

Greenpoint Environmental Benefits Project CAP Meeting 3 Summary February 29, 2012

Note: These notes provide a summary of the discussions at the third meeting of the Greenpoint Community Advisory Panel (CAP) on February 29, 2012. They represent an ongoing dialogue with the CAP related to the development and implementation of the Greenpoint Environmental Benefit Projects and, as such, reflect a continuing “work in progress.”

Reviewed EBP process model discussed at the last CAP meeting

- Proposed changes to the project selection process, developed by ESE and the State, were presented by ESE. ESE noted that these changes were provided in response to CAP members' comments at the January 23, 2012 meeting.
- These proposed changes included:
 - A charrette to be conducted during Community Meeting 1 (on March 21, 2012) that would enable community members to suggest specific project ideas for inclusion in the upcoming RFP for projects.
 - Community members would also be provided an additional 30 days, after Community Meeting 1, to submit additional project ideas
 - An RFP for the General Fiscal Administrator (GFA) would be issued and the RFP process would provide an opportunity for increased community participation in the selection of the GFA.
 - The selected GFA would subsequently screen project ideas received from the community at the March 21, 2012 meeting by conducting cursory feasibility reviews.
 - The GFA would then present the list of vetted projects to community members and prospective project proposers at Community Meeting 2. This would facilitate networking among community members and proposers to improve opportunities for the implementation of community members' project ideas.
 - The GFA would then issue an RFP for projects which would include the vetted project list

Decision: By a show of hands, the CAP approved of the proposed changes.

Reviewed Selection of the General Fiscal Administrator (GFA)

- ESE reviewed the criteria for the GFA recommended by the CAP at its last meeting.
- ESE recommended these criteria be reviewed and commented on by community members at Community Meeting 1, which would provide an opportunity for the community to add criteria.
- ESE asked for suggestions on how the CAP could provide input into the State's GFA selection process.
- It was suggested that a CAP Subcommittee be formed of CAP members who did not have an interest in the GFA role, i.e., would not be applying for the GFA contract.
- The rationale for this proposal was to: (1) avoid the appearance of a conflict of interest; and (2) it is easier to work in a small group.
- The State indicated that it would be good to have a “sounding board” and was open to adding a role for the CAP to evaluate and rank proposals from GFA candidates.
- A question was raised whether there was an available list of prospective GFA candidates
- The response from the State and ESE was “no” and then it was clarified that the GFA would not come on board for some time and would run Community Meeting 2. (It was noted that Community

Meeting 1, which included the above-described charrette, would not be run by the GFA; however, GFA candidates might be present).

- It was suggested that the GFA demonstrate that it maintained an address in the designated zip code or that it funded projects in this zip code.
- Some prospective GFA candidates were mentioned during the discussion including: New York Community Trust, North Brooklyn Development Corporation, St Nick's, and Brooklyn Community Foundation. It was noted that some of these organizations did not maintain an address in the local zip code.
- It was noted that local groups would likely not have capacity on hand to take on GFA role, i.e., they would have to hire staff to carry out GFA duties.
- It was suggested that a wide net be cast to broaden the community's GFA choices and that the criteria not be ranked because that might limit, or possibly exclude GFA candidates from submitting proposals.
- It was suggested by a CAP member that it would be important to define the "conflict of interest" that would prevent organizations from submitting proposals, because while CAP members were not necessarily interested in responding to the GFA RFP, nearly all could be involved in responding to the Projects RFP that would be reviewed by the selected GFA.
- A CAP member emphasized that transparency was key.
- It was suggested that any CAP member who wanted to propose a project could not submit a proposal to be a GFA, and then the question was raised whether the subcommittee who helped select the GFA would be conflicted out of submitting project proposals?
- It was suggested that CAP members might participate in the subcommittee, but if they decided to submit a proposal for project funding, they must withdraw from the subcommittee- but CAP members indicated that this might prevent many members from serving on the subcommittee
- It was suggested that one way around that would be for the subcommittee to help develop the RFP, but not participate in the ranking of proposals for GFA.
- Then it was pointed out that the State procurement requirements might significantly limit the ability of CAP members to participate in the proposal review process and the State agreed to review procurement rules to determine if there were limits to the involvement of the CAP in the GFA RFP review process.
- ESE summarized a proposal for consideration:
 - Present criteria for selection of a GFA at Community Meeting 1;
 - Provide the community opportunity to propose additional criteria;
 - Present these criteria to the State and CAP (or CAP Subcommittee);
 - Following the Community Meeting, the CAP and the State would discuss how the CAP could provide input to the GFA selection process at a meeting on April 4, 2012

Decision: The CAP did not reach consensus on participation criteria for CAP's GFA subcommittee or definitions and procedures for addressing potential conflicts of interest. The CAP agreed to continue the discussion at a meeting scheduled for Wednesday, April 4th.

Review of the draft EBP Statement

- ESE presented the draft EBP Statement to be used at Community Meeting 1 and in the RFPs;
- It was suggested by a CAP member that EBP funds be considered for use in "seeding" planned projects, e.g., jumpstarting the redevelopment of the MTA lots, to prevent the loss of City commitments when Administrations change;
- It was suggested by a CAP member that EBP funds could leverage city funding; however, during this discussion, the issue of the City's commitments made during the 2005 Rezoning was raised.

- It was agreed that the a list of the City’s prior commitments needed to be circulated among CAP members;
- It was suggested that no projects be excluded at the outset, but that the selected criteria be applied when reviewing proposals to weight the relative value of project ideas
- A CAP member noted that the prior EBP required that projects deliver “real tangible benefit” or positive impact on the community – not just the performance of feasibility or design studies;
- Regarding bioremediation, CAP members commented that there did not appear to be likely bioremediation projects that were not already the responsibility of a third party (i.e., a response to regulatory requirements). Rather than deleting bioremediation, the CAP believed the viability of a potential bioremediation project would be determined by the application of criteria as part of the overall Projects Proposal review process. [

Decision: It was agreed that the paragraph on “inconsistent projects” be eliminated from the Statement and that a new sentence be added indicating that the EBP supplement or be in addition to the work required by ExxonMobil to remediate the spill and associated contamination. Additional minor edits were also suggested and entered into the draft.

Preparation for Community Meeting

- ESE presented the proposed agenda for Community Meeting 1
- The Warsaw was recommended by a CAP member as a location for this meeting
- It was noted that a \$400-\$500 fee would be incurred to have the meeting at the Warsaw.
- Rich Mazur agreed to determine the Warsaw’s availability for the meeting
- CAP members agreed to the following roles:
 - Richard Mazur to present Project Types
 - Kate Zidar to describe the CAP role
 - Christine Holowacz to present GFA selection criteria

Decision: It was agreed that there would not be list of projects from prior EBPs or other community plans on the tables during the charrette.

Decision: It was agreed that a small grant (under \$50,000) option be included in the RFP but the details of what would be considered an eligible project would be developed later.

Reviewed graphics for Community Meeting 1

- Due to time limitations, ESE requested that CAP members email comments on the proposed slides prepared by the State. The slides presented background information about the EBP, and a graphic “flow chart” depicting the overall EBP process
- Regarding the flow chart, the three “Final Project” boxes at the bottom of the graphic raised the question of whether the role of specific “Project Administrators’ should be identified

Reviewed Outreach prior to Community Meeting 1

- ESE reviewed components of the Outreach Plan in Attachment 2
- It was emphasized that an outreach flyer for Community Meeting 1 be prepared and distributed immediately and ESE agreed to prepare a draft for circulation

Discussed EBP Project Selection timeline

- In response to the timeline provided at the meeting which showed that funded projects would not be announced until mid-2013, CAP members stated that they believed the community cares more about transparency than speed, so the proposed timeline looked good.
- It was suggested that the small grants could be accelerated because such awards would require a less time-intensive technical review.

Decision: CAP agreed to the timeline as presented.

Discussion of ESE's role going forward

- State discussed with CAP members ESE's role going forward
- ESE was asked to leave the room to allow for confidentiality.