

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION
d/b/a Empire State Development**

Empire State Development works to promote business investment and growth that leads to job creation and prosperous communities across New York State

Meeting of the Directors

Monday

January 26, 2016 – 3:00 p.m.

AGENDA

FOR CONSIDERATION

I. PROJECT

NEW YORK CITY REGION

- A. Bronx (New York City Region – Bronx County) – Kingsbridge Armory Capital – Transformative Investment Program (Capital Loan) – Affirmation of the Directors December 17, 2015 Findings and Determinations Pursuant to Section 10(g) of the Act; Affirmation of the General Project Plan

FOR CONSIDERATION

January 26, 2016

TO: The Directors

FROM: Howard A. Zemsky

SUBJECT: Bronx (New York City Region – Bronx County) – Kingsbridge Armory
Capital – Transformative Investment Program (Capital Loan)

REQUEST FOR: Affirmation of the Directors December 17, 2015 Findings and
Determinations Pursuant to Section 10(g) of the Act; Affirmation of the
General Project Plan

I. Background

At their meeting on December 17, 2015, the ESD Directors adopted a General Project Plan (“GPP”) under Section 16 of the UDC Act, and made findings and determinations authorizing a \$30,000,000 loan to KNIC Properties (“KNIC”) for a portion of the capital cost of Phase 1 renovations of the Kingsbridge Armory into the Kingsbridge National Ice Center (the “Project”).

As required by Section 16(2) of the UDC Act, a public hearing for the Project was held at the Bronx Library Center on January 14, 2016 from 3:00 p.m. to 4:32 p.m. to consider the GPP. ESD arranged the public hearing in accordance with all statutory requirements and applicable ESD policy. Specifically, a legal notice was published in the *New York Post* on January 1, 2016. The GPP was available at the office of the Bronx County Clerk, the New York City Clerk of the Council and the principal office of ESD.

A total of 16 persons spoke at the public hearing. A transcript of the hearing is attached herewith. The nature of comments from the 16 persons were primarily concerns about the project not representing the needs of the community.

II. Negative Testimony and ESD Response

(i) Comment – The Project does not represent the needs of the community.

Response – The Project has the support of the local community board, Bronx Borough President, local business groups and organizations. As a result of a Community Benefits Agreement (“CBA”) that KNIC entered into with a coalition of 27 local organizations, the Project will result in many benefits for the surrounding Northwest Bronx neighborhood. The Project will provide living wage jobs, targeted local hiring and contracting, dedicated community space

for the community, and local procurement and technical assistance for small local businesses. At least 51% of the permanent jobs created will be filled from the local community.

In addition, the Project includes a 50,000-square-foot community center that KNIC will contribute \$8 million toward build-out. KNIC will also contribute \$1 million of in-kind services annually to the community including priority access and use of ice rinks for residents of the Northwest Bronx at a discounted rate; access and use of non-rink space, including classrooms; and free and/or discounted tickets for seniors, students and low-income families.

(ii) Comment – The construction jobs created by the Project should be union construction jobs.

Response – Union and non-union contractors will be able to bid on the various aspects of the Project. The CBA has very strict local hiring requirements. As KNIC further develops its plans, they will determine which firms will perform the construction.

(iii) Comment – The Project is going to create gentrification.

Response – The Project will reactivate a building that has been vacant since 1996. The building consists of approximately 795,000 square feet and is currently an extremely underutilized building. The Project will produce a number of positive economic benefits for the community as highlighted above.

(iv) Comment – There was not a Spanish translator in attendance at the public hearing.

Response - ESD does not generally have translators at public hearings.

III. Summary

After review and consideration of comments received at the public hearing, ESD staff believes that the Kingsbridge Armory Capital Project is an important part of the local revitalization plan for the area, the concerns raised at the public hearing have been adequately addressed, and the Project is expected to have a positive impact on the community.

IV. Requested Action

The Directors are requested to affirm the findings and determinations related to the Project, made pursuant to the New York State Urban Development Corporation Act, and to affirm the GPP.

V. Additional Submissions to Directors

Resolution

ESD Directors' Materials dated December 17, 2015

Transcript of the Public Hearing, dated January 14, 2016

January 26, 2016

Bronx (New York City Region – Bronx County) – Kingsbridge Armory Capital – Transformative Investment Program (Capital Loan) – Affirmation of the Directors' December 17, 2015 Findings and Determinations Pursuant to Section 10(g) of the Act; Affirmation of the General Project Plan

WHEREAS, ESD staff has addressed the negative comments as set forth in the attached materials; and it is hereby

RESOLVED, that on the basis of such materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Kingsbridge Armory Capital – Transformative Investment Program Fund (Capital Loan) Project (the "Project"), the Corporation hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that ESD staff has adequately addressed the negative testimony presented as part of the hearing process and the Corporation hereby affirms such Plan shall be effective at the conclusion of such hearing; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to KNIC Properties LP a loan for a total amount not to exceed Thirty Million Dollars (\$30,000,000) from the Transformative Investment Program Fund or such other funding source as may be available to the Corporation for which the Plan is eligible, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or his designee(s) be, subsequent to the making of the loan, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the loan as he or she may deem necessary or appropriate in the administration of the loan; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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12/17/15 ESD
Directors' Materials



FOR CONSIDERATION

December 17, 2015

TO: The Directors

FROM: Howard A. Zemsky

SUBJECT: Bronx (New York City Region – Bronx County) – Kingsbridge Armory Capital – Transformative Investment Program – (Capital Loan)

REQUEST FOR: Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Loan and to Take Related Actions; Adoption of Findings Pursuant to the State Environmental Quality Review Act

General Project Plan

I. Project Summary

Company: KNIC Properties LP (“KNIC” or the “Company”)

ESD* Investment: A construction loan of up to \$30,000,000 (the “Loan”) to be used for a portion of the capital cost of Phase 1 renovations of the Kingsbridge Armory into the Kingsbridge National Ice Center

Loan cannot be used for fees and expenses in connection with the Loan, marketing expenses, outstanding legal fees, payment in lieu of taxes, payment in lieu of sales taxes, payments in lieu of mortgage recording taxes, management fees and incentives, or other costs not related to Phase 1 construction.

* The New York State Urban Development Corporation doing business as Empire State Development (“ESD” or the “Corporation”)

Project Location: 29 Kingsbridge Road, Bronx, Bronx County (the “Site”)

Proposed Project: Redevelopment of the Kingsbridge Armory into the Kingsbridge National Ice Center. KNIC is in the process of developing the 795,000-square-foot Armory into a 5,000-seat state-of-the art arena surrounded by eight NHL / Olympic size rinks, which will become a national training

and destination facility for ice hockey, figure skating, synchronized skating, speed skating, curling and sled hockey. The property also will have a 50,000-square-foot dedicated community center, a 20,000-square-foot health and training facility, 50 locker rooms including 12 NHL-size rooms, onsite parking for over 450 cars, equipment storage, maintenance and cleaning services and a pro shop for all ice sports (the "Project").

Project Type: Capital renovation

Regional Council: The New York City Regional Economic Development Council ("NYCREDC") has been made aware of this item. The term sheet was accepted in December 2015. The Project is consistent with the NYCREDC Plan as the project redevelops a long-vacant building and creates a new regional destination in the Bronx.

Loan Financing: The loan will provide construction financing for a 24 month term at an annual interest rate of 7%.

Security: Security will consist of the following: (1) First priority lien without exception on all of Company's tangible and intangible assets, including, but not limited to, the lease for the facility between Company and the City of New York, intellectual property, and operating cash flow; (2) Pledge of Company's interest in the receipt of proceeds from any and all EB-5 funds, historic tax credits, and New Markets Tax Credits; (3) A principal repayment guarantee for up to \$10,000,000 from the Kresge Foundation ("Kresge").

II. Project Cost and Financing Sources

<u>Financing Uses</u>	<u>Amount</u>
Construction	\$233,585,126
Architectural & Engineering	19,999,995
Transfer Payment for Community Center Buildout	8,000,000
General Contingencies	3,904,800
Selling, General & Admin	29,611,500
Capitalized Taxes, Insurance and Permits	5,200,000
Interest Expense	25,529,112
Financing Origination Fees	9,281,941
Cash on Balance Sheet	<u>12,921,000</u>
Total Project Costs	<u>\$348,033,474</u>

<u>Financing Sources</u>	<u>Amount</u>	<u>Percent</u>	<u>Rate/Term/Lien</u>
EB-5 Construction Loan	\$250,000,000*	71.8%	TBD
Historic Tax Credits (Federal and State)	71,235,624	20.5%	
Other Preferred Equity	15,918,000	4.6%	
New Markets Tax Credits	10,000,000	2.8%	
Existing Cash	<u>879,850</u>	<u>0.3%</u>	
Total Project Financing	<u>\$348,033,474</u>	<u>100%</u>	

*At this time, the ESD Directors are being asked to approve a \$30 million construction loan, which is anticipated to be repaid by an EB-5 loan. It is anticipated that the remaining \$108 million of the \$138 million ESD commitment will be presented to the ESD Directors at a later date.

III. Project Description

A. Company

Industry: KNIC was established to acquire and renovate the Kingsbridge Armory into the Kingsbridge National Ice Center.

Company History: KNIC was formed in 2014 with the sole purpose of developing the Armory. In December 2013, the New York City Council approved of the development of the Kingsbridge National Ice Center. This approval marked the culmination of more than four years of work by the KNIC team led by Mark Messier (NHL Hall of Famer and New York Rangers Captain in their 1994 Stanley Cup title), Sarah Hughes (Olympic Gold Medalist) and Kevin Parker.

Ownership: The Company is privately owned.

Size: The renovated Kingsbridge National Ice Center will contain approximately 795,000 square feet of new uses.

Market: Recreation

ESD Involvement: KNIC has executed a long-term lease for the Kingsbridge Armory and New York City Economic Development Corporation is holding the lease in escrow until KNIC obtains \$158 million in construction financing commitments. In August 2015, ESD offered a construction financing commitment of \$138 million, of which \$30 million is being presented for approval by ESD's Directors at this time, in order to enable the lease to be released from escrow and to allow the project to move forward and begin construction. ESD's short-term construction loan is anticipated to be repaid with EB-5 loan proceeds, which are anticipated to be available

in 2016.

Competition: N/A

Past ESD Support: This is the Company's first project with ESD.

B. The Project

Completion: Construction is expected to be completed by April 2018.

Activity: The Project entails the redevelopment of the Kingsbridge Armory into the Kingsbridge Armory National Ice Center, consisting of approximately 795,000 square feet. The proposed LEED Silver Project includes nine ice rinks; approximately 64,000 square feet of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,000 square feet of related food and beverage, concession, and retail space; and approximately 50,000 square feet of community facility space.

KNIC aims to create the nation's leading complex for ice sports and the world's largest indoor ice facility. The proposed ice rinks are intended for use by neighborhood students and residents, high school and college leagues, open skating times, instructional training, adult professional (minor league) and non-professional hockey teams, figure skating, and speed skating, and other ice events. The central, main rink would have a capacity of approximately 5,000 seats, while the other rinks would have temporary bleacher seating of approximately 100 seat-capacity per rink.

Results: The Project will reactivate a building that has been vacant since 1996. This will be a transformative project and will establish a new regional and international destination in the Bronx. The Project is anticipated to create 400 permanent jobs, of which KNIC has committed to ensure that at least 51% of the hiring is done from the local community.

Economic Growth

Investment Project: Benefit-Costs Evaluations are used in evaluating projects that are categorized as Business Investment, Infrastructure Investment, and Economic Growth Investment and that involve 1) job retention and/or creation and/or 2) construction-related activity. For Business Investment projects, benefits typically reflect the impact of both jobs and construction-related activity. For Infrastructure Investment and Economic Growth Investment projects, which generate long-term benefits not captured in the period of analysis and may involve no permanent job commitments, the estimated benefits typically reflect only construction-related activity.

- Fiscal benefits to NYS government from the project are estimated at \$32,809,953;
- Fiscal cost to NYS government is estimated at \$30,000,000;
- Ratio of project fiscal benefits to costs to NYS government is 1.09:1;
- Fiscal benefits to all governments (state and local) are estimated at \$46,895,200;
- Fiscal cost to all governments is \$30,000,000;
- The ratio of project fiscal benefit to cost ratio to all governments is 1.56:1;
- Economic benefits (total fiscal plus total net resident disposable income from project construction employment) are estimated at \$187,344,699;
- The economic benefit to cost ratio is 6.24:1;
- Project construction cost is \$294,900,497 which is expected to generate 1,341 direct job years and 696 indirect job years of employment;
- The payback period for NYS costs is three years.

See Project Summary Benefit-Cost Evaluation (attached) for detail and definitions.

Company Contact: Kevin Parker, Founder/Managing Member/Chairman
 250 Park Avenue, 7th Floor
 New York, NY 10177
 Phone: (646) 790-4810

ESD Project No.: AA133

Project Team:	Project Management Legal Contractor & Supplier Diversity Finance Design & Construction Environmental	Brendan Healey Antovk Pidedjian Denise Ross John Bozek Peter Topor Soo Kang
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C. Financial Terms and Conditions

1. The Company shall pay a commitment fee of 1% of the Loan (\$300,000) at closing (not from Loan proceeds). In addition, at the time of closing, the Company will reimburse ESD (not from Loan proceeds) for all out-of-pocket expenses incurred in connection with the Project, including but not limited to the cost of any public hearing, outside counsel and advisors, to be selected at ESD's sole discretion.
2. The Company will demonstrate no materially adverse changes in its financial condition

prior to closing.

3. The Company will be required to contribute a minimum of \$20,000,000 in the form of equity contributed after the Company's written acceptance of ESD's offer. Equity is defined as cash injected into the project by the Company or by investors, and should be auditable through Company financial statements or Company accounts, if so requested by ESD. Equity cannot be borrowed money secured by the assets in the project. Equity cannot be subject to any agreements providing for the refund or repayment of some or all of the Equity to parties other than the Company prior to August 2020.
4. Up to \$30,000,000 will be disbursed to the Company on a closing date to be determined only after Company: a) has secured the release of the lease for the Armory from the New York City Economic Development Corporation; b) demonstrates that it has spent \$10,000,000 in equity, including at least \$5,760,000 in Founder's cash equity, on direct capital expenditures, as evidenced to ESD by Company and approved by ESD, in its sole discretion; and c) secures the Guarantee from Kresge, which shall be unconditionally payable to ESD within fifteen (15) days after the Loan maturity date if and to the extent that the Loan has not been repaid by such date. The Guarantee shall be unencumbered and not subject to any calls by Kresge (including if Kresge withdraws from the project). The Guarantee shall only terminate and be of no further force and effect upon the repayment in full of the Loan.

Expenses reimbursed with Loan proceeds must be incurred on or after the term sheet acceptance date to be considered eligible project costs. Disbursement of the Loan must be requested by April 1, 2016.

5. ESD may reallocate the Project funds to another form of assistance, at an amount no greater than \$30,000,000, for the Project if ESD determines that the reallocation of the assistance would better serve the needs of the Company and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
6. Rate/Term: 7% interest rate over twenty four months. Rate increased by 1% per month on all overdue amounts subject to a cap of 12% per annum. Loan becomes immediately due and payable if Company sells or closes the Project Location.
7. Repayment Term: Quarterly interest-only payments beginning after disbursement of the Loan, with outstanding principal due in full in the 24th month.
8. Financial Disclosure: Updated financial disclosure on Company and all guarantors acceptable to ESD must be provided prior to closing. Company shall demonstrate no materially adverse changes in its financial condition prior to closing.
9. The Loan is senior to all other indebtedness, without exception.

10. Lien/Collateral: First priority lien on all tangible and intangible assets, including the lease for the facility, intellectual property, and operating cash flow. Pledge of Company's interest in the receipt of proceeds from any and all EB-5 funds, historic tax credits, and New Markets Tax Credits. Kresge will provide a guarantee for \$10,000,000.
11. Due Diligence: All applicable reviews including but not limited to Appraisals, legal and finance review and engineering and environmental reviews acceptable to ESD, in ESD's sole discretion, must be provided prior to closing, if applicable.
12. The Loan may be prepaid at Company's option, in whole or in part, at par at any time.
13. Construction Monitor: Company will pay for ESD to hire a consultant, selected at ESD's sole discretion, to monitor construction and approve in advance all expenditures referenced in ESD Investment. ESD will make a reasonable attempt to utilize the same consultant as being used for the EB-5 and other processes.
14. EB-5: Escrow agent to be approved by ESD (such approval not to be unreasonably withheld, delayed or conditioned). Company will provide monthly updates on the progress of its EB-5 application and fundraising. Any reference to the State of New York or any entity thereof, including ESD, in connection with marketing, promotion, or otherwise, shall be subject to ESD's prior approval, which may be given or withheld at ESD's sole discretion.
15. Public Approvals: The Loan is subject to all required public approvals ("Public Approvals"), which are a condition to the making of the Loan. ESD shall have no liability if such Public Approvals are not obtained.
16. Financing Commitment and Proof of Professional Ability: Company must demonstrate sufficient financial resources and professional ability to develop and operate the Site in a manner consistent with the Company's proposal(s) to ESD. Company will submit to ESD annual audited financial statements and quarterly internal financial statements certified by an officer of the Company for the term of the Loan.
17. Environmental Compliance: As necessary, Company shall remediate the Site in accordance with all Federal, state and local requirements. Company shall be responsible for ensuring that any remediated soils remain segregated from any contaminated soils upon completion of remediation work.
18. Construction Guaranties: Company shall provide security satisfaction to ESD for timely completion of construction, which security will include a guaranty by the contractor for the due, punctual and faithful performance of its obligations, duties, covenants and responsibilities to the project in the form of a Guaranteed Maximum Price consistent with industry standards.

19. **Brokerage Commissions:** Company is solely responsible for any brokerage commissions. ESD represents that it has not engaged or dealt with any broker in connection with the Site.
20. **Indemnification:** The Loan agreement shall include one or more indemnification provisions under which, among other things, Company shall forever defend, indemnify and hold harmless ESD and its officials, directors, members, principals, servants, officers, employees, agents and representatives (the "ESD Indemnitees") from and against any and all obligations, costs, losses, liabilities, claims, demands, penalties, damages, and expenses, including, but not limited to, attorney's fees, incurred by any of them and arising in any way from the Loan, the Site, any default of the Company, and/or the Project, together with legal costs incurred by ESD in connection with the failure of the Company to perform its indemnification obligations.
21. **Assignment:** Company shall not assign the Loan in whole or in part. Company shall not sublease the Premises in whole or in part without ESD's prior written consent, which may be granted or denied at ESD's discretion.
22. **Insurance:** Company shall have and maintain insurance in full force and effect and at all times with respect to the Site in such amounts, duration and covering such risks as ESD may require from time to time. Such insurance shall include ESD as an additional insured on all liability policies on a primary and non-contributory basis. ESD shall be named as a loss payee on all property policies and shall be named as an insured on all builders' risk/installation policies. All policies shall be satisfactory to ESD, include full waiver of subrogation in favor of ESD, and shall be provided by companies satisfactory to ESD.
23. **Maintenance of Site:** During the term of the Loan, Company shall assume full responsibility for the condition, operation, repair, alteration, improvement, replacement, maintenance and management of the Site and shall maintain the same in good order and condition.
24. **Right of Inspection:** ESD shall have the right to enter Site at all reasonable times and upon reasonable notice to, among other things, inspect the Site.
25. **Sustainability:** Company is committed to incorporating sustainable construction practices and building to the highest level of LEED certification as is possible, including: High efficiency building systems/glazing, energy recovery systems, low flow water fixtures, green roof/street level landscaping to mitigate heat island/rainwater discharge. Climate change resilience, including: all MEP systems above Base Flood Elevation, pervious street level paving, dual backup generators for life safety/IT resilience. Social sustainability, including: mission-based equality and partnership, health/wellness support, catalyst of societal transformation to a caring and balanced world.

26. Job Development: The Company will use good faith efforts to create 400 new jobs at the Site. The Company has committed to ensure that at least 51% of the hiring is done from the local community.

IV. Statutory Basis – Transformative Investment Program

The funding was authorized in the 2015-2016 New York State budget. No residential relocation is required as there are no families or individuals residing on the site.

V. Design and Construction

KNIC Properties LP is in the process of redeveloping 750,000 square feet Kingsbridge Armory ("Armory") into the Kingsbridge National Ice Center consisting of approximately 795,000 square feet. The projected total construction cost is \$233,585,126. ESD's construction loan of up to \$30,000,000 is to be used for a portion of capital cost of Phase I renovation of the Armory.

Design and Construction (D&C) staff will review construction documents, payment requests in compliance with D&C Requirements. D&C staff, at sole discretion, will visit the project's site to inspect construction progress.

VI. Environmental Review

ESD (the "Corporation"), pursuant to the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), ratifies and makes the following findings based on the Final Environmental Impact Statement ("FEIS") certified as complete on October 25, 2013 by the New York City Office of the Deputy Mayor for Economic Development, as lead agency, in connection with the proposed Kingsbridge Armory National Ice Center (the "proposed action").

SEQRA requires the adoption of written findings, supported by a statement of relevant facts and conclusions considered, prior to agency decisions on actions that have been the subject of an FEIS. The Findings Statement, attached as Exhibit A, contains the facts and conclusions in the Draft Environmental Impact Statement ("DEIS") and FEIS relied upon to support the Corporation's decision on the action that is the subject of the requested authorization.

The findings that the Corporation hereby ratify and make are that:

- The Corporation has given consideration to the DEIS and FEIS;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the proposed action is one that avoids or minimizes significant adverse environmental effects to the maximum extent practicable, including the effects disclosed in the relevant environmental impact statement;

- Consistent with social, economic and other essential considerations to the maximum extent practicable, any significant adverse environmental effects revealed in the environmental impact statement process as a result of the proposed action will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable;
- The proposed action is in compliance with Section 14.09 of the State Historic Preservation Act.

Therefore it is recommended that the Corporation ratify and adopt the SEQRA Findings Statement attached as Exhibit A.

VII. Non-Discrimination and Contractor & Supplier Diversity

ESD's Non-discrimination & Contractor and Supplier Diversity policy will apply to the Project. The Company shall be required to solicit and utilize New York State certified Minority-owned and Women-owned Business Enterprises ("MWBE") for any contractual opportunities generated in connection with this Project and to use Good Faith Efforts (pursuant to 5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 40%. The overall MWBE participation goals shall consist of a Minority-owned Business Enterprise ("MBE") Participation goal of 20% and a Women-owned Business Enterprise ("WBE") Participation goal of 20% related to the total value of ESD's funding. MBE utilization may not be applied to meet the goal for WBE participation, or the reverse.

VIII. ESD Employment Enforcement Policy

ESD's Employment Enforcement Policy will not apply since the project will not directly create or retain jobs.

IX. ESD Financial Assistance Subject to Availability of Funds and Additional Approval

The provision of ESD financial assistance is contingent upon the availability of funds and the approval of the State Division of the Budget.

X. Additional Submissions to Directors

- Resolutions
- New York State Map
- Benefit-Cost Analysis
- Exhibit A – SEQRA Involved Agency Findings Statement
- Project Renderings

December 17, 2015

Bronx (New York City Region – Bronx County) – Kingsbridge Armory Capital – Transformative Investment Program (Capital Loan) – Findings and Determinations Pursuant to Section 10 (g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Loan and to Take Related Actions

RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Kingsbridge Armory Capital – Transformative Investment Program (Capital Loan) Project (the “Project”), the Corporation hereby determines pursuant to Section 10 (g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or his designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or his designee(s) be, and each of them hereby is, authorized to make to KNIC Properties LP a loan for a total amount not to exceed Thirty Million Dollars (\$30,000,000) from the Transformative Investment Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer or his designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or his designee(s) be, subsequent to the making of the loan and grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the loan or grant or collateral securing the loan as he or she may deem necessary or appropriate in the administration of the loan and grant; and be it further

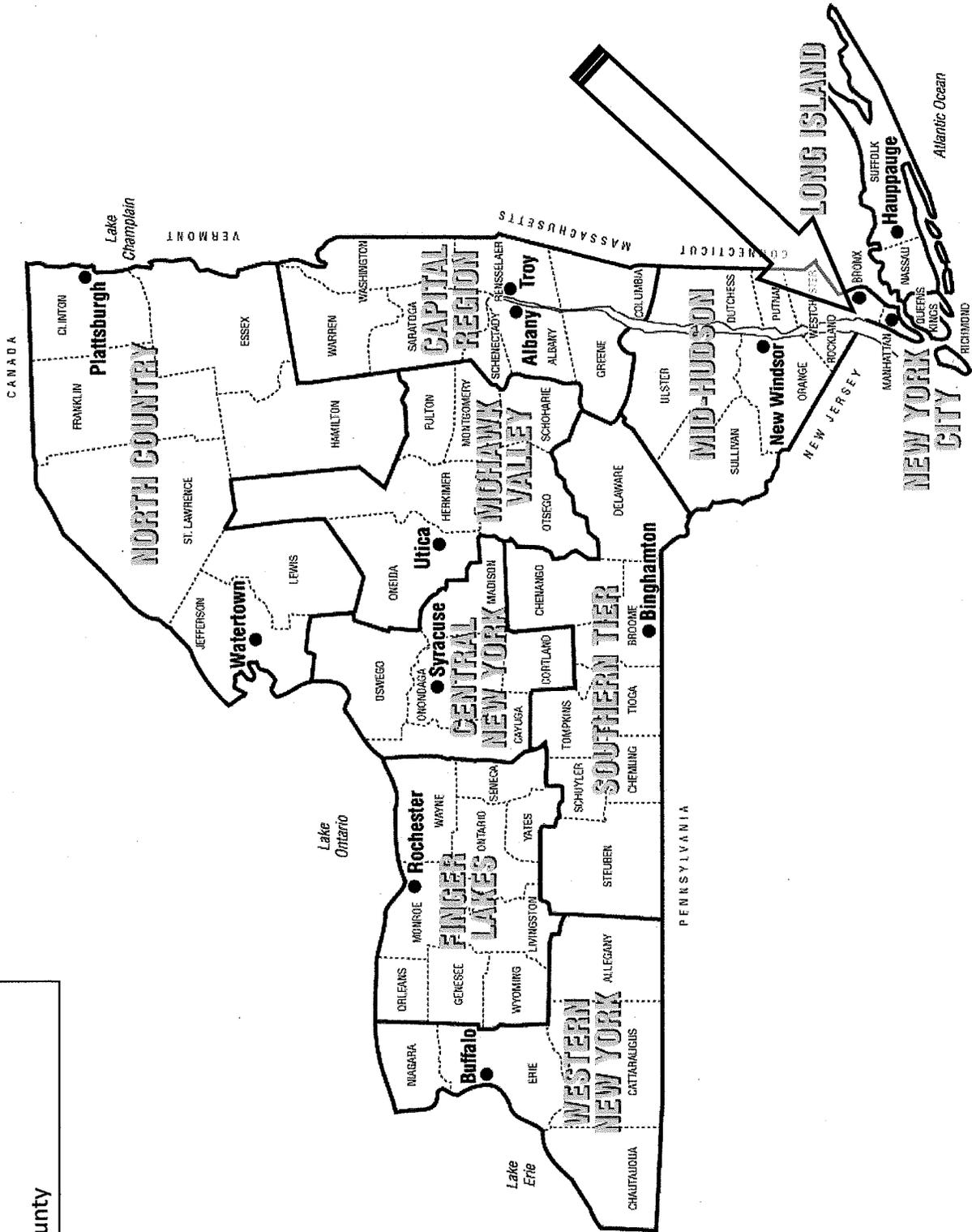
RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver

any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

* * *

Kingsbridge Armory Capital
Bronx
Bronx County



**Project Summary
Benefit-Cost Evaluation¹**

**Economic Growth Project
KNIC Properties LP (Kingsbridge Armory)**

The benefits reported in the table reflect only the impact of construction-related activity. Unlike typical ESD projects, infrastructure and economic growth investment projects may involve no permanent job commitments. Such projects generate long term benefits not captured in the period of analysis. This is reflected in the benefit cost estimates as compared to benchmarks developed for infrastructure and economic growth investment projects.

Construction Job Years (Direct): 1,341
Construction Job Years (Indirect): 696

Evaluation Statistics	Project Result NYS Govt.	NYS Govt. Benchmarks for ESD Projects ²	Project Results State & Local Governments	State & Local Government Benchmarks for ESD Projects
Fiscal Costs ³	\$30,000,000	\$794,250	\$30,000,000	\$1,020,500
Fiscal Benefits ⁴	\$32,809,953	\$2,085,600	\$46,895,200	\$4,271,980
Fiscal B/C Ratio	1.09	3.00	1.56	10.60
	Project Results	Benchmarks for ESD Projects		
Economic Benefits ⁵	\$187,344,699	\$119,468,000		
Economic B/C Ratio	6.24	30.00		

¹ Dollar values are present value calculated over a 7-year period. Separate evaluations are made and reported for New York State government assistance alone and for State and Local government.

² The current project evaluation results (both fiscal and economic) are compared to performance measure benchmarks based on results of a sample of ESD non-retail projects.

³ Fiscal cost includes the value of grants, loans and associated default risks, and discretionary subsidies (such as tax exemptions or abatements on sales, property, and interest income).

⁴ Fiscal benefits are the loan repayments and tax revenues to New York State and local governments generated by project activity. This includes estimated taxes on personal incomes from project direct and indirect construction employment, corporate and business incomes, excise and user taxes, property taxes, and other taxes.

⁵ Economic benefits are estimated project benefits measuring loan repayments and all tax revenues generated by the project and collected by state and local governments.

EXHIBIT A
STATE ENVIRONMENTAL QUALITY REVIEW
INVOLVED AGENCY FINDINGS STATEMENT

Pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act [SEQRA]) and 6 NYCRR Part 617, the New York State Urban Development Corporation (UDC) d/b/a Empire State Development (ESD), as an involved agency under SEQRA, makes the following findings based on the Final Environmental Impact Statement (FEIS) issued on October 25, 2013

Name of Action: Kingsbridge Armory National Ice Center Project

SEQRA Classification: Type I

Lead Agency: New York City Office of the Deputy Mayor for Economic Development

LOCATION AND DESCRIPTION OF THE PROPOSED PROJECT

The proposed project would be located in the Kingsbridge Heights neighborhood of the Bronx on Block 3247, Lot 10 and a portion of Lot 2. The project site occupies most of the block bounded by West 195th Street, Reservoir Avenue, West Kingsbridge Road, and Jerome Avenue. The site is largely occupied by the Armory building, which is substantially vacant, apart from the storage of graffiti removal trucks by the Mayor's Office's "Graffiti Free NYC" program. In addition to the Armory building, the project site includes small, landscaped areas to the south and west of the Armory building. The Armory is a New York City Landmark (NYCL) and is listed on the New York State and National Registers of Historic Places (S/NR). The proposed project would redevelop the Armory with approximately 795,000 gsf of new development, including 9 ice rinks; approximately 64,000 gsf of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,000 gsf of related food and beverage, concession, and retail space; and approximately 50,000 gsf of community facility space, which is assumed to include fitness and recreation facilities, multipurpose rooms, child care, business incubator space, and meeting rooms for local community use. The proposed ice rinks are intended for use by neighborhood students and residents, high school and college leagues, open skating times, instructional training, adult professional (minor league) and non-professional hockey games, figure and speed skating, and other ice events. The central, main rink would have a capacity of approximately 5,000 seats; the other rinks would have limited, temporary bleacher seating (approximately 100 seat-capacity per rink). Approximately 457 accessory parking spaces would be provided in the Armory's basement and cellar levels.

PROCEDURAL HISTORY

The Office of the Deputy Mayor for Economic Development (ODMED) issued its Notice of Intent to serve as lead agency on April 19, 2013 and assumed lead agency status and issued an Environmental Assessment Statement (EAS) on April 23, 2013. Based on information contained in the EAS, ODMED determined that the proposed project could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration and Notice of Intent to Prepare an Environmental Impact Statement (EIS) on April 23, 2013, along with a draft Scope of Work for the EIS. A public scoping meeting was held for the proposed project on May 23, 2013 at the Bronx Library Center, 310 East Kingsbridge Road, Bronx, New York. Written comments were accepted through June 3, 2013, and a final Scope of Work was issued on July 15, 2013. The Draft Environmental Impact Statement (DEIS) was then prepared in accordance with the final Scope of Work. On July 17, 2013, ODMED accepted the DEIS and issued a Notice of Completion. The DEIS accompanied the proposed project's Uniform Land Use Review Procedure (ULURP) applications through the ULURP process. In conjunction with the public hearing on the proposed project's ULURP applications, a public hearing on the DEIS was held on October 9, 2013. Comments on the DEIS were accepted through October 21, 2013. On October 25, 2013, ODMED issued the Notice of Completion for the Final Environmental Impact Statement (FEIS) for the proposed project. The FEIS incorporates revisions to the DEIS that were made subsequent to the issuance of the DEIS. The revisions reflect the approval of a Binding Report for the proposed project at the LPC hearing on September 24, 2013; refinement of mitigation measures; the results of noise level measurements conducted inside the Armory building; and a summary of and responses to public comments. On January 13, 2014, an errata was issued to make available an appendix that was previously omitted from the FEIS.

ESD's action for the project is the approval of a construction loan to be used for a portion of the capital cost of Phase I renovation. The proposed actions also included the following to facilitate the Kingsbridge Armory National Ice Center project:

- Disposition of City-owned property to a private developer, which requires approval through ULURP pursuant to New York City Charter Section 197-c and separate Mayor and Borough Board approval pursuant to City Charter Section 384(b)(4);
- A zoning text amendment to Section 74-41 of the New York City Zoning Resolution (ZR), to create a new subsection 74-41(b), which would allow by special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district in Bronx Community Board 7, and to allow modifications of certain signage and loading berth requirements;
- A zoning map amendment to rezone the project block from R6 to C4-4;
- A special permit pursuant to proposed subsection 74-41(b) of the ZR to permit (a) an arena with a maximum capacity of 6,000 seats at the development site and (b) the modification of signage and loading berth requirements for the proposed project;
- A special permit pursuant to ZR Section 73-36 from the New York City Board of Standards and Appeals (BSA) for the proposed wellness center; and

- An easement from the New York State Division of Military and Naval Affairs, for the planned use of the property between West 195th Street and the north façade of the Armory, for reconfigured and expanded access driveways, as well as for ingress/egress.

As the Armory is listed in the S/NR and the project sponsor is seeking federal historic preservation tax credits for the proposed renovation of the building, the project is expected to comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and will undergo the consultation process with the State Historic Preservation Office in accordance with Section 14.09 of the New York State Historic Preservation Act. In addition, since the Armory is a NYCL and is currently City-owned, LPC has issued a Binding Report regarding the proposed changes to the Armory, pursuant to the New York City Landmarks Law.

FACTS AND CONCLUSIONS IN THE FEIS RELIED UPON TO SUPPORT THE DECISION

The FEIS analyzed the proposed project in detail and concluded that the proposed project would not result in significant adverse impacts in the following areas during operation of the project: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste; energy; air quality; greenhouse gas emissions; public health; construction; or neighborhood character. As discussed below, areas where potential significant impacts were identified include traffic, pedestrians, and noise.

POTENTIAL SIGNIFICANT ADVERSE IMPACTS

Several potential significant adverse environmental impacts were identified in the FEIS, if the project were undertaken without mitigation. Certain measures have been identified that will either mitigate or partially mitigate these impacts. This section discusses those measures and describes their effectiveness in minimizing or avoiding the impacts they would address.

TRAFFIC

The proposed project would result in significant adverse traffic impacts at six intersections in the weekday midday (MD) peak hour, twelve in the weekday PM peak hour, nine in the Saturday MD peak hour, and twelve in the Saturday PM peak hour. With mitigation measures in place, the majority of the significant adverse traffic impacts could be fully mitigated. The majority of the mitigation measures proposed include standard traffic capacity improvements, such as signal phasing and timing changes, lane restriping, and parking prohibitions. In cases where standard traffic mitigation measures alone would not be sufficient to improve traffic or pedestrian operating conditions, non-standard traffic capacity improvements would be undertaken as part of an overall Traffic Management Plan (TMP) that would be in-effect during the pre- and post-peak event conditions (e.g., when the site generated traffic is diverted to Lehman College and/or creates vehicular and pedestrian congestions). The measures to be enforced as part of the peak event TMP—such as the deployment of TEAs, and the deployment

of temporary lane delineators—have been discussed with the New York Police Department (NYPD). Based on the discussions, NYPD has agreed to provide necessary assistance in implementing the TMP during these events. The applicant will coordinate with NYPD (as needed) to ensure the enforcement of TMP measures during the peak event conditions. The applicant will be responsible for costs associated with the deployment of TEAs by the NYPD for regulating traffic and pedestrian flows. The specifics of the TMP will be refined over time based on actual operation conditions once the facility has opened. However, even with the peak event TMP in place, some significant adverse traffic impacts would not be fully mitigated.

In order to verify the need and effectiveness of the mitigation measures identified above, the applicant would develop and conduct a detailed traffic monitoring plan once the proposed project is fully operational. The applicant would inform DOT of the status of the plan's development and will submit for DOT's review and approval a detailed scope of work that would include critical locations where significant traffic impacts have been identified. Data collection to be conducted for the monitoring plan would include nine days of 24-hour Automatic Traffic Recorder (ATR) machine counts, along with one typical day of manual turning movement counts, vehicle classification counts, pedestrian counts (two days needed), intersection geometry and field information, signal timing and signal progression and any relevant information necessary for conducting the traffic monitoring plan. The traffic monitoring program would also include field observations of intersection operations and queue lengths, intersection capacity, and level of service analyses using the Highway Capacity Software (HCS) and Synchro/SimTraffic to determine whether actual future Build conditions have, in fact, resulted in significant traffic and pedestrian impacts and verify the need for mitigation measures identified in the FEIS or similar measures identified through the traffic monitoring plan. In addition, the TMP will include recommendations to improve intersection operations, if necessary. The applicant would be responsible for any cost associated with the monitoring effort warranted due to project-generated traffic.

PEDESTRIANS

Weekday and Saturday midday and PM peak period pedestrian conditions were evaluated at key sidewalk, corner reservoir, and crosswalk elements at four area intersections in the vicinity of the project site. With the proposed project, potential significant adverse pedestrian impacts are anticipated for seven pedestrian analysis locations at three intersections:

Goulden Avenue and West 197th Street

- The west sidewalk north of West 197th Street during the weekday PM, Saturday midday, and Saturday PM peak periods;
- The north crosswalk during the weekday PM, Saturday midday, and Saturday PM peak periods; and
- The south crosswalk during the weekday PM, Saturday midday, and Saturday PM peak periods.

Reservoir Avenue and West 195th Street

- The south sidewalk east of Reservoir Avenue during the weekday PM, Saturday midday, and Saturday PM peak periods; and
- The east crosswalk during the Saturday midday and Saturday PM peak periods.

Jerome Avenue and West Kingsbridge Road

- The north sidewalk west of Jerome Avenue during the Saturday PM peak period; and
- The north crosswalk during the weekday PM, Saturday midday, and Saturday PM peak periods.

Subject to approvals from relevant agencies, including DOT, the following measures have been defined to mitigate these significant adverse pedestrian (sidewalk and crosswalk) impacts: deploying TEAs at key locations; restriping the width of certain crosswalks; and shifting crosswalk walk time. In two locations, the removal of portable street furniture or other sidewalk obstructions could not fully mitigate projected significant adverse sidewalk impacts. Therefore, the potential significant adverse sidewalk impacts at these two locations would be unmitigated.

Although significant adverse pedestrian impacts have not been identified on the east sidewalk of Goulden Avenue south of West 197th Street, pedestrian conditions at this sidewalk would be revisited once the facility is operational. At that time, a survey of patrons attending major events would be conducted as part of the Traffic Monitoring Plan discussed above. Based on the monitoring plan results, if necessary, additional pedestrian improvement measures would be considered at this location in coordination with DOT.

NOISE

The FEIS concluded that the proposed project could result in a significant adverse noise impact at residences along the west side of Reservoir Avenue between West 195th Street and West Kingsbridge Road. Existing and No Build noise levels at this location are relatively low, and project-generated traffic would cause significant increases in noise levels on this street. Noise level increases would occur only during limited hours of the day, not during the nighttime periods; at all other times, noise levels along this roadway would be expected to be similar to conditions predicted in the future without the proposed project.

Since significant noise level increases are expected to occur during only limited times of day and only in the hour before and after high attendance events at the Armory, a post-construction noise monitoring program would be enacted to determine whether the proposed project would result in a significant increase in noise levels. The applicant would prepare a monitoring protocol for review and approval by DEP, would perform post-construction noise monitoring as approved by DEP, and would submit the results for DEP consideration. If, based on the post-construction noise monitoring program, the predicted increase in noise levels materializes, measures to mitigate the significant adverse noise impact would be made available. To partially mitigate project impacts for residential uses, any impacted locations that do not have double-glazed windows and a form of alternative ventilation (i.e., air conditioning) would be updated accordingly at no cost for purchase and installation to owners of the residences. At locations

where owners elect not to take advantage of these mitigation measures, the noise level increases resulting from the proposed project would constitute unmitigated significant adverse impacts.

ALTERNATIVES ANALYZED IN THE FEIS

The FEIS examined two alternatives to the proposed project: a No Action Alternative and a No Unmitigated Significant Impacts Alternative.

NO ACTION ALTERNATIVE

The No Action Alternative assumes that the proposed project would not be implemented (i.e., none of the discretionary approvals proposed as part of the proposed project would be adopted), and that the Armory structure would continue in its substantially vacant condition.

The significant adverse impacts anticipated for the proposed project—in the areas of traffic, pedestrians, and noise—would not occur with the No Action Alternative. However, under this alternative, the Kingsbridge Armory could deteriorate and its condition could worsen. The Armory would not be cleaned, repaired, or renovated for productive use in this alternative, and the appearance and condition of the building as an architectural resource would not be improved. The No Action Alternative would not create new employment, learning, and recreational opportunities for local residents, nor would it support the economic revitalization goals of the proposed project. Overall, the No Action Alternative would fail to meet the goals and objectives of the proposed project.

NO UNMITIGATED SIGNIFICANT IMPACTS ALTERNATIVE

The No Unmitigated Significant Impacts Alternative explores modifications to the project that would avoid the unmitigated significant impacts related to traffic, pedestrians, and noise.

The proposed project would result in significant adverse traffic impacts at eight intersections within the study area which cannot be fully mitigated with standard traffic capacity improvement measures in at least one peak hour. Because of the constrained operating conditions at these intersections, even a moderate increase in traffic would result in unmitigated impacts. Thus, almost any substantial redevelopment of the project site could result in unmitigated traffic impacts. No reasonable alternative could be developed to avoid such impacts without substantially compromising the goals of the proposed project.

The proposed project would result in significant adverse pedestrian impacts on two sidewalks and one crosswalk near the project site during event conditions that cannot be fully mitigated. A sensitivity analysis determined that to fully mitigate these pedestrian impacts, events at the proposed project would need to be limited to approximately 3,500 attendees. However, hosting high attendance events at the site is a key component of the project goal of returning

the large, substantially vacant Armory building to productive use. Therefore, this alternative would be less successful than the proposed project at supporting this goal of the project.

The proposed project would result in a significant adverse noise impact at residences along the west side of Reservoir Avenue between West 195th Street and West Kingsbridge Road. Mitigation measures that would partially mitigate this impact would be made available to the affected receptors, if determined necessary based on a DEP-approved post-construction monitoring program. This unmitigated significant adverse noise impact could be mitigated by eliminating events at the site, restricting vehicular access to the site during events, or moving the project's primary vehicle access off of Reservoir Avenue. Each of these options is discussed below:

- Eliminating high attendance events at the project site would substantially reduce vehicular traffic, and thus noise levels, before and after events. However, hosting high attendance events at the site is a key component of the project goal of returning the large, substantially vacant Armory building to productive use. The hosting of events also would contribute to the project goal of economic revitalization in the form of visitor spending. Therefore, eliminating high attendance events under the proposed project would not be consistent with project goals and objectives.
- Restricting vehicular access to the project site during high attendance events would eliminate the mobile source noise impact. However, this type of operational restriction would not be feasible due to the need to keep Reservoir Avenue open for public traffic and the need to provide access to the site and parking garage during events for other activities that may be occurring at the Armory concurrently with the high attendance event.
- As currently proposed, most vehicular access to the site would occur via the proposed access drive off of Reservoir Avenue (with alternate access from West 195th Street). Shifting vehicle access from Reservoir Avenue to another street frontage would not be feasible for a variety of reasons. Using West 195th Street as the primary vehicle access point would not be expected to reduce noise levels along Reservoir Avenue, as most vehicles would continue to travel up Reservoir Avenue to reach West 195th Street. West Kingsbridge Road could not be utilized as the primary vehicle access point because it is unlikely that new garage entrances could be created on this façade without affecting its historic character. Lastly, Jerome Avenue, which operates with one travel lane in each direction between the columns that support the subway viaduct overhead, would be unsuitable for the primary garage entrance. This corridor would not be able to accommodate project-generated traffic during events, nor would the street be able to accommodate passenger drop-offs. In addition, the use of Jerome Avenue for the primary vehicle entrance would require the elimination of program space within the structure to accommodate a ramp down to the garage level.

Therefore, there is no reasonable alternative that could avoid the significant adverse noise impact related to mobile source noise without substantially compromising the goals of the proposed project.

GROWTH-INDUCING ASPECTS OF THE PROJECT

The proposed project would convert the large, substantially vacant Armory building into productive use and create new employment, learning, and recreational opportunities for local residents. The proposed project would introduce a variety of uses, including ice rinks and related program space; related food and beverage, concession, and retail space; community facility space; and accessory parking. While the new uses proposed for the existing Kingsbridge Armory building would contribute to growth in the local Bronx, City, and State economies, they would not be expected to induce notable growth outside of the project site. As described in the FEIS, it is unlikely that the proposed project would alter land use patterns in surrounding neighborhoods. Overall, the ability of the proposed project to alter land use and economic patterns or induce substantial growth in the study area would be minimal.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

There are a number of resources, both natural and built, that would be expended in the construction and operation of the proposed project. These resources include the building materials used in construction of the proposed project; energy in the form of gas and electricity consumed during construction and operation of the proposed project; and the human effort (time and labor) required to develop, construct, and operate various components of the proposed project. They are considered irretrievably committed because their reuse for some purpose other than the proposed project would be highly unlikely. The proposed project constitutes a commitment of the existing Kingsbridge Armory as a built resource, thereby rendering its use for other purposes infeasible. However, the conversion of the large, substantially vacant Armory into productive use and the creation of new employment, learning, and recreational opportunities for local residents would be an improvement to the Kingsbridge Heights neighborhood of the Bronx.

CONCLUSION

Overall, the Kingsbridge Armory National Ice Center will have many significant economic, environmental, civic, and social benefits. The proposed project would support the economic revitalization of the Kingsbridge Heights neighborhood of the Bronx by converting the large, substantially vacant Armory building into productive use. The project will result in new employment, learning, and recreational opportunities for local residents, and will create economic and fiscal benefits to the City in the form of economic revitalization, increased employment opportunities, and tax revenue. Furthermore, by creating the largest indoor skating facilities in the world, the project also would provide a new unique destination in the Bronx.

As discussed above, the Project would result in several significant adverse impacts that cannot be mitigated. However, the benefits of the Kingsbridge Armory National Ice Center project outweigh the adverse environmental impacts, many of which can be mitigated by the measures identified in the FEIS and summarized in this Findings Statement.

Neither the No Action Alternative nor the No Unmitigated Significant Impacts Alternative would accomplish the project's goals and objectives. On balance, after considering the benefits and impacts of the project disclosed in the FEIS, ESD concludes that the social, economic, and environmental benefits provide a rationale to proceed with the Kingsbridge Armory National Ice Center project notwithstanding its environmental impacts.

CERTIFICATION OF FINDINGS

Having considered the Draft and Final Environmental Impact Statements, including the comments received on the DEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, ESD finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the New York State Department of Environmental Conservation, 6 NYCRR Part 617, have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action will minimize or avoid, to the maximum extent practicable, the significant adverse environmental effects including the effects disclosed in the FEIS and set forth in this Findings Statement;
3. Consistent with the social, economic and other essential considerations described above, the significant adverse environmental impacts associated with the development of the Project which were identified in the FEIS and in this Findings Statement will be avoided or minimized to the maximum extent practicable by incorporating as conditions the mitigation measures described in the FEIS and in this Findings Statement; and
4. The Project is in compliance with Section 14.09 of the State Historic Preservation Act.

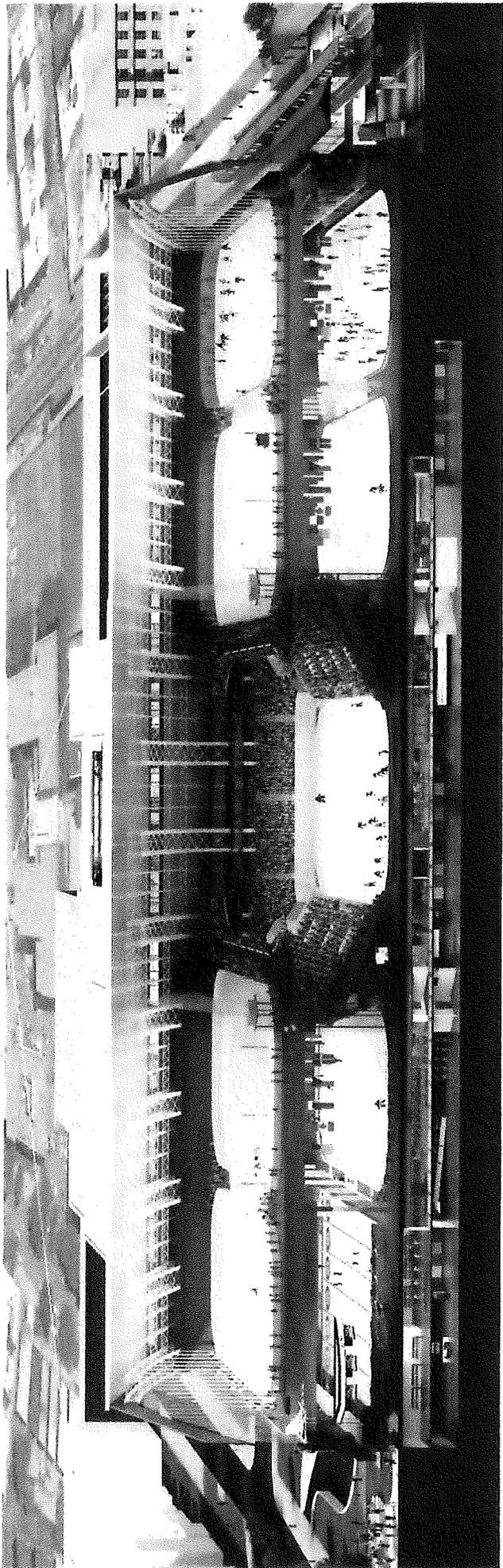
Agency: NYS Urban Development Corporation
d/b/a Empire State Development

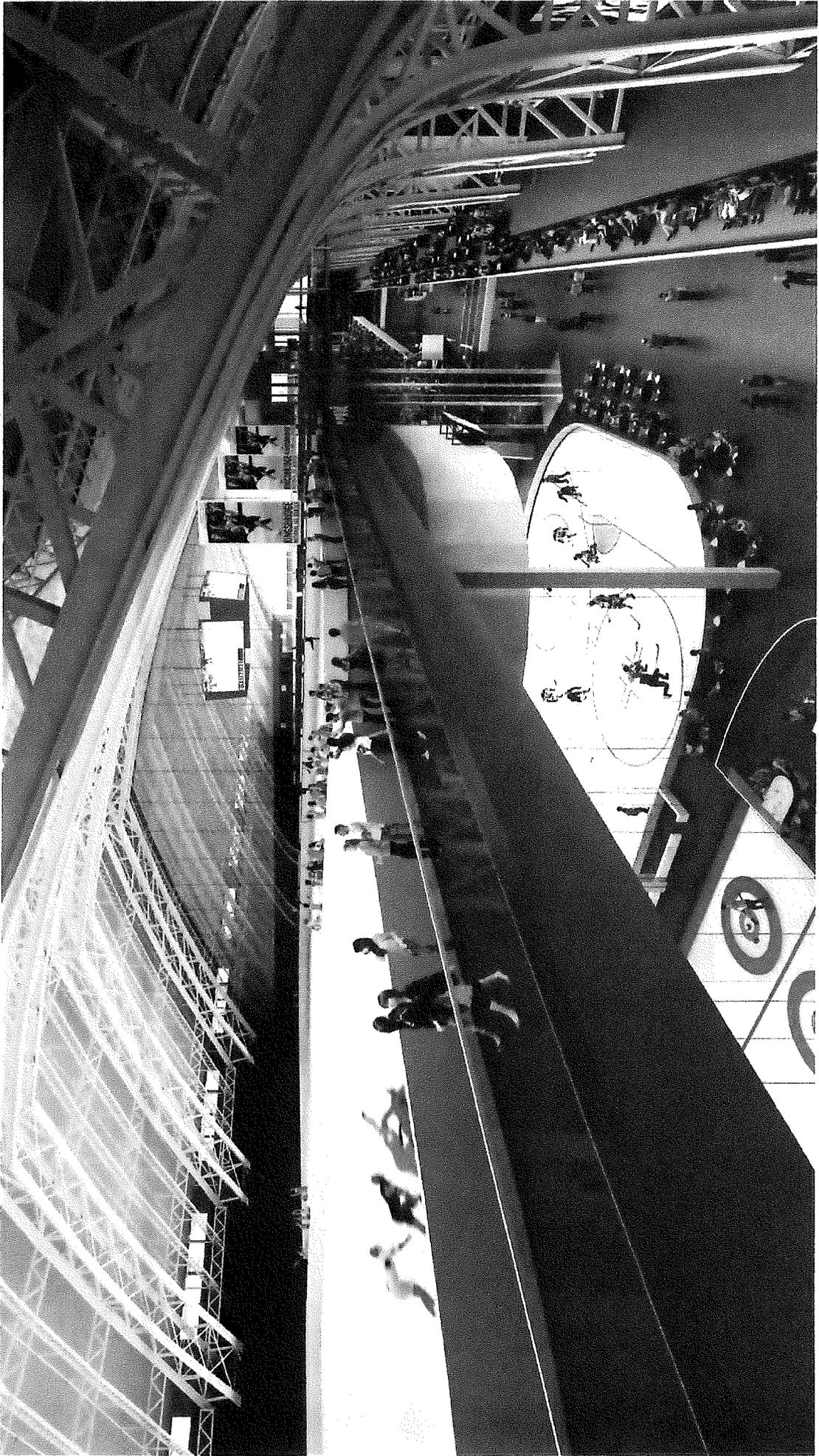
Signature of Responsible Officer: _____

Name/Title of Responsible Officer: Rachel Shatz, Vice president, Planning & Environmental Review

Date: September 17, 2015







**Kingsbridge Armory
Project – 1/14/16
Public Hearing
Transcript**

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION
D/B/A EMPIRE STATE DEVELOPMENT CORPORATION

-----X

PUBLIC HEARING

RE: KINGSBRIDGE ARMORY CAPITAL PROJECT

-----X

Bronx Library Center
310 East Kingsbridge Road
Bronx, New York 10458

January 14, 2016
3:00 p.m.

B E F O R E:

MICHAEL C. FORTH, ESQ.
THE HEARING OFFICER

1 A P P E A R A N C E S :

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P R O C E E D I N G S

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2 THE HEARING OFFICER: My name is Michael
3 Forth, F-O-R-T-H. I'm the public hearing
4 officer designated for this project. Here
5 is the sign-in sheet if anybody wants to
6 sign in for the record.

7 The way this proceeding takes place
8 is, I'm going to go through an opening
9 statement, I'm going to show you a couple of
10 exhibits. And then, if everybody wants to
11 speak in a very orderly fashion, give
12 everybody an opportunity to say what their
13 piece is. It's not an interactive, ask
14 everybody questions. This is for public
15 comment, okay? So here is the sign-in
16 sheet, and I'm going to read the statement.

17 Good afternoon, ladies and gentlemen.
18 My name is Michael Forth, and I'm an
19 attorney duly admitted to practice law in
20 the State of New York. I have been asked by
21 the New York State Urban Development
22 Corporation, doing business as Empire State
23 Development, ESD, to conduct today's public
24 hearing, pursuant to Section 16 of the New
25 York State Urban Development Corporation

1
2 Act. This hearing is being held pursuant to
3 a Public Notice published in accordance with
4 the UDC Act in the January 1st, 2016 edition
5 of the New York Post.

6 The purpose of this hearing is to
7 afford the general public an opportunity to
8 make statements and comments about ESD's
9 general project plan for the proposed
10 Kingsbridge Armory Capital Project. The
11 hearing will remain open for a period of not
12 less than one hour or until all members of
13 the public who are present at the hearing
14 have been given an opportunity to make
15 statements or comments on the proposed
16 project.

17 This is not a question and answer
18 session. A stenographic transcript of this
19 hearing is being made. Comments presented
20 at this hearing will be taken into
21 consideration by ESD as part of the final
22 approval of the proposed project -- excuse
23 me one second.

24 Now, first, Ms. Simone Bethune will
25 present information about the project on

1
2 behalf of ESD. Then, I will recognize
3 anyone else who wishes to make a comment
4 about the project. If you wish to speak at
5 today's hearing, please sign or register.
6 Copies of ESD's general project plan for the
7 proposed project are available for your
8 information and convenience.

9 Now, let me just stress this next
10 part, because I see we have a lot of people
11 here. In order to give everyone an ample
12 opportunity to speak, I request that
13 speakers keep their oral presentations to no
14 more than five minutes. Speakers
15 representing organizations with a
16 substantial number of members are asked to
17 register and identify themselves as such.
18 And depending on the number of speakers
19 wishing to be heard, may be afforded up to
20 ten minutes for their presentation.

21 In order to ensure an accurate
22 transcript, and to enable all assembled to
23 hear your remarks, I ask each speaker when
24 called, to come to the front of the room,
25 please state your name and address. If you

1
2 are appearing as a representative of an
3 organization or a governmental entity,
4 please identify the organization or entity,
5 and please state its address.

6 Finally, I want to remind you that
7 the purpose of this hearing is to afford you
8 an opportunity to make comments about the
9 ESD general project plan for the proposed
10 project. Again, this is not a question and
11 answer session.

12 Now, I'd like to take care of some
13 administrative matters by asking the
14 stenographer to mark the following documents
15 as exhibits to the hearing transcript.

16 Exhibit Number 1 is the Public
17 Notice that appeared in the New York Post on
18 January 1st, 2016, which I'm showing to the
19 audience (indicating).

20 (Whereupon, Public Notice was marked
21 as Exhibit Number 1, for identification, as
22 of this date.)

23 THE HEARING OFFICER: Exhibit
24 Number 2 is the affidavit of publication of
25 the Public Notice that appeared in the New

1
2 York Post on January 1st, 2016. Showing it
3 to the audience (indicating).

4 (Whereupon, affidavit of publication
5 of the Public Notice was marked as Exhibit
6 Number 2, for identification, as of this
7 date.)

8 THE HEARING OFFICER: And Exhibit
9 Number 3 is a document entitled: "Empire
10 State Development Kingsbridge Armory Capital
11 Project General Project Plan," dated
12 December 17th, 2015. Showing Exhibit 3 to
13 the audience (indicating).

14 (Whereupon, Empire State Development
15 Kingsbridge Armory Capital Project General
16 Project Plan was marked as Exhibit 3, for
17 identification, as of this date.)

18 THE HEARING OFFICER: Now, I would
19 like to ask Ms. Bethune to come forward and
20 give her presentation.

21 MS. BETHUNE: Thank you. Good
22 afternoon. My name is Simone Bethune, a
23 project manager at ESD, and I'm here today
24 to present a brief summary of the project.
25 The project involves Phase 1 construction

1
2 and renovation of the Kingsbridge Armory at
3 29 Kingsbridge Road. Total project cost is
4 expected to be approximately \$348,000,000.
5 The ESD proposed to make a \$30,000,000 loan
6 to KNIC Properties LP to assist in the
7 financing of the project.. The remainder of
8 the project cost will be contributed by EB
9 financing, preferred equity, New York Market
10 Tax Credits, and existing cash.

11 The project is expected to create
12 400 permanent jobs, of which KNIC has
13 committed to ensure that at least 51 percent
14 of the hiring is done from the local
15 community.

16 Thank you.

17 THE HEARING OFFICER: Okay. At this
18 point in the proceedings, I'd like to ask
19 does anyone wish to make a statement on the
20 record?

21 (Raised hands.)

22 THE HEARING OFFICER: Would you
23 come forward, sir, and please state your
24 name. Are you representing yourself or an
25 organization?

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MR. WILLIAMS: I'm representing myself as a member of --

THE HEARING OFFICER: Please speak to her so she can get down everything that you're saying.

MR. WILLIAMS: Ulysses Williams, U-L-Y-S-S-E-S, Williams.

Need my address or anything?

THE HEARING OFFICER: Yes.

MR. WILLIAMS: 2559 Sedgwick Avenue, Bronx, New York 10468, Apartment 4A. Phone number is (718) 679-6488.

It says here that 51 percent of the construction workers will be from Bronx, the community, which is the Bronx. This construction is going to go nonunion.

I find it really emphatically impossible to find 663 nonunion scaled workers that's just laying around their house waiting for a job. It's not going to happen. This job -- this construction should go union. That's it.

THE HEARING OFFICER: Okay. Thank you, sir.

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Does anyone else wish to speak?

(Raised hand.)

THE HEARING OFFICER: Yes, ma'am.

MS. THOMPSON: Yes.

THE HEARING OFFICER: Yes, please.
Have you signed in already?

MS. THOMPSON: Yes, I did.

THE HEARING OFFICER: Okay. Would
you please tell us your name and address,
and if you represent an organization.

MS. THOMPSON: My name is Elizabeth
Thompson. I represent myself first, and I
represent Kingsbridge Heights Neighborhood
Improvement.

We've been in the area for about 40
something years, and I, as a resident in the
area, are going to be upset in a lot of
things. I know we need to have something in
that empty space. That empty space been
there for so many years. We need the
community space. That's what the community
is wondering what's going to be done with
that. We feel that we might be put out of
that spot, and they're going to decide to do

1
2 with it what they want to do with it. And
3 we, the community, is opposed to that.

4 So we want to know more information.
5 What's happening in that community space,
6 and are we going to be invited to help do
7 certain things in that community space? The
8 traffic, our school, we have a lot of input
9 that we want to sit down and talk to
10 everybody about that. Don't just come in
11 our area do certain things, and don't get
12 the community input on that.

13 My address 2757 Claflin,
14 C-L-A-F-L-I-N, Avenue, 4J. My cell is (917)
15 443-1952, or call (718) 618-7550, that's
16 Kingsbridge Heights Association. Thank you.

17 THE HEARING OFFICER: Just so that
18 we have an accurate transcript, because I
19 can see there's a lot of passion in the
20 room, just do me a favor just try to speak
21 as much as you can to the stenographer
22 because we really want to get your comments
23 on the record, that's what this hearing is
24 about. Having said that, does anybody else
25 wish to -- yes, sir. Do you want to come

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forward? And have you signed in?

MR. RODRIGUEZ: No, I haven't. I actually walked in a little while ago.

THE HEARING OFFICER: Okay. Do you mind?

MR. RODRIGUEZ: Not at all.

So I'll start. My name is Santos Rodriguez. I am representing the New York City Buildings and Construction Trades Council of Greater New York.

THE HEARING OFFICER: Sir, we're not rushing anybody. Why don't you take your time, sign in, and then why don't you stand here so she can hear you clearly.

MR. RODRIGUEZ: Santos Rodriguez, I'm with the New York City Buildings Trades representing 15 union and union affiliates of the New York City Building Trades, our construction trades.

So our concern is how the project is going to be built at the end of the day, and how much the community does have input in what's going on as far as local hire goes, right.

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2 I know there's an organization here
3 representing community and have a great CBA
4 in place. Kara is in the room. So that's a
5 very important issue for us, because like
6 the young man said before, he's from the
7 Bronx. He's from here. What guarantees
8 does he have that he's going to be able to
9 work in his backyard? Not only him, but
10 maybe even new hires for sure with the
11 collective programs that we have in place to
12 help the community go right into an
13 apprenticeship program, and the
14 apprenticeship in each individual affiliate.

15 You have a skill level that needs to
16 be unkind any other, and we provide that to
17 the community. We provide that pathway to a
18 career opportunity; Not just a job where
19 someone is going to be working today and not
20 working tomorrow, but being able to work in
21 the communities today, and work in someone
22 else's community again tomorrow with the
23 construction work that's going on; not only
24 in Kingsbridge, right with Kingsbridge
25 Armory, but across the New York City borough

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lines, let's say.

And with that, just want to voice that concern that we have to have that in our forefront and our foresight to think about how that project is going to be done; built with skill labor or not built with skill labor? Thank you.

THE HEARING OFFICER: Okay. Thank you, sir.

Okay. Do you want to go next?

MR. BRAUN: Hello. My name is Ivan Braun. I live at 292 West 234th Street, Bronx, New York 10463.

I'm here representing both the Community Advisory Council, which was a body created by the Community Benefits Agreement. I'm appointed to that council by the Northwest Bronx Community Clergy Coalition. I'm also on the -- a member of the signatory body that was created by the CA -- or by the Community Benefits Agreement, and I'm representing New Day Church on that council.

We're here today to say, I mean, this hearing is at the wrong time of the

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2 day, in the wrong place, in a tiny room. So
3 clearly, they were expecting no one to come.
4 And the fact that there is no one here
5 representing the developer is indeed a
6 disappointment.

7 (Applause.)

8 MR. BRAUN: That a hearing needs to
9 be a two-way street. Obviously I'm here
10 speaking to the stenographer, which is nice,
11 but we want dialogue. And part of the
12 Community Benefits Agreement clearly stated
13 that there would be a dialogue between the
14 community and the developer so that from the
15 very beginning, through the completion of
16 construction through operation of the
17 facility, the facility would benefit not
18 just the developer, but it would also
19 benefit the community, and the people who
20 currently live in the community, and without
21 that dialogue, obviously that can't happen.

22 So the fact that there is -- as far
23 as I can tell -- no one here from the
24 developer is very disappointing. What we
25 would clearly like to say is that we can --

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2 we look forward to the project going forward
3 and this loan may be apart of that, but only
4 if and in conjunction with the complete and
5 full implementation of the Community
6 Benefits Agreement, and that Community
7 Benefits Agreement allows for local hiring,
8 allows for local use of the ice center once
9 it's built, allows for the creation of a
10 50,000 square foot community space which
11 will be designed in conjunction with the
12 community to use that space to meet
13 community needs. All of that needs to
14 happen. All of that requires dialogue back
15 and forth.

16 At this point, we don't really know
17 when the construction is going to happen.
18 We read about it in the New York Post, but
19 we don't hear about it directly. We have at
20 this point no real knowledge of when
21 construction might start. Even though the
22 Community Benefits Agreement requires that a
23 local hiring plan be filed with the
24 Community Advisory Council six months before
25 construction is going to start, we know

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nothing about that at this point.

So although the loan is one thing, other parts of this project are indeed a disappointment at this point, and we would request, and put it on the record, that within the next month we certainly anticipate, and actually demand that the developer hold a true public hearing --

(Applause.)

MR. BRAUN: -- in the evening at some time that people can come and express the full range of opinions about the project, and to hear back and forth and have dialogue about how to make the project actually work for this community. Otherwise, it's unwelcome in this community if it doesn't help this community.

(Audience applauds.)

THE HEARING OFFICER: Who wants to speak next? You're here you look like you're ready to go. Your name, address, and if you represent anybody or just yourself?

MR. O'CONNELL: My name is Terrence O'Connell. My family has lived in the

1
2 borough of the Bronx for three generations.
3 I'm an operating engineer, Local 15. I
4 represent, I speak for myself, but I believe
5 I speak for labor of all of New York, your
6 organized union labor for New York City.

7 I will tell you this: At that
8 facility, where my father was 19 years of
9 age, he went to World War II after Pearl
10 Harbor was bombed. I have a lot of
11 relationships and feelings towards that
12 building. And I will tell you one thing: I
13 cannot believe that there's public money,
14 and public commitment, and going to seek
15 more public funds, and to think that the
16 developers and people behind this are
17 considering doing anything nonunion in the
18 City of New York.

19 (Audience applauds.)

20 MR. O'CONNELL: And that goes for
21 all five boroughs. And I just find it
22 deplorable that people can take our earned
23 tax dollars, and expend them behind our
24 backs against union labor.

25 Thank you very much.

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2 THE HEARING OFFICER: You sir, and
3 then you, sir.

4 MR. PEREZ: Aldo Perez, New York
5 Political Coalition, Inc.

6 The reason I'm here is because
7 within -- we have two council members that
8 are running that area; you have Councilman
9 Ritchie Torres and Fernando Cabrera.

10 I'm within District 33, Senate 15
11 Council, and 78 Assembly. Within that
12 compound, you have 3,000 union employees,
13 okay, 3,000.

14 Right now, I don't see no one really
15 representing any elected official. I guess
16 everybody here votes also. And I guess no
17 one here actually from Community Board 7,
18 but just one. You have Adeline Walker who
19 is actually a chair of the Community Board
20 7, and she's not here. And she's also a
21 member, also on the board of the Kingsbridge
22 Armory. Why isn't she here? Because they
23 didn't care really what's going to happen to
24 our community.

25 These people are going to gentrify

1
2 our community. That's all they're going to
3 do. They're going to raise the prices,
4 they're going to bring this down. And whose
5 really going to play hockey here? Not in my
6 neighborhood. Not in my district when I'm
7 finding kids who I'm trying to stop them
8 from joining gangs, and get them a better
9 education.

10 I do propose -- they said they're
11 going to build a school, great. They said
12 they're going to build a community center,
13 great. But my kids play basketball and
14 baseball, and the majority of the people now
15 play soccer, because you have an influx
16 population of Mexicans in the community;
17 Jamaican, African. Why not have an indoor
18 soccer field? Hockey? Who are you going to
19 get? Scarsdale? No disrespect, I love
20 hockey, but the truth of the matter is, it
21 doesn't identify with our neighborhood, or
22 the people in our neighborhood, or that want
23 to still reside in our neighborhood. And
24 I'm asking for everyone's support to
25 actually come and I'm asking this committee,

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2 and to be noted, that this meeting does have
3 to come with the voice of the people. It
4 doesn't have to come at 3:00 in the
5 afternoon when the parents are picking up
6 the kids from school when they would really
7 like to be here to voice their opinion.

8 Thank you.

9 THE HEARING OFFICER: Thank you,
10 sir.

11 MR. FRANCISCO: Name is Alexis
12 Francisco, and I live at 3572 Dekalb Ave.
13 And I'm here representing the Northwest
14 Bronx Community and Clergy Coalition, and
15 Kara.

16 And I just want to echo what Ivan
17 said, that I think that the time -- that the
18 fact that this hearing is on a Thursday in
19 the middle of the week at 3:00 is completely
20 inappropriate. And if the State actually
21 wanted people to come be apart of this, and
22 actually have a say, you know, participate
23 in this process of where our taxpayer money
24 is going, then it will actually be at a time
25 when in a working class neighborhood like

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2 Kingsbridge, people can actually be present
3 to engage in this process.

4 And I want to just say that, you
5 know, this community has been organizing for
6 a redevelopment of that armory that had been
7 sitting there abandoned by the City and the
8 State for over 20 years, and we are -- you
9 know, that building sitting there empty was
10 not serving anybody. And we are proud that
11 we fought for and won the strongest
12 Community Benefits Agreement that's ever
13 been seen in this city, and likely around
14 the country.

15 A Community Benefits Agreement that
16 calls for local hiring within a half mile of
17 the armory that creates a 500,000 square
18 foot community space; all the things that
19 have already been named in this room, that
20 provides access to Title 1 schools, that
21 actually creates a space where, you know,
22 yeah, our young people may not be ice
23 skating all the time now, but given an
24 opportunity, and given access, it may
25 actually be a space that they may actually

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2 enjoy. And we're proud and standing with
3 that, and we're in support of getting this
4 loan if it actually means that this
5 Community Benefits Agreement is going to be
6 fully implemented.

7 However, we do demand that the state
8 push KNIC, being that they're getting this
9 State money, to have a public hearing, a
10 truly accessible public hearing within a
11 month of this hearing today where the
12 community can go and engage with them and
13 share what it is that we want to see in this
14 space.

15 One of the biggest problems that
16 we're seeing in the Bronx right now is
17 development causing displacement and
18 gentrification in communities. And right
19 now, we're already seeing landlords around
20 the armory seeing this as an opportunity to
21 raise people's rents, and to harass them out
22 of their apartments so that they can take
23 the apartments back and rent them to more
24 affluent people that they want to bring into
25 the neighborhood. And we need the State to

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2 put in more money into stopping that to
3 create new laws that protect tenants, both
4 commercial tenants and residential tenants
5 because people deserve to have truly
6 affordable housing with dignity --

7 (Audience applauds.)

8 MR. FRANCISCO: -- without having to
9 be afraid that their landlord is going to
10 cut the heat or come and knock on their door
11 and harass them. And people deserve to have
12 -- to stay in the community where they live,
13 where their families live, where they raised
14 their kids. And we shouldn't have to worry
15 that because development is coming into our
16 communities that we're not going to be able
17 to stay here no more.

18 So if this armory is actually going
19 to bring benefits to the community, it has
20 to be to the community that already lives
21 here, not a community that people are seeing
22 that they want to bring into the
23 neighborhood.

24 So we need the State to put the
25 money behind the organizing that's happening

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2 that is building tenants associations around
3 the building -- I mean around the
4 neighborhood that is helping to create new
5 laws to protect tenants and commercial
6 residents and commercial tenants. And we
7 need KNIC. We need the State to push KNIC
8 to actually make good on all the promises
9 that are in the Community Benefits Agreement
10 and then some. This project has to bring
11 benefits to the community of Kingsbridge,
12 the people that already live here.

13 THE HEARING OFFICER: Excuse me,
14 sir, is this your literature?

15 MR. FRANCISCO: That's me.

16 THE HEARING OFFICER: Do you want me
17 to enter this as part of --

18 MR. FRANCISCO: Yes.

19 THE HEARING OFFICER: Okay.

20 MR. FRANCISCO: If anybody didn't
21 get this, this is some information about
22 Kara and it has a lot of information about
23 the Community Benefits Agreement on the back
24 of it (indicating).

25 If you don't have one, raise your

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hand. I'll be happy to bring one for you.

All right. Thank you for that.

THE HEARING OFFICER: Exhibit 4 is officially going to be marked, K-A-R-A, one page, two sided document. Starts out by saying: "Community deserves development without displacement. Get involved." This will be marked as Exhibit Number 4.

(Whereupon, document was marked as Exhibit 4, for identification, as of this date.)

THE HEARING OFFICER: Okay. Who wishes to speak next? You look like you're ready. Did you sign in, sir?

MR. RODRIGUEZ: (Indicating.)

THE HEARING OFFICER: Okay. Thanks.

MR. RODRIGUEZ: (Speaking in Spanish.)

(Audience responds in Spanish.)

MS. MERCEDES: I'll be your unofficial translator.

THE HEARING OFFICER: There's a way I have to do this. And if that's one of your concerns, if you have to make that

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2 known, but I have to have somebody in
3 English tell her this so that we have an
4 accurate transcript.

5 AUDIENCE MEMBER: Where is the
6 translator then?

7 THE HEARING OFFICER: I'm not here
8 to argue with you. I don't have a
9 translator. I'm trying to make sure I get
10 as much comments as possible. If that's one
11 of your concerns, then we can note the
12 record for that.

13 AUDIENCE MEMBER: Yeah, put that on
14 the record.

15 THE HEARING OFFICER: I know what to
16 put on the record, but what I'm trying to do
17 here is make sure that we have this orderly,
18 and I have to do this in a sort of fashion.

19 I don't have a translator. If I
20 did, fine, but I can't have somebody who is
21 not recognized as an official translator.
22 So can you work with me? I mean, if you
23 want to speak, sir, but unfortunately, I
24 can't have your comments --

25 MR. RODRIGUEZ: (Speaking in

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Spanish.)

MS. MERCEDES: I think this isn't a public hearing the way you guys are talking about, because if he can't speak, then what are we even talking about? What are the interests of the developers, and all the people that are trying to develop here then? Like a Spanish speaking person, I can't even communicate for --

THE HEARING OFFICER: Excuse me, sir, let me speak for the record. Let me try to come up with something that is acceptable to everybody.

(Whereupon, a discussion was held off the record.)

MR. RODRIGUEZ: (Speaking in Spanish.)

MS. MERCEDES: His name is Antonio Rodriguez.

MS. BEMUNE: Could you just give your name, and let her know your name.

MS. MERCEDES: My name is Hilary Mercedes.

THE HEARING OFFICER: Ma'am, can I

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just ask you, have you signed in?

MS. MERCEDES: Mm-hmm.

THE HEARING OFFICER: Can you just put on one of these sheets, because I want to make sure that I have this here. Just put your name, or whatever your information is, and that you did the translation for this gentleman. And then, we'll have this set up so we know what happened here today.

One of the things that we're trying to make sure is that we have the transcript accurate. So when somebody is speaking, can everybody kind of keep it down, because she's hearing you, she's hearing the person speaking. I want to make sure whoever is speaking, we have it down pat, okay?

Okay. You're ready?

MR. RODRIGUEZ: (Indicating.)

(Speaking Spanish.)

MS. MERCEDES: Antonio Rodriguez, part of People Power Movement Kingsbridge Collective.

MR. RODRIGUEZ: (Speaking Spanish.)

AUDIENCE MEMBER: Translation.

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2 THE HEARING OFFICER: Can I have the
3 translation?

4 MS. MERCEDES: What he's trying to
5 say is that he's denouncing this meeting,
6 because you know, basically, people that
7 would like to voice their concerns are
8 unable to, and this is extremely unjust.

9 MR. RODRIGUEZ: (Speaking Spanish.)

10 MS. MERCEDES: The truth of the
11 matter is he can't speak, because he, you
12 know, there is no translator available so we
13 have to have an impromptu translator. The
14 developers and the State did not provide a
15 translator.

16 MR. RODRIGUEZ: (Speaking Spanish.)

17 MS. MERCEDES: Therefore, he's here
18 to denounce a lot of certain things that are
19 occurring.

20 MR. RODRIGUEZ: (Speaking Spanish.)

21 MS. MERCEDES: Not just the panel,
22 but obviously what's going on in
23 Kingsbridge, and the unjust development
24 that's occurring in Kingsbridge.

25 MR. RODRIGUEZ: (Speaking Spanish.)

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2 MS. MERCEDES: We as People Power
3 Movement have a program for the tenants for
4 housing that he's about to read.

5 MR. RODRIGUEZ: (Speaking Spanish.)

6 MS. MERCEDES: If we put this in
7 practice, if we get together, this is
8 pragmatic, and this can be put into
9 practice.

10 THE HEARING OFFICER: Excuse me, can
11 I ask a question? Is it your intention to
12 read this whole document, sir?

13 MR. RODRIGUEZ: (Speaking Spanish.)

14 THE HEARING OFFICER: We have a
15 whole bunch of other people. What I'd like
16 to do is, Number 1, would you like that
17 document to be part of the transcript?

18 MR. RODRIGUEZ: (Speaking Spanish.)

19 MS. MERCEDES: No.

20 THE HEARING OFFICER: Well, I can't
21 have you reading the whole thing, because we
22 have a whole lot of people trying to speak.
23 I'm trying to work with you.

24 Can you please paraphrase that?

25 MR. RODRIGUEZ: (Speaking Spanish.)

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MS. MERCEDES: Since he needs translation, he needs more time.

THE HEARING OFFICER: Okay. So why don't have everybody else who wants to speak, and since yours seems to have the lengthiest one, we can take the document and annex it as part of the record --

MS. MERCEDES: You also have previously stated that if we are apart of -- if a certain amount of people that are apart of a group, that we would have an extension of time. So that in addition to the fact that we have no translation provided means that it would be just for us to have more time to speak.

THE HEARING OFFICER: The only thing I'm trying to do is to make sure that everyone in this room who wants to speak can speak. So it seems to me it would be a little bit meritorious if we have people who are not going to speak ten minutes and over speak. And then, anybody who needs up to the ten minutes, then they're speaking. Nobody is not trying to cut anybody off.

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2 AUDIENCE MEMBER: Let him speak
3 now. He's standing there. Let him
4 continue.

5 THE HEARING OFFICER: Is that what
6 everybody wants?

7 (Audience responding.)

8 MR. RODRIGUEZ: (Speaking
9 Spanish.)

10 MS. MERCEDES: We want Popular
11 Control of all housing, buildings and land.
12 Institute a massive program of high quality,
13 truly affordable public housing quality for
14 all under tenant management. We also demand
15 the immediate construction of new public
16 housing in all boroughs.

17 MR. RODRIGUEZ: (Speaking Spanish.)

18 MS. MERCEDES: We want the immediate
19 roll back of all rents and the immediate
20 abolition of all non-rent fees. We demand
21 that all apartments and small businesses be
22 rent stabilized. We want the immediate
23 repair of all housing issues. We also
24 demand the full right to receive housing
25 improvements at no additional costs. No

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more rent increases.

MR. RODRIGUEZ: (Speaking Spanish.)

MS. MERCEDES: We want the automatic renewal of all leases now, with appropriate language translations for all. We want the right to demand a minimum of ten-year leases for all tenants and small businesses. No more evictions or pressured buyouts.

MR. RODRIGUEZ: (Speaking Spanish.)

MS. MERCEDES: We demand an end to landlord harassment. No more threats to, or discrimination of undocumented immigrants. Arrest any landlord who racially, sexually, or economically discriminates against any tenant or worker. No more landlord subsidies or bailouts.

MR. RODRIGUEZ: (Speaking Spanish.)

MS. MERCEDES: We want guaranteed housing for elderly and disabled people. We demand that all vacant and new units be first prioritized to the homeless.

MR. RODRIGUEZ: (Speaking Spanish.)

MS. MERCEDES: Under Popular Control, we also want the New York City Rent

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2 Guidelines Board and all Community Boards
3 popularly democratically elected. We want
4 these community boards to also hold official
5 self-determining authority to make decisions
6 in their districts.

7 MR. RODRIGUEZ: (Speaking Spanish.)

8 MS. MERCEDES: We want the full
9 right to sue landlords and organize rent
10 strikes without penalties to tenants. We
11 also demand quality, truly affordable legal
12 service for all tenants. Under Power
13 Control, we also want the New York City
14 Housing Court to be popularly, locally
15 elected. No more court fees.

16 MR. RODRIGUEZ: (Speaking Spanish.)

17 MS. MERCEDES: We want a real living
18 wage at least \$20 an hour, a union, health
19 benefits, and local hiring for all current
20 and new workers in housing and maintenance.
21 Immediately create twice as many new
22 permanent housing jobs.

23 MR. RODRIGUEZ: (Speaking Spanish.)

24 MS. MERCEDES: We want an immediate
25 end to all police harassment, abuse, or

1
2 excessive force in and around all housing.
3 No unsolicited police patrol shall take
4 place without the oversight and majority
5 consent of tenants. End police brutality
6 now.

7 MR. RODRIGUEZ: (Speaking Spanish.)

8 MS. MERCEDES: End gentrification
9 now. No more corporate, luxury, or
10 market-rate housing development in our
11 communities. We want Popular Control of
12 housing now.

13 MR. RODRIGUEZ: (Speaking Spanish.)

14 MS. MERCEDES: From 3 to 4 p.m.
15 there is nobody from the community that is
16 going to be here. Look at the space. We're
17 in a basement. There is no cell service to
18 even tell people in the community that this
19 meeting is happening. There is no
20 translation from the State. There is not
21 even representatives from the Community
22 Boards, from the developers. There is
23 nobody here. This is like a kangaroo court.
24 All power to the people.

25 THE HEARING OFFICER: Excuse me,

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2 everyone. Based upon what's been happening
3 here, I'm just going to ask for a ten-minute
4 adjournment to see if I can deal with some
5 of your concerns.

6 I'll be right back.

7 (Whereupon, a recess was taken at
8 this time.)

9 THE HEARING OFFICER: Okay. We're
10 going to start again.

11 Ma'am, could you please state your
12 name and address.

13 MS. GOGGINS: My name is Myra
14 Goggins. I live at 2199 Cruger Avenue,
15 C-R-U-G-E-R, in the Bronx, 10462. I am here
16 representing myself. I am a native Bronx
17 Heights. And Mr. O'Connell mentioned three
18 generations; we have four generations in the
19 Bronx. And actually, you mentioned good
20 feelings towards the armory. My first son
21 was a cadet, and he used to do his drilling,
22 and they used to have award ceremonies on
23 the beautiful wooden floor of the armory.
24 And that's what I remember about the armory.

25 This is the way it should be used

1
2 again for the youth of the Bronx, and the
3 old people of the Bronx.

4 (Audience participation.)

5 MR. GOGGINS: I want to say thank
6 you to the Norwood News for publicizing this
7 meeting, because people -- that's the only
8 way people got to know about it, because I
9 don't know who reads The Post.

10 (Audience participation.)

11 MR. GOGGINS: I don't know who reads
12 it on January 1st, New Years Day.

13 (Audience participation.)

14 MR. GOGGINS: Thank you very much.
15 We're here today, and I hope you're getting
16 the picture that the people want to be
17 involved. And when Ms. Bethune gave her
18 report, they said -- I think she said that
19 she was the project manager or something. I
20 expected a report, not just the one page
21 that I read in the Norwood News.

22 And as it has been pointed out,
23 where is the developer? Where are the plans
24 that we're supposed to see ahead of time?
25 Where is the input? Where is the

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translator? Where is everything.

I just suggest to the E -- Empire State Development, ESD, that they get a full copy of the CBA and acquaint themselves with it, and make sure that they're implemented.

And I thank you. I don't want to take your time.

(Audience applauds.)

MR. RAMOS: Good afternoon. My name Edgar Ramos. I live at 2784 Morris Avenue, Bronx, New York 10468. Basically live right around the corner of Kingsbridge Armory.

I am a Kara member. I'm a local three electrician.

(Audience applauds.)

MR. RAMOS: I've been a resident in the community for over 35 years. I was in that armory since the 80s when I was part of Washington Greys Cadets. So I've seen that building from top to bottom down to the ground level all the way down as far as anyone could go. So there is history in that building with me.

I don't understand why the KNIC has

1
2 no representatives here, and it's kind of
3 scary because they have a lot of commitments
4 to the community that it doesn't look like
5 they want to be apart of.

6 We want to make sure they have local
7 hire there's many people that live in the
8 area that would love to work in the area,
9 and there's people that don't have jobs that
10 need jobs.

11 (Audience applauds.)

12 MR. RAMOS: We're trying to put
13 something together within the unions. In
14 order to get in the union is a process. So
15 if it's something that's going to happen,
16 it's got to be done with time in order to
17 get people properly prepared, and those that
18 need to get in have what they need in order
19 to start working. Not give them a
20 two-hour-a-day job sweeping up or by
21 fragment, but to actually have careers where
22 they can get real jobs with real futures
23 where when the Kingsbridge Armory finishes,
24 they go to a next job, they don't just go
25 home.

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(Audience applauds.)

MR. RAMOS: But in order to do that, we need communication which it doesn't look like we're getting from Kingsbridge at all. As being a community member, we knew nothing about this until the last minute. We didn't know anything about the trip to Albany until the last minute, until actually it was already over if it wasn't for Mr. Cruz's people.

Thank you very much for Norwood News for giving us the proper information.

(Audience applauds.)

MR. RAMOS: But you have to keep our ear to the ground because obviously they're trying to do things without proper notification to everyone. But in order for them to make the commitments that they made with the community agreement, they need to give us a word and let us know what is going on, because we want to work with them, we want to work for them, but it's not going to happen if they keep doing things in back office deals. Thank you.

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(Audience applauds.)

MR. GODFRIED: Hi. My name is Robert Godfried. I live at 3451 Giles Place, Bronx, off the Sedgwick Avenue. I am a third generation Kingsbridge Heights resident, second generation union member.

I taught at several Bronx high schools, four Bronx high schools that are all closed now. Almost every Bronx high school has been closed with the exception of Dewitt Clinton, and they're working on that. Why I'm bringing this up? We're talking about union jobs.

All our schools had vocational and career preparation. The mini schools and charters that had replaced them were politically connected and forced the closing of the schools, with the inclusion of Bloomberg, have no vocational training or technical ed at all. And this is a lost because our students had wonderful opportunities in the technical fields and in the vocational areas.

I taught at Alfred A. Smith, and

1
2 many of my students that I run into who are
3 still having wonderful careers in the
4 various trades as electricians, and
5 plumbers, even HVAC. No one is really
6 discussing this issue.

7 The other part is the Kingsbridge
8 Armory itself. If anyone knows about the
9 history of the armory, it has a long history
10 besides the military use. It was a cultural
11 center where there were art exhibitions,
12 concerts, auto races. I attended a Mexican
13 concert and rodeo there a year and a half
14 ago. I can show you a video clip on my
15 smartphone. Three thousand people and
16 myself enjoyed four Mexican bands and
17 arepeo (phonetic) which is a bull riding
18 rodeo.

19 So there are many cultural events
20 that can happen here. There are other
21 armories in the city that have cultural
22 centers that have flexible spaces. This is
23 the largest armory in North America. To
24 chop it up into tiny little -- relatively
25 tiny little spaces for the most violent

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2 sport in North America, which is ice hockey,
3 and does not serve any of our students is
4 ridiculous.

5 (Audience member speaking.)

6 MR. GODFRIED: I'm sorry?

7 (Audience member speaking.)

8 MR. GODFRIED: Well, the only
9 community institution that signed on to it
10 is Fordham Prep, and they're all suburban
11 knights anyway, and that's what is going to
12 come in. And you've seen it already; the
13 stores have been shuttered, new speculative
14 landlords have bought the surrounding
15 community stores and not giving them long
16 leases asking for inflations, inflation
17 increases.

18 The Community Benefits Agreement is
19 a bribe to the community with really major
20 loss, because we don't need this particular
21 project. And these are slimy characters,
22 and you can do some investigation, see what
23 I'm talking about.

24 I don't want to take too much time,
25 but I really hope it collapses. I hope they

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2 don't get their loans so we can go back and
3 have leaders with vision. We want a
4 community center or flexible exhibition
5 space. And I don't care if it stays empty
6 for another 10, 20 years. I don't want to
7 see it wasted for special interest.

8 Thank you for your time.

9 (Audience applauds.)

10 MR. TEJADA: My name is Damian
11 Tejada. I live in 884 West End Avenue. I'm
12 from the Upper West Side. I recently moved
13 there about a year ago, but I attend and I
14 am a member of Lehman College. And before
15 then, I had gone to high school on Fordham
16 Road at Theodore Roosevelt. So I lived a
17 long time in this community, and I've seen
18 this community go through a lot of changes
19 similarly to everyone here. And I would
20 like to reiterate of what's happening and
21 the falseness of the situation that we're in
22 today, right.

23 The developers aren't even here, and
24 we're here expressing our concerns. Yet
25 where is this going, right? To get written

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2 into something that might not even be put on
3 the paper, right?

4 We're here. And I feel that as a
5 student of Lehman College seeing that this
6 place needs student voices, a voice like
7 myself, because, one, it's put in the middle
8 of January where students are away from
9 school, there's no one on campus now.
10 They're not here to hear about this or
11 attend these events, right. I'm here
12 because like I said I organize in the area.
13 I use to go to high school here so I found
14 this by chance. So as I student, as a
15 community member here that goes to
16 Kingsbridge, I feel that this whole
17 situation right now is getting -- not only
18 getting out of hand, but that we need more
19 presentation from people. And the fact that
20 we need to realize that as people that live
21 here, we're the ones with that manpower. We
22 are the ones that are still dealing with the
23 fact that -- we are still dealing with the
24 issue that this meeting has not been heard
25 from us. We weren't consulted in any way,

1
2 and we weren't consulted now.

3 When you look at the library's
4 website, this really wasn't even put on
5 there. At 3 p.m. there's like a gap. It
6 jumps straight to like a student or like
7 some kind of kid related, like a teen issue.
8 Why is this not being promoted to us? Why
9 are we also being told that this is for us?
10 If this is a public space, then we should
11 know about it. Not only should we know
12 about it but we should be in control of it.
13 The fact that we're all here and the fact
14 that we are here voicing our opinions means
15 that -- and the fact that the developers
16 aren't here means that our word doesn't
17 matter and we need to make our word matter.

18 So I demand and as a member of
19 People Power along with Antonio, I demand
20 that we have a meeting next month or at
21 least some time within next month to have a
22 meeting with developers to own up to what's
23 going on here. Because everyone here has a
24 different opinion of what they want the
25 armory to be, yet we're still fighting over

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2 what's going to be an ice skating rink or
3 not. And going back to it, who still ice
4 skates in this neighborhood? Who wants to
5 do that? Nobody.

6 (Audience participation.)

7 MR. TEJADA: I don't want to add-on
8 to it, like I said. I don't want to waste
9 time here, but I think that the fact that
10 we're seeing such a big turn out in such a
11 small room, and small place, and wrong time
12 I think that it means that this community
13 has a voice, and that we demand more than
14 just whatever is being given to us on this
15 table. And within the next month, I feel
16 that if we come together and listen to some
17 of the voices that are here, we can actually
18 get something done.

19 (Audience applauds.)

20 MS. VIRUCT: Hello everyone. My
21 name Evy Viruct, V-I-R-U-C-T. I'm with
22 Kara, and I've been dealing with the
23 Kingsbridge Armory since 2010.

24 Now, I agree with what most of you
25 do say, however, I got here a little late.

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2 I miss Alexis' and Ivan.

3 One thing about how I feel about the
4 armory 52,000 square feet of space. That is
5 a gold mine, okay. So maybe a lot of people
6 need to think about that, because that space
7 is given to us in the CBA. Secondly, about
8 ice skating: We need change, especially in
9 the Bronx. I know, papi, you can laugh.
10 And the reason that we need change is
11 because this is not our generation. We have
12 two, three year olds out there that want to
13 learn new things. I feel that, yeah, if it
14 does happen, I'm going to be happy; however,
15 as long as gentrification does not take
16 place, and does not take over --

17 AUDIENCE MEMBER: It's going to take
18 place. If you --

19 MS. VIRUCT: Hold on, papa, I didn't
20 finish, all right. Chill, okay.

21 Maybe it does or maybe it will not,
22 but that's why we're here. And the reason
23 why I am upset is because, yeah, developers
24 aren't here, okay. KNIC isn't here. We
25 have to report back to thousands and

1
2 thousands of people. That's probably why
3 none of you heard about this meeting because
4 there is no report back.

5 What we need to do is also work
6 together as a team, okay. Follow what we
7 started, and stop really bashing one another
8 about what we want, what we don't want. We
9 need to figure this out, okay, as a
10 community and as a team.

11 Okay. Thanks.

12 THE HEARING OFFICER: Okay. Thank
13 you.

14 MS. MERCEDES: Hi. I've been up
15 here before. I'm Hillary. I'm born and
16 raised in the Bronx. You don't need to know
17 my address. That's very weird that you guys
18 are asking for that very specific thing in a
19 room full of people.

20 Here's the thing about asking for
21 money and more public fund. So right by the
22 armory is a high school called Walton High
23 School. It's a high school that is one of
24 -- I think it's the only or the first to
25 operate a soap kitchen out of it because

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2 there are kids in the community that are
3 going hungry every single day. They're
4 going hungry. It's an insult. It's an
5 atrocity to have these developers coming
6 into the community asking for a loan for an
7 ice center. Why not allocate those funds to
8 schools to the community? Like this is
9 what's going to happen if we have an ice
10 center: We're going to have an ice center
11 and we're going to have a school full of
12 kids going hungry. They're not going to eat
13 ice. What are they going to do?

14 So that's something that we need to
15 think about. We need to think about schools
16 and the youth in the area.

17 (Audience applauds.)

18 MR. VALENTIN: I'm Ray. I'm part of
19 Bronx --

20 THE HEARING OFFICER: I'm sorry, we
21 need your full name, sir.

22 MR. VALENTIN: Raymundo Valentin.
23 I'm a community organizer here in the Bronx
24 now. Born and raised in Brooklyn. I was
25 raised like right behind where Barclay

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2 Center at so I know the kind of changes that
3 come with these projects of big projects
4 funded by corporate money and state
5 subsidies. I've seen most of my neighbors
6 have to leave the city because they couldn't
7 afford to live in the community any more.

8 And one of the biggest issues that I
9 wanted to highlight, because the
10 organization I'm with, Bronx United
11 Struggle, we have been doing Cop Watchers in
12 the neighborhood, and police brutality is a
13 serious issue, as it was highlighted by the
14 folks over there. And the one thing I can
15 tell you is that with developments like
16 Kingsbridge that are serving the interest of
17 certain, like, rich people, and whose
18 interest is to bring more tourists and more
19 gentrifiers to the community is going to
20 impact the kids the most. It's going to
21 criminalize our kids, our brothers, our
22 sisters.

23 I can tell you in Brooklyn when the
24 Barclay Center thing was going on, there
25 were cops literally harassing kids every day

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2 so that parents could get scared and be
3 like, yo, papi, mommy, we need to go we need
4 to get out of here. The cops are not going
5 to stop messing with you until we're all
6 gone. And that is a way that they kick
7 tenants out, besides like the softer arms of
8 the rents going up. And I can tell you
9 something, like the rent was like -- before
10 people even got this place, the rent was
11 going up like crazy, like just doubling out
12 of no where, like these are working class
13 communities. Kingsbridge is a working class
14 community. I don't really see people being
15 -- I don't really know anybody who could
16 afford to buy like skating shoes to go skate
17 on fucking ice, like, you know what I'm
18 saying?

19 So I just want to say that people be
20 aware when gentrification happens. It's a
21 historical scientific fact. You could look
22 at gentrification all across the U.S. even
23 Turkey, Istanbul that has a history of
24 gentrification that the state violence upon
25 our youth is one of the biggest ways that

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2 they get our families out of the community.
3 So I think that we actually have to come
4 together and fight. Who have different
5 plans different programs, but we need to
6 unite against gentrification.

7 People are saying that the ice rink
8 isn't part of gentrification. That is
9 ridiculous, because I got like if you want
10 to talk about it, ya'll can come up. I'll
11 give you resources. I've been doing
12 research on this shit for years.

13 That's all I got to say.

14 (Audience Applauds.)

15 MR. GARCIA: Good afternoon. I'm
16 Roger Garcia. I'm part of the People Power
17 Movement.

18 And I just want to let the record
19 show that why is it that this thing is
20 taking place from 3 p.m. when nobody from
21 the community is going to be attending.
22 People have jobs. People have schools. So
23 it's really shady for that to happen.

24 And also, I think somebody before me
25 was mentioning the fact that there is about

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2 52,000 square feet of space or something,
3 community space. And while that could be a
4 good thing, it's never a good thing to
5 actually -- for the gentrifiers to actually
6 come into the community, because I'm
7 actually organizing here and we are
8 organizing in a building that is actually
9 raising rent to actually get people out to
10 get more affluent people in. So whenever
11 gentrification occurs that's what happens.
12 People that are actually in the community
13 are being driven out to get more affluent
14 people in. So again, you have to make the
15 connections between the fact that no nobody
16 from the community is actually here, and the
17 fact that they want to drive us out because
18 of it. So yeah, that's basically it.

19 Okay. Thank you.

20 (Audience applauds.)

21 MR. ESPY: Hello everybody. My name
22 is Jay Espy. I am a resident of
23 Kingsbridge. I've lived here my whole life.
24 I live on 187 University Avenue, and I'm
25 part of People Power Movement.

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2 So the day I heard about the armory
3 turning into the ice center, I got really
4 word, right. And so I brought this back to
5 my group and I said let's start organizing
6 around the community around this because I
7 knew what was going to happen. I saw
8 Barclays, I saw Yankee Stadium. So I knew
9 what was going to come.

10 So we started organizing. The week
11 that we started organizing, the second week,
12 in my building, we got what's called a Major
13 Capital Improvement rent increase. The
14 first time that we've ever gotten that in my
15 building. I've asked residents who've been
16 there since the 1970s, and I asked them
17 "have you ever seen this form which is rent
18 in legalese?" And they said, "No, I haven't
19 seen this before." And I said "you know
20 why? Because they're making this ice center
21 here. They're redeveloping the armory." So
22 we made these connections. So we've been
23 organizing in the community since then.
24 We've been talking to people in the
25 community about what's going on in the area.

1
2 Every single day that I go out into
3 Kingsbridge, I see somebody in the street.
4 I see somebody who is hungry. I see
5 somebody who is asking me for money. And
6 especially when I see somebody who is an
7 older woman, a woman, 50, 60, 70 years old
8 begging me for money, it hurts me. I feel
9 it in my heart. I feel the pain of a woman
10 who is 60 years old who has children,
11 probably grandchildren who is asking me for
12 money so she can eat because she doesn't
13 have a place to live in this community. And
14 it hurts me to walk by her and not be able
15 to give her what she wants.

16 So when I see that it hurts me, and
17 when it hurts me I get upset. Why? Because
18 how dare anybody come into this community
19 and act as if we don't exist. And we have
20 that example by what? The translator
21 missing in a community that is two-thirds
22 Latino, Spanish speaking.

23 We had to do outreach. Volunteer
24 outside the library. Why isn't the city
25 doing that? Why isn't the city paying

1
2 people to outreach about today's hearing?
3 Why isn't it on the calendar of the library
4 website? Why? Why is it that nobody ever
5 knew what room it was until today? There
6 was no signs in the library about this
7 meeting. So obviously it's not for us.
8 What are you trying to hide? What is the
9 developer trying to hide by having this
10 meeting at 3 p.m.

11 So today we want to make a statement
12 and to let the developers know and also the
13 state government who is giving a loan, that
14 your money, that is your taxes, everybody in
15 this room is paying a loan to give to the
16 developers. So you got to be as upset as I
17 am because that's your money. Where is the
18 community loan? Where is the community
19 loan? Where is the community loan? You're
20 going to give subsidies to the landlord and
21 where is our subsidies? Where is the tenant
22 subsidy? I have to pay a fee to sue my
23 landlord. Why don't you pay me to go take
24 my landlord to court when he doesn't put my
25 heat on? Why is that? Why is my neighbor

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2 paying \$2,400 for a three bedroom apartment
3 and she got holes in her apartment? Why is
4 she paying \$2,400 for rent in this
5 community, in this community blocks away
6 from what's happening in the armory.

7 So today we got a statement, and we
8 want to make this in for public record. We
9 want the following demands to met.

10 THE HEARING OFFICER: Excuse me,
11 just so you know --

12 MR. ESPY: A real community control
13 public hearing -- excuse me, sir. I'm
14 speaking right now. Excuse me, sir. I'm
15 speaking right now.

16 (Everyone talking at once.)

17 MR. ESPY: Every time somebody wants
18 to read something, you always have to stand
19 up and say something.

20 Demand number one: A real community
21 controlled public hearing before February
22 14th. If you love us, if you love us, you
23 will meet with us before February 14th,
24 Valentine's Day. If you love us, you will
25 meet with us before then at a time that is

1
2 available for all people in the community.
3 Six to nine is the time that you meet in the
4 community, in this community. Six to nine
5 is the time you meet with the community of
6 Kingsbridge with translators available, not
7 only Spanish. I'm pretty sure there is a
8 bunch of people who are not just Spanish
9 speaking in this community. On our terms
10 with our agenda. This is a hearing that we
11 want community controlled agenda. We want
12 to put the agenda together in our community.

13 Number two: We want an immediate
14 rent freeze for all Kingsbridge tenants,
15 that includes businesses, small businesses,
16 and tenants in surrounding communities for
17 no less than the time that it takes to open
18 the ice center. We do not want the rent to
19 go up anymore. We refuse to see our rent go
20 up? Why because we want to appreciate
21 whatever happens in the armory. We do. But
22 we're not going to appreciate it if we can't
23 afford to live here anymore. If I can't
24 afford to pay for the food that I buy at
25 Kings Food on Kingsbridge Road. I asked her

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2 today, I told her "you know there's a
3 hearing happening today in the library?"
4 She said, "No, I didn't know." Well, you
5 didn't know because it's at 3:00 and they
6 didn't announce it publicly, right." And
7 I asked her "what do you want there?" She
8 says -- you know what she says to me? "We
9 want housing there." This is a woman that's
10 from Korea, barely speaks English, and I
11 asked her what you want? Housing,
12 affordable.

13 So we demand that all the new
14 development, all of it in Kingsbridge be a
15 hundred percent affordable housing. There's
16 a space there, right there next to there
17 Morton Williams Supermarket. There's an
18 empty lot there. They're going to make
19 affordable housing, and I read it about in
20 Norwood News. Thank you, Norwood News.

21 AUDIENCE MEMBER: It's not
22 affordable, it's not affordable.

23 MR. ESPY: So we put that on the
24 table right now, we want that development
25 and all new development because we know

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2 Social Security is also going become
3 something. We don't want Whole Foods to
4 come here. We don't want Starbucks to come
5 here. We want every new development in
6 Kingsbridge so I don't got to walk down the
7 stairs of the train and see an old black
8 woman asking me for money to eat. I'm not
9 going to see that again.

10 Number three: I mean -- number
11 four: All ice center construction and
12 maintenance jobs be unionized. I want to
13 reiterate that demand. And that housing we
14 get, be tenant and community controlled. We
15 don't want landlords in there. We want the
16 tenants to manage that. We want management
17 of tenants in these housing projects.
18 Publicly funded with our money, because
19 \$30,000,000 is a good enough money, right,
20 to afford a decent development of public
21 housing in our community.

22 Finally, we want full community
23 control of full development from beginning
24 to end, from beginning to end. We do not
25 want it when it starts, when it opens. We

1
2 want it right now. We want community
3 controlled everything, that includes public
4 hearings, that includes loans that are
5 approved before the hearing. How do you
6 approve a loan before the hearing and then
7 tell us hey, we approved partial of the
8 loan. What do you think about that?

9 (Audience laughs.)

10 MR. ESPY: What kind of kangaroo
11 court is this? You already approved a
12 portion of it. A fourth of the loan you
13 approved already, and you want us to say,
14 oh, that sounds good. We don't even know
15 what the loan is about. What are the terms
16 of the loan? What are the terms of the
17 loan? We don't have that information. And
18 Kara didn't even know about this meeting
19 until they told the newspaper, and they
20 still don't even know the terms of the loan.
21 And if Kara doesn't even know, you know that
22 the community doesn't know anything. Thank
23 you.

24 THE HEARING OFFICER: This hearing
25 has been opened since 3:00. It is now 4:30

1
2 p.m. The hearing is officially closed.

3 I thank you very much for attending.

4 Exhibit Number five is an exhibit
5 from the People Power Movement. Exhibit
6 number five, and it says that it's one page,
7 two sided document. "They want what we want
8 is the document."

9 (Whereupon, document was marked as
10 Exhibit 5, for identification, as of this
11 date.)

12 (At 4:32 p.m., the proceedings were
13 concluded.)
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STATE OF NEW YORK)
SS.
COUNTY OF BRONX)

I, CECILIA NAVARRO, a Shorthand (Stenotype) Reporter
and Notary Public within and for the State of New
York, do hereby certify that the foregoing pages 1
through 62, taken at the time and place aforesaid,
is a true and correct transcription of my shorthand
notes.

IN WITNESS WHEREOF, I have
Here unto set my name this 14th day of December,
2016.

Cecilia Navarro

CECILIA NAVARRO

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