROD: Or or a large
17	project.
18	MR. LANE: legal problem
19	MR. WEISBROD: Or a large project.
20	MR. LANE: moving into that. Just
21	start and talk about zoning issues, then I think you
22	have to have the council's involvement because I think
23	that's been or decided. I mean, it's been decided in
24	the past. It's zoning into legislative matters.
25	But in terms of everything else as it

Page 82 1 goes through the -- process is not a problem of legality. It's a problem, it's a political issue. 2 Ιt is how you incorporate the community voices in the 3 4 process. But it's not a question of -- of, you know, 5 removing a quardrail that would make something go from 6 legal to illegal. I -- I don't believe that would be 7 true in anything other than the zoning or types of issues like that where it really is alleged. 8 9 MR. WEISBROD: I -- I just --10 MR. LANE: I might not agree with you 11 doing it, but I don't think it's --12 MR. WEISBROD: I -- I would just, and 13 I'm, I don't want to take the time here. But so many of the issues that go to the council do in fact 14 15 involve zoning changes. And so I just ask you if 16 there have to be guardrails if the City Planning 17 Commission becomes --18 MR. LANE: -- zoning, if you're talking 19 about a variance or something, that's not a 20 legislative act. 21 MR. WEISBROD: I'm not talking about a 22 I'm talking about a zoning change. variance. 23 just ask you to think about it. Thank you. 24 MR. LANE: Okay. I'm sorry. MR. GURIAN: May I just speak to that 25

for 15 seconds,	if	if	Ι	may?
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Your -- your question is precisely why
I do think that there is utility to having the
availability of the final council step, although one
that is more difficult than simply getting a council
majority. Having a two-thirds council veto keeps the
council -- keeps the council in the process, and,
well, I mean, you could, and you could make the -- the
judgment on the politics of it.

But it is -- it is certainly the case that 34 councilmembers on multiple occasions have been able to agree to a whole variety of things. And I -- I think if you're looking at something to try to make sure that there is a -- a backup, a -- a stop guard, that would be a -- a way to do it.

CHAIRMAN BUERY: -- longer, but just on this question, I think part of the question that I have is that I'm not sure I understand what the difference would be between a majority vote versus a super majority vote. If the problem is not, in fact -- the -- the problem is deference to an individual, which does not change if you have a 50 percent vote, a 60 percent vote, or an 80 percent vote. So I don't -- I don't, I know, I don't want -- if you could think about that, if you --

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1	MR. GURIAN: I I have sort of a
2	quick, a quick answer to it.
3	CHAIRMAN BUERY: Sure.
4	MR. GURIAN: Because there at least
5	in terms of the council as it is constituted and as it
6	has been constituted for a while, there is a, we want,
7	we like our deference the way we have it caucus. So
8	it's it's not simply that the one person
9	I mean, right now, the one person's
10	able to stop something. But what you what you want
11	to do is you want to make sure that if something's
12	being stopped, it isn't just the individual member.
13	And it's not the members who say, we live in the
14	suburbs, even though it's called New York City, so,
15	like, like, we need 18 parking spots and, you know,
16	it's, like, we don't we don't want the kind of slum
17	that a townhouse represents.
18	You you want to you want to be
19	able to do that and make sure that it it has to be
20	a a very significant percentage of members
21	who who vote that way.
22	CHAIRMAN BUERY: Thank all three of you
23	so much. I'd like to call up the next panel.
24	UNIDENTIFIED SPEAKER: Thank you.
25	CHAIRMAN BUERY: Thank you so much.

Next panel is Mitchell Moss, professor at NYU and Sean Campion, the Citizen Budget

Commission. And just as that folks prepared, the final expert panel before we go to public testimony will be Shanequa Charles from Miss Abbie's Kids and Brendan Cheney from the New York Housing Conference.

Mr. Campion, if you could begin and just make sure the red light is on, please. Thank you.

MR. CAMPION: Thank you. Good evening.

My name's Sean Campion. I'm the Director of Housing

and Economic Development Studies at the Citizens

Budget Commission. Thank you, Chair Buery and the

other commissioners for the opportunity to testify

today.

I've submitted our full testimony, so I just wanted to give some highlights. CBC's 2022 report on New York City's land use for reprocess found that it's too long, it's too expensive, and it's too uncertain. The median private application takes two to three years to make it through the process, which adds as much as \$82,000 to the cost of developing each new housing unit, putting numbers to some of the issues that — that Kirk was talking about before.

And those are just the projects that actually get through the process and get approved. Unfortunately, the process itself discourages projects from getting proposed at all. And too often, local concerns of member deference override the citywide need to build more housing everywhere in all neighborhoods. Some of that cost uncertainty results from environmental review, which is a matter of state law and not the charter, but the review process known as ULURP is entirely within the city's control.

So accordingly, CBC is making three recommendations for revisions to ULURP to make the land use process simpler and faster while maintaining the intent of ULURP as a time when we review that incorporates both local and citywide perspectives.

So the first recommendation is to merge the community board and the borough president advisory reviews into a single review under the BPs. So consolidating those two reviews, which now take 90 days, would make the advisory review process shorter and more productive. BPs have a larger constituency which allows them to balance neighborhood concerns with boroughwide and citywide needs, including the residents who may actually live in housing that gets built. And they also have professional land use staff

that can support reviews. They -- they also still appoint community board members so they can still incorporate community board's opinions into their own decision making as well.

The second is to allow applicants to appeal actions rejected by the city council to a ULURP Appeals Board consisting of the City Planning Commission and the council speaker. The council has an important role in the ULURP process, but a well-designed appeals process could maintain that role while better balancing citywide and neighborhood concerns.

So that's why we're recommending the creation of an appeals board with a temporary addition of the city council speaker as a 14th member just for the appeal to ensure the representation of the council's perspective as well in that process. And to override, the appeals board would need to approve an application by a super majority of ten of 14 votes. And our hope is that that would encourage speaker to bring more projects to a vote and potentially more applications to come forward, particularly for well-considered projects from never getting proposed in the first place due to member deference.

And our third is to focus ULURP on

zoning and shift review of both non-zoning actions currently subject to ULURP and monetary zoning applications with no adverse impacts to city agencies or commissions for advisory reviews.

So first on the non-zoning actions, as Eric was discussing too, ULURP makes a whole host of non-zoning actions subject to public review as well along with legislative zoning changes. We think that full ULURP should be reserved for those zoning map amendments that are legislative in nature and that other actions currently subject to ULURP be shifted to those city agencies for administrative reviews, with those agencies given the discretion to approve or deny based on specific findings and in accordance with city and state laws.

Our full testimony outlines all of, where we think all those actions should go, which we'll need to get into right now. For the modestly resized zoning applications, CBC recommends that review and approval of smaller projects shift to a review that ends at the City Planning Commission. This shorter review could apply to projects that, based on their size and their location, wouldn't have an adverse impact on communities. For example, projects designated as type two in the city's

environmental review process, a standard that would pick up projects that now qualify for the green fast track environmental re-streamlining.

That matters because the review process increases the cost of small residential projects, the most of any by 15 percent at least, not including financing. Those are the small projects that -- that Kirk mentioned aren't worth going through ULURP and that Vishaan presented at the, at a previous hearing as well. And that's even before considering member deference, which may, you know, lead to concessions or exactions, which might make projects feasible.

Still, both those pathways shouldn't replace New York City's as a right development system, nor should it be an alternative to neighborhood rezonings and citywide rezonings, which are needed to increase and then provide additional residential as of right of capacity that we need to boost housing production everywhere. Ultimately any changes to the charter, as we mentioned, need to be crafted with care, lessening and make the process more complicated or introduce unintended consequences.

So we welcome your input and feedback.

And we'll continue to evaluate other revisions that

come forward as well, and may comment on them or

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1	endorse them in the future as well. Thank you.
2	CHAIRMAN BUERY: Thank you so much.
3	Professor Moss.
4	MR. MOSS: Thank you, Chairman Buery,
5	and thank you, Vice Chairman Greenberger. And I want
6	to say, I want to thank members of the commission for
7	inviting me. And I I also want to thank the
8	executive director and the staff of the commission
9	because by inviting me I got an hour and a half lesson
10	in some of the challenges about housing and I cannot
11	resist the opportunity to comment correct some of the
12	statements that have preceded.
13	First, let me just say this. ULURP
14	isn't the only thing that has stalled housing. We
15	have aggressively landmarked areas that are
16	underserving, that are just because something's old
17	doesn't mean it's important. In fact, just the
18	opposite is the case. We also are too inflexible. We
19	should undo landmarks like the south side of Eighth
20	Street and Greenwich Village where we have preserved
21	Dunkin' Donuts and other locations.
22	The corridor on Lafayette Street, which
23	is in NoHo, has parking lots, industrial structures
24	from, filled with mass transit access that has a
25	combination of historic preservation and

manufacturing, limiting housing. So it isn't ULURP which is the sole cause of our problem. One.

Two, I want to say that I'm very concerned. There's such a tendency here to think that we should replace elected members of the council with power given to appointed officials. I want to say just the opposite. I'm a fan of what Rich Schwartz and Eric Lane did, but they did it 35 years ago. It's not that it needs updating. This was before the iPhone, before social media, before robotics, before AI. And I just want to say it's time to recognize that nothing lasts 35 years.

Even, you know, in modern physical, everybody gets facelifts, everybody gets eye lifts.

We should think the charter deserves even more. And the -- and the point here I want to say is that they diminished the borough president correctly because that was the source of the Supreme Court decision to make it unconstitutional. But they diminished it so it's really a junior varsity. I mean it's a cheerleader role. We should think about reinserting the borough presidents and diminishing the councilmembers. And I'm going to give -- my testimony will reveal that.

So we should give them a job. We're

paying them, they have a staff, there's no reason they should get up in the morning and wonder what they do. And they have lost their administrative responsibility, which they once had. They once controlled streets and highways. They once controlled parks. We should put them back to work.

So let me just say a few words and I want to live within the time limit. And so this is what I want to say. I have a few different ideas and I'm sure that they're not going to be at the macro level you've heard.

But first I want to say that when we're dealing with lot zone for residential purposes across the city, we should allow owners of those properties to build housing with eight units or less. That's in a residential zone already. So we're not rezoning it. We may have to deal with the higher densities. And we -- we should do this in a way that allows small scale development to completely bypass ULURP. Let it be saved for units of eight or ten or higher.

And the way we should do this is with a one stop expedited review process landing in the office of the borough president, who then has 60 days to make a decision. Many of them don't know how to make a decision. They'll learn. And I think this is

not trivial. We should treat the borough president seriously and then that decision making should then go to the council. And the council as a whole, not to the committees, which we've heard about, and not to the members. But they have to review this.

And I know it's bypassing the City
Planning Commission. Let them focus on the larger
scale challenges. City Planning Commission has enough
to do. And if you go to Greenpoint, you see an
average home which had one or two units and now they
have eight. This is something which is done across
the city. We should not trivialize it, but we should
encourage it.

The second part I want to say, and I think this, you know, this builds on Eric Kober's testimony, I think at an earlier hearing, he suggested this for units of six or more with a 35 foot height limit. I would raise it to eight and 40 feet. You know, in other words, I think we could go further and let the owners determine what the size of the units are.

The second point I want to make is a simple one, which is we have neighborhood plans for housing that now comply with city planning and building regulations. With climate change becoming a

pervasive part of everyone's life, we should recognize that housing has an impact on the water supply, on the wastewater treatment and solid waste and on mass transit and service transportation.

And that rather than have assessments over the course of 30 to 50 years, we should simply require that all proposed housing developments that have to meet, you know, city requirements should include those basic environmental assessments. But for a ten-year period, recognizing that they plan, we're not going to ask them to plan forever.

The third idea, and I want to say it builds on the report by the Robin Hood Foundation, but it takes it a little bit further than you guys did, which is to suggest that we think about the rules we have for what is a housing unit. Now, a hundred years ago, -- I'm looking, I don't think anyone was here -- we required windows to be put into bedrooms because they didn't have air conditioning, they didn't have ventilation systems. And it was a very intelligent part of improving public health.

The Pew Foundation for Research just came out with a report that points out that you have new technologies, including advanced ventilation systems that eliminate the need for windows in open

residential buildings. There are a vast amount of underused, almost obsolete industrial and office buildings, which could be easily modernized if we got rid of the window requirement for bedrooms.

And I mean, we would have triple or quadruple the amount of buildings, which, and if you notice, you read carefully, some of them are going at less than half their price than five years ago. So I want to propose that the window in every bedroom is an impediment to housing construction and is obsolete.

And New York City should allow windowless bedrooms in structures, certainly for any structure within 2000 feet of a -- a warehouse, a vehicular-based truck terminal, and certainly of any publicly owned bridge or tunnel, which are truly sources of hazardous chemicals.

And finally, I want to make one modest suggestion, which I'm sure will upset many, but we're going to take -- take a risk. Why not? That's why you be a professor, you know?

So we -- we have in our buildings all kinds of features which add costs. And I want to propose that New York City eliminate any requirements for home baking ovens in the kitchen. The modern kitchen should have internet access, plumbing for

kitchen sink, running water and electrical systems to accommodate whatever people cook with microwave, surface cooking, and the fry, air fryer, etcetera.

In Japan, housing doesn't even have baking ovens. They use steaming and boiling. I'm not recommending this as a technique, but I want to make a point. There's a, the size of households varies in this city enormously from two or less, some to three or more. But we should not impose a baking oven, and all the infrastructure required to support this as well as the size.

And if you go, you know, into most, -- I asked my college students about this today. I have 54 students. They don't even know what an oven is. They don't know how to make coffee. They put sweaters in their ovens.

Now this is an important point. We should think about reducing the actual cost of a housing unit. And I'd rather than try to beat up on the unions -- you're not going to win that battle, you know -- let us try to figure out to lower the actual fixed costs of building residential units.

And so I would suggest that we allow buildings to have shared kitchens. So once a month and once every year you have your family over, you can

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1	figure out a way to entertain them. But
2	overwhelmingly, we should reduce the size, scale, and
3	investment in kitchens to reflect the modern habits of
4	ordering in, taking out, not eating at all as a
5	family, and to reduce the cost of the housing unit
6	will be a way to add to the number of units you can
7	build.
8	So let me thank you for your
9	opportunity my opportunity to talk to you, and I'm
10	happy to answer any questions.
11	CHAIRMAN BUERY: Thank you both so
12	much. I need questions for the panel. I can't
13	believe there are no questions for that.
14	MR. WEISBROD: I, I'm assuming both of
15	you have submitted basically.
16	MR. CAMPION: Yeah, I
17	MR. MOSS: Yes.
18	MR. WEISBROD: Thank you.
19	CHAIRMAN BUERY: I I do have one
20	question. I just want to make sure I heard Professor
21	Moss.
22	You were suggesting, that is, if I
23	understood you correctly, that for units, let's say of
24	eight or less, but you can fill in a number that you
25	would not have the HIHPD process for already

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1	residential units and you would go to a professional,
2	some professional staff person who would make the
3	decision. And then were you saying that that decision
4	would go to the borough president for the final stop?
5	MR. MOSS: I'm not I was really
6	saying the borough president. And they have plenty of
7	professionals work for them. But let the borough
8	president be responsible.
9	I think it's great to give elected
10	officials direct responsibility. And they would do
11	this, and by the way, it frees up the councilmember
12	from any burden. And it also changes the the
13	character of who's who's feeling the pain, because
14	they're going to have to weigh all the different
15	inputs and let them have to do it. It also shortens
16	the entire planning and regulatory system.
17	CHAIRMAN BUERY: All right. So that,
18	that's that's within the borough president's
19	office.
20	MR. MOSS: Yes.
21	CHAIRMAN BUERY: Thank you. And were
22	you suggesting that that would be appealable to the
23	council?
24	MR. MOSS: I think I'm going to
25	let I'm going to take a chance and say this. I

	Page 99
1	think the councils, we should honor their their
2	role. The the charter actually was great about
3	giving the council representative functions. I mean,
4	they knew what they were doing. The mayor had a
5	management authority the council representative. I
6	would trust the council.
7	If the borough president had that
8	decision, that's a lot different than having
9	51 members, each of whom represent districts of
10	152,000, which may be elected for 3000 people or less.
11	I would rather bypass them. You have to remember
12	there are councilmanic primaries, which you can win
13	with 1800 votes.
L 4	MS. WYLDE: Mitchell, is is what
15	you're your first proposals, though, weren't they
16	already allowed in City of Yes?
17	MR. MOSS: I'm going to defer to the
18	crackerjack staff.
19	MS. BOZORG: Yes
20	MS. WYLDE: Shared kitchens
21	and shared kitchens?
22	MS. BOZORG: No, no, no. The six
23	units or less 35 feet in
24	MS. WYLDE: The development of
25	the of the low rise, the small unit development,

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     because they -- because they eliminated --
                    MR. MOSS:
 2
                                Some.
 3
                    MS. WYLDE: They -- they made the
 4
     zoning as a right.
 5
                    MR. MOSS:
                               Right. I -- I made it, I
 6
     think, I -- I think I went higher than that.
 7
                    MS. WYLDE: Not -- not it -- not quite.
                    MS. BOZORG: What?
 8
                    MS. WYLDE: I don't think that's
 9
10
     quite --
11
                    MR. MOSS: I don't think they went as
12
     high as --
13
                    MS. BOZORG: No.
                                      Not --
14
                    MS. WYLDE: Well, that's four stories.
15
     Okay. I -- I just, I -- I was confused as to
16
     whether --
17
                    CHAIRMAN BUERY: We'll, we'll -- we'll
18
     clarify.
19
                    Any other questions for the panel?
20
     Okay.
21
                    UNIDENTIFIED SPEAKER:
                                            Thank you.
22
                    CHAIRMAN BUERY: Thank you so much.
                                                         I
     had further questions, but I'm aware of the time,
23
24
     so --
25
                    UNIDENTIFIED SPEAKER: I can ask a lot
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1	of questions about
2	CHAIRMAN BUERY: The final expert panel
3	is Shanequa Charles and Brendan Cheney. Please
4	forgive me if I'm pronouncing that incorrectly.
5	UNIDENTIFIED SPEAKER: And these are
6	the in-person.
7	CHAIRMAN BUERY: Great. Okay. Thank
8	you so much.
9	(Discussion held off the record.)
10	MR. CHENEY: Great. Thank you.
11	Good evening. My name is Brendan
12	Cheney. I'm the Director of Policy and Operations at
13	the New York Housing Conference. I want to thank the
14	commission for the opportunity to testify tonight.
15	New York Housing Conference is a
16	nonprofit affordable housing policy and advocacy
17	organization. As a broad based coalition, our mission
18	is to sorry. Next slide. Our mission is to
19	advance city, state, and federal policies and funding
20	to support the development and preservation of decent
21	and affordable housing for all New Yorkers.
22	My testimony today will show the extent
23	of the housing crisis and how unequal our housing
24	supply is distributed, highlighting the need for
25	change. We are currently working with our partners to

come back with recommendations, more specific recommendations for change at the Charter Commission hearing in Manhattan next month.

Okay. So we are very clearly in a housing crisis. Rents and homelessness are record highs and keep growing. And in 2023, we had the lowest rental vacancy rate in more than 50 years, so just 1.3 percent. We clearly do not have enough housing to meet demand. And as rents are rising, incomes are not keeping up. As this chart shows, rents are rising much faster than income and wages since 2007, which means New Yorkers are paying a greater share of their income in rent. Next slide. Thank you.

In fact, more than 850,000 households in New York City are paying more than 30 percent of their income in rent, a common measure of rent burden, and nearly 500,000 are paying more than half of their income in rent. The main causes of the crisis are a lack of housing supply and the lack of affordable housing. New York is not building enough housing to keep up with demand. In fact, we're building less new housing than many comparable metro areas.

So the way to address the housing crisis is to increase overall housing supply and

increase affordable housing, specifically. But we also want to make sure that we add housing more equitably across the city than we have been. As you can see in this map, most of our affordable housing is being built in a small number of council districts.

Over the past ten years, ten city council districts finance more than 3500 units of affordable housing each. The bottom ten districts finance just 200 units or less. Okay. And we can see the districts that are building more housing have certain things in common. They're more likely to be communities of color and more likely to have lower average incomes. Next slide.

So just to give a quick sense of which districts are building the most housing and how much, you can see that Councilmember Salamanca's district 17 in the Bronx built 7100 units of affordable housing over the past ten years. And you can see going down the list, these are the ten districts. All of them have built more than 3500 units. But again, some it's 7,000, 6,000, 6,000. So these are the districts that are building the most. Next slide.

And these are the districts that are building the least. They're building less than 30 units of affordable housing over ten years, less,

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you know, 50 units of affordable hous:	ing over ten
years. All of them building less than	n 200 units of
affordable housing over that time per	iod. All right
Next slide.	

So in the neighborhoods building the most affordable housing, 70 percent of the residents are black or Latinx on average, while in the neighborhoods building the least affordable housing, only 30 percent of residents are black or Latinx. And in the top building neighborhoods, the average income is \$67,000 per year compared to \$87,000 in the neighborhoods with the least new affordable housing.

Housing and affordable housing are assets to all communities. Every neighborhood can and should add more housing. But neighborhoods that are whiter and higher income are opting out, choosing not to allow new housing and new affordable housing. needs to change. Especially in a housing crisis, neighborhoods cannot opt out.

So when we come back with recommendations for the commission, it'll be to make changes to make it easier to build housing in every neighborhood. Thank you.

> CHAIRMAN BUERY: Thank you so much. Ms. Charles.

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1	MS. CHARLES: Greetings. Can you guys
2	hear me?
3	CHAIRMAN BUERY: No. Press the the
4	talk button.
5	MR. CHENEY: There you go.
6	MS. CHARLES: There it's. Good
7	evening. Peace and blessings. Peace and many
8	blessings, member of the Charter Revision Committee.
9	My name is Shanequa Charles. I'm the executive
10	director of Miss Abbie's Kids, the community and
11	legislative organizer, have served on community board
12	seven on five or more committees, including land use,
13	and have worked on city, state, and federal
L 4	legislation amongst various other roles from the
15	Fordham section of the Bronx.
16	I'm here today because specific
17	sections of the New York City Charter are directly
18	contributing to what I believe is a housing crisis
19	that our communities are facing. The charter, as it
20	stands, is failing people of the Bronx. Deepest
21	gratitude to Shams, the housing hero, for curating
22	spaces that include all community stakeholders and the
23	entire commission for holding these very necessary
24	hearings.
) E	Dart of the problem connecting the

charter to lived experience, if I may, while the food desert, economic stability, local hiring, community benefits agreements continue to be problematic. This evening's five minute focus is going to be dedicated towards housing issues that are plaquing us all.

The Bronx faces the highest rates of eviction, severe overcrowding, substandard housing convictions in New York City. Families are forced to choose between rent and food. Let me repeat that. Families are forced to choose between rent and food, live with dangerous mold and lead, and are constantly under the threat of displacement. This isn't about statistics. It's about the families that Miss Abbie's Kids has continued to serve over the last 13 years.

The current charter, specifically chapters eight and nine, ULURP subsection 197C and 197D and subsection 200 to 204 create land use review processes that are slow, complex, and give advisory power to community boards, borough president, while city planning and city council hold a real decision making power. Chapter 70, subsection 813 and 814 outline the borough president's powers providing meaningful authority to proactively address the housing crisis or oversee proper land use rights. And this is very clear from all of my time spent on land

use committee, the community board seven, for many years.

We see consequences of this in projects like the stalled redevelopment of the Kingsbridge Armory, where decades of planning have yielded little to no affordable housing due to these systemic hurdles. The Sherman Plaza development facing much community discourse is another example of how lengthy and complicated the ULURP process is. And -- and again, having served on community board seven for a number of years, the power of community members to be involved in the decision making process of potential housing development needs to absolutely be increased. Particularly when we're talking about people who have been in a community, have lived in a community, raised their families in a community for decades and decades and decades.

Health is also impacted by these decisions that are harmful to our communities. This housing crisis is a public health crisis. Substandard housing directly contributes to asthma, lead poisoning, and other chronic illnesses. Overcrowding increases the spread of the infectious diseases.

The stress of housing insecurity devastates the mental health. I want to rewind on

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that just for a second. The stress of housing insecurity devastates mental health. These health disparities concentrated in the Bronx are unacceptable and I'm hoping that the charter chooses to address these root causes that primarily start with the housing issues.

Some of the proposed solutions is if we -- we need concrete revisions and -- and I'm urging the committee to consider the following because I don't come with just the problem, y'all. I'm going to also come with a few solutions. Y'all ready for that? Say yes, yes? I didn't hear y'all. Can I get a yes, yes? Okay.

So some of the reforms, let's try to reform the ULURP process, which earlier stated, was in chapters eight and nine, and create an expedited ULURP process for projects meeting specific deep affordability criteria such as significant percentage of units below 40 percent of AMI.

And just to interject right there momentarily, I just became aware of a bill that our sitting assembly member has passed in the last session that addresses the AMI issue. And for those maybe in the audience who are not familiar with the AMI, including the richest and -- and most developed

counties alongside Bronxites who are making 17 to \$21,000 a year. To my knowledge that has been amended. So kudos to our assemblymember George Alvarez for that.

Amend subsection 197C and 197D and give binding weight to the community board and borough president recommendations on projects meeting these affordability thresholds. Now again, of course we don't want all power being in any one particular hand, but to my knowledge of being involved in different meetings and situations like this where community voices are heard, at least our voices will be heard in those atmospheres, and they should also hold weight.

mentioned earlier, and I heard a couple of people saying a few different things about that. But eliminate member deference to amend the charter to ensure that land use decisions are made based on the need rather than the preferred, the preferences of the individual councilmembers. And this change would of course promote equitable development to prevent localized opposition from hindering essential projects. And perhaps we should look into what could be an oversight committee for those who believe that there might not be an answer to councilmember

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Okay. Empower the borough president for, in chapter 70 and subsection 813 and 814 so that there's some explicit authority and dedicated funding to, one, create a housing stability task force, two, establish a boroughwide Right-to-Counsel program. I spent many years working on the Right-to-Counsel legislation some years ago. It did not cover all Bronxites. It only covered particular zip codes. I see some people shaking their heads, so I know you know what I'm talking about.

And three, initiate zoning changes to promote affordable housing, which we are saying that affordable housing should include multifaceted assets so that not only are people getting affordable housing, but we're also curating projects that could be sustainable to builders and such. Okay?

Prioritize deep affordability, add a new section to the charter that requires a specific percentage of deeply affordable housing targeting the lowest income levels, and in all new -- in all new developments receiving city subsidies and zoning changes. This goes beyond the current mandatory inclusionary housing provisions.

Data transparency and accountability,

which would amend chapter one, subsection 14F, which deals with agency reporting to require the collection and public reporting of detailed data on housing conditions, evictions, health outcomes related to housing, and disaggregated by neighborhood and -- and demographic groups. So housing is not enough to just curate housing it. We need to also be mindful that the housing needs to be safe and -- and that it needs to be fruitful to the families that will be there.

And dedicated funding to housing initiatives which is addressed in chapter 70 and amend subsection 813 and 814 to grant some explicit authority and dedicated funding again via the borough president as an avenue for housing initiatives for legal representation, education around tenant rights.

In conclusion, the Bronx absolutely deserves a charter that prioritizes basic human right to safety, healthy, and affordable housing.

And -- and I believe that these revisions targeted specific to these sections of the New York City Charter are essential to creating a more just and equitable future for our borough.

And I look forward to the bold and audacious changes that you all look like you are willing to make. Yes, yes? Thank you very much.

CRC Hearing

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1	CHAIRMAN BUERY: Thank you so much.
2	Are there any questions for the panel?
3	MS. NIEVES: I do.
4	CHAIRMAN BUERY: Please.
5	MS. NIEVES: Hi. I just wanted to say,
6	first, thank you for the discussion and inclusion.
7	Particularly the focus on expanding the housing supply
8	doesn't deal as much with the existing and the risk,
9	particularly of those that are being kicked out or
10	living in inadequate housing. So I just appreciate
11	that. And so I know in your testimony any data that
12	you can provide on that I know we'd love to see as
13	well too, so
14	MS. CHARLES: Yeah, absolutely. So
15	what are we in; 2025 now? Did we we switch the
16	year? Okay. So if you want to go back about a decade
17	when we studied what Bronx evictions looked like when
18	we were reworking Bronx Housing Court and how non
19	tenant-centered Bronx Housing Court actually was,
20	although the original purpose was to be protecting
21	tenants, we saw 33,000 Bronxites evicted annually.
22	MS. JOFFE: The counsel, I, and I
23	should let you know, too, that one of the programs at
24	the fund for the City of New York is actually
25	Right-to-Counsel. So I am familiar I just want to

Page 113 1 make sure that that data is included --2 MS. CHARLES: Absolutely. MS. JOFFE: -- in -- in the testimony, 3 4 because I think that's important too. It's not just 5 about -- I just appreciate the depth of where you 6 I just really want to recognize that. 7 Absolutely. Thank, and MS. CHARLES: thank you for that. 8 I appreciate that. 9 Present day through a lot of the work 10 that we did through Right-to-Counsel, so shout out to 11 you for that, and making sure that Bronxites had a 12 legal representation as exists in criminal court as a 13 right, we were able to reduce the number from 33,000 14 to 4,000 currently. And -- and that is a tremendous 15 drop over the last decade and I'm really, really proud 16 of that work that -- that has transpired present day. 17 So -- so 4,000 was the 2023 numbers. 18 We're hanging around 3500 at this point, which, that's 19 3500 out of about 11,000 of all five boroughs that 20 were actively evicted. That's not including the 21 number that was taken to court, which, if we dive 22 deeper into that study we'll find some more really 23 resounding factuals there. 24 But the fact that people had access to 25 lawyers as a right absolutely decreased that number

from the 33,000 ten years ago all the way down to the 4,000 and across all five boroughs. But we are still leading in the 11,000, you know, active evictions.

CHAIRMAN BUERY: Commissioner DaBaron?

MR. DABARON: So this could be for either one or two of you. So you were talking about creating affordable housing for income levels based on an AMI that is at, I think you said 40, below 40 percent?

MS. CHARLES: Yes.

MR. DABARON: Okay. So my question is, is it feasible to be able and how can we do it in terms of when we look at how to make the numbers work for developments and -- and especially in our communities and stuff like that? We definitely need the affordable housing. We want to keep people, you know, in New York City and a lot of us do not make above, you know, certain AMI levels.

But when it comes to development, you know, do you have thoughts on how, especially in terms of the charter, how we can do that on scale throughout the city in a way that -- that we can actually do the building, have it make sense financially -- because there's a lot of cost to it -- and make it sustainable.

And -- and also is there -- is there room for mixed income development to happen in communities throughout the city which also delivers on those AMI levels that you said?

MS. CHARLES: Yeah, absolutely. And I'm really grateful for that question because I think a lot of the times we -- I think we're creatures of habit, just innately. And it feels more comfortable to stick around to what has been going on even when we figure out that it's ineffective.

So historically, how the AMI has worked particularly for Bronxites -- and I'm advocating for Bronxites because I am a Bronxite; okay? Shout out to the Bronx. We are in the Bronx tonight. So a shout out to Bronx. Okay. We have not considered that that AMI is inappropriately reflecting incomes that don't exist; right?

So the average median income as it -- as it priorly stood for our particular area included communities who are upwards 250,000, 300,000 a year in income standing next to folks who are making 17,000 to 20,000 a year in income, which is the neighborhood that you all are sitting in right now where people are choosing between food and rent.

And the adjustment in the AMI, one,

for for the percentage of the AMI where we're
building at has to make sense not only for the
tenants, the Bronxites, but it also needs to make
sense obviously for the people who are building;
right? Like like, let's not ignore that fact.
So some of the things that I believe

also address making it make sense for all parties is to create multi-use -- multi-use dwellings. First of all, if we are creating something that's a hundred percent affordable, this is like saying -- do we have any swimmers? Do you guys swim? Who's a swimmer on the panel? Anybody swim? You guys are not swimmers? You don't want to swim? You never swim?

All right. So if you don't know how to swim, my question is, how do we learn how to swim? It's by being near other swimmers. And so what has been happening historically is that folks come into our communities because there is a low voter turnout, and it is a food desert, and the healthcare system is impacted by all of those different things. And there's rentership and not ownership. And they clump all of the non-swimmers together as non-swimmers and nobody learns how to swim; right?

But if we think, and we reimagine what affordable housing looks like moving forward, we're

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1	thinking mixed use. We're thinking commercial space
2	that helps sustain building. We're
3	thinking percentage of affordable housing,
4	a percentage of market rate, so that people actually
5	have an opportunity to maybe learn the things that
6	they didn't learn that also pull us up by the
7	quote-unquote bootstraps, I guess.
8	But to more specifically answer the
9	question, I think that we need to move away from
10	models that are 100 percent anything because that
11	doesn't help the community as a whole. But we're
12	still in the same community together. Did that answer
13	the question? Okay.
14	CHAIRMAN BUERY: Thank you so much.
15	MS. CHARLES: Yes.
16	CHAIRMAN BUERY: I thank the panel. I
17	appreciate you.
18	All right. We're going to begin moving
19	to public testimony. We're going to do it in panels
20	of three. So I'm, and I'm going to ask for
21	forgiveness in advance. If I mispronounce your names,
22	please correct me when you come up.
23	So the first three panelists are
24	Hadaryah Morgan, Maria Forbes, Shaka Aziz. I'm going
25	to ask you to please keep your testimony to three

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1	minutes each. We're going to hold you to that. And
2	then we will open up the panel we'll open up the
3	questions from the panel. Sorry.
4	And just so you're ready, after
5	Hadaryah Morgan, Maria Forbes, and Shaka Aziz, the
6	next panel will be Roxanne Delgado, David Gellman, and
7	Ericka Keller.
8	Sure, you can bring it up. Thank you
9	so much. Please please begin.
10	MS. FORBES: This on? Hello?
11	CHAIRMAN BUERY: There's a button on
12	the right button that'll make the light
13	MS. FORBES: Hello?
14	CHAIRMAN BUERY: Perfect.
15	MS. FORBES: Oh, good evening. I
16	almost thought I was going to miss this testimony.
17	Boy, good evening to the panel. Thank you for having
18	me here. My name is Maria Forbes. I got a lengthy,
19	lengthy description of myself and you'll understand
20	why.
21	I'm the first Public Housing Authority
22	Tenant Association President that has a seat at the
23	table for the United Nations. So I've done the SDGs
24	to understand when you say how long it takes to get
25	something with this housing and land committee done.

Imagine planning from 2016 to 2030 and then seeing you planning from 2022 to 2050. This is how long it's taking us to arrive as something because housing is a human right by the federal law. And I'm sure that everyone in this room knows that.

And while we have not reached that decision of building more affordable housing for just as well for minimum wage workers -- I still don't understand that -- but I have some description. I didn't come to attack anybody. I just have some descriptions of some different things.

Ritchie Torres, before he left city council, he went to a big fire and he said, "Wow, people who have apartment should not have to go into the shelter." And he thought he would've been able to pass that law. And that hasn't happened for residents of the Bronx or just anyone in the city, period.

We had multiple fires throughout the house. I had to stop Commissioner Carrion, because why? He left here to go to Washington DC to be with the HUD secretary and to only come back and get HPD. And I don't see that people who have fires have to go through the shelter again when the landlord takes its time to repair the apartment.

The charter changed for -- for the New

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1	York Yankees. Like, they came in under Carrion's
2	watch and they built Yankee Stadium in 4.5 seconds in
3	comparison to what they did down to the World Trade.
4	It didn't make any sense to me.
5	I'm a Public Housing Authority Tenant
6	Association. I also sit on Bronx South District
7	Council of Presidents as their business agent. And my
8	national level is called the National Congress of
9	Neighborhood Women.
10	You getting ready to push me off this
11	mic, sir?
12	CHAIRMAN BUERY: I'm sorry.
13	Twenty 15 seconds left.
14	MS. FORBES: Fifteen seconds. But
15	please, I saw an expert. I consider myself to be an
16	expert.
17	Affordable housing for minimum wage
18	families, that needs to be addressed in this new
19	charter. Economic development and local hiring for
20	current, in this new charter.
21	Section three, we lost section three as
22	public housing residents and and I'm sure a lot of
23	you know that we were entitled to any federal
24	developments being built or anything. We were
25	entitled as Public Housing Authority residents first

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1	But when City Council who makes a lot of decisions for
2	a lot of people, some of, not per se the voting, but
3	let's just consider giving the community plan and
4	boards back some of their positions.
5	The union land use review procedure,
6	that needs to be addressed and speed it up, because
7	you can't plan for 2016 until we plan for for 2050.
8	It's, it just doesn't make any sense.
9	CHAIRMAN BUERY: Thank you.
10	MS. FORBES: And empowerment in the
11	community boards without granting the veto power has
12	to stop because people are taking advantage of their
13	power.
14	CHAIRMAN BUERY: Thank you so much for
15	your testimony.
16	MS. FORBES: Thank you for allowing me
17	to share.
18	CHAIRMAN BUERY: Thank you so much for
19	your testimony. We deeply appreciate it.
20	MS. FORBES: Who should I leave copies
21	with?
22	CHAIRMAN BUERY: You can bring it to
23	the staff on the right. Thank you so much.
24	MS. FORBES: Thank you.
25	CHAIRMAN BUERY: Thank you.

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r a	16 7	

MS. MORGAN: Thank you. Good evening. My name is Hadaryah Morgan. I serve as the COO for the Center for Urban Community Services; CUCS. Thank you Chair Buery and members of the Commission for providing me with the opportunity to offer to you the provider perspective and to talk with you about the vital work that CUCS does for supportive housing in the Bronx and throughout the city of New York.

Throughout its 32-year history, CUCS has helped thousands of New Yorkers ride -- rise from poverty, exit homelessness, and be healthy. We provide supportive housing. We provide case management services, social services. CUCS's evidence-based model provides onsite medical, primary care, and psychiatric services, employment services, financial literacy and empowerment services.

Here in the Bronx, CUCS provides services at five permanent affordable housing supportive housing residences, four of which we own, three of which we self-developed. We've developed over 350 units, which provide housing to 200 families and 165 individuals.

As a pioneer of the movement, we've been adamant that our residences reflect the neighborhood. So we have mixed use residences,

families, single adults, seniors, all living within the same building. We look like "The Neighborhood," and we start engagement years before a shovel hits the dirt. We remain committed to its supportive housing because we know what study after study has proven: That it's the most effective way to combat housing insecurity and homelessness.

We support changes to the charter that actually streamline the ULURP process and procurement processes to ease the burdens faced by nonprofits who build and provide affordable and supportive housing. To continue the Brown v. Board analogies, justice delayed is justice denied.

Some of our most impactful projects have taken six to ten years to build. In that time, building codes have changed. There have been new green standards. Energy and construction costs have increased. Carrying costs have mounted. And by the way, the cost of labor has increased. The cost of security, the cost of superintendents, the cost of porters, the cost of the vital professionals who provide these services. This affects — this affects underwriting. This affects contracting.

So again, a -- a streamlined process is incredibly important. And as another colleague

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1	mentioned, there are absolute projects that we look at
2	in neighborhoods we know we'll never be able to build
3	there. So we really do need you to consider these
4	changes to the ULURP process.
5	We also think it's really important to
6	center the voices of those who've lived in affordable
7	and supportive housing residences and those who stand
8	to benefit from the need for these services. We hope
9	that that process prioritizes the city's need for more
10	affordable and supportive housing units. We also
11	second the emphasis on deep affordability ELLA income
12	levels.
13	And thank you for allowing me to
14	testify. If you have any questions, I'm happy to
15	answer them.
16	CHAIRMAN BUERY: Thank you so much for
17	your testimony.
18	Any questions from the panelists? No?
19	UNIDENTIFIED SPEAKER: Yeah. I
20	think
21	CHAIRMAN BUERY: Oh there is one
22	MR. DABARON: I do have one question.
23	Do you see anything in the charter that could be
24	useful? And I think I'm hearing you talk about fair
25	share. Do you think anything in the charter,

MS. MORGAN: I think some of the recommendations that have been discussed that deal with a process where you're not allowing one particular member to necessarily veto the process.

I've heard the suggestions about a super majority or so -- or so forth. We of course will submit written testimony that can actually get more deeper into those reasons. But we support those things.

We also really support an environmental impact process that really also looks at the positive impacts of supportive and affordable housing that have, that affect safety, that affect community resources. By virtue of the fact that we provide onsite services, including the fact that CUCS provides onsite medical and onsite psychiatric, we are freeing up resources within the community.

When we develop our property, when we put in our services, we are not taking from your neighborhood doctors and urgent care centers per se. We in fact actually provide many of the -- the health services that folks need on site; right? Those benefit advocacy services, they're on site. So there's a positive benefit.

We also, because of the changes in

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1	building codes, sometimes you'll be walking by our
2	buildings not knowing what the, what our buildings
3	are. And we have more energy efficient buildings that
4	deal with some of those issues that other colleagues
5	mentioned. Impacts on water use, impacts on waste
6	use. We look to sort of site our facilities near and
7	around public transportation. So we because we
8	have to.
9	So I think actually having an
10	environmental review process that centers the voices
11	of folks who need the housing, the folks the folks
12	who've lived there and actually looked at the benefits
13	of what it is we're doing and offering the community.
14	Many of our developments have designated community
15	space, as you all know. This is part of actually
16	getting things that are negotiated with councilmembers
17	in terms of support.
18	And so I think that it's important that
19	the process, the review process actually take those
20	things into account as well.
21	MR. DABARON: Thank you so much.
22	MS. MORGAN: Thank you.
23	CHAIRMAN BUERY: Thank you so much for
24	joining us.
25	UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN BUERY: The next panel is
Roxanne Delgado, David Gellman, and Ericka Keller.
And while you're coming up, is there anyone remaining
who needs sign language interpretation? Is there
anyone here who needs ASL? All right. So you,
we'll we'll excuse the interpreters at eight. I
would ask all of you to come up, both Roxanne, David,
and Ericka, that you come to the table at once. Thank
you so much.
MS. DELGADO: Evening, Commissioner.
Roxanne Delgado. I'm here to discuss what happened
with 2560 rezoning in the Bronx in
city citycommittee board district 11, city
council district 13. The committee board 11 had
from November 2, 2022, till January 3, 2023, to review
and vote on this matter.
In fact, they did not. They voted on
it on Feb sorry, on Feb 23rd and they did not
provide seat planning their advisory vote till March
of two one second, I have the dates till after
March. By then the, both the Bronx Board President
voted in favor of this rezoning and the seat planning
already held its public hearing on March 9th.
So the fact that committee board 11 was
two months late was a disservice to our community.

Which is why I recommend that there's a joint hearing between the BP's office and the community board to ensure that lines are met, to ensure there's more public output because the community -- the BP's office held it during Thursday at 10:00 a.m. when most of us work at 161st Street, which is out of our way.

These public joint hearings should be held at the proposed site within a one, two mile radius and at not during normal non-working hours. So that would provide more public input and more aware, awareness and deadlines be met.

My second issue is, besides the lack of community board abide by the ULURP process and no accountability and no public output, is the fact that -- City Planning. I have a lot issue with City Planning. Because unfortunately it's not being run by a good master of field. It's being run by an ex-politician who actually was very disrespectful to people who were not in proposal of these project because they assume we're all YIMBYs.

Well, I realized I am a victim of Ida.

I used to live in a private house basement which was flooded. They'll understand the higher density built in communities. And I live in a community of color, Pelham Parkway. I am a person of color.

It puts a lot of burden on
infrastructure; overcrowded schools, more trash,
flooding. So to continue building, building, building
with things and us mentioning infrastructure doesn't
mean that we're racist, we're YIMBYs.

And regarding my former councilmember, Marjorie Velazquez, her narrative is not fully true because even though I don't live in Throggs Neck, those people were very upset because she campaigned and to the day before the vote, she adamantly told them she was against that project. And the following morning some kind of deal was made where she reversed her vote at the last second. And most people don't like to be lied to.

Now, death threats are -- are unjustifiable. There's no excuse for any death threats. But there were threats made her that she could be voted out. That's why city council have to be the local representative in ULURP process, because if they don't abide what they campaign on, they don't abide to the community interest, they have to be voted out.

The BP's office represents the whole

Bronx and there's different voting blocks in the

Bronx. More people have more influence so it would be

neighborhood picked against neighborhood.

And the lastly, the equity race -- the racial equity report was unfair for 2560 because that -- that district would have the highest displacement rate per city planning map. It was pure purple. But the racial equity report, all the community board 11 which include Pelham Gardens, Morris Park in the village, they have million-dollar homes, which increase the area of median income, and they have less renters as opposed to that site in 2560 where I live barely 0.5 miles radius, which has the highest rate of displacement.

So by them proposing, by proving that rezoning, -- which I'm not a YIMBY, I'm not a NIMBY, -- it's because it's going to bear not only a burden on our infrastructure, it's going to displace us. Because say for sale, those people are not in the speaker of renters. And in fact they have no renter protection. They only live in Princeton West Apartment.

But the landlord could say, this building's renting \$2,000 for one bed, one studio. I can get -- rent that same amount or maybe \$200 less. So you're out and you have no recourse. Thank you so much.

CHAIRMAN	BUERY:	Thank	vou.
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MR. GELLMAN: Good evening. My name is David Gellman. I am a Bronx community district eight resident, a board member, and the budget chair. Though I don't speak here on behalf of the board whose district is about a half mile northwest of where we are right now, my comments are representative of our board's resolution and debate as well as the majority of the community boards across the city.

City of Yes is the closest analog for me to comment on here. So while we are not opposed to the increased density put forward by City of Yes, it, one, tends to favor opportunities for developers to increase density without necessarily any material increase in affordable housing or any at all.

Two, it is not properly concentrated immediately around well-suited mass transit. And three, while a concept of accessory dwelling units, ADUs, suggested a backyard outbuilding for grandma, there are no residential requirements after the original owner.

So in reality it will become a vehicle for quick turnover, non-residing investors, and thus become a significant force for block busting, not unlike the 1970s. Thank you.

CHAIRMAN BUERY: Thank you so much.

MS. KELLER: Greetings, Chairperson Buery, and to the charter commission. Thank you so much for the opportunity to speak.

My name is Ericka Keller and I'm the managing member of Brisa Builders Development, a company formed in 2016 to develop affordable housing, 100 percent mixed use, specifically with faith-based organizations and non-profit organizations, grassroots organizations.

And so this evening I'd like to speak specifically on chapters eight and nine regarding the ULURP process. And I believe that there should be a fast track, so to say, or special process for projects that are proposing 100 percent affordability or supportive housing.

And I want to define 100 percent affordability in that from our perspective,
160 percent, 165 percent of the AMI in New York City defines affordability. So all the way down to shelter rents to 165 is technically affordability. And as, I think it was Miss Abbie was speaking to the fact that when you have non-swimmers all together, you will just produce non swimmers; right?

And we are in New York City where there

is such diversity in range and color, religion, economics, it's important to recognize because we are skewed so high that affordability should really be open to various incomes and various backgrounds.

And so if there is a focus on those developments that are proposing any of the terms sheets from HPD or HCR, that fast tracks the ULURP process where on the front end, if they are defined as meeting the housing goals that have been established, then you have a city that is supporting what the agencies are saying or they're supporting -- or the needs of the community based on what has been established by the data.

So if you say that the projects who are 100 percent supportive, again, meaning a varied definition for that in terms of what the city and the state define as such, and you have those identified, they go through the certification process where you are looking at what are the mitigants, what are the impacts that they're going to have on the community.

And for those that are five or less, there is then a specific track that they're going towards that's fast tracked where there is community input; right? You have the councilmember and the borough president and the community involved. But

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it's more of a conversation and informative. Because you've already established that this project is going to support the stated needs of the overall city or the agencies in a whole.

So therefore it doesn't get boiled down to is there 18 parking spaces or 12 or five. But more about how is this going to support or advance the overall stated goals and what changes do we need to make in order to make it happen.

CHAIRMAN BUERY: Thank you so much.

Are there any questions for the panel?

MS. WHITE: Thank you all for your

testimony and thank you Ericka for being here.

And -- and thank you for talking about the wide range

of affordability because we could very quickly not

have the opportunity for those who start to move from

the lower echelon to start to move up to other

18 opportunities if we don't have the right type of, you

19 know, board-based housing that's reflective of the

20 community.

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I'm going to ask you a -- a question as it relates to ULURP and I -- I like your suggestions -- thank you -- to take them into consideration. But with some of the faith-based,

right, you know, properties that are developed, many

times the faith-based organization actually has the property available; right? So they don't have to go through a process of acquisition or anything like that.

So we are looking for potentially a quicker response. What are some of the, you know, particular things? You mentioned the fast track, but are there other issues? Someone here earlier was talking about historic, you know, designations, which I know a lot of churches have faced in order to move forward.

Are there some other particular things

Yes. That you think could help in -- in that, those

type of developments?

MS. KELLER: Definitely. So most faith-based organizations are in M1 zones because that is an allowable use. A house of worship is an allowable use in an M1 zone. And so I think if there was some consideration, so M1 only allows for transient housing and in some instances that could be defined as student housing or shelter.

I think if there was some consideration to have an amendment where churches who are interested in providing affordable housing, that there is, again, a different track that they're going to, to put forth

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1	their property for consideration for changes to an M1
2	to allow for residential use.
3	Also, you know, there's what they call
4	the Cornell Doctrine, which has been, you know,
5	utilized by some organizations. And so I think that
6	there should be an opportunity for churches to use
7	that doctrine as well if they're providing housing
8	that supports the stated housing goals where, you
9	know, if they meet those four benchmarks then you're
10	going through a BSA review as opposed to a full ULURP
11	process.
12	MS. WHITE: Thank you.
13	MS. WYLDE: Ericka, are you familiar
14	with the faith-based Affordable Housing Act that's
15	been introduced in the legislature, which would do
16	exactly what you're talking about if
17	MS. KELLER: I've heard a little bit
18	about it
19	MS. WYLDE: Cunningham in the assembly,
20	Gounardes in the Senate. So you should you should
21	support.
22	CHAIRMAN BUERY: Any other questions
23	for the panel?
24	MS. BOZORG: Ericka, and and thanks
25	everyone for your testimony. But Ericka, can you talk

a little bit about, you know, Kirk was mentioning some of the costs and time involved in entitlements and in previous panels we've heard people talk about how, you know, changing ULURP to fast track projects is only going to help developers and all, you know, that, that's a bad thing. And I see you all shaking your head.

But -- but folks don't often recognize that that often helps bigger developers with -- with bigger balance sheets and really puts at a disadvantage smaller emerging developers. So can you talk a little bit about some of the challenges you've faced in trying to entitle projects and just that -- that difference between these big developers and folks that are trying to build a business in, from an emerging state?

MS. KELLER: So -- so I am always saying jokingly, but seriously, that when I get to the pearly gates, I don't have to worry because I have developed hundreds of units really basically for free; right? And I'm bearing the risk as a city, but because I am a smaller developer, I have to take out loans to bridge and then oftentimes the interest is not incurred. Or if there is a partnership and my partner is charging me interest, that's not included.

So therefore when I get to the finish line and I finally get paid, I have to pay that money back out; right? And -- and most times the interest is not included in the reimbursables. It comes out of whatever pay that I would've made.

So I have literally done much of this because I am passionate, and I love the communities that I have been involved in as a native New Yorker for the last 54 years.

So I think it is a travesty because I'm committed and I'm willing to do that. But I think it's a travesty that many businesses are not allowed the opportunity to grow and to -- to develop and be a part of this because of the fact that projects take way too long.

You have to bridge with either deals with larger partners or lenders that you end up then spending all your money back. You often feel like you are fighting against the very agencies and electeds that you are trying to bring their mission or their state of vision or their commitments to the community to fruition.

And in most instances, you're bearing the weight of the community not really understanding necessarily what's happening and why because state

admissions	and	goals a	are	not	really	trar	nsparent	and
clear to t	he co	mmunity	7 SO	tha	t they	can	understa	ind.

So I'll give you one very specific example. I was working with a faith-based organization since 2017. It took us three and a half years to get through the ULURP process because spot rezone is not allowed. And so CPC said to us, -- no, DCP said to us that we had to include a nursing home that was built in the 1970s out of zone as part of our -- our ULURP application to make it reasonable or to make it sound application.

And what they didn't consider was that that nursing home also had a parking lot. And so that parking lot, once we did this, the studies during the certification process would allow for almost 600 units of housing on a residential street.

So here we were proposing just 83 units of housing on the church's parking lot. But now because we were forced to include this nursing home across the street as part of the application, now that allowed for almost 600 units that caused all these issues with the technical study of what would be the implication of bringing 683 units when we were only bringing 83.

And literally I had to keep taking out

loans. I had to study after study after study. I kept having to spend more money on additional studies all to get finally to the end of the process where the councilmember said, there's no way in the world that I'm going to rezone that across the street and open the door for the possibility. Take it out.

So it was out, and I was \$700,000 in -- in debt; right? And so now I'm still, you know, have application to the state my third time putting in an application for a nine percent tax credit because it is a very competitive process, and smaller developers don't have the technical support to be competitive with larger developers.

And we are hoping that we are finally successful and that this church that trusted me and partnered with me in 2017 will finally be able to develop 83 units of senior housing in the founder's name who is in a nursing home now. She's -- she's gotten dementia and so she won't even understand that this development for the community being named after her.

CHAIRMAN BUERY: Go ahead. Of course.

MR. DABARON: That last statement

almost broke me into tears. So sorry about that. Is
there anything specifically in, like, with the charter

and stuff that we could address that sort of, like, mediate that to -- to address those things and make it easier for us to bypass that?

MS. KELLER: I mean, I think that there's so many things. Like, I think that the city needs to really think long and hard and deep. And to say that if there are goals, right, that are stated by each one of the agencies, then every process needs to support that; right? That there needs to be conversation amongst the agencies and the partners that they have to make processes easier and not a fight.

Like, we, we're developing a project in -- in Cornaga, or Cornaga in -- in Far Rockaway. And Far Rockaway is saddled with structural issues; right? Because the -- the downtown rezone did not have any conversation with DEP. And -- and so you have developments going up left and right, but there isn't the infrastructure to support all of the new developments that are happening in downtown Far Rockaway.

And so each developer is now fighting with DEP who's trying to figure out how do we get some other agency to pay for the infrastructure that's needed to support these developments that are going.

Page 142 1 That could have been eliminated when, through the ULURP process that was originated by the city itself 2 that they had all of the commissioners sit down at the 3 4 table and say, this is the ten year plan for downtown 5 Far Rockaway. 6 Like, what do you need to do, DEP, in 7 order to facilitate this? What do the roads need to look like in order to facilitate this? Like, what do 8 the schools need to look like? Like, how do we all 10 plan so that we're not fighting each other as this is 11 being unfolded for our constituents. 12 CHAIRMAN BUERY: Any other -- any other 13 questions for the panel? 14 I want to thank you so much for your 15 testimony and -- and -- well, all of you for your 16 testimony. I want to thank you in particular for those stories which helped elucidate the problem of 17 18 the -- the structural barrier that we're putting on 19 top of people who are trying to do the right thing. 20 So I want to thank you for persevering despite those 21 challenges. 22 MS. KELLER: Thank you. 23 CHAIRMAN BUERY: Appreciate you. 24 We have one final panel who --

MS. DELGADO: Hope you realize that HPD

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1	is displacing people and creating homeless crisis,
2	which you don't seem to be focused on.
3	CHAIRMAN BUERY: We have one final
4	panel via Zoom. Basha Gerhards and Michael Kaess, and
5	I apologize if I'm mispronouncing your names.
6	MS. GERHARDS: All right. Good
7	evening, Commissioners. Can you folks hear me okay?
8	CHAIRMAN BUERY: Yeah.
9	MS. GERHARDS: Great. Good evening,
10	Commissioners. My name is Basha Gerhards, and I serve
11	as the senior vice president for planning at the Real
12	Estate Board of New York, the city's leading real
13	estate trade association. Thank you for the
14	opportunity to testify this evening on the challenges
15	of building sufficient housing to address our crisis.
16	Unfortunately recent positive efforts
17	such as the City of Yes for housing opportunity do not
18	change the fact that today the New York City
19	development process is up to three times longer than
20	anywhere else in the country and costs up to twice as
21	much on a per unit basis.
22	There are several key considerations in
23	the build or not build decision that a developer must
24	make before it can secure financing to start
25	construction. In addition to determining whether a

proposed project will generate enough revenue to cover the cost of construction, operations, and maintenance, developer must conduct due diligence around zoning and tax program requirements.

A developer will not choose to build if its project will not generate a sufficient return to compensate for the high risk and large upfront cost of development. Nor will a lender provide the debt needed for development unless the project's revenue is sufficient to support the size of a loan.

City government process has a significant role in this calculation. City agencies including DOB, FDNY, sanitation, DEP, DOT, LPC, PDC, and parks, each have permitting authority and a project that is as of right under zoning will nevertheless need to obtain permits for some or all of these agencies. Each of the permitting agencies has a different pathway for permit filing, review, and issuance.

A related challenge is the fact that ULURP applies to all projects that require land use approval regardless of project size or the amount of housing proposed and without a distinction between those projects with the potential for environmental impacts. By treating modestly sized housing projects,

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much less sustain larger, more complex projects, the process adds cost and delays to smaller projects making them financially infeasible.

The Commission's proposed charter changes in the area of land should be designed with a goal in mind of finding better ways to stimulate housing production. While the construction of affordable housing is inherently constrained by the city capital budget, federal policy, available municipal land, and staffing levels of the relevant housing agencies, the charter alone cannot solve those issues. But it can play an important part in increasing the affordable housing pipeline by building a framework focused on increasing production.

Changes to the charter should consider whether projects that vary widely in size, complexity, and income potential for environmental issues should continue to be treated alike in the approval process.

Housing projects, regardless of their size or environmental profile, are serving a citywide need. The ability of these projects to move forward should not be determined under a process that elevates local perspectives above citywide concerns. This may not require a reimagined process altogether, but instead a new determining threshold for what enters

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1	ULURP in the first place. And finally, all permitting
2	should be predictable and time certain.
3	Thank you to the members and staff of
4	this commission for undertaking this necessary work
5	and I appreciate you staying late.
6	CHAIRMAN BUERY: Thank you so much. If
7	you could hold on in case there's questions. But
8	first we'll hear from next we'll hear from Michael
9	Kaess.
10	MR. KAESS: Hi. My name is Michael
11	Kaess, and I'm a resident in Morris Park.
12	First, as someone who is a constituent
13	of former councilmember Marjorie Velazquez, I must
14	thank her for her powerful testimony earlier. I
15	supported the rezoning in Throggs Neck, and I can
16	vouch for the vitriol she and others experienced. It
17	wasn't easy but she did the right thing for our
18	district because we desperately need more housing in
19	the East Bronx.
20	I've participated in a few ULURPs and
21	it's clear the process could be improved. ULURP is a
22	very long and repetitive process with a, the same
23	small group of folks testifying at each stage. One
24	idea worth exploring is the merging of the community

board and borough president reviews into a single

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review under the borough president.

The borough president already oversees the community boards to begin with and the borough president would still be able to consider local input while balancing boroughwide meetings.

Using the Bronx Metro North stationary rezoning as an example, we had three separate community board reviews of varying quality, to say the least, while the borough president hearing and review was productive, informative, and far less adversarial. Streamline the process and let the borough president's office guide local community review with the professional land use staff.

On the other end of the ULURP review process, I'd like to see limits on the city council's ability to modify or disapprove land use applications during a housing emergency. Ultimately the aim should be to limit the unwritten practice of member deference. We can streamline the address of the process and still have this major roadblock.

Too often city councilmembers will put politics ahead of good planning, ultimately leading to fewer units of housing being approved. We saw that with the Bronx Metro North rezoning, and we saw it with City of Yes with some of the modifications.

CRC Hearing

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1	I understand that an informal practice
2	like member deference is difficult to address, but the
3	commission must try. Thank you.
4	CHAIRMAN BUERY: Thank you so much.
5	Are there any questions for either of
6	our panelists?
7	UNIDENTIFIED SPEAKER: Yeah. Carl.
8	MR. WEISBROD: Just very briefly, thank
9	you both for your testimony. It was very helpful.
10	Ms. Gerhards, will the real estate board be submitting
11	very specific recommendations to us?
12	MS. WHITE: Ideally, yes. I I
13	think, you know, as, you know, the industry is a bit
14	risk adverse and we're listening to a number of
15	different suggestions, taking those under advisement
16	and, you know, sorting through what we think will be
17	productive in our support while also understanding
18	that injecting or creating a new process does
19	introduce new risks to what is already a risky
20	development process, especially when we start thinking
21	about the discretionary review.
22	One thing I would say that we have
23	coalesced around and as, like, a starting point is
24	really thinking through, and I think you've heard this
25	from several other groups both tonight and at the

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1	hearing last month as well, is really looking at
2	whether environmental impacts and whether there are
3	environmental impacts and looking at that as a
4	screening tool for whether something goes through the
5	ULURP process.
6	The 1989 charter really focused more
7	on mechanism, correct, whole process regardless of
8	whether it's a extension for a supermarket or
9	facilitating a otherwise generally as of right UDAAP
10	or HPD finance project that's a hundred percent
11	affordable.
12	The next meeting I charter, changes
13	didn't really distinguish between those mechanisms,
14	between those project scales and really focus on that
15	mechanism as the the screening entity.
16	CHAIRMAN BUERY: Thank you.
17	You have a question? All right.
18	Thank you both so much for your
19	testimony and thank everyone here for being a part of
20	this process, for staying with us, and for
21	participating in the democratic process. It's deeply
22	appreciated.
23	The next Public Hearing of the
24	Commission will be held on Staten Island on April 9th

at five p.m. at the Staten Island University Hospital

CRC Hearing

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1	North at 475 Seaview Avenue. And with that, I will
2	take a motion to adjourn.
3	MS. WHITE: So moved.
4	MS. GREENBERGER: Second.
5	CHAIRMAN BUERY: All in favor?
6	MULTIPLE SPEAKERS: Aye.
7	CHAIRMAN BUERY: Any opposed?
8	We stand adjourned.
9	Thank you so much.
10	(Whereupon, the meeting concluded at
11	8:23 p.m.)
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CERTIFICATE

2 I, THEA POPKO, the officer before whom the foregoing proceedings were taken, do hereby certify 3 that any witness(es) in the foregoing proceedings, 4 prior to testifying, were duly sworn; that the 5 proceedings were recorded by me and thereafter reduced 6 to typewriting by a qualified transcriptionist; that 7 said digital audio recording of said proceedings are a 8 9 true and accurate record to the best of my knowledge, 10 skills, and ability; that I am neither counsel for, 11 related to, nor employed by any of the parties to the 12 action in which this was taken; and, further, that I 13 am not a relative or employee of any counsel or attorney employed by the parties hereto, nor 14 15 financially or otherwise interested in the outcome of 16 this action.

17 THEA POPKO

Ele Roye

Notary Public in and for the

State of New York

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1	CERTIFICATE	OF	TRANSCRIBER
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I, JENNIFER MOSS, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Bulls MM

JENNIFER MOSS

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