

Commission on Government Efficiency

Preliminary Report

2026



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Letter from the Executive Director

Dear Commission on Government Efficiency Commissioners,

New York always feels like it is on the cusp of something new. The City and its residents are in a constant state of reinvention—a grassy, hilly island was transformed into our glistening metropolis; library plazas become summer concert venues; roads are closed off for block parties. The engine of New York’s economy was once its waterfront, with its ships and factories and oyster beds. Today, innovation powers the City via a web of interconnected inventors, from technology companies in the Flatiron District to small businesses in Queens.

It is in the spirit of this dynamism that this charter revision commission was convened with a charge to modernize the City’s governing laws. This task is not new: in 1936, Mayor LaGuardia, having convened a charter revision commission, declared that New York was governed by a “Horse Car Charter in an Airplane Age.” In reviewing both the charter and hundreds of pieces of testimony, it is clear that while New York City residents are creative, thrifty, and indomitable, our Charter’s mandates are often slow, lumbering, and inefficient. We heard of successive and duplicative agency reviews, of expensive hearings that few attend, of onerous paperwork, and of archaic government structures that seem rooted in a city past.

Efficiency is often thought to be the province of the private sector or is used as code for austerity. But in fact, the mammoth responsibility of government requires that it act efficiently so city residents are able to seamlessly access government services, small businesses can obtain approvals without having to hire expeditors and consultants, and City workers can build life-saving street infrastructure without delay. An efficient government is not one that cuts services or workers, but one that listens to its workforce and empowers them to deliver.

Within the core themes we identified across the testimony—unlocking public space, acceleration, modernization, and fiscal stability—we worked to bring the strongest ideas forward, carefully considering each recommendation to ensure suggestions were achievable within the City Charter and would ultimately help our city operate more efficiently. We undertook this process seriously, attempting to treat every idea—and the New Yorker behind it, whether City worker or professional association or individual who saw a sign for a public hearing and walked in—with respect. In weighing how to proceed, we approached each piece of testimony and each agency idea with genuine curiosity and attempted to understand the concern that drove it and what might be done to address it

in the charter. We carefully considered, as stewards of the City's long-term wellbeing, the risks each proposal posed to the City's ability to deliver what New Yorkers need. I am very grateful to the team that put together this report, and I thank them for their dedication throughout this process.

This preliminary report is but the first of a series of deliverables that we will bring to you in the coming months. We look forward to continued collaboration as we work to build a government that can deliver services for New Yorkers more swiftly and effectively.

Thank you,



Ann Cheng
Executive Director, Commission on Government Efficiency



Introduction

Charter Revision Commissions are temporary bodies authorized to review the New York City Charter and recommend amendments. The Charter defines the structure of New York City government, outlines the powers and responsibilities of agencies, and establishes the processes through which government services are delivered. Any changes proposed by a Charter Revision Commission must be approved by New York City voters through a citywide referendum before being adopted.

Convened by Mayor Zohran Kwame Mamdani in May 2026, the Commission on Government Efficiency (COGE) is charged with reviewing the entire City Charter to identify ways to improve efficiency, modernize city government, and

ensure government keeps pace with New Yorkers' needs. COGE hosted a round of public meetings across the five boroughs and solicited public comments from residents, community organizations, business groups, elected officials, and subject matter experts. The Commission will hold additional hearings across the city in the coming weeks as its work progresses.

This document is COGE's preliminary staff report, which reviews what the Commission has heard from New Yorkers and recommends areas to explore. These recommendations, which come from Commission staff, are not the final recommendations of the Commission or in any way binding. This report is intended to inform the Commissioners and the public as the Commission continues its work.

Members of the Commission

PATRICK GASPARD

Chair Patrick Gaspard is a former American diplomat and long-time New Yorker who previously served as president of the Center for American Progress. Gaspard has served as executive director of the Democratic National Committee, United States Ambassador to South Africa, President of the Open Society Foundation, and Executive Vice President of 1199SEIU Healthcare workers East. A close aide to former President Barack Obama, Gaspard worked as Associate Personnel Director of President-elect Obama's transition team and Director of the White House Office of Political Affairs for the Obama administration. Gaspard's career in New York City included working on David Dinkins' Mayoral campaign and serving as special assistant in the Office of the Manhattan Borough President, special assistant in Dinkins' mayoral office, and chief of staff in the New York City Council.

EMMA WOLFE

Vice Chair Emma Wolfe serves as Senior Vice President for Operations and Chief of Staff to the President of New York University. Before working in higher education, she spent two decades working in city and state government and on local, state, and federal political and advocacy campaigns. Emma was previously the Vice President for Government and Community Relations at Dartmouth. Prior to that inaugural role, she was the first Senior Advisor to the President for External Relations and Leadership Development at Barnard College. During Bill de Blasio's New York City Mayoral administration, Emma served as the Director of Intergovernmental Affairs and then as Chief of Staff and Deputy Mayor for Administration. She also serves on the board of FPWA.

SUSAN KANG

Secretary Susan Kang is an Associate Professor of Political Science at John Jay College of Criminal Justice. Her research and areas of expertise include international relations, international political economy, labor and human rights and international law. She currently serves as an editor of research journal *Global Constitutionalism*, and is the former co-chair of the Labor Project, an American Political Science Association Related Group. She is the author of *Human Rights and Labor Solidarity: Trade Unions in the Global Economy*, and a member of the NYC chapter of the Democratic Socialists of America. She is the co-author of a book on policing of protest forthcoming with Stanford University Press and is a member of the executive council of the Professional Staff Congress/CUNY.

MARCO A. CARRIÓN

Marco A. Carrión is the President of the Consortium for Worker Education and former Commissioner of Community Affairs for New York City. Prior to joining the Consortium, Carrión served as Executive Director of El Punte, a human rights organization operating in New York City and Puerto Rico. Carrión has also worked as political director for Central Labor Council, representing 1.5 million members across 300 local unions, as Chief of Staff for State Senator Gustavo Rivera and served in senior roles for two governors. He is a Bronx native and currently resides in Brooklyn.

HENRY A. GARRIDO

Henry A. Garrido is the executive director of District Council 37, New York City's largest public employee union, representing 150,000 members and 89,000 retirees. On Nov. 26, 2024, Garrido was reelected to a fourth term effective January 2025. Since becoming executive director in 2015, Garrido has focused on encouraging greater member participation, initiating the DC 37 Union Strong organizing campaign. The campaign has led to the highest union membership in DC 37's 80 year history. Garrido previously served as the union's associate director. In that position, he helped establish the Municipal Employees Housing Program, which coordinates grants for first-time homebuyers and provides foreclosure prevention services, financial education and counseling. He also directed the union's white paper project that addressed government waste by investigating the privatization of City services and identifying additional revenue sources. Garrido was also involved in a sustainability initiative focused on increasing green jobs in New York State. Garrido is an international vice president of the American.

KAPIL LONGANI

Kapil Longani is the Senior Vice Chancellor for Legal Affairs and General Counsel for the State University of New York. Longani has extensive experience in federal, state and local government and governance. His career includes serving as Chief Counsel to the Mayor of New York City, and Senior Counsel to Ranking Member Elijah E. Cummings for the Committee on Oversight and Government Reform in the U.S. House of Representatives where he served as the Democratic staff's lead investigator in several high profile investigations including the Flint water crisis and the federal government's response to Hurricane Maria in Puerto Rico. Prior to his work in Congress, Longani served as an Assistant US Attorney for the District of Columbia, a litigator with Skadden in New York City, and helped implement South Africa's post-Apartheid Constitution. Longani also serves as a Commissioner on the NYC Commission on Human Rights, and on the boards of Good Shepherd Services, the Coalition for Asian American Children and Families, and the National Endowment for Financial Education.

RUTH MESSINGER

Ruth Messinger is a longtime civic leader, Jewish social justice activist and former Manhattan Borough President (1989-1997). Messinger served as a City Councilmember, representing Manhattan's West Side (1977-1989), and was the Democratic Party candidate for Mayor in 1997 after 20 years in elected office. She led the American Jewish World Service, an international human rights organization, as president and CEO for nearly two decades and is now the organization's Global Ambassador. A third generation New Yorker, Messinger worked as a social worker, community school teacher, neighborhood organizer, college administrator and global human rights activist. She has taught at various NYC colleges and is currently teaching policy and politics at Hunter College. Messinger has been an advisor to the Center for Social Responsibility at the Meyerson JCC and is now part time faculty at The Jewish Theological Seminary of America; a consultant and teacher for Elluminate, a program for social justice entrepreneurs; an immigration advocate and activist; and the co-chair of the Board of the Interfaith Center for NY.

THEODORE MOORE

Theodore Moore is the Executive Director of ALIGN, setting the organization's strategic vision for worker power and climate justice, leading engagement with campaigns and movement partners, and supervising a team of 10 staff members. Moore brings close to 20 years of movement and political advocacy experience to the position, most recently serving as New York Immigration Coalition's (NYIC) Vice President of Policy & Programs. Previously, he was a Senior Policy Analyst for NYC Council Speaker Melissa Mark-Viverito, with The Working Families Party (WFP), and was among the original staff of ALIGN in 2012. Moore serves on several boards including Riders Alliance, New Yorkers United for Child Care and PowerSwitch Action. A life-long resident of Brooklyn, Moore was born and raised in East Flatbush and now calls Bed-Stuy home.

ANA OLIVEIRA

Ana Oliveira is the President & CEO of The New York Women's Foundation. Oliveira has worked in health and human services for over two decades, including as the Executive Director of Gay Men's Health Crisis and leading innovative community-based programs at Samaritan Village, the Osborne Association, Kings County and Lincoln Hospitals. Oliveira has also served as a member of the New York City HIV Planning Council, in the New York City Commission on AIDS, chaired the NYC Commission for LGBTQ Runaway and Homeless Youth, and Co-Chaired Mayor Bloomberg's Young Men's Initiative.

DAWN PINNOCK

Dawn Pinnock is the President and CEO of the Center for Urban Community Services, one of New York City's leading social service organizations. Prior to joining CUCS, Pinnock served as Commissioner of the NYC Department of Citywide Administrative Services and has over three decades of experience working to modernize government operations across New York City. Pinnock co-chaired the City's first Pay Equity Cabinet, helped lead the City's Task Force on Racial Inclusion and Equity, served on the Board of the Mayor's Fund to Advance New York City, and oversaw initiatives that reduced carbon emissions and created safer, more sustainable city operations. Pinnock also serves on the NYC Public Schools' Pathways Industry Commission, and as a Board Trustee for Metropolitan College of New York.

CARLINA RIVERA

Carlina Rivera is a former New York City elected official and current President and CEO of the New York State Association for Affordable Housing (NYSFAFH), where she leads the largest statewide coalition of affordable housing stakeholders in the country to drive faster development and long-term preservation across the five boroughs. As a New York City Council Member, Rivera helped secure millions of dollars in funding for housing preservation and production over her eight years in office. Rivera began her career in after-school programming for high-needs schools and served as Director of Programs and Services at the nonprofit Good Old Lower East Side (GOLES). Rivera also served as an officer of Manhattan Community Board 3 and as Legislative Director for Council Member Rosie Mendez.

ESTHER ROSARIO

Esther Rosario is Executive Director of Climate Jobs New York, a coalition of labor unions leading the fight for an equitable, resilient, and unionized clean energy economy. CJNY's mission is to educate, organize, and advocate for a clean energy future at the scale that climate science demands and one that creates and protects good union jobs, centers working people, and builds stronger, more resilient communities across New York State. Ms. Rosario also serves as the Policy Director for the Building and Construction Trades Council of Greater New York. Prior to joining CJNY, Esther served as Chief of Staff to the New York State Senate Labor Chair, where she helped lead successful campaigns to raise the minimum wage, expand access to child care, strengthen prevailing wage standards in renewable energy, and advance critical worker protections statewide. Her earlier roles include Press Secretary for the NYC Mayor's Office of Immigrant Affairs and Policy Analyst in the Office of the Deputy Mayor for Health and Human Services. Esther also served in the Peace Corps in Colombia, where she collaborated with local leaders and international partners to develop sustainable community programs.

MARC V. SHAW

Marc V. Shaw is a longtime New York State and City government official who has served as New York City First Deputy Mayor and Deputy Mayor for Operations to Mayor Bloomberg, NYC Budget Director, NYC Finance Commissioner, and Finance Director for the NYC Council. Shaw is currently Chair of the Advisory Board and Senior Advisor at the CUNY Institute for State & Local Governance. At CUNY, his experience includes serving as Senior Advisor to the CUNY Chancellor and Senior Vice Chancellor for Budget, Finance and Financial Policy. Shaw also served as a Senior Advisor to the Governor on MTA finances, Executive Director and Chief Operating Officer for the MTA from 1996 to 2001, and earlier in his career served on the New York State Senate Finance Committee.

BARIKA X. WILLIAMS

Barika X. Williams is a New York City housing expert and Executive Director of the Association for Neighborhood & Housing Development (ANHD), where her work focuses on advancing equitable community development strategies that empower marginalized communities. Prior to joining ANHD, she served as Assistant Secretary for Housing for the State of New York, worked in real estate development in Washington, DC, and published at the Urban Institute. Williams served on the inaugural US Treasury Advisory Committee on Racial Equity (TARCE), and has presented nationally and internationally on neighborhood and economic justice.

KATHRYN WYLDE

Kathryn Wylde is an urban policy expert and widely recognized New York civic and business leader. For fifty years, Wylde has played a central role in building and maintaining New York's thriving economy, as well as the revitalization of the city's neighborhoods, development of affordable housing, reform of the public education system, modernization of the public transit system, and advancing public health and safety. Wylde recently stepped down after 25 years as President and CEO of the Partnership for New York City, the city's preeminent business organization. She is a Senior Strategic Advisor to Invariant, a top Washington D.C.-based public affairs firm, a member of the Advisory Board of the NYC Independent Budget Office, and a member of the NYS Financial Control Board. She serves on the boards of the NYC Economic Development Corporation, the New York State NYC Regional Economic Development Council, the Fund for Public Schools, the Manhattan Institute, Invest Puerto Rico, and the Partnership Fund for New York City. She writes a regular column for Crain's New York Business and is a frequent spokesperson on issues that impact the city and state.

Public Engagement and Participation

In early June, the Commission began gathering New Yorkers across the city to participate in a transparent, engaging process. People from across the five boroughs met in auditoriums, conference rooms, and municipal buildings to reimagine how city government can work better for everyone.

The Commission was keen on a comprehensive external engagement approach to reach people from all corners of the city. Through digital media, press outreach, and a rebranded website, the Commission reached people from all five boroughs. Restaurant owners in Queens, civic associations in the Bronx, and residents of DHS shelters in Manhattan shared their ideas. The participation of such a wide swath of New Yorkers is a testament to the eagerness of New Yorkers to engage with local government and work together to cut red tape.

Staff outreach for participation in hearings included connecting with small businesses and chambers of commerce to understand the barriers they face engaging with government. Staff reached out to Business Improvement Districts and nonprofits that help to maintain public spaces. Industry advocates were engaged, with associations from varied parts of the private sector attending multiple hearings. Nonprofits and community-based organizations were also eager to share their ideas, and the commission saw broad engagement from the nonprofit sector across the boroughs. Good government groups were represented at many hearings, as were budget thought leaders. The Commission

engaged with elected officials, and multiple council members testified both in their boroughs and elsewhere. Elected officials also distributed information about the hearings to their constituents, as did community boards and community leaders.

The commission felt strongly that City workers are the experts in the processes they run and that meaningful improvements to City government can only happen with the input of its workers and in partnership with labor. In order to extend a clear invitation to City workers and private sector labor alike, the Commission took a few steps. First, the Commission chairs sent a letter to the Municipal Labor Council to encourage participation in the process. Additionally, the Executive Director presented at multiple Municipal Labor Council meetings to hear from union leaders and encourage them to come to hearings and encourage their members to come to hearings. Additionally, the Commission sent a letter to the Central Labor Council formally inviting their participation, in addition to initial briefings and invitations to specific hearings. From the very first hearing, members of labor unions were both in the audience and represented in the commission membership.

The Commission also deeply values accessibility and offered both in-person and virtual options for attendance at each public hearing. ASL interpretation, live translation, and accessible seating arrangements were made for each hearing to ensure that everyone could fully participate without barriers. Multi-lingual hearing notices

were distributed via multi-lingual press publications.

To date, the Commission has welcomed over 650 people to its public meetings and hearings. One hundred and forty-five people gave over 14 hours of testimony, and the Commission received and reviewed 258 submissions of written testimony. To ensure transparency, the Commission

is publishing all hearing notices, links to video feeds, and full transcripts of each hearing.

Following issuance of this report, the Commission will undertake further efforts to solicit public input. A schedule of public hearings to come is available at nyc.gov/COGE.

650

PEOPLE

Attended
public meetings
and hearings

145

PEOPLE

Testified

14

HOURS

Of testimony

258

SUBMISSIONS

Of written
testimony

Executive Summary

New York is the envy of other cities. Across five boroughs we speak 800 languages. Our metro area is responsible for 9% of the entire U.S. economy. We educate both two-year-olds and PhDs. Babies are born in City-run hospitals and nonagenarians socialize in our senior centers. Every day hundreds of thousands of public servants pick up the trash, put out fires both metaphorical and physical, teach our children, and captain our ferries. The marvel and miracle that is New York City is possible in part because of City government, and that government structure is laid out in the City Charter.

COGE was charged with reviewing the entire City Charter for ways to modernize government and improve its efficiency. In some ways, this mandate is not new. In 1934, in the midst of the Charter Revision Process that brought us the modern charter we have today, Mayor LaGuardia discussed his desire to cut red tape: “It’s easier to exchange a prisoner of war than it is to transfer a stenographer from the Tax Department to the Water Department.”¹ Today the New York City Charter contains neither a Tax Department nor a Water Department, but a government that cannot seem to get out of its own way remains the butt of countless jokes. The Commission has heard of internal review processes that take months and bounce from agency to agency and department to department, of burdensome paperwork that stymies small business and cultural institutions, of reporting requirements that gobble up staff time and out-of-date rules that make City government challenging to navigate. The Commission listened carefully to

all of these concerns as they considered how the Charter could be revised to solve them.

As we push government to do more and faster, we also need to ensure that the City and its government remain stable and strong. That means ensuring that the government of today is always looking out for the city of tomorrow. It may require not only strengthening fiscal controls to prepare for a future financial downturn but also building the internal controls that keep government free from waste and corruption. And perhaps most of all, it requires pivoting government towards innovation, harnessing the creativity of New Yorkers and City workers in new and compelling ways. Government alone cannot innovate without its people, but government can and must provide societal scaffolding for innovation.

In the Commission’s work thus far, Commission staff have identified a number of areas where Charter reforms help reorient government towards innovation: unlocking public space, accelerating permitting and contracting, modernizing outdated charter requirements, and strengthening City financial controls. Below provides a brief overview of these areas of exploration.

Accelerate to Unlock Public Space

New York City is magnificent, covering over 300 square miles with over 6,000 miles of streets and highways. New York City itself owns 15,000 individual parcels of land totaling 2.2 billion square feet.

¹ LaGuardia Wants Charter Revision a Separate Issue, New York Times (Feb, 11, 1934) at 25 (available at: https://timesmachine.nytimes.com/timesmachine/1934/02/11/93748588.pdf?pdf_redirect=true&ip=0).

These streets and spaces are an inheritance, the legacy of hundreds of years of City government. Yet too often this inheritance goes underutilized—empty lots sitting fallow and streets designed for a previous New York City, where people were scared to eat outside and where buses were left to sit in traffic. Instead of unlocking public space to facilitate the widespread innovation of the people in the space, too often it is squandered. This happens not out of malice, but out of a system that was not designed to fully leverage New York City’s full potential.

The Commission heard considerable testimony on the challenges New Yorkers have in utilizing public space. From small businesses trying to open up a sidewalk cafe to Staten Islanders seeking bus and bike lanes, unnecessarily complex processes stymie the productive use of City streets and sidewalks. Similarly, when the City itself tries to put its own land to work it struggles with onerous barriers that prevent the City from raising new funds. Across the Charter four primary areas were identified that prevent the unlocking of public space for everyone’s benefit.

Facilitate vibrant streets and ease burdens for small businesses by streamlining the process for unlocking public space and the innovation it fosters

Today, New York City can grant private citizens and business the right to construct and maintain structures on New York City’s streets and sidewalks via a revocable consent. These revocable consents support everything from sidewalk cafes and plantings to accessibility lifts and flagpoles. The Commission has received considerable testimony highlighting the lengthy and costly process associated with obtaining a revocable

consent, the substantial fees associated with the hearing publication requirement for revocable consents, and the general lack of attendance at the required hearing. Indeed, in some cases, advertisement publication fees are significantly higher than annual revocable consent fees for the applicant’s ongoing use of City property. The Commission also received compelling testimony that the revocable consent process takes hours and hours of time spent on the application, imposes thousands of dollars of costs on small businesses, and that the complexity and expense of the revocable consent process may prevent small businesses from even applying. Ultimately, public spaces are sites of creativity and entrepreneurship and should represent all that is vibrant, social, and engaging about New York City.



Make the streets safer by streamlining street infrastructure projects

While New York City may have the largest bus fleet in the country, it is also one of the slowest. And while New York City has focused on lowering traffic fatalities to zero, last year 205 individuals still lost their lives on the City's streets. It is clear that lifesaving street infrastructure, bus lanes, bike lanes, expanded room for pedestrians, and traffic calming measures can create a safer city. However, some of these street redesign initiatives are subject to mandated delays that slow down the projects and, in so doing, risk further lives and injuries. The rules governing "major transportation projects" are subject to requirements to notify four separate agencies in very specific ways and other onerous requirements that delay lifesaving projects—an inefficiency that falls most squarely on our roads' most vulnerable users.

Streamline outdated requirements that impede the City's ability to activate City property

So many classic New York City icons, from libraries to courthouses to museums, are triumphs of civic architecture. Sitting on City land, they stand as built tributes to the City's conviction that New Yorkers deserve the very best from their public institutions. Less celebrated, however, are the hundreds of vacant lots that no longer serve a City purpose and instead sit empty and unused. These properties are often challenging to maintain, and with limited resources for the upkeep of unused properties, they often fall into disrepair. While they no longer can be used for City purposes, they often could be put to good use by another owner. Yet, lengthy and redundant processes for selling or leasing these lots means that they often remain empty, on the City's tax rolls but providing no public benefit. The Charter also imposes a number of requirements on the City's acquisition of office spaces for the City workforce that impede the City's ability to quickly enter into leases and thereby cost the City money.

Increase revenue from the City's intellectual property and speed up New Yorkers' access to concessions and infrastructure by streamlining the Franchise and Concession Review Committee

The City has inalienable rights to its streets, roads, parks and other public property, and the Charter permits franchisees and concessionaires to use public property to provide public benefits. Together, franchises and concessions provide essential and beloved functions for New Yorkers, from cable TV lines to skating rinks to outdoor markets. How-



ever, the multi-step process for approving franchises and concessions can take up to three years and involves review by multiple agencies. Additionally, because City property includes the City's intellectual property, commercial licensing of the City logo is often subject to review by the Franchise and Concession Review Committee, adding complexity to what should be simple branding deals.

Accelerate permitting and contracting

New Yorkers move fast. Yet too often the services and programs our communities rely on take far more time than New Yorkers can afford to wait. A government that moves quickly and delivers excellence can help restore public faith in our city's ability to tackle the challenges our residents face, reducing bureaucratic hurdles and removing headaches from their daily lives.

It is not just private businesses that are hamstrung by inefficient permitting and contracting, but also government itself. Anyone who wants to build anything, from building affordable housing to undertaking a small home renovation project, is caught up in a bureaucratic morass.

The Commission heard significant testimony focusing on two primary areas: challenges with obtaining permits from the numerous agencies that regulate building and construction, and difficulties in government procurement.

Speed up construction by streamlining permitting

The Department of Buildings (DOB) handles approximately 275,000 applications a year. These applications cover projects ranging from new curb cuts and tower cranes for the construction of affordable housing developments to the installation

of new green infrastructure like solar panels. However, the structure of the DOB dates to over 100 years ago when fear of having to journey to Manhattan for a paper building permit prevented centralization. The Department's borough offices serve a core function, but the legacy structure of DOB nevertheless requires that even projects reviewed through centralized units still require additional routing and approval through geographically assigned offices before final determinations can be issued. Applicants must also separately apply to numerous permitting agencies, creating additional challenges.

Enable the City to respond more quickly to evolving safety standards by vesting DOB with rulemaking authority for some construction codes

One of New York City's top priorities is keeping the occupants of the City's over one million buildings safe. Yet, inefficiencies may make it more difficult to institute new safety upgrades. The Commission has heard that these complexities can take time away from the important work of keeping New York City's myriad of codes up to date. Respondents to the Commission have recommended that the Commission explore other methods of implementing code upgrades and amendments.

Speed up contracting by reforming procurement

Procurement – that is, the purchase of goods, services or construction – in the City of New York affects almost every aspect of City government and public life. In Fiscal Year 2025 nearly 40% of the City's budget was spent on procured goods and services. However, too often procurements take longer than they should.

This issue is not new. As far back as 1989, City and State commissions identified payment delays and proposed solutions. This Commission has heard significant testimony about challenges from processes that are decades out of date and can be modernized to meet current needs.

Modernize Outdated Systems and Requirements to Bolster Innovation

New York City's government operates in an increasingly complex environment, demanding speed, coordination across functions, and modern tools. However, many of the systems and requirements governing how the City works are creatures of a different era. The City's technology is often outdated, reporting mandates are duplicative, and legal requirements are archaic. It is no surprise that fractured processes can slow down agency action, increase the City's costs, and weaken delivery of services. The Commission heard significant testimony on changes that could help the City update its core functions, adapt for the future, reduce unnecessary requirements, and unleash innovation. The following four areas were identified as reforms to modernize City government.

Make maximal use of technology to fuel innovation across government

Today, technology is central to nearly every City function, from emergency response to permit issuance to benefits administration. However, the City's procurement processes, hiring practices, and fragmented IT infrastructure often prevent the City from having the agile, adaptable, and modern technology it needs. To make needed improvements, the City must reimagine how it procures and builds technology, especially as artificial intelli-

gence and other evolving tools bring the potential for significant change. Opportunities include reforming procurement to better match the challenge of acquiring effective technology, strengthening the City's in-house roster of technologists, and breaking down IT barriers across City agencies and functions.

Make better use of taxpayer dollars by eliminating outdated reporting requirements

New York City laws require numerous annual reports which can help facilitate longer-term planning, ensure accountability, and keep the public informed about government activities. However, many of these required reports overlap, and the sheer overall number of these reports take up valuable staff time with diminishing public benefit. Since 2011, nearly 1,500 new reporting laws have been passed or been updated, but the long-term utility of some of these reports is uncertain. Recent revisions to the Charter have sought to ameliorate this challenge, but further changes may be considered based on testimony that continues to identify reporting requirements as a key inefficiency.

Increase access to public service by fixing antiquated public bond requirement

In the 19th century, the requirement that public officers obtain a surety bond before taking an oath of office ensured that they would suffer personal financial consequences for official misconduct. However, for over 110 years the financial cost of the bonds has been paid for by the City, eliminating any hope that it would act as its originally-intended personal safeguard for above-board behavior. Instead, public bond requirements today serve as a procedural hinderance that not only costs

the City time and money but also adds a significant degree of risk with very little benefit to show for all the effort.

Streamline waterfront permitting by consolidating it within DOB

Today, nearly all permits for the demolition or construction of buildings are issued by the Department of Buildings (DOB), with the exception being certain waterfront permits, which are instead issued by Small Business Services (SBS). However, in practice when a waterfront project requires approvals administered by SBS, DOB ultimately plays a critical role in supporting the review. However, the Charter dictates that SBS must issue the permit, increasing complexity and requiring close coordination between agencies before decisions can be issued. Consolidating waterfront permitting responsibilities within DOB would align these functions with the agency that already administers the City's construction permitting, inspection, and code enforcement programs creating a more efficient review process for applicants.

Ensure the City's Fiscal Stability

New York City's annual budget is larger than almost every state. The large size of the budget only increases the need to be fiscally responsible. Our city should be as careful with taxpayer dollars as New Yorkers are with their own paychecks. Efficiency starts with making sure every City dollar is used wisely, funding is saved wherever possible, and waste is rooted out. Strengthening our reserves will safeguard taxpayer dollars and help ensure our city is prepared for economic downturns and other emergencies.

Develop a budget model that works for the New York of the future by mandating contribution to and strategic use of the rainy day fund.

While the City has had strong fiscal management rules and practices dating back to the 1975 fiscal crisis, State and City law previously precluded the City from creating a rainy day fund. Following a Charter amendment adopted by referendum in 2019 and a corresponding change to State law in 2020, the City formally created a rainy day fund. The Commission has received testimony that the City ought to develop more specific guidelines as to what level of reserves should be held in the fund, how deposits should be made, and when withdrawals should be permitted.



Chapter 1: Accelerate Access to Public Space and Infrastructure Improvements

New York City is an outdoor city. Our streets and sidewalks, our neighborhood plazas, and public beaches are where New Yorkers connect and congregate, escaping small apartments and office buildings for block parties, bike rides, and public concerts. Yet too often areas that should be easy to access can be locked up in bureaucratic mazes and red tape.

We need to unlock public space so that every inch of our city is well designed, maintained, and innovatively used in any way our communities can envision. Throughout the course of the first five hearings, numerous New Yorkers testified about the challenges they face in attempting to access and use public space. From small business owners to organizations maintaining our plazas to bus riders, New Yorkers across the five boroughs urged the Commission to simplify and speed up access to public space.²

Facilitate vibrant streets and ease burdens for small businesses by streamlining the process for unlocking public space and the innovation it fosters

Context

New York City keeps its streets vibrant and its public spaces enjoyable in part by allowing private entities, such as restaurants and businesses, to alter the public space to suit New Yorkers' needs. For example, a hotel may use large pots with flowers to beautify its entrance, or a cafe may have a table and chairs outside for patrons who choose to dine outdoors. These kinds of private uses of public space require permission from the

² Megan Rickerson, Queens Hearing (June 22, 2026) (testimony); Jonathan Cohen, June 11, 2026 (written testimony); Corey Hanigan, June 9, 2026 (written testimony).

City in the form of a revocable consent, which is granted through a process run by the Department of Transportation (DOT). While it is vitally important for the City to retain control over its property, the Commission received compelling testimony highlighting that the Charter rules governing revocable consents have unduly stymied DOT's ability to efficiently process revocable consent applications, resulting in delays and substantial costs, often for small businesses.³

Revocable consents grant a person or an entity the right to construct and maintain certain structures on the City's inalienable property, including streets and sidewalks.

These structures include, among others, benches and trash receptacles, stoops and ramps, and roadway and sidewalk cafes in front of restaurants.⁴ The Charter provisions governing revocable consents create a multi-step process to obtain a consent. After a petition for consent is submitted, the Department of Transportation must hold a public hearing on the petition.⁵ Section 371 of the Charter, which sets out notice and hearing requirements for revocable consents, requires those seeking a revocable consent to publish notice twice, at their own expense, in a daily newspaper and in a weekly newspaper; separate notices to any affected Borough

³ Michelle Craven, Queens hearing (June 22, 2026) (testimony); Megan Rickerson, Queens hearing (June 22, 2026) (testimony).

⁴ 34 RCNY Chapter 7.

⁵ All revocable consents require the approval of DOT, but revocable consents for certain specified purposes may be granted by agencies other than DOT. For instance, revocable consents for telecommunications purposes may be granted by the Office of Technology and Innovation. See Charter § 364(c). Revocable consents for sidewalk cafes follow a different process, described below.



Presidents, Community Boards, and Councilmembers may also be required.⁶ These publication costs, required to be paid by the petitioner, may be as high as \$1,500. The Commission received testimony highlighting the expense of the entire process, which one restaurant owner estimated to be \$70,000, which precludes many restaurants from pursuing outdoor dining at all.⁷ In addition, notice of the hearing must run in the City Record for over two weeks.⁸ Once DOT approves a revocable consent, the Mayor must, with limited exceptions, separately approve the consent agreement, and finally, the consent agreement must be registered with the Comptroller.⁹ Importantly, the City retains the right to revoke a revocable consent at any time, and revocable consents cannot be transferred without prior approval by the Department of Transportation.¹⁰ Once granted, a revocable consent agreement must provide adequate compensation to the City for the use of the inalienable property, which must be remitted annually.

The Commission has received testimony highlighting the lengthy and costly process associated with obtaining a revocable consent, the substantial fees associated with the publication requirement for revocable consents, and the general lack

of attendance at the required public hearings.¹¹ Indeed, in some cases, publication fees are significantly higher than annual revocable consent fees for the applicant's ongoing use of City property.¹² The Commission also received compelling testimony that the revocable consent process takes hours and hours of time spent on the application, imposes thousands of dollars of costs on small businesses, and that the complexity and expense of the revocable consent process may prevent small businesses from even applying.¹³ Councilmember Gale Brewer has previously testified that present rules governing revocable consents are "encumbrances" to sensible uses in the public right of way and has suggested replacing them with straightforward permits.¹⁴

The Commission has received compelling testimony urging the Commission to consider ways to streamline the revocable consent process generally and outdoor dining specifically.¹⁵ While outdoor dining is only one type of revocable consent, it provides a compelling and illustrative example of issues afflicting the revocable consent process more generally.

History

With respect to outdoor dining in particular, there is an added complication

6 Charter § 371.

7 Megan Rickerson, Queens Hearing (June 22, 2026) (testimony).

8 Charter § 371 (notice of hearing must be published in the City Record for "at least fifteen days, except Sundays and legal holidays").

9 Charter §§ 372, 375.

10 Charter § 364(b); 34 RCNY 7-02.

11 Andrew Rigie, Bronx Hearing (June 10, 2026) (testimony); Michelle Craven, Queens hearing (June 22, 2026) (testimony); Megan Rickerson, Queens hearing (June 22, 2026) (testimony); Tiya Gordon (June 10, 2026) (written testimony).

12 Open Plans, (June 17, 2026) (written testimony).

13 Pei Wei, Queens hearing (June 22, 2026) (testimony); Helen Zhang, Queens Hearing (June 22, 2026) (testimony); Megan Rickerson, Queens hearing (June 22, 2026) (testimony).

14 Gale Brewer, New York City Councilmember, Manhattan Hearing before 2025 Charter Revision Commission (Apr. 23, 2025) (testimony).

15 Andrew Rigie, NYC Hospitality Alliance, Bronx Hearing (June 10, 2026) (testimony).



beyond the complexities associated with the standard revocable consent process. For historical reasons described below, the process that governs sidewalk cafes is distinct from the standard revocable consent procedure. As a result, any restaurant interested in having both a sidewalk and a roadway cafe must pursue two entirely separate processes, creating added complexity and expense for the City's many small business restaurants.

The City has permitted sidewalk cafes since at least 1934.¹⁶ Initially, sidewalk cafes required a license from the Department of Licenses, with the approval of the

Police Department and the local Borough President. Local legislation changed the agencies involved in this licensing process periodically over the years.¹⁷ In 1975, voters approved the Uniform Land Use Review Procedure (ULURP). ULURP required that revocable consents for use of City property, including those associated with sidewalk cafes, undergo review by the local community board, the City Planning Commission, and the Board of Estimate, in addition to licensing and approval requirements by other agencies. In 1982, however, the City Council passed legislation creating an alternative procedure for the

¹⁶ Local Law 14 of 1934.

¹⁷ After adoption of the new Charter and Administrative Code in 1936-37, these provisions were moved from the Charter to Article 10 of Title B of Chapter 32 of the Administrative Code, under the Department of Licenses. These provisions required a sidewalk cafe to get a license from the Department of Licenses, with approval required by the Police Commissioner and the local Borough President, each year. In 1963, the Administrative Code was amended to remove the Police Commissioner and Borough President and substitute the Department of Highways (newly created under the 1962 charter).

granting of a revocable consent to a restaurant for a sidewalk cafe that was similar to but less onerous than ULURP.¹⁸ Separate licensing and approval requirements remained in place.

The COVID-19 emergency precipitated the suspension of the local laws and rules governing City approval and restaurants' operation of sidewalk cafes, which enabled the creation of the temporary Open Restaurants program, allowing restaurants to quickly set up outdoor dining on sidewalks and roadways through a simplified self-certification and registration process without requiring a license and revocable consent. As a result, in 2022, there were roughly 11,770 restaurants with sidewalk or roadway cafes.

Upon expiration of the COVID-19 emergency, the City enacted Local Law 121 of 2023 to make permanent reforms to the outdoor dining regulatory framework. Local Law 121 moved authority over outdoor dining from the Department of Consumer and Worker Protection (DCWP) to DOT, laid out a new process for the granting of a revocable consent to a restaurant for a sidewalk cafe, and codified a process for the granting of a revocable consent to a restaurant for a roadway cafe. In conjunction with this local law, the City Planning Commission adopted a Zoning Resolution text amendment to authorize outdoor dining citywide. In 2024, DOT promulgated rules to implement Local Law 121, creating the Dining Out NYC program.

While Local Law 121 sought to reduce the red tape associated with the granting of a revocable consent to a restaurant to occupy the sidewalk and roadway for

outdoor dining, substantial inefficiencies remain in place. The procedure for granting of revocable consents for sidewalk cafes includes review by DOT, the local community board, the City Council, and the Mayor.¹⁹ This is much more onerous than the comparable procedure for roadway cafes, which require approval only by DOT, with a notification to the local community board and councilmember and a public hearing.²⁰ Since Dining Out NYC replaced the Open Restaurants program, the number of sidewalk and roadway cafés authorized by DOT has declined substantially. As of June 15, 2026, there were only 1,405 outdoor dining licenses fully issued.

Further, the dual processes for revocable consents for sidewalk and roadway cafes create not just confusion but also substantial burdens and expense for small businesses. Because the review process for a revocable consent to operate a sidewalk cafe involves more public bodies, the petitions for a sidewalk and roadway cafe will likely be heard at different public hearings, in which case the petitioners are required to pay publication fees twice.

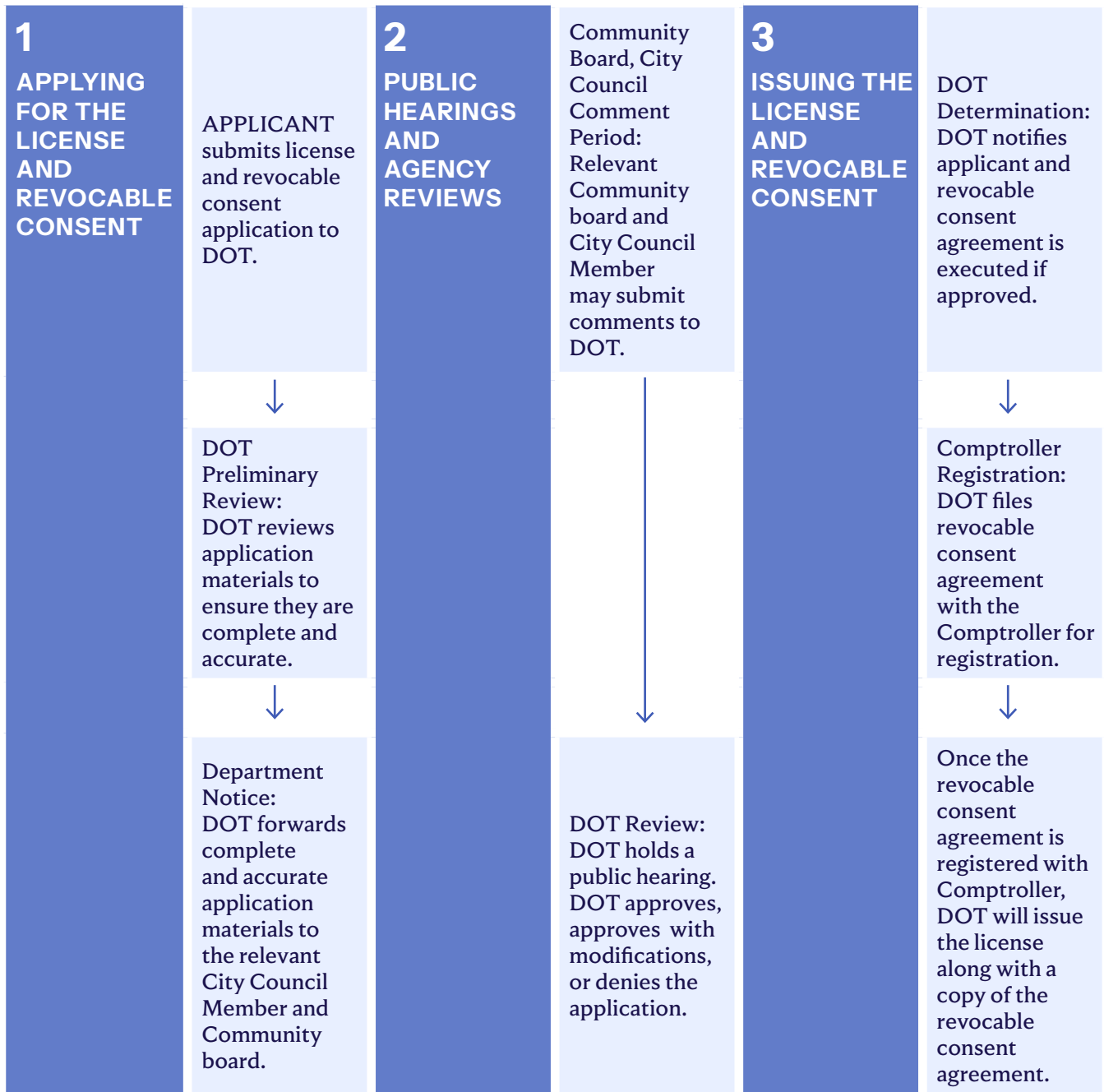


18 Local Law 50 of 1982.

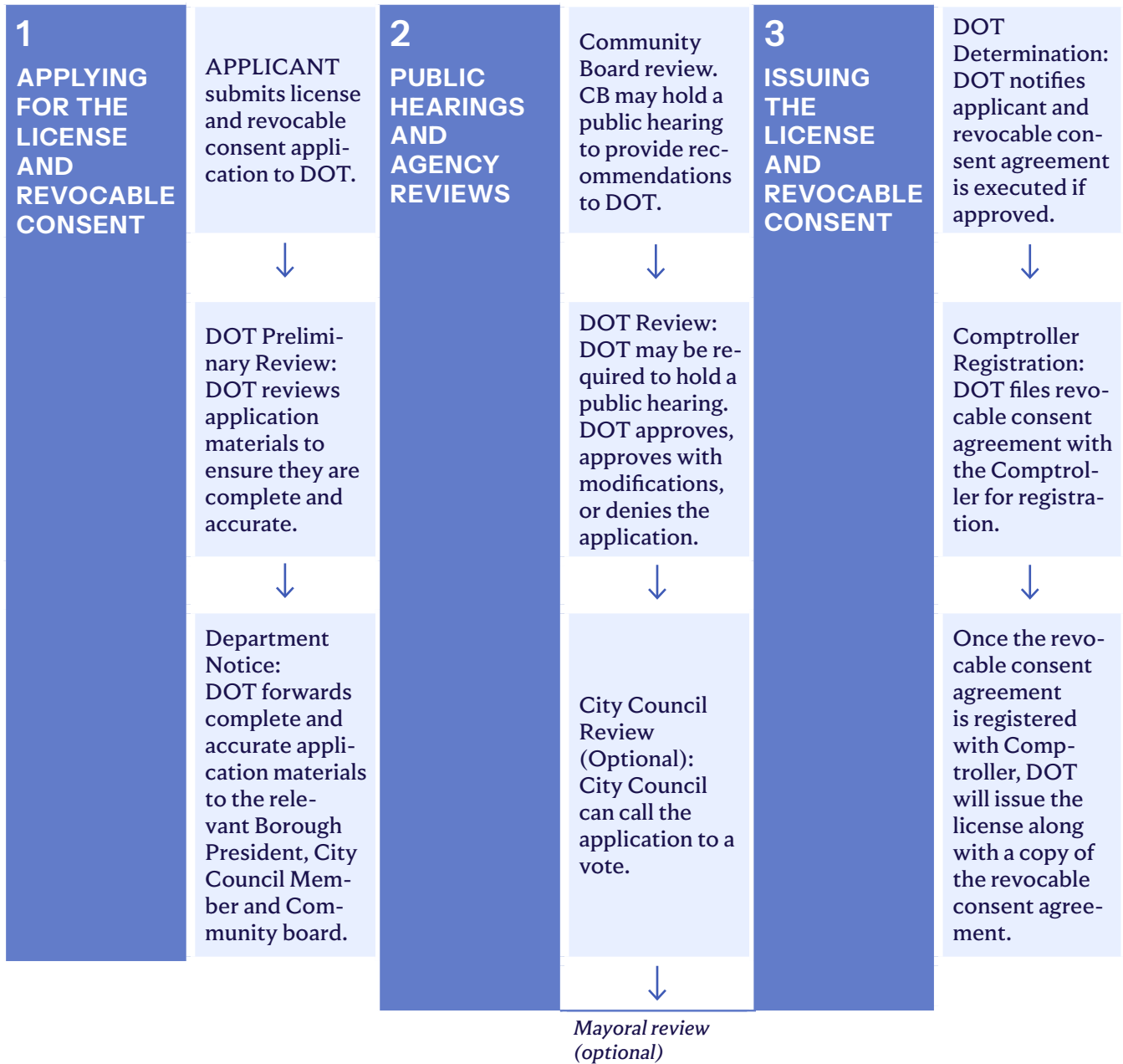
19 Ad. Code § 19-160.2 and 34 RCNY 5-05.

20 34 RCNY 5-07.

ROADWAY CAFE APPLICATION PROCESS



SIDEWALK CAFE APPLICATION PROCESS



Areas to Explore

The Commission may explore ways to reduce time, costs and other burdens for small businesses while ensuring proper oversight and management of the City's streets.

- **Revocable consent:** The Commission may consider measures to streamline the revocable consent processes while retaining the City's authority to revoke a consent at any time. For example, the Commission may consider whether notification by means other than publication in a newspaper would be more effective, whether to grant the City discretion to determine whether a public hearing is required or whether other types of public engagement might be more accessible, and whether to

consolidate the license application and petition for consent.

- **Outdoor dining:** Testimony noted that the process for obtaining a revocable consent, estimated to take six months, can result in restaurants not opening their outdoor dining until the year following their initial application and has urged the Commission to remove the revocable consent process altogether.²¹ The revocable consent processes should be carefully reviewed to ensure DOT is effectively engaging community members and maintaining proper stewardship of the City's streets without creating ineffective bureaucratic requirements that delay important amenities from reaching New Yorkers.

²¹ Andrew Rigie, NYC Hospitality Alliance, Bronx Hearing (June 10, 2026) (Written Testimony).



Make the streets safer by streamlining street infrastructure projects

Context

The streets of New York City are ever changing. But if one were to travel back in time, they would likely not be surprised by what vehicles they would see (Model Ts in the 1910s, Chevy Bel Air's in the 1950s and yellow Ford Crown Victoria taxis of the 1990s). Instead, they would be shocked by what they don't see on City streets: no overnight parking until the 1950s,²² a two-way Fifth Avenue until 1966,²³ no bus lanes until 1963,²⁴ and no bike lanes until

1978.²⁵ In recent years, the City has added to this dynamic streetscape by introducing various safety enhancements to make sure that New Yorkers get where they need to go quickly and safely. The Commission has received testimony that safety-oriented street redesigns, from traffic signals and road markings to bike lanes and pedestrian islands, are critical for ensuring the safety of everyone who uses the City's streets and the reliability of public transportation.²⁶

²² Christopher Gray, *Streetscapes/Cars; When Streets Were Vehicles for Traffic, not Parking*, The New York Times (Mar. 17, 1996), (available at <https://www.nytimes.com/1996/03/17/realestate/streetscapes-cars-when-streets-were-vehicles-for-traffic-not-parking.html>).

²³ Peter Kihss, *5th and Madison Avenues Become One Way Friday*, The New York Times (Jan. 12, 1966) (available at: https://timesmachine.nytimes.com/timesmachine/1966/01/12/79276379.pdf?pdf_redirect=true&ip=0).

²⁴ Bernard Stengren, *Rush-Hour Bus Lanes Assigned in Brooklyn and Staten Island*, The New York Times (May 5, 1963) (available at: <https://timesmachine.nytimes.com/timesmachine/1963/05/05/103000518.pdf>).

²⁵ *Bicycling: A Revolution in Parks*, NYC Department of Parks & Recreation (available at <https://www.nycgovparks.org/about/history/bicycling>).

²⁶ Lijia Gualpa, *Queens Hearing* (June 22, 2026) (testimony).



History

Since the start of the Vision Zero initiative in 2014, the Department of Transportation has made important strides in street safety. As a result of those safety-focused improvements, neighborhoods of all incomes experienced declines in pedestrian fatalities and all traffic fatalities, with the lowest income neighborhoods experiencing the greatest decline in pedestrian fatalities on average: 34%.²⁷ Similarly, the installation of one protected bike lane on Third Avenue in Manhattan has reduced total injuries by 33% and injuries to drivers and other vehicle passengers by 43%.²⁸ These are life-saving improvements that are critical for everyone who uses the City streets, whether pedestrians, drivers, bus riders, or delivery workers (who make up a significant percentage of City cyclists). Crashes are preventable, and sensible safety-focused street redesigns can have an outsized impact on safety.

Yet, some of these street redesign initiatives are subject to mandated delays that slow down the projects and, in so doing, risk lives and injuries. A “major transportation project”—that is, any project that alters 1,000 consecutive feet of street or 4 or more consecutive blocks, whichever is less, or any bike lane regardless of length—is subject to a bureaucratic requirement to consult with four separate agencies and certify compliance.²⁹ Projects involving a bike lane are subject to additional process.³⁰

In practice, these requirements delay critical safety upgrades, leading to fewer street safety redesigns, significant staff time used, and legal challenges that can cause substantial delays to important safety upgrades.³¹ For example, DOT has planned safety improvements on Baychester Avenue in Co-op City in the Bronx—a project that was sought by parents and school administrators who wanted children to have safer routes to school after over a dozen children were injured along the corridor. The project will make a number of street-design improvements, including lane reconfiguration to add parking spaces and improve school loading, extending school loading zones, and improving bus stop accessibility. The project is aimed at enhancing safety for residents and the 5,800 K-12 students in the area. Yet, because this redesign is considered a major transportation project and therefore subject to the extensive bureaucratic steps detailed above, it was delayed by nearly a year.

So long as duplicative, burdensome rules are on the books, street safety projects that save lives will be delayed—an inefficiency that falls most squarely on our roads’ most vulnerable users.

27 Department of Transportation, Equity and Street Safety: How Communities of Color and Low Income Communities Have Become Safer, <https://www.nyc.gov/content/visionzero/pages/library>.

28 Gersh Kuntzman, *Safety First on Third: DOT Numbers Show a Roadway Safer for All Users*, Streetsblog (Feb.19, 2025) (<https://nyc.streetsblog.org/2025/02/19/safety-first-on-third-dot-numbers-show-a-roadway-safer-for-all-users>).

29 Ad. Code § 19-101.2(j).

30 The relevant laws impose 10-20 days of a notice period, a 45-day period in which to give a presentation, followed by a 7-day comment period. Ad. Code § 19-101.2(d)-(g).

31 *Adriatic Plumbing & Heating Inc. et al. v. City of N.Y.*, Index No. 722817/2025 (Doc. No. 104); *Court Street Merchants Assoc. Inc. v. City of N.Y.*, Index No. 537570/2025 (Doc. No. 88).



Areas to Explore

From delivery workers whose lives and livelihoods depend on protected bike lanes to people just trying to visit their friends, the Commission has received testimony highlighting the need for safer streets and faster busways.³² Recognizing that DOT conducts significant outreach before projects are designed and shares updates with the community as projects progress, the Commission may consider ways to streamline outreach, consultation and construction timelines to ensure that life-saving transportation upgrades are made efficiently and responsibly.

- **Public review:** The Commission may consider exploring ways to streamline public review to speed up construction of safety projects while retaining community input.
- **Documentation of inter-agency coordination:** The Commission may explore whether to streamline inter-agency coordination so as to ensure proper coordination but minimize project delays. The Commission may explore whether the additional interagency coordination and review required of major transportation projects should apply only where there are environmental impacts or other indicia of a substantial project.
- **The Commission may consider reviewing the definition of major transportation projects to avoid a one-size-fits-all approach that delays very minor projects.**

³² Antonio Martinez Solis, Queens Hearing (June 22, 2026) (testimony); Lijia Gualpa, Queens Hearing (June 22, 2026) (testimony); Samantha Wilkinson, Staten Island Hearing (June 23, 2026) (testimony); Melissa Caballero Omana, Staten Island Hearing (June 23, 2026) (testimony).

Streamline outdated requirements that impede the City’s ability to activate city property

Context

So many classic New York City icons, from libraries to courthouses to museums, are triumphs of civic architecture. Sitting on City land, they stand as built tributes to the City’s conviction that New Yorkers deserve the very best from their public institutions. Less celebrated than these city-owned masterpieces are the hundreds of vacant lots that do not serve a City purpose but today sit empty and unused. These properties include decommissioned pumping stations, small parking lots, and abandoned buildings unsuitable for City use. They are often challenging to maintain, and with limited resources for the upkeep of unused properties, they often fall into disrepair. Yet, a lengthy and redundant process for disposing of these lots means that they often remain empty, on the City’s rolls but providing no public benefit. This is a shame: while they no longer can be used for City purposes, they often could be put to good use by another owner. A city-owned parking lot adjacent to a private business could be useful to that business, but the onerous process for leasing out the property to that business impedes the City to enter into such a sensible agreement.

This is a missed opportunity both for the City, which loses out on income, and the adjacent business, which misses out on putting the property to productive use.

For example, the City faces significant barriers in selling property unsuitable for City use and in selling development rights already in the City’s possession, both of which could, if not for the barriers, produce revenue for the City. Current

laws also place the City at a competitive disadvantage when it seeks to lease office space for its workforce. The result is that because of the additional regulation to which it is subject—and to which no private entity is subject—the City cannot move with the speed and agility needed to participate in the real estate market, where it is inevitably competing against nimbler private entities. As technology has evolved, barriers to acquiring and disposing of City land have created an ever-increasing gulf between the City’s abilities and those of the private sector. This gulf costs the City both time and money.

History

A key responsibility of the Department of Citywide Administrative Services (DCAS) is selling or leasing land that the City no longer needs. These include properties that were once used for municipal purposes, but do not meet modern agency needs or standards. Yet, due to bureaucratic hurdles and lengthy processes, many of these properties remain trapped — sitting fallow and generating neither public benefit nor tax revenue. This means that properties that could be put to productive use sit empty, or, conversely, it means that the City may continue to pour in funds to maintain the property even when disposing of the property would ensure more productive use. Maintenance of these properties includes, among other things, snow and ice removal during the winter months, fencing, pest control and remediation, pruning of trees and clearing

debris, emergency tree removal, and sidewalk repairs. But the miniscule budget that the City has to maintain its surplus properties makes upkeep of these properties a challenge.

Many are familiar with the public land use review process that goes along with sale or lease of property. But lesser known is the long and often redundant process that follows land use review, and adds cost and time to the City’s ability to activate land.³³ Even once the City obtains the necessary approvals to dispose of property it no longer needs, the disposition must be effectuated by yet another process that can add another year or more to a project—typically either through auction or negotiated disposition. In certain instances, DCAS is also required to hold an additional hearing on the sale or lease of property.³⁴ Since December 2022, DCAS has held 34 of these hearings and received testimony in only two; in both those hearings, the testimony supported the DCAS auction. Notably, the City must follow the same process regardless of whether it is leasing out a City-owned storefront, transferring development rights from a landmarked library, or outright selling a multi-million dollar property.

In 2010, state legislation reduced process costs somewhat by relieving DCAS of the public auction requirement for sliver lots, accessways, and interior lots — authorizing the “SAIL Away” Program — though the process requires a public hearing, mayoral authorization, and a 30-day posting after land-use approval. The legislature has renewed this authorization for five-year intervals since 2010, most recently extending it in 2025 until 2030.³⁵



33 Charter §§ 384, 824.

34 Charter § 824(a).

35 2025 N.Y. Laws ch.318.

The Charter also imposes a number of requirements on the City’s acquisition of office spaces for the City workforce. Unlike the private sector, the City is required to go through a multi-step approval process before it can lease office space. Specifically, the Charter requires the City Planning Commission to hold a hearing and approve office leases and purchases, even if City is moving into an existing commercial office building.³⁶ After the City Planning Commission approves the office space, the City Council then has 20 days to disapprove of the acquisition.³⁷ Next, the City must publish a notice in the City Record “at least ten days but not more than 30 days” in advance of a public hearing held to discuss the location, use and annual rent.³⁸ All told, this series of notifications and review adds months to the process, and, in practice, it can delay entering into an office lease for far longer. In one recent case, the approvals added a year to the leasing process.

This slows the City down compared to private sector counterparts by imposing

additional layers of review even when there is no meaningful land use impact, as changing the lessee of existing office space does not alter land use or change the characteristics of a neighborhood. In turn, this slow-down often causes the City to lose out on properties that would have been financially or programmatically advantageous to the City.

There is no question that the City’s disposition of its property and acquisition of City office space must remain subject to sufficient oversight to ensure that transactions advance the City’s best interests. This includes ensuring that City dispositions and office-lease acquisitions continue to receive robust community input. It also means that these transactions will remain subject to the vitally important existing oversight mechanisms within the City that have proven particularly adept at identifying and bringing to light untoward transactions and corrupt behavior. But the need for oversight should not result in paralysis.

Areas to Explore

- **Permanence of SAIL Away:** The Commission has received testimony that the SAIL Away Program should be made permanent to ensure that this important authority does not expire upon the sunset of the State law. These properties “cannot be developed due to [their] size, shape, applicable zoning, configuration or topography, which factors, singly or in combination, render the development of such property economically impracticable or infeasible.” As such, they are useless to all but adjacent property owners, severely restricting potential purchasers and likely obviating the need for an extensive notice, hearing, and auction requirement. For that reason, these properties are not well-suited for public auction. A faster process saves significant city staff time and gets these lots back on the tax rolls sooner.
- **Disposition Acceleration:** The Commission has also received testimony that has recognized that some dispositions of City-owned land do not have unique

³⁶ Charter § 195(b).

³⁷ Charter § 195(d).

³⁸ Charter § 824(a).

land-use impacts and should be expedited to get these properties back on the property tax rolls. The Commission may consider whether the Charter requirements may be streamlined in order to reduce the number of city-owned lots that are neither used nor disposed of. For example, the Commission received testimony that the second public hearing requirement following the authorization to dispose of property is duplicative and serves little purpose while contributing to the delays in City dispositions.³⁹ The Commission may consider whether to remove or otherwise adjust the public hearing requirements under Charter § 824 in ways that better facilitate community input in the modern day.

- **Rental Competitiveness:** The Commission may consider whether to amend the Charter to authorize a quicker process for City office leasing, particularly when the City intends to lease office space in an existing commercial building. Any proposed revision would need to consider how to balance an expedited process with appropriate oversight to ensure that an acquisition is in the best financial interests of the City.

Increase revenue from the City’s intellectual property and speed up New Yorkers’ access to concessions and infrastructure by streamlining the Franchise and Concession Review Committee

Context

The City has inalienable rights to its streets, roads, parks and other public property, and the Charter permits franchisees and concessionaires to use public property to provide public benefits. Together, franchises and concessions provide essential and beloved functions for New Yorkers, from cable TV lines to skating rinks to outdoor markets. A more efficient selection and approval process for franchises and concessions would benefit the City and its residents.

A franchise is a grant by an agency of a right to occupy or use the inalienable

property of the City to provide a public service. A concession is a grant made by an agency for the private use of City-owned property for which the City receives compensation.⁴⁰ The Charter establishes the Franchise and Concession Review Committee (FCRC) to review and approve the selection of franchises and concessions.⁴¹

History

Prior to its abolition in 1989, the Board of Estimate, a hybrid executive-legislative body comprising the Mayor, Comptroller,

³⁹ Matthew Picarillo, (June 24, 2026) (written testimony).

⁴⁰ Charter § 362.

⁴¹ N.Y.C. Charter § 373.

City Council President, and the five Borough Presidents, approved franchises, and the Concessions Review Committee approved most concessions.⁴²

In 1989, a Charter Revision Commission was convened to overhaul the structure of City government in the wake of the U.S. Supreme Court’s decision in *Board of Estimate v. Morris*, which struck down the City’s Board of Estimate.⁴³ The 1989 Charter Revision Commission proposed establishing the Franchise and Concession Review Committee, a single body comprising the Mayor, the director of the Office of Management and Budget, the Corporation Counsel, the Comptroller, one additional appointee of the Mayor, and the affected Borough President, to review and approve all franchises and concessions that are awarded without a competitive sealed bid or request for proposals.

The multi-step process for approving franchises and concessions can take up to three years and involves review by multiple agencies. The process for obtaining a franchise entails review by the Council, the Law Department, the Department of City Planning, the Franchise and Concession Review Committee, the Mayor, and the Comptroller.⁴⁴ Section 371 of the Charter, which sets out notice and hearing requirements for revocable consents and franchises, requires applicants for a franchise to publish notice of the hearing and a summary of the proposed terms

twice in a daily newspaper and in a weekly newspaper and to send separate notices to any affected Borough Presidents, Community Boards, and councilmembers. Concessions are subject to the rules of the Franchise and Concession Review Committee. Uses of City property ranging from a multi-million dollar sports complex located in a City park to the maintenance of a small City street plaza by a local District Management Association to a concession for a coffee cart next to a City pool may require varying degrees of Franchise and Concession Review Committee process. The Commission has received testimony highlighting the complexity of the concession process, noting that the process deters many innovative ideas for using public space from coming to fruition.⁴⁵

Additionally, because City property includes the City’s intellectual property, commercial licensing of the City logo is often subject to review by the Franchise and Concession Review Committee.⁴⁶ These branding deals provide revenue and foster goodwill toward the City. Yet, treating these “non-exclusive merchandise licens[ing deals] as the equivalent of exclusive occupancy or installation of capital structures on City property makes little sense.”⁴⁷ As described in testimony received by the Commission, “printing t-shirts or making keychains and accounting for and paying over a percentage of revenue is a much more limited activity”

42 For a description of the administration of franchises and concessions before 1989, see Frederick A.O. Schwarz Jr. and Eric Lane, the policy and politics of Charter making: the story of New York City’s 1989 Charter, 42 N.Y.L. Sch. L. Rev. 723 (1998) at 875-76.

43 489 U.S. 688 (1989).

44 Charter §§ 363, 372.

45 Evan R. Sweet, Meatpacking District Management Association (June 26, 2026) (written testimony).

46 *Comptroller v. Mayor of the City of New York*, 7 N.Y. 3d 256 (2006).

47 Katherine Winningham, Comments to the New York City Charter Revision Commission Regarding Franchise Concession Review Commission process for Non-Exclusive Intellectual Property Licenses (written testimony).

than exclusive occupancy on City land.⁴⁸ Further, the City retains strict oversight of these deals, including rights to immediate termination and audit, insurance and indemnity requirements.

Beyond the lengthy review process required for approval of a franchise or concession, the Charter also requires public notice of the proposed terms of a franchise.

Areas to Explore

- **Intellectual Property:** The Commission received testimony highlighting that certain types of marketing initiatives that promote the City’s logo are particularly ill-suited for the FCRC’s extended process. The treatment of intellectual property as City property for purposes of the FCRC process may result in lost revenue for the City, as entities consider the process far too slow-moving and cumbersome to accommodate or justify the licensing opportunity they would otherwise pursue. The six- to nine-month long process may deter companies from doing business with the City. The Commission may consider amending the Charter to exclude intellectual property expressly from the scope of the Franchise and Concession Review Committee.
- **Process Improvements:** The Commission has also received testimony that the FCRC process should be “right-sized” to ensure that smaller concessions are not subject to the same process as larger ones.⁴⁹ The Commission may also consider whether to streamline and modernize publication requirements for public hearings before the Franchise and Concession Review Committee.

48 Id.

49 Blaise Backer, June 10, 2026 (written testimony) (“The case for a charter amendment is to make right-sized review the mandatory default rather than a discretionary act of administrative self-restraint.”).



Chapter 2: Accelerate Permitting and Contracting

New Yorkers move fast and move 24/7. Yet too often the services and programs our communities rely on take far more time than New Yorkers can afford to wait. Procuring services from contractors who provide programming for children can face countless delays, forcing parents to wait or spend time and money on alternative options. Approval for a permit can remain tied up in red tape, keeping construction of much-needed new housing mired in delays. A government of excellence must deliver high-quality goods and services quickly, and a government that keeps pace with New Yorkers' needs can help keep costs down, making our city more affordable and livable for working New Yorkers. A government that moves quickly and delivers excellence can help restore public faith in our city's ability to tackle the challenges our residents face, rather than adding bureaucratic hurdles and headaches to their daily lives. Ultimately, the acceleration itself is not the point—getting New Yorkers what they need is the point. Whether it is more innovative approaches to the permitting experience or changing procurement processes in order to keep up with the contemporary needs of City agencies, accelerating permitting and contracting will allow New Yorkers across the public and private sector to more effectively build, buy, and innovate.

Over the course of the Commission's first five hearings, New Yorkers from across the five boroughs urged City government

to find ways to move more quickly to save New Yorkers money, time, and energy. The Commission plans to look closely at how to reform the Charter wherever possible to deliver services more quickly and efficiently, which will in turn save taxpayers' dollars.

Speed up construction by streamlining permitting

Context

The Department of Buildings regulates New York City's over one million buildings and over 40,000 construction sites. Yet outdated provisions may restrict the ability of DOB to organize itself in a way that promotes its ability to quickly and efficiently permit new buildings and renovations to existing buildings, as well as allow for the occupancy and use of newly constructed buildings.

DOB has an over 150-year history of protecting New Yorkers through the rigorous process of approving and inspecting the buildings and structures of New York City. Over time, DOB has expanded and evolved to respond to both a growing city and the need to institute new safety features and improvements.

Today the process of issuing permits to build in New York City is complex, cross-



ing multiple agencies and offices. A recent government report identified 40 separate permits and procedures that might be required for a single affordable housing building.⁵⁰ These processes spanned not only 15 different agencies but frequently different units within a single agency.⁵¹ The Commission repeatedly heard about inefficiencies in New York City’s permitting process and how these processes slow the creation of new housing, the opening of new restaurants, the installation of green technologies, and the creation of new jobs.⁵²

History

New York City’s Building Department traces its origin to 1860 following the passage of “An Act to provide against unsafe buildings in the [C]ity of New York” by the New York State legislature.⁵³ That law created the first “Superintendent of Buildings” and required that person, along with the Deputy Superintendent, to “examine all plans and specifications” for new buildings to ensure that they met the new requirements.⁵⁴ Two years later a full department was created that had “full

50 City of New York, *SPEED Report*, at 31-32 (available at https://www.nyc.gov/content/dam/nycgov/nyc-main/pdf/2026/speed_report_051326.pdf?utm_medium=email&utm_name=&utm_source=govdelivery).

51 *Id.* https://www.nyc.gov/content/dam/nycgov/nyc-main/pdf/2026/speed_report_051326.pdf?utm_medium=email&utm_name=&utm_source=govdelivery.

52 David Hammer, Popwheels (June 10, 2026) (written testimony); Annemarie Gray, Open New York, Queens Hearing (June 22, 2026) (testimony); Laeo Crnkovic-Rubsamen, Manhattan Hearing (June 9, 2026) (testimony).

53 1860 N.Y. Laws ch. 470.

54 The Superintendent, Deputy Superintendent, and eight inspectors were to be nominated by a majority of a committee consisting of the President of the Fire Department, The Treasurer of the Fire Department, President of the Board of Trustees of the Fire Department, 3 members of the American Institute of Architects and 3 members of the Society of Mechanics’ and Tradesmen.

power, in passing upon any question relative to the mode, manner of construction, or materials to be used in the erection, alteration or repair of any building in the city of New York.”⁵⁵ In June of 1866 the first new building permits were filed with DOB, and the modern permitting process was born.⁵⁶

Over the coming years the State would continue to enact more laws relating to building quality and life safety, such as regulating tenements, requiring fire escapes (1860)⁵⁷, windows (1879)⁵⁸, and indoor plumbing (1901).⁵⁹ DOB ensured compliance with these requirements through the issuance of permits.

A single, citywide DOB was created by the Charter of 1898, when the five boroughs were consolidated into one city. The Consolidated Charter of 1898 created a DOB with three Commissioners appointed by the mayor, one for Manhattan and the Bronx, one for Brooklyn, and one for Queens and Staten Island.⁶⁰ That system would undergo a number of changes before taking on the current form with the Charter modernization in 1936.

The 1936 Charter established the current structure of DOB: a Commissioner with two deputies as well as an expanded borough-based system with a borough superintendent presiding over a branch office in each borough.⁶¹ A key goal of the 1936 Charter was to centralize power in more efficient and effective citywide agencies.⁶² However, as the 1936 Charter Revision Commission explained:

a special problem was presented in the treatment of the functions of the city with respect to the planning, construction and inspection of private buildings. It was plain that duplication of authority should be eliminated in the interest of uniformity. A centralized department would eliminate these evils. There was, however, concern lest a centralized department would require builders in outlying boroughs to go to Manhattan for their certificates.⁶³

As such, in order to avoid all applicants having to travel to Manhattan, the Charter provided for the creation of the borough offices and superintendents to run those offices.

55 1862 N.Y. Laws ch.356, sec. 36.

56 Kenneth R. Cobb, *The Manhattan Department of Buildings Docket Book Collection, 1866-1959* (Dec. 3, 2021) (available at <https://www.archives.nyc/blog/2021/12/3/manhattan-department-of-buildings-docket-book-collection>). In fact, the numbering system for New Buildings in New York City remained unchanged from 1866 until the early 1990s (*Office for Metropolitan History*, Building Permit Search, available at <https://www.metrohistory.com/permit-search>).

57 1860 N.Y. Laws ch. 470.

58 1879 N.Y. Laws ch. 504.

59 1901 N.Y. Laws ch. 334.

60 Charter § 644 (1898).

61 The precise number of Deputy Commissioners has shifted somewhat over the past 90 years. In 1967, DOB was folded into the Housing and Development Administration, and the Commissioner was authorized to appoint a deputy. (Local Law 58 of 1967). In 1977, with the dissolution of the Housing and Development Administration, the Commissioner of DOB was again authorized to appoint two deputies. (Local Law 29 of 1977). The enactment of Local Law 39 of 2008 now requires the appointment of two deputies.

62 Laurence Tanzer, *A History of the Charter and Analysis and Summary of its Provision* (1937), at 509 (“Consolidation in a single department of all control over the planning, construction and occupancy of private buildings is most desirable...”).

63 Proposed Charter for the City of New York and Report of the New York City Charter Revision Commission at 9 (available at: <https://babel.hathitrust.org/cgi/pt?id=mdp.39015082604532&seq=15>).

Today, DOB handles approximately 275,000 applications a year.⁶⁴ These applications cover projects ranging from new curb cuts and tower cranes for the construction of affordable housing developments to the installation of new green infrastructure like solar panels.

Over the past 15 years, DOB has made significant progress in improving its permitting process. In 2011, DOB launched the Development HUB to allow electronic filing and virtual plan review. These modernizations have eased traffic at DOB's five Borough Offices and allowed for faster reviews of the City's largest projects. Five years later, in 2016, DOB introduced DOB Now, an online portal to allow for the filing of applications for building permits. DOB Now replaced the legacy mainframe "Building Information System" from the 1980s for new filings.

However, issues still persist—as an example, it takes an average of over four years from the initial filing of a new building permit at DOB to officially complete construction and all inspections for housing. Additionally, some applicants simply struggle with understanding the whole gamut of permits that will be required. As a recent government report outlined, there is no centralized source describing which approvals are required.⁶⁵ Multiple administrations have studied the challenge of permitting in New York City. Across these many analyses numerous suggestions have been made to improve the permitting process.

This Commission has heard a number of suggestions for how the permitting process could be improved through changes to the Charter.

64 2025 Mayor's Management Report, Dep't of Buildings, at 357 (available at: https://www.nyc.gov/assets/operations/downloads/pdf/mmr2025/2025_mmr.pdf).

65 City of New York, SPEED Report (available at https://www.nyc.gov/content/dam/nycgov/nyc-main/pdf/2026/speed_report_051326.pdf?utm_medium=email&utm_name=&utm_source=govdelivery).



Areas to Explore

- **DOB Deputies:** As described above, the current structure of DOB largely dates to 1936 and was primarily structured with borough offices and borough Superintendents to ensure that “centralization” would not require “local land owners and contractors to obtain the approval of plans and permits and certificates of occupancy from the offices of the Department in Manhattan.”⁶⁶ Despite a shift towards the HUB system, the legacy structure requires that even projects reviewed through centralized units may still require additional routing and approval through geographically assigned offices before final determinations can be issued.
 - For example, a project may receive plan examination approval through a centralized HUB unit that has developed extensive familiarity with the application, project history, and technical issues involved. However, subsequent approvals, such as a Certificate of Occupancy determination, may still require review and approval through a geographically assigned borough office. This can require a new review team to become familiar with the project and may reduce the benefit of the institutional knowledge developed during earlier stages of review. The Commission may explore allowing the Commissioner of Buildings to designate additional senior officials to issue final determinations, which could enable projects to be finalized where substantive review occurred, reducing administrative handoffs and helping projects move forward more efficiently.
- **Permitting Centralization:** Today permitting for new construction is divided across a wide variety of agencies. The Department of Environmental Protection is required by the Charter to approve stormwater pollution prevention plans while the Department of Parks and Recreation handles the protection of street trees during construction. Similarly, DOB confirms compliance with zoning regulations and adherence to building codes (including fire protection systems), while the Fire Department conducts a separate plan review and issues permits for fire alarm installations and checks that such systems function and are installed appropriately.⁶⁷
 - The complexity of interagency permitting is not new. Commenting in the 1930s during one attempt to centralize permitting, the New York Times editorial board wrote: “At present the owner has to deal with inspectors from various departments...If he is engaged in putting up an apartment house, for example, he will find the building inspector telling him how to build his retaining walls and the tenement house inspector telling him where to put them...the first ordering the construction of stairs, while the

⁶⁶ Proposed Charter for the City of New York and Report of the New York City Charter Revision Commission (1936), at 35 (available at: <https://babel.hathitrust.org/cgi/pt?id=mdp.39015082604532&seq=41>).

⁶⁷ Catherine Vaughn, Manhattan Hearing, (June 9, 2026) (testimony).

second speaks with authority on such matters as the size of the treads, rises, platforms and handrails.”⁶⁸

- The Commission may choose to explore how to facilitate a central permitting hub for New Yorkers to access their construction permitting needs across agencies, streamlining the user process, increasing transparency, and speeding up the process for construction.

Enable the City to respond more quickly to evolving safety standards by vesting DOB with rulemaking authority for some construction codes

Context

One of New York City’s top priorities is keeping the occupants of the City’s over one million buildings safe. Yet, inefficiencies may make it more difficult to institute new safety upgrades. The Commission has heard that these complexities can take time away from the important work of keeping New York City’s myriad of codes up to date.⁶⁹ Respondents to the Commission have recommended that the Commission explore other methods of implementing code upgrades and amendments.

History

New York City has one of the longest histories of building safety regulation in the United States, dating back to the mid-17th century under Dutch rule.⁷⁰ Later, building safety regulations such as requirements for fireproof construction⁷¹ and fire escapes⁷² would be introduced to ensure the safety of New Yorkers. The introduction of new technology at the turn of the 20th -century would bring new regulations including plumbing licensing and rules for elevators.⁷³

The first “Building Code” has its origins in the 1898 consolidated charter of New York City. The Charter stated that “the municipal assembly shall have power to establish and from time to time to amend a code of ordinances, to be known as the ‘building code.’”⁷⁴ New York City’s first building code was approved by the Municipal Assembly and signed by the Mayor and went into effect on December 23, 1899.⁷⁵ Today, there are 6 different New York City Construction Codes: the building, plumbing, mechanical, fuel

68 The Building Bill, New York Times (Apr. 14, 1933) (available at: <https://www.nytimes.com/1933/04/14/archives/the-building-bill.html>).

69 Annemarie Gray, Queens Hearing (June 22, 2026) (testimony).

70 2023 Construction Codes Revision Cycle Handbook, at 3 (available at https://www.nyc.gov/assets/buildings/pdf/2023_revision_cycle_handbook.pdf).

71 849 N.Y. Laws ch. 84.

72 1860 N.Y. Laws ch. 470.

73 2023 Construction Codes Revision Cycle Handbook, at 5 (available at https://www.nyc.gov/assets/buildings/pdf/2023_revision_cycle_handbook.pdf).

74 Charter § 647 (1898).

75 The building code of the city of New York as constituted by the Greater New York Charter (1899), at iii (available at <https://archive.org/details/cu31924090411772/page/n7/mode/2up>).

gas, electrical, and energy conservation codes.⁷⁶ A new Existing Building Code was also recently enacted, to take effect in 2027.⁷⁷

All Construction Code updates require legislative action by the City Council, even when the proposed changes are primarily technical in nature. This process requires coordination among multiple stakeholders and often involves significant legislative review after technical analysis and stakeholder engagement have already occurred. The current framework was developed around periodic code revision cycles in which large groups of amendments to keep pace with national and international standards are adopted together through legislation. While this approach provides legislative oversight, it can make it difficult to implement more routine technical updates in a timely manner. As the pace of

technological change and code development has accelerated, the City's process for adopting technical amendments has become increasingly cumbersome.

New York City's construction codes are each based on International Code Council (ICC) standards, with modifications to address NYC's built environment.⁷⁸ However, the NYC codes lag behind the ICC standards. For example, the current NYC Building Code (2022) is based on the 2015 International Building Code (IBC). This delay is due largely to important discussions with stakeholders to modify the IBC for NYC's circumstances, but the enactment of the codes through local legislation also takes time. Enactment of revisions to the Construction Codes competes with other legislative priorities for Council staff resources and hearing schedules.

Areas to Explore

- Vest the Department of Buildings with rulemaking authority for building code: Many technical regulatory programs and jurisdictions rely on administrative rulemaking to keep standards current while preserving opportunity for public notice and comment. The Commission has heard testimony suggesting that the Department of Buildings should be provided the authority to adopt either entire codes or routine technical code amendments through the City's existing City Administrative Procedure Act (CAPA) rulemaking process.⁷⁹ This would enable the City to respond more quickly to evolving safety standards while maintaining transparency and public participation. The Commission may consider whether to vest DOB with the authority to adopt all or portion of the Building Code by rule and may also consider whether that authority should extend to any of the other Construction Codes.

⁷⁶ Ad. Code § 28-101.1.

⁷⁷ Local Laws 33 and 42 of 2026.

⁷⁸ Much like Major League Baseball's "World Series" the International Building Code is primarily used in the United States.

⁷⁹ Annemarie Gray, Queens Hearing (June 22, 2026) (testimony).

Speed up contracting by reforming procurement

Context

Procurement – that is, the purchase of goods, services or construction – in the City of New York affects almost every aspect of City government and public life. In Fiscal Year 2025, the City procured goods and services from outside contractors worth \$42.3 billion – nearly 40% of the City’s budget.⁸⁰ The City relies on vendors to provide a wide array of City services, from afterschool programs to landscaping to software development. The City’s infrastructure, from wastewater treatment systems to parking garages to solar panels built atop our cultural institutions, are largely built through contracted labor. The City also purchases numerous goods, from pencils to fire hoses to vehicles. These goods and services are neces-

sary for City agencies to run smoothly and deliver on their missions.

Procurement is a critical tool for the City to delivery services, and the City’s use of procurement has only grown over time. However, the Charter provisions governing procurement have remained largely unchanged since 1989, when voters adopted a wholesale change to the City government that replaced the Board of Estimate with the City’s current governmental structure. Today’s problems with procurement are much the same as they were in 1989. Testimony received by the Commission reveals a complex process that results in long cycle times to procure new goods and services, creates challenges that block small businesses from competing, and is plagued by delayed payments to contractors.⁸¹ While many issues with the City’s procurement process stem from the complexity of its contracts, insufficient personnel and State-law hurdles, the Commission may consider whether changes to the Charter could reduce the burdens

80 “The City of New York Annual Procurement Indicator Report” for Fiscal Year 2025 (available at: <https://www.nyc.gov/site/mocs/resources/citywide-indicator-reports.page>).

81 Bill Murray, American Council of Engineering Companies of New York, Manhattan Hearing (June 9, 2026) (testimony).



imposed on small businesses and hasten the speed with which the City enters into contracts.

A typical procurement follows a circuitous route through numerous City agencies. Take, for instance, a standard procurement for human services through a Request for Proposal (RFP).⁸² The RFP process begins with the Pre-Solicitation step, which includes the initial planning and completion of a pre-solicitation review that must be approved by the Office of Management and Budget (OMB) and the Mayor's Office of Contract Services (MOCS). After approval, the agency can release the solicitation, which is published for a median of 50 days. Once proposals are received, agencies complete their evaluations, a process that has a median cycle time of 130 days. Once the agency recommends a proposer for award, the agency must determine that the selected vendor is responsible and the contract must be negotiated and executed. This stage can include finalization of scope of services, reimbursement rates, and salary levels.

At each step, the procurement may be reviewed by various oversight entities including MOCS, OMB, and the Law Department. MOCS verifies that proper procurement and contracting procedure is being followed. OMB ensures that there is sufficient funding for the contract in the relevant agency's budget, and, if being funded via the City capital budget, that a given project meets capital eligibility requirements. The Law Department confirms that the contract complies with all relevant laws, that its terms adhere to relevant citywide practice and also does not expose the City to unnecessary legal liability. Each of these oversight stages can

require significant back and forth between the oversight entity and the contracting agency — with the contracting agency having to confer with the vendor if the information requested by the oversight entity is not readily available. These approvals during the award stage after vendor selection add a median of over 100 days to the process. Finally, the agency submits the contract for registration with the Comptroller, who has up to 30 days to do so. The Commission heard testimony



⁸² Requests for Proposals are also sometimes referred to as Competitive Sealed Proposals.

that it can take at least a year for human services contractors to receive payment for services rendered.⁸³

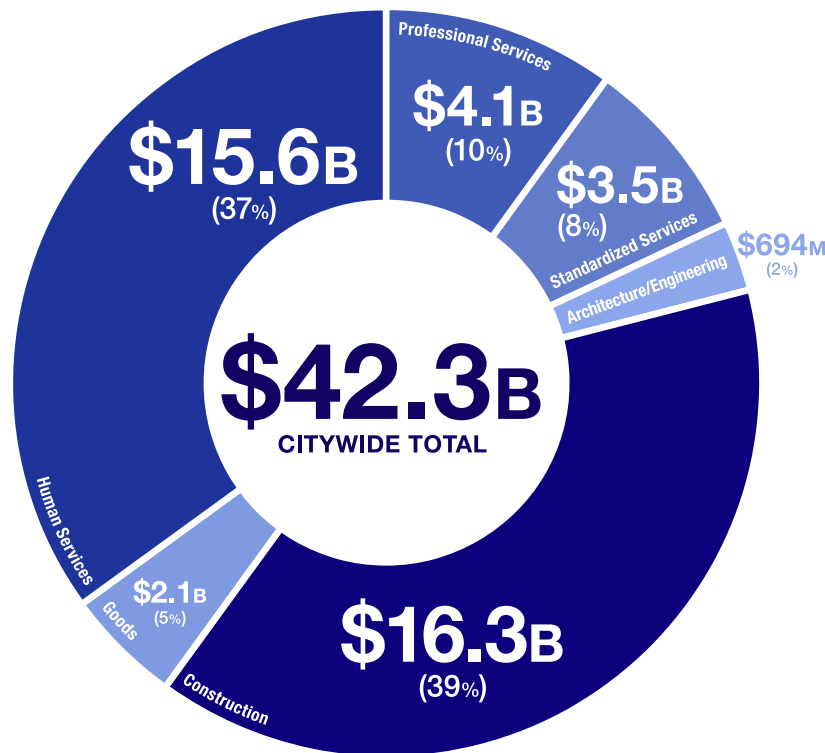
The number of steps involved in the procurement process are all aimed at ensuring that the City’s dollars are being spent lawfully and carefully. These steps include the numerous internal processes described above, as well as requirements imposed on vendors, including completing PASSPort disclosures and questionnaires, described in greater depth below. But in addition to all of these pre-contract checks, City contracts are also subject to robust post-contract audits, including from the City Comptroller, the State

Comptroller, the Department of Investigation and internal agency audits. These audits are critical in ensuring that the City’s dollars are spent prudently, that vendors are complying with the terms of their contract, and that City contracts are well-designed to prevent program fraud and abuse. Any proposed changes to the City’s procurement system must ensure that integrity checks are not compromised and that City vendors continue to adhere to strong labor practices and do not engage in unlawful discrimination.⁸⁴

History

The City’s current byzantine procurement system is in many ways a reaction by poli-

Citywide Procurement by Industry-Fiscal 2025



83 Jerry Hyppolite, Housing Solutions of New York, Bronx Hearing (June 10, 2026) (testimony).

84 Ad. Code §§ 6-109 (prevailing wage for security guards and fire guards at city-contracted shelters); 6-123 (contractor human rights compliance); 6-145 (labor peace agreements for human service contracts); 6-151 (labor and human rights disclosures in procurement).

cymakers to various corruption scandals and incidents of substantial mismanagement, including, most prominently, the Parking Violations Bureau scandal in 1986. The Parking Violations Bureau scandal, which erupted during the Koch Administration, was the stuff of tabloid headlines: the revelation of a multimillion-dollar kickback scheme involving collection of unpaid parking tickets, leading to the suicide of one of the alleged principal perpetrators and high-profile prosecutions of City officials involved in the scheme.

Thrust into the limelight, procurement became the topic of numerous government reports in the late 1980s, which faulted the City's contracting operations as "awash in a sea of paper, plagued by inordinate delays and clouded by unclear and inconsistent rules and procedures which slow City business to a crawl and discourage vendors from stepping forward to bid."⁸⁵

Prior to 1989, procurement policies previously were highly fragmented, complex and opaque, with wide variances in procedures across agencies and lacking centralized oversight. Prior to its abolition in 1989, the Board of Estimate possessed a variety of powers relating to procurement.⁸⁶ The 1989 Commission, convened in the wake of the Supreme Court decision striking down the Board of Estimate, proposed instead to vest the Mayor with oversight of the City's procurement. The Charter entrusted to the Mayor and their agency appointees broad powers to manage each specific procurement, many of

which were previously held by the Board of Estimate. In addition, the new Charter, based on recommendations from the American Bar Association Model Procurement Code, established the Procurement Policy Board (PPB), which was given responsibility to establish rules and policies for procurement but not have involvement in the procurement process itself. The Charter also included a requirement for public hearings on certain contract awards. The basic framework proposed by the 1989 Commission – and ultimately adopted by the voters – remains today.

With the experience of more than a quarter century, it is clear that many of the 1989 reforms were successful, but certain procedural steps in the procurement process, coupled with additional regulations added after 1989, contribute to some of the inefficiencies and burdens that plague procurement today.

Areas to Explore

The Commission may consider easing procurement along three axes: (1) less paperwork to reduce burdens for small businesses, non-profits, and other entities doing business with the City; (2) faster process to expedite procurements; and (3) fewer reporting requirements to free up staff time that would be better spent on substantive reviews. Combined, the areas below would save small businesses dozens of hours of work per contract, ensure a 10% reduction of the City's procurement timeline, and free up hundreds of hours of work at each agency across the city.

85 A Ship Without a Captain: The Contracting Process in New York City, in Government Ethics Reform for the 1990s: the Collected Reports of the New York State Commission on Government Integrity, at 460-62.

86 Charter ch.13 (1976). Certain non-competitive contracts required approval of the Board of Estimate, and the Board also had certain powers to award a contract to someone other than a low bidder.

Less paperwork to reduce burdens for small businesses

- **Vendor Questionnaires:** To reduce burdens on small businesses, the Commission may consider streamlining existing questionnaire requirements. The Commission received testimony regarding the burdens of the PASSPort questionnaire, and in particular the challenges it creates for small businesses.⁸⁷ These questionnaires, which must be completed by vendors before they can be awarded a contract, contain information about the vendor, its principals and its affiliates and a long series of questions relating to past performance, investigations, and issues. The law provides strict requirements that must be included in the questionnaire. The questions do not vary by type of vendor or the nature of the contract at issue, so a hot dog vendor and a large commercial bank must answer the same questions. The Commission may consider whether MOCS should be granted the authority to vary questionnaire by category of vendor. Such a change could provide measurable relief to small businesses; and by making contracting easier, it may also increase competition by encouraging more vendors to bind on City contracts, ultimately driving down costs and improving performance.

Faster process to expedite procurements and contract administration

Even small improvements in procurement cycle times can have an outsized impact over the City's portfolio of over 198,000 annual transactions.⁸⁸

- **Public Notice:** To save at least 20 days in the procurement process, the Commission may consider making permanent a public comment period instead of a public hearing for contract awards. The Charter previously required agencies to hold a hearing before entering into contracts over \$100,000 that were awarded by other than competitive sealed bids. These hearings would typically delay a contract by at least 30 days and were poorly attended. This provision, added in 1989, was the subject of substantial debate by the 1989 Charter Revision Commission with some members of the Commission worried that these contract hearings “would waste agency time and add the very inefficiency” the Commission was trying to avoid.⁸⁹ State law recently amended this provision of the Charter, replacing the public hearing requirement with a public comment period. But the State law expires at the end of 2030. The Commission may consider making this change permanent and providing the PPB with the authority to determine the threshold for contracts subject to this requirement.⁹⁰ A higher threshold would save an additional two weeks for these contracts.

⁸⁷ Jerry Hyppolite, Housing Solutions New York, Bronx Hearing (June 10, 2026) (testimony). This questionnaire is also sometimes referred to as the VENDEX questionnaire in reference to the predecessor to PASSPort.

⁸⁸ Mayor's Office of Contract Services, 2025 Citywide Indicators Report (available at <https://www.nyc.gov/site/mocs/resources/citywide-indicator-reports.page>) (“In FY25, the City procured nearly \$42.3 billion worth of goods and services through over 198,000 transactions.”)

⁸⁹ Frederick A. O. Schwarz, Jr. Eric Lane, *The Policy and Politics of Charter Making: The Story of New York City's 1989 Charter* Frederick A. O. Schwarz, Jr. Eric Lane, at 888-89.

⁹⁰ Charles Diamond, *Proposal to the 2026 Charter Revision Commission – Chapters 1 and 13 (Procurement Detailed Proposed Amendments* (written testimony).

- **Delegation of Approvals:** To streamline procurement approvals, the Commission may also consider whether to amend the Charter to authorize the Mayor to delegate certain approvals to agency chief contracting officers. Various sections of the Charter require Mayoral approval for certain types of contracts and for use of certain procurement procedures. The Mayor may delegate these powers to the City Chief Procurement Officer; however, the Mayor is precluded from further delegating the approval to the agency chief contracting officer.⁹¹ The Commission may consider whether to authorize the Mayor to further delegate this authority. This could save one to two weeks and could affect more than 120 contracts. Of course, periodic reviews of any delegated function will remain to ensure satisfactory performance.
- **Technology Procurements:** The Commission received substantial testimony about both the challenges of procuring technology and the need for technological enhancements to City government, and these are discussed in greater length in Chapter 3.

Eliminate unnecessary reporting to free up staff time to work on substantive reviews

- **Procurement Education Report:** The Charter requires the PPB to submit an annual report to the mayor, comptroller, and council setting forth the professional standards for agency contracting officers.⁹² The New York City Procurement Training Institute was established by executive order in order to provide training and education to such personnel. MOCS is responsible for managing the Procurement Training Institute and is the author of these reports on behalf of the PPB. The report has garnered no interest or comment since at least 2015 and the purposes pre-date modern means of education like e-learning. The Commission may consider eliminating the report or revising it.
- **Client Services Plan:** The charter requires agencies that award client services contracts to annually produce a draft and final plan detailing anticipated contracting actions for the fiscal year and hold at least one public hearing each year following release of the plan.⁹³ The multiple drafts and requirement for public hearings, which have little to no attendance, create additional and duplicative work for agencies that take time and resources away from their primary responsibilities and do not provide a meaningful opportunity for the public to engage. To save hundreds of hours of staff time, the Commission may consider whether to revise these provisions to reduce unnecessary work or provide authority to the PPB to define the plan's requirements and procedures, including the use of more accessible, contemporary methods of public input.

⁹¹ Charter § 20-t(d)(1)(b).

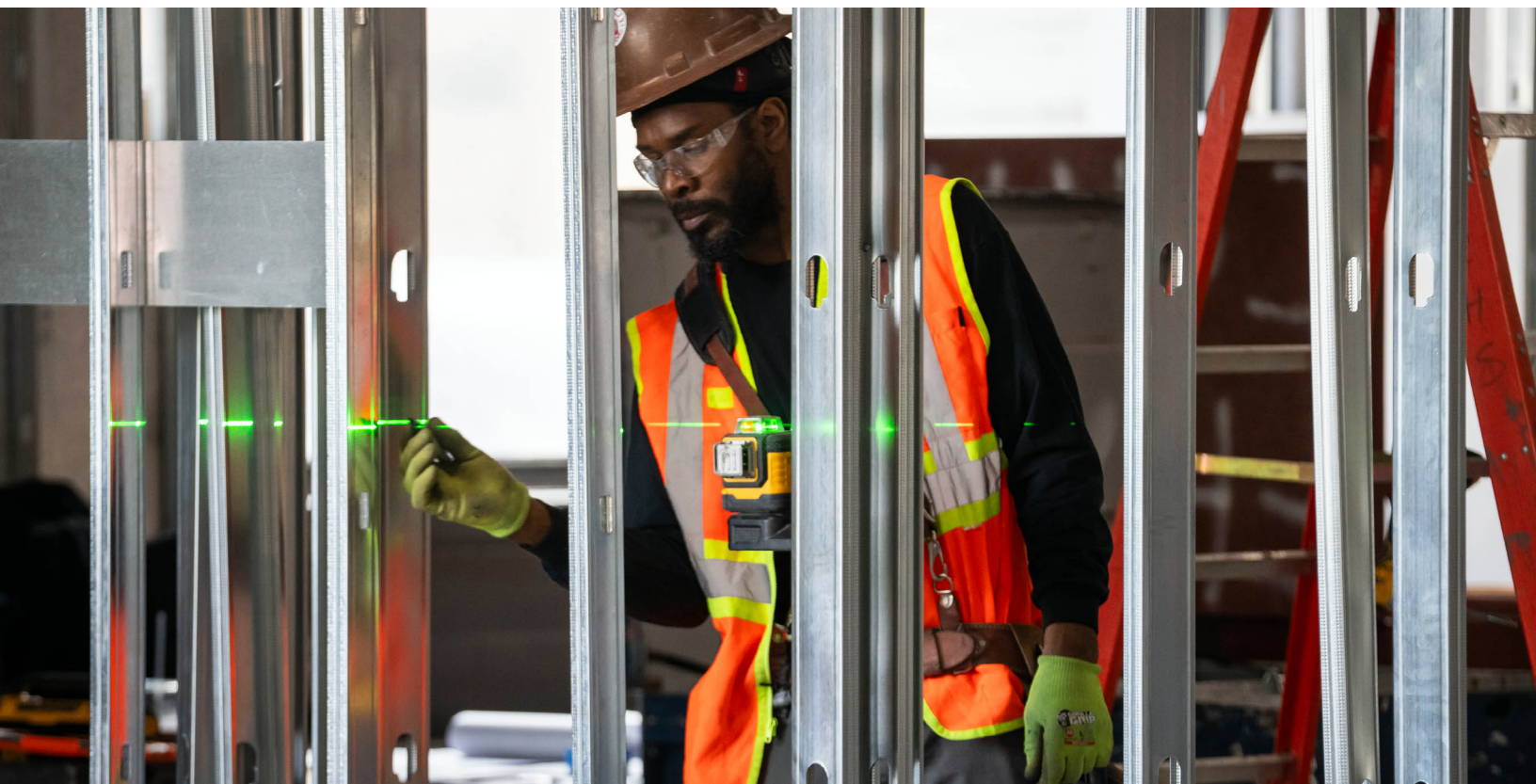
⁹² Charter § 311(e).

⁹³ Charter § 325(a).

Chapter 3: Modernize Outdated Systems and Requirements to Bolster Innovation

A 21st century government cannot be trapped in the processes and paperwork of the 20th century. Too often, duplicative requirements, burdensome rules, and complex approval processes create a web of red tape that inhibits, rather than facilitates, the services New Yorkers need. To improve our government and drive down costs, we need to streamline and modernize processes, using tech to fuel innovation, removing antiquated requirements, eliminating duplicative offices, and consolidating duplicative processes.

New Yorkers should not have to navigate byzantine requirements to access simple services, and City agencies should not have to dedicate countless hours and staffing manpower to fulfill outdated reporting laws that no longer serve the public good. To deliver a government of excellence and a government that can unlock the innovation that City workers and New Yorkers possess, we need to simplify processes wherever possible and remove red tape that serves no purpose but to drive up costs and delay delivery.



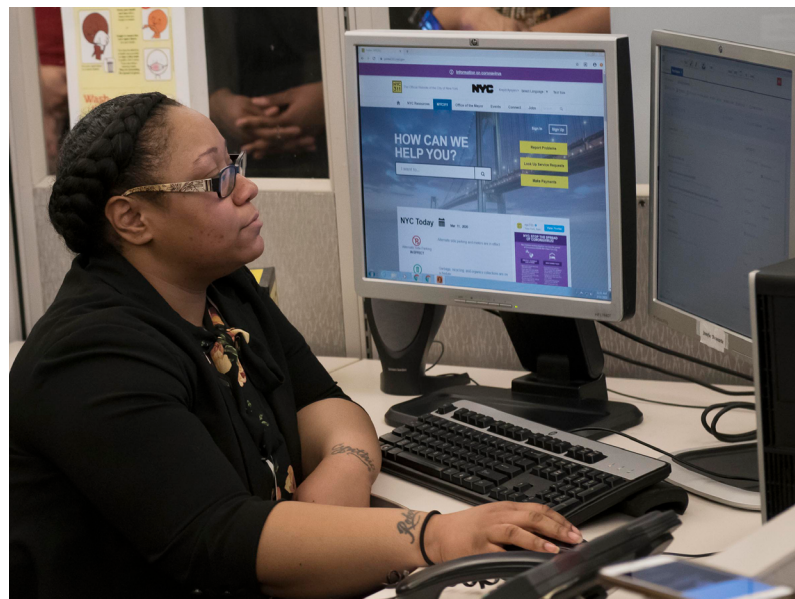
Make maximal use of technology to fuel innovation across government

Context

As governments perform ever-more complex tasks for millions of people at high speeds, technology has become increasingly essential to how policy is designed and services are delivered. The City government must figure out how to find every New Yorker living in a basement apartment, whether legal or not, and government must notify them when there is a flood. The City must figure out which streets to plow in which order during a blizzard, how to connect newly arrived New Yorkers to resources in their native languages, how to respond quickly to 911 calls no matter the volume. The City must figure out how to communicate with New Yorkers about a ticker tape parade with 48 hours' notice while mapping out which high school students need to take which Regents exams where during that same parade, and the City must figure out how to keep people safe and informed as they implement transportation contingencies during the World Cup. It would be hard to overstate the role of technology in government—or what government is asked to do with that technology.

We are now at an inflection point. The most capable tools in the history of

computing, including a generation of artificial intelligence that can analyze data, automate tasks, and process information at exceptional speed, are arriving in public life all at once. They are improving faster than any procurement process or budget cycle was built to absorb. If we can meet this moment, the City can use these emerging technologies to build the government that New Yorkers deserve—one that cuts through bureaucracy to deliver faster and better services and frees public servants to spend their time on the problems New Yorkers care about most. If we fail to meet it, the City risks falling out of step with the world around it, wasting public money on systems that don't serve New Yorkers' current needs.



Across the five boroughs, New Yorkers raised a wide range of concerns, questions, and ideas about technology in City government.

- Some New Yorkers were focused on procurement. Why does it take so long to buy technology in government? What do we do about the fact that by the time we get through the procurement process, the technology we thought we wanted is obsolete?⁹⁴
- Some New Yorkers felt the opposite. Why do we buy so much technology—why not build it ourselves and achieve true digital sovereignty?⁹⁵ Why can't we hire and retain the talent we need so that we are less dependent on outside vendors?⁹⁶ And at minimum, how can we structure our agreements with vendors to ensure there is no vendor lock-in, including requiring the use of interoperable open standards and data portability?⁹⁷
- Some New Yorkers were focused on security. What are the risks of contracting out so much technology? What cybersecurity protections do we have in place?
- Some New Yorkers were focused on service delivery. Why do New Yorkers have to go to so many different agencies and use different apps to navigate City services? Why don't all the government systems talk to each other? Given the information government has on New Yorkers, why can't it automatically sign us up for services we need but that we might not even know exist or that we're eligible for?⁹⁸
- Some New Yorkers focused on internal coordination and government structure: Why don't systems that are internal to government interoperate between agencies? Why does government operate on products that are no longer considered best-in-class? How can we change the dynamic from tech as operational to tech as a strategic asset—one that can wholesale change the way government operates and delivers? Are our agencies set up with the governance and oversight capabilities they need to succeed?⁹⁹
- Some New Yorkers focused on models in other jurisdictions. What can we learn from other efforts, whether federal, state, or local? What has worked other places, and could it work here?¹⁰⁰
- Some New Yorkers were focused on artificial intelligence. What could AI be doing for government, and how could it streamline public employees' work and enable them to better serve New Yorkers? What are the risks of AI, and

94 Julie Samuels, TechNYC, Brooklyn Hearing (June 11, 2026) (testimony).

95 Jordan Shapiro, BetaNYC, Brooklyn Hearing (June 11, 2026) (Written testimony).

96 Julie Swoope, Brooklyn Hearing (June 11, 2026) (testimony).

97 Leah Bannon, Brooklyn Hearing (June 11, 2026) (testimony).

98 Lamar A. Whyte, Bronx Hearing (June 10, 2026) (testimony).

99 Andrew Roche, Civic Hall Union Square, Brooklyn Hearing (June 11, 2026) (testimony).

100 Jessica Ariel-Wamala, Brooklyn Hearing (June 11, 2026) (testimony).

how can government avoid buying products that sound good but are anything but, or that introduce bias and inequity? Additionally, how can government ensure against a future where AI makes decisions opaquely without offering any recourse to appeal?¹⁰¹

- Some New Yorkers were focused on open data. How could we operate more transparently so that we could innovate at a faster rate? How can we invite the community to participate, affording New Yorkers different perspectives, more creative options, and the wisdom of the crowd?¹⁰²
- Some New Yorkers focused on democracy. What would it mean to use technology and data more democratically and in ways that radically increased the civic participation of our communities?¹⁰³
- Some New Yorkers were focused specifically on modernization. What would it look like to have a truly modern government infrastructure? What if the public sector were as nimble as the private sector and could access the same tech resources—what might we accomplish? What happens when the engineers supporting ancient mainframes using obsolete programming languages, who are already beyond retirement age, leave government?¹⁰⁴

History

New York City government has responded to technological change throughout the digital age. When computers were first being developed in the mid-century, NYC government had no centralized authority managing how agencies used them. Agencies slowly built and developed their own mainframe computer systems for specific use cases. However, the lack of centralized oversight led to uneven development across agencies and parallel computer systems that often did not speak to each other.

By the 1980s and 1990s, as more of the City’s work moved onto computers, City leaders identified a clear need for citywide oversight. In 1994, Local Law 24 created

the Department of Information Technology and Telecommunications (DoITT) to modernize and centralize management of technology and communications infrastructure.¹⁰⁵

The years that followed showed real ambition to modernize NYC government. In 1996, DoITT launched [NYC.gov](#), the City’s early web-interface for government interaction. In 1999, DoITT released the Information Technology Strategy, which identified six core strategic goals for technology governance, some of which have become the backbone of NYC digital governance. DoITT committed to establishing an ‘e-Government’ to expand the electronic delivery of City services

101 Julia Stoyanovich, NYU, Brooklyn Hearing (June 11, 2026) (testimony).

102 David Lee, Brooklyn Hearing (June 11, 2026) (testimony).

103 Sergio Marrero, Brooklyn Hearing (June 11, 2026) (testimony); Hugh Francis, Hey Mamdani NYC, Brooklyn Hearing (June 11, 2026) (testimony).

104 Andrew Roche, Brooklyn Hearing (June 11, 2026) (testimony).

105 Local Law 24 of 1994.

for residents, to building an interoperable infrastructure for the City's computers to share information across agencies, to recruiting and retaining skilled technology staff, and to securing the City's information assets.¹⁰⁶ Soon, the City began making good on these goals. In 2003, DoITT launched NYC311, which created a centralized hotline for all non-emergency NYC government offices. Before 311, there were 4,000 different phone numbers for City government services; by establishing a single hotline for all services, NYC311 ensured that there was 'no wrong door' for New Yorkers reporting problems or seeking answers.

In 2012, New York City became a leader in transparency by making open government data a matter of law. Local Law 11 extended

a tradition of transparency reform reaching back at least to the 1989 Charter revision, which created the Commission on Public Information and Communication (COPIC).¹⁰⁷ The Law required the City to publish its public data online through a single public portal, ushering in the era of Open Data.

Most recently, DoITT was reconstituted into the Office of Technology and Innovation (OTI). OTI centralized City technology leadership, bringing the Mayor's Office of Data Analytics, NYC Cyber Command, and the Office of Information Privacy under a single Mayoral agency and elevating the OTI Commissioner to the role of Chief Technology Officer with greater authority to overcome City agency silos.

106 Press Release Archives #071-99 - Mayor Giuliani Releases First-Ever Information Technology Strategy to Improve Government Operations (available at: <https://www.nyc.gov/html/om/html/99a/pr071-99.html>).

107 N.Y.C. Charter § 1061.



Areas to Explore

The following areas share a common thread: the City should use technology to move faster, serve New Yorkers better, and use data where possible to make better-informed decisions. Crucial investments in technology should happen now, because every delay significantly compounds costs in the future.

- **Reforming Technology Procurement:** The Commission received substantial testimony about both the challenges of procuring technology and the need for technological enhancements to City government.¹⁰⁸ Getting procurement right requires a precise diagnosis of the problem, which is more complicated than simply bureaucratic inertia slowing the City down. Most City technology procurements run through the same competitive solicitation process used for other goods and services, with the same long cycle times. This deliberateness is often a feature: it is how government makes sure public money is spent responsibly and how it guards against waste. Buying complex technology well requires the City to be both a sophisticated contracting party and a sophisticated technologist. Every agreement is a negotiation over terms—data rights, security requirements, risk allocation—and getting those terms right requires lawyers who understand technology and technologists who understand the contract. When technology itself is changing year to year, or even month to month, this becomes an increasingly difficult thing to do and increases the likelihood that technology will be obsolete, inefficient, or out of pace with user needs by the time procurement has finished. The rapidly advancing pace of technological development only threatens to exacerbate this problem. In addition, creating responsive proposals and gathering all the paperwork necessary to compete for a City contract is a skill that large, established tech firms possess, whereas smaller, nimbler, newer, and more innovative firms might lack the procurement expertise, staff, time, or dollars to meaningfully compete. As a result, major IT companies and systems integrators tend to win contracts, and they charge a premium for proprietary software that rarely integrates well with other technologies, running up costs down the line. Additionally, there is often a conflict of interest built into these vendor partnerships: delivering a quality product on time is not in the best interests of the vendor's bottom line, and they suffer little to no consequence for failing. In fact, often times the agency's solution is to sign a new contract with that exact same vendor. Some technology procurements succeed while others fall short, and the Commission may wish to explore how the City can better distinguish between the two and design procurement and technology systems that reliably produce high-quality outcomes.
- **Fostering In-House Innovation and Digital Sovereignty:** An in-house service that coordinates and consults with other executive agencies to streamline efficiency could be modeled after 18F, a federal agency that was nested in the General Services Administration until the Department of Government Effi-

¹⁰⁸ Julie Samuels, TechNYC, Brooklyn Hearing (June 11, 2026) (testimony).

ciency eliminated it in 2025. 18F was a team of ninety skilled federal employees, ranging from account managers to government contracting specialists, product managers, and software engineers. 18F worked with other government agencies to modernize software development, upgrade and refine government services such as websites and applications, and streamline internal systems. Its projects ranged from the IRS Direct File, which enabled Americans to file taxes for free directly with the IRS, to overhauling internal software systems to manage and track data, and redesigning government websites. If implemented successfully, an 18F-inspired, in-house team could accelerate every City agency's services and provide a boost to short- and long-term planning. Furthermore, this team would be well positioned to quickly adapt and evolve with technological changes, allowing City services to best use existing technology and prevent one-time upgrades. If successful, this approach would bolster the City's ability to hire, develop, and retain the in-house talent needed to provide genuine digital sovereignty. However, testifiers voiced concerns about the City not being able to attract top talent at competitive salaries and not being able to hire on timelines that can compete with the private sector, by an order of magnitude.¹⁰⁹ Many raised civil service laws as a potential barrier.¹¹⁰ Hiring delays severely impair the City's ability to secure top tech talent, as even candidates with a real desire to do mission-oriented, government work are not able to wait out the City's excessively long hiring process in an extremely competitive market. Ultimately, the goal is to hire technologists—the people who build and code—not administrators who aren't familiar with product development processes or key criteria for tech purchases. The Commission could recommend the City study the inter-related web of barriers that inhibit efforts to develop this elite, in-house roster of technologists. The analysis would likely require further review of both administrative practices and state laws, rather than Charter changes.

- **Combining IT Systems Across City Agencies:** Although City government is split into multiple agencies, these agencies must collaborate constantly to deliver the services New Yorkers expect and deserve. The City's tech should reflect this collaboration and coordination: each agency's IT systems—infrastructure, internal tools and operating systems—should be one and the same. In private sector organizations, no matter how big the organization or how disparate the missions or geographies, there is one email system, one conference room reservations system, one data store, and so on. Such IT cohesion enables organizations to operate in a collaborative, cohesive, and cross-functional manner. The Commission may consider whether changes outside the charter might most effectively achieve these goals.

109 Sherry Shuang, Brooklyn Hearing (June 11, 2026) (testimony).

110 Robert Gordon, Coding America Fund, Brooklyn Hearing (June 11, 2026) (testimony).

Make better use of taxpayer dollars by eliminating outdated reporting requirements

Context

Government reports can serve critical functions: ensuring accountability, promoting transparency, and keeping the public informed about its government's activities. They can also facilitate longer-term planning by requiring agencies to articulate multi-year plans and can inform the Council's decision-making. Many reports are useful to both City government and the public, providing key insight into what agencies are doing, how they are performing and how to improve. These reports ensure that the City roots its policy determinations in current data and other factual indicators. They may also serve as a useful, interim step before a substantive policy change to ensure that the agency has properly studied an issue.

But numerous reporting requirements now codified in the Charter and Administrative Code, many of which overlap or are largely duplicative, often serve limited, short-term functions while imposing burdens on the City agency employees who are tasked with producing these reports. These reporting requirements grow each year, imposing an ever-increasing strain on agency resources. Agencies struggle to keep up with writing, coordinating and timely submitting all mandatory reports. And the utility of some of these reports is uncertain. Based on a review of a portal of reporting requirements maintained by the

Department of Records and Information Services (DORIS), since 2011, more than 1,500 reporting laws have been passed or updated. The goal of any reform in this area is thus to preserve the utility of reporting requirements while minimizing the substantial burden that the crush of reports imposes.

The number of reporting requirements has grown substantially over the past decade. From 2020 through 2025, an average of more than 80 reporting laws were added or updated each year. A review of a portal maintained by DORIS reveals over 2,000 separate reporting requirements, the majority of them recurring – nearly 1,000 produced every year, and more than 350 every quarter. A survey circulated by Commission staff to all agencies revealed that more than 125,000 staff hours are spent each year on reports; and this may be an underestimate as not all agencies responded with estimates. These reporting requirements add up to substantial costs. The New York Police Department, for instance, estimates that the salary cost of employees dedicated explicitly to publishing reports is \$1.6 million, not including costs associated with the review of their work done by supervisors, legal teams, or the time spent by the relevant teams gathering and explaining data, and reviewing with stakeholders. Each of these reports takes staff time and energy – resources that may be better spent on implementing policies, rather than writing about them.

History

A number of Charter Revision Commissions have recognized that the panoply of reporting requirements in the Charter “does not appear to form a coherent structure of planning, management and reporting to support effective performance-based management and public accountability.”¹¹¹

Tasked with studying the continued utility of a number of mandated reports in the Charter, the 2005 Charter Revision Commission commissioned two expert reports. Together, the reports demonstrated that “there is overlap and duplication in the current system and an ineffective linkage between spending and results, there is little ability to trace connections among the documents so that they provide a composite picture of City government, there is no certainty that the stated recipients are the actual users, and it is no longer clear that the documents perform their intended functions.”¹¹²

While the 2005 Commission declined to propose a ballot question that would have created a process for reviewing reporting requirements, the 2010 Charter Revision Commission built on the work of the 2005 Commission and did just that. That Commission proposed, and the voters adopted, the Report and Advisory Board Review Commission.¹¹³

The Report and Advisory Board Review Commission (RABRC) is a seven-member body charged with reviewing periodic reports required by the Charter, Administrative Code, or other local law, and the advisory commissions, committees, boards and task forces also required by local laws. RABRC is comprised of the City Council Speaker and two other Council members chosen by the Speaker, the Corporation Counsel, the Directors of the Mayor’s Office of Operations and the Office of Management and Budget, and the Commissioner of Information Technology and Telecommunications. RABRC is empowered to waive any reporting or advisory board requirement, subject to the Council’s disapproval.¹¹⁴ In the case of a reporting requirement, such a waiver causes the relevant report to cease to be required by law.¹¹⁵ Once RABRC has determined to waive a reporting requirement, it files its determination with the Council, which then has 120 days to approve or disapprove the determination. Failure to act within 120 days is deemed an approval of RABRC’s determination.¹¹⁶ A disapproval by the Council is final unless the Mayor vetoes the Council’s action, which may be overridden by a two-thirds vote of all the Council Members.¹¹⁷ Importantly, RABRC must base its waiver determination on a consideration of specified factors, including, but not limited to: whether the report provides useful information for evaluating

111 2005 Charter Revision Commission, Preliminary Report at 51, (available at: https://www.nyc.gov/assets/charter/downloads/pdf/preliminary_report_june10.pdf; see also 2005 Final Report at 56-57, https://www.nyc.gov/assets/charter/downloads/pdf/final_report_2005.pdf; 2010 Final Report at 44, https://www.nyc.gov/assets/charter/downloads/pdf/final_report_of_the_2010_charter_revision_commission_9-1-10.pdf).

112 2005 Charter Revision Commission, Final Report at 57, (available at: https://www.nyc.gov/assets/charter/downloads/pdf/final_report_2005.pdf).

113 Charter § 1113.

114 Charter § 1113(d)(1).

115 Charter § 1113(d)(3).

116 Charter § 1113(d)(4).

117 Charter § 1113(d)(5).

a program’s results or for assessing the effectiveness of the management of city resources, whether it is duplicative or remains useful in light of changed circumstances, and whether the benefits and usefulness of the report outweigh the expenditure of public resources to produce it.¹¹⁸

While constituted to address the proliferation of reporting requirements, the Report and Advisory Board Review Com-

mission has had only limited success and has resulted in the removal of a meager number of reports. Since the establishment of the Report and Advisory Board Review Commission, the problems associated with overlapping, duplicative and limited-utility reports have only grown. While local laws have required or revised requirements regarding over 1,500 reports since RABRC’s creation, only 28 reports have been eliminated through RABRC.

Areas to Explore

The Commission has received testimony urging reforms to RABRC or to the imposition of guardrails on legislation requiring reporting. While recognizing that reporting requirements can be vitally important to ensure accountability and transparency, testimony received by the Commission has explained that agencies end up spending time and resources on reports that have “outlive[d] their usefulness” either because the report is “duplicative of other reports” or because “changed circumstances have so changed the mandates of the targeted agencies that the reports ... are no longer relevant to their mission.”¹¹⁹

- **A Stronger RABRC:** The Commission has received testimony urging the Commission to consider either strengthening the RABRC process or changing how reports are created in the first place. RABRC is structured largely as an advocacy group: It can flag reporting requirements that it believes should be rolled back for the City Council’s attention, but unless the Council agrees and thus declines to act, the reporting requirement stays. One recommendation the Commission may consider is whether RABRC’s determinations should be binding and final.
- **Reporting Bill Guardrails:** The Commission has also received testimony in support of imposing automatic sunsets upon local laws that add reporting requirements or advisory boards. This would ensure that all reporting requirements get a new hard look at regular intervals. The Commission may consider whether to adopt this approach either on its own or in addition to changes to the powers of RABRC.

118 Charter § 1113(e)(1).

119 Stephen Louis (written testimony) at 2; Jon Paul Lupo, Staten Island Hearing (June 23, 2026) (testimony).

Increase access to public service by fixing antiquated public officer bond requirement

Context

The Charter requires that City officers who have “possession of or control over any funds of the city” must obtain a surety bond for the “faithful performance” of their public duties.¹²⁰ The Administrative Code imposes additional bond requirements on specified offices,¹²¹ and there are also procedural requirements governing undertakings set out in the Public Officers Law.¹²² A public officer bond is a commitment in which both the public officer and a secondary obligor (the surety) agree to pay up to a fixed amount of money (the penal sum) if the official fails to faithfully discharge their duties. The Comptroller is required to fix the dollar amount of the bond if City law does not set a specific amount, but in many instances the Comptroller has not done so, rendering the requirement largely inoperative. However, for some officers—including Comptroller,¹²³ Deputy Comptrollers,¹²⁴ Commissioner of Finance,¹²⁵ City Collector,¹²⁶ and NYPD Commissioner¹²⁷—the specific dollar amount of the bond is spelled out in

the Administrative Code and is therefore still required. The City, not individual officials, pays the cost of obtaining all surety bond premiums.¹²⁸

The 2024 Charter Revision Commission in its Adopted Final Report recommended that a future commission closely examine whether bonding requirements remain necessary or effective.¹²⁹ This report now takes up that recommendation.

History

Public officer bonds were adopted in New York at least by the early 1800s as a means of ensuring accountability and protecting the public from the dishonest or fraudulent conduct of public employees.¹³⁰ Originally, City officers needed to personally obtain the required bonds and sureties, so they were therefore directly responsible for paying the bond amount to the City if they failed to faithfully discharge their duties. In an era when public officials had more direct and per-

120 Charter § 112.

121 Admin. Code § 7-101 (requiring the Corporation Counsel to execute a bond); Admin. Code § 3-301 (requiring the Comptroller to execute a bond).

122 N.Y. Public Officers Law §§ 11 & 30.

123 Admin. Code § 3-301.

124 Admin. Code § 3-302.

125 Admin. Code § 11-103.

126 Admin. Code §§ 11-115.

127 Admin. Code § 14-127.

128 N.Y. Public Officers Law § 11.

129 2024 NYC Charter Revision Commission, Adopted Final Report (2024), at 77-78.

130 Jeffrey Price & CharCretia Di Bartolo, *Securing the Public Trust: Public Official Bonds vs. Government Employee Crime Coverage*, American Bar Association, 24 TortSource 4 (2022); 2024 NYC Charter Revision Commission, *Adopted Final Report* (2024), (available at: <https://www.nyc.gov/assets/charter/downloads/pdf/reports-ballot-issues/charter-revision-commission-final-report-07232024.pdf>) at 77-78.

sonal access to public funds,¹³¹ and fewer checks and balances from other bodies of government, bonds ensured that public officials had skin in the game and therefore thought twice about mishandling public funds. Concerns about a lack of adequate safeguards for public funds persisted well into the twentieth century: in 1932, Mayor Jimmy Walker resigned amid allegations involving unaccounted City funds.¹³²

Today, however, the requirement to file a surety bond no longer fulfill its original purpose and is not worth the cost. Instead, it serves as a tool for vexatious litigants to overwhelm government offices through FOIL requests. Yet, failure to properly file a bond results in an officer vacating their position.¹³³ This result, -- disproportionate to the minor infraction of neglecting to file a bond -- has remained unchanged since the adoption of this requirement roughly 200 years ago.¹³⁴

In 1912, the State Legislature amended the Public Officers Law to provide that governments bear the cost of officials' bonds and sureties where the surety was a "fidelity or surety corporation."¹³⁵ With the City picking up the tab, the original purpose of public bonds—to impose personal financial consequences on unscrupulous public officials—was altered. Moreover, although public officers originally needed to tap into their personal wealth and network to obtain the required bonds

and sureties, a professionalized bond and sureties industry had by then developed to service local governments and officials. In addition, whereas public officials in the 1800s had more unchecked access to City funds,¹³⁶ the present system features an interlocking web of safeguards and oversight structures to ensure accountability—including Comptroller audits, the Department of Investigation (DOI), and the Conflicts of Interest Board (COIB). In addition, modern financial controls ensure that public officers do not directly handle City monies, and multiple checks and balances now limit how funds can be accessed or withdrawn.

As a result of all these changes, the City's bonding and sureties practices have evolved from a useful personal accountability tool imposed on individual officers to what today is effectively a superfluous procedural requirement that serves little purpose and ensnares the unwary. Further, to the extent the public officer bond is intended to provide a type of insurance coverage for the City, it does not function well in this context. Unlike typical insurance designed to protect against catastrophic losses by covering everything above a deductible, surety bond insurance provides the reverse: covering everything up to a maximum (the bond amount). In the context of the overall City budget, this provides little protection. For example, because the Comptroller's bond is set by

131 2024 NYC Charter Revision Commission, Adopted Final Report (2024), (available at: <https://www.nyc.gov/assets/charter/downloads/pdf/reports-ballot-issues/charter-revision-commission-final-report-07232024.pdf>) at 77-78.

132 Herbert Mitgang, *The Downfall of Jimmy Walker: Judge Seabury Cleans Up New York*, *The Atlantic* (Oct. 1962), <https://www.theatlantic.com/magazine/archive/1962/10/the-downfall-of-jimmy-walker-judge-seabury-cleans-up-new-york/658851/>.

133 Public Officers Law § 30(1)(h).

134 N.Y. Rev. Stat. Pt. 1, ch. 5, tit. 6, art. 4, § 34(6) (1829); *Walton v. Hicks*, 173 A.D. 338 (3d Dep't 1916), *aff'd* 221 N.Y.503 (1917).

135 Public Officers Law (POL) § 11(1); 1912 N.Y. Laws Ch. 481.

136 Mark D. Hirsch, *More Light on Boss Tweed*, 60 *Pol. Sci. Q.* 267 (June 1945), <https://doi.org/10.2307/2144524>.

the Administrative Code at \$200,000, the City would only be covered up to \$200,000 if the Comptroller fails to faithfully perform his duties—grossly inadequate coverage for a City with a budget of \$127 billion.

Importantly, Congress removed bond and surety requirements for all federal employees and officials in 1972. Similar to the City, the federal government used to require that employees personally bear the cost of their bonds; however, starting

in 1955 the federal government began buying the cost of surety bond premiums. In doing away with bonding requirements altogether in the 1970s, Congress analyzed whether the cost of maintaining bonds/sureties for its employees was worth the price.¹³⁷ Congress determined that the federal government was paying more money in surety bond policy premiums than the value of claims filed against those policies and found that the federal government could therefore save millions of dollars if it simply ended the practice of requiring surety bonds.¹³⁸ As a result, Congress got rid of the bond requirements entirely and instead recommended that the federal government effectively self-insure against public officials not faithfully discharging their duties. Today, New York City faces the same problem that Congress addressed in the 1970s. The City will save most, if not all, of the money it spends on premiums for public officials' surety bonds by removing its bonding requirements and effectively self-insuring against losses arising from an official's failure to faithfully perform their duties, like the federal government has done for the past half-century.

Moreover, public bonds now create administrative burdens for agencies and could serve as fodder for vexatious litigants to disrupt effective governance through overwhelming government offices with frivolous requests. For example, the City must respond to many FOIL requests for officials' bonds, even for officials who do not need to file a bond. This forces an inefficient use of City personnel, time, and resources, as well as potentially delaying responses to other FOIL requests.



137 House Comm. on Post Office & Civil Serv., Elimination of Surety Bonds for Federal Personnel, H.R. Rep. No. 92-932 (1972).

138 Id.

Surety bonds also create unnecessary risk for the City: because filing the surety bond is an official undertaking of the applicable office, the office is considered legally vacant if an official fails to properly file their bond.¹³⁹ In 2022, upon realizing that certain City officials had neglected to properly file their bonds, the State Legislature authorized anyone serving in office as of January 1, 2022 to continue serving their term and extended the time to file a bond to March 31, 2022.¹⁴⁰ Had the Legislature not intervened, the City would have needed to hold special elections for any vacated elected offices. That it took an act of the State Legislature to address the very real risk that one or more City officers, including elected officials, could no longer serve because they did not properly file their paperwork illustrates the clear anachronism of the public officer bond requirement.

Immediately after the deadline passed in 2022, 37 nearly identical FOIL requests were submitted to the Department of Finance requesting copies of officials' bonds, regardless of whether or not the official was required to be bonded.

It is critical to ensure proper stewardship of public funds by City officials. However, the surety bond requirement is an outdated mechanism to accomplish this important goal. Other, more modern safeguards provide a more effective way to hold people accountable when they misuse public office for personal gain.

Area to Explore

- **Public Bond Requirement:** Public bonds no longer serve their original purpose as a personal accountability tool because the City has developed a robust and intertwined system of oversight and accountability that makes such bonding requirements redundant. For all these reasons, staff recommends that the Commission consider removing bonding requirements for City officials to the extent possible.

Streamline waterfront permitting by consolidating it within DOB

Context

Today, nearly all permits for the demolition or construction of buildings are issued by the Department of Buildings (DOB), with the exception being certain waterfront permits.¹⁴¹ In general, while DOB oversees the permitting of non-maritime waterfront structures on private property, the Department of Small Business Services (SBS) is responsible for permitting maritime structures and all structures or buildings on City-owned land. The process is somewhat opaque, such that one leading waterfront-focused non-profit notes that “determining which of these two agencies will conduct the review can be complicated, and it is better to contact the Department of Buildings and ask

¹³⁹ *People ex rel. Walton v. Hicks*, 173 A.D. 338 (3d Dept. 1916), *aff'd*, 221 N.Y. 503 (1917).

¹⁴⁰ 2022 N.Y. Laws ch.173.

¹⁴¹ In addition to permits issued by DOB, necessary approvals before a project can begin construction must receive approvals from up to 15 City agencies. *SPEED Report: Streamlining Procedures to Expedite Equitable Development Task Force at 17.*

them which agency has jurisdiction.”¹⁴² In practice, when a waterfront project requires approvals administered by SBS, DOB plays a critical role in supporting the review, utilizing its technical expertise to handle the construction-related issues which are routinely evaluated by DOB on projects throughout the City. However, the Charter dictates that SBS must issue the permit, increasing complexity and requiring close coordination between agencies before decisions can be issued.

History

New York City’s waterfront has fueled the City’s economic growth. The importance of the waterfront was recognized with the establishment of a Department of Docks in 1870 to regulate and maintain the

City’s waterfront piers and wharves.¹⁴³ The Department of Docks took many names and forms over the ensuing years but generally maintained its power to handle the permitting of waterfront structures. In explaining why the Department of Docks was not consolidated with other agencies during the 1936 Charter modernization, that Commission explained that “the construction and maintenance of docks, piers and other wharf property requires specialized experience and is left with the Department of Docks.”¹⁴⁴

The Department of Docks’s authority to handle the permitting of waterfront structures was maintained in the following decades,¹⁴⁵ and waterfront authority bounced among different agencies.¹⁴⁶ In 1977, that authority was vested in the

142 Metropolitan Waterfront Alliance, *User’s Guide to Waterfront Permitting*, at 9 (available at: https://waterfrontalliance.org/wp-content/uploads/2015/07/Users_Guide_to_Waterfront_Permitting_2009.pdf).

143 1870 N.Y. Law ch. 137.

144 Proposed Charter for the City of New York and Report of the New York City Charter Revision Commission (1936) at 33 (available at: <https://babel.hathitrust.org/cgi/pt?id=mdp.39015082604532&se-q=39&q1=%22department+of+docks%22>).

145 *Mandel v. Waxman*, 35 Misc. 2d 1085 (Sup. Ct., 1961) (permitting of a Bowling Alley on the waterfront by the Department of Docks).

146 Local Law 23 of 1968, authority for issuance of permits on waterfront property was granted to the Economic Development Administration. That body was dissolved nine years later and the waterfront functions were transferred to the Department of Ports and Terminals.



Department of Ports and Terminals.¹⁴⁷ Originally, this department was to be subsumed into the “Office of Economic Development,” but maintaining it as part of the Department of Ports and Terminals was consistent with “the overwhelming sentiments of the maritime business and labor community in urging an independent [department].”¹⁴⁸ Over time, various agencies took this waterfront permitting authority, before it was moved to the Department of Business Services in 1991¹⁴⁹ (which was re-named the Department of Small Business Services in 2002.)¹⁵⁰

Areas to Explore

- **Waterfront Permitting:** Across government, there is increasing emphasis on simplifying permitting processes while maintaining appropriate oversight. As the City continues to advance waterfront resiliency projects, infrastructure investments, and economic development initiatives, the demand for coordinated and timely project review is likely to increase. Prior commissions have explored consolidating all waterfront permitting responsibilities within the Department of Buildings. Such proposals have seen support from leading non-governmental organizations, such as the Municipal Art Society.¹⁵¹ Notably, such a change would not alter the process by which the City determines what to do with waterfront land, only the process for ensuring compliance with building safety regulations for existing and future waterfront structures. Revising the Charter to consolidate waterfront permitting responsibilities in DOB could simplify and rationalize the City’s approach. Consolidating waterfront permitting responsibilities within DOB would align these functions with the agency that already administers the City’s construction permitting, inspection, and code enforcement programs, reducing the need for interagency coordination and creating a more efficient review process for applicants.

147 Local Law 28 of 1977, which re-organized the Charter and vested authority over waterfront property under the Department of Ports and Terminals.

148 Mayor’s Statement regarding Local Law 28 of 1977 (available at: https://www.laguardi-awagnerarchive.lagcc.cuny.edu/pages/FileBrowser.aspx?LinkToFile=FILES_DOC/Microfilms/05/009/0000/00001/050318/05.009.0000.00001.050318.10281977.PDF).

149 Local Law 61 of 1991

150 Local Law 34 of 2002

151 Municipal Art Society of New York, MAS Comments on the Preliminary Report of the 2024 City Charter Revision Commission (available at: <https://www.mas.org/wp-content/uploads/2024/07/testimony-2024-07-12-city-charter.pdf>)

Chapter 4: Ensure the City's Fiscal Stability

New York City's economy is the largest in the State and among the largest in the world. Its budget is, correspondingly, larger than almost every state's. From housing to child care, from public safety to public libraries, the annual budget reflects the City's core mission: that government care for its people.

As the City spends taxpayer dollars for the benefit of its residents, it is imperative that we ensure sound fiscal management and remain on a sure fiscal footing. This is meant to ensure that during the next recession, natural disaster or other eco-

conomic downturn, the City will be able to weather that storm by using its reserves, rather than asking working families to pay for a crisis they did not create.

Our city should be as careful with taxpayer dollars as New Yorkers are with their own paychecks. Efficiency starts with making sure every city dollar is used wisely, funding is saved wherever possible, and waste is rooted out. Strengthening our reserves will safeguard taxpayer dollars and help ensure our city is prepared for economic downturns and other emergencies.



Develop a budget model that works for the New York of the future by mandating contribution to and strategic use of the rainy day fund

Context

Public finance experts generally agree that state and localities should manage the risk of a budgetary imbalance by building up fiscal reserves. Economic recessions, natural disasters, and other unexpected events can cause a revenue decline that makes it impossible for a state or city to meet its

spending obligations. In order to avoid managing such a crisis through spending reductions and layoffs, which would exacerbate an economic downturn and undermine the integrity of public services, fiscal reserves allow a state or city to cover short-term funding needs during a crisis.

While the City has had strong fiscal management rules and practices dating back to the 1975 fiscal crisis, State and City law previously precluded the City from creating a rainy day fund. Following a Charter amended adopted by referendum in 2019 and a corresponding change to State law in 2020, the City created a formal rainy day fund. The Commission has received testimony that the City ought to develop more specific guidelines as to what level of reserves should be held in the fund, how deposits should be made, and when withdrawals should be permitted.¹⁵²

152 Amanda Page-Hoongrajok, Staten Island Hearing (June 23, 2026) (testimony); Martin Bernstein, Staten Island Hearing (June 23, 2026) (testimony); JW Mason, Staten Island Hearing (June 23, 2026) (testimony)



History

The City's strong fiscal management practices that date back to the fiscal crisis include the development of four-year financial plans in the budget process, following Generally Accepted Accounting Principles (GAAP), outside fiscal monitors, and the general debt service fund. A 2024 review by the New York City Comptroller found that the City is unique among municipalities in the strength of its fiscal management rules and practices.¹⁵³ Nonetheless, the City stands out in having a relatively weaker framework for managing fiscal reserves than many other jurisdictions.

Prior to 2019, the City had no formal reserve account. The Financial Emergency Act (FEA) and the City Charter require that the budget be balanced under GAAP, but GAAP prevents the City from treating rainy day fund withdrawals as revenue to balance the budget in a future year. Even if the City were to draw down its reserves to manage a fiscal or economic crisis, it would not be able to treat those reserves as revenue under GAAP, and thus would still show a budget deficit.

Areas to Explore

- Establishing a reserve account is only one aspect of a sound reserves policy; contributions to such account are another. Today, contributions to the rainy day fund are made through the City's annual budget process, in which the Mayor and the Council negotiate over the City's entire budget. There is no set target or minimum deposit requirement to the rainy day fund. The Commission may consider whether the City might formalize three other aspects of its reserve policy to ensure that the funding level of the rainy day fund is sufficient to manage a fiscal or economic crisis:

Lacking authorization for a formal reserve account, the City historically used two mechanisms to smooth spending over years and through economic cycles: an end-of-year prepayment of debt service expenses due in the next fiscal year (allowing the City to "roll over" funds that would otherwise represent a surplus in the current fiscal year), and the General Reserve, an in-year reserve account required by the FEA to contain at least \$100 million, which can be used to cover intra-year shortfalls of projected revenues. In 2007 the City created the Retiree Health Benefits Trust to officially hold funds for health benefits for retired City workers, but in effect has used the RHBT as a reserve account. Fiscal monitors conventionally treat the Retiree Health Benefits Trust as a reserve account.

In 2019 the Charter Revision Commission recommended that the Charter be amended to create a formal rainy day fund (the Revenue Stabilization Fund) which was approved by voters as a ballot initiative and then authorized under a State law amendment to the FEA and General Municipal Law.¹⁵⁴

¹⁵³ Office of the New York City Comptroller, A Stronger Fiscal Framework for New York City (available at: <https://comptroller.nyc.gov/reports/a-stronger-fiscal-framework-for-new-york-city/>)

¹⁵⁴ Charter § 1528; Gen. Mun. L. § 25(e); Financial Emergency Act § 8(1)(a)

- **Target:** The City’s total reserves should equal a target determined as the necessary amount to cover spending obligations over a defined period. Some monitors have suggested that it should be enough to cover the average revenue shortfall for two years in a recession. If the reserve account total is below the target, the City could be required to make deposits assuming certain other conditions are met.
- **Deposits:** The Commission may consider whether the City should be required by Charter to make deposits to reserves until the target is reached. While larger reserve deposits can only be made in years when the City runs a substantial budgetary surplus, some minimum level of deposit could be made annually by treating it simply as another expense item. Beyond minimum contributions, formula-based deposits could be required based on factors such as: whether overall economic growth is unusually high, whether certain tax revenues are unusually high, and whether there are other immediate fiscal needs that should take precedence over reserve contributions (such as public health or infrastructure emergencies).
- **Withdrawals:** Because of the inherent unpredictability of economic and fiscal challenges, it is important for withdrawals from the rainy day fund to remain flexible. Currently, the Mayor has the ability to withdraw up to 50% of the rainy day fund to balance the budget without making a certification of financial need.¹⁵⁵ To withdraw more than 50%, the Mayor must certify that there is “a compelling fiscal need” such as a national or regional recession, drop in revenues, natural disaster, or state of emergency.¹⁵⁶ While some commentators have called for a formula that would permit withdrawals only in the event of an economic recession, the Commission should consider whether this approach would permit enough flexibility for practical fiscal management.

155 General Municipal Law § 25(3).

156 *Id.*