Name

Karman Chao

Email	[redacted]
Professional Affiliation	
Zip Code	[redacted]

Public Comment

Dear COGE,

As a native New Yorker to an immigrant family, I'd love to see more language access built into government websites, processes, resources, and generally throughout agencies. We cannot fully serve New Yorkers if we are not getting crucial and often time sensitive public information to all NYC residents. If we are excluding LEP and immigrant New Yorkers from NYC agency websites, correspondence, and communications, we are not serving New Yorkers as efficiently as possible.

One major frustration and inefficiency I've had to deal with as the main translator and government navigator for my LEP family is seeing how NYC agency websites don't have translations built in natively. While the NYC agency websites currently offer translations via Google translate, there is no permanent native translated version of the web links. This is an issue when I have to share a website link with my family, only to find that linking the URL does not retain the translated version. For LEP New Yorkers, especially those of color and those who are part of the digital divide, navigating a website is challenging enough, let alone a government website and one that doesn't have natively built in translations. It is also a struggle to explain how to get to the translation on websites and teach them how to do it when they are not comfortable using smart devices and browsers, especially when they are unaware of what are safe links and malicious popups.

The NYC.gov website has native translations that are retained for future visits and so do New York State agency websites (the bottom of all of their agency websites and URLs have languages you can select, and the page URL will update with the language it has been translated to, allowing for successful translated link sharing), and we should follow suit for the rest of the active agencies that share crucial information. For example, looking up mosquito spraying schedules and tick warnings have not been easy to find and share in Chinese because of this lack of native translation feature. Often times, a lot of public information notices aren't translated into Chinese and other commonly spoken languages in NYC. Usually, Spanish is the only language that I can find and my family does not speak Spanish, leaving an unfortunately wide gap in community reach and language access. It is unfortunate that New Yorkers who speak other languages as their first language are consistently and historically continue to be excluded from government communications and public information notices as a result of this oversight.

I hope to see more language access incorporated thoroughly on public information platforms from the NYC government and across all NYC websites that would allow this type of native translation across webpages and improve serving all New Yorkers, especially immigrant ones.

Attachment(s)

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Date Submitted: July 4, 2026

Topic: Technology, Unnecessary Bureaucracy

Method Received

Is it charter related?

Charter Related

Topic Simplified

Subtopic

Name

Seymour Herschberg

Email	[redacted]
Professional Affiliation	Retired
Zip Code	[redacted]

Public Comment

I would like to comment in support of the proposed "Rainy Day Fund". I comment both as a homeowner and as a retired Physician Executive who managed budgets in a managed care organization where costs for providing health care varied, tended to increase annually and occasionally exceed projected costs.

As a homeowner for 30 years and now part of a cooperative apartment building, I have, in both situations, encountered unexpected expenses, typically due to a failure of an appliance or component or an unexpected catastrophic event. As a homeowner, I was fortunate enough to intentionally always have sufficient reserves set aside. Although not in a specific subaccount, my savings were always more than sufficient. In the coop, our board maintains a reserve account, in accordance with accepted standards for coops and that has covered most "normal" situations. However, for several very large renovations, they have taken on additional mortgages (as opposed to making assessments. IN these situations, our costs – due to interest charges are greater than they would have been had we ad adequate reserves to cover the costs.

In my Physician Executive mode, a budget reserve was always maintained for expected variances in expenditures. I did not need a reserve for capital expenditure, as that was the responsibility of non medical management. Mine was only for medical care costs.

Based on extensive personal experience, I have always felt more comfortable and secure knowing that I could meet any reasonable unanticipated expenditure. I have also known others who have worried about an unexpected large expenditure because they had not saved sufficiently or created a reserve fund to deal with it.

I urge you, therefore, to adopt and maintain an adequate reserve fund. I understand that, for coops, the guideline is two months of expenses – or about 16%, apparently the same as in the proposal.

Attachment(s)

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Date Submitted

July 4, 2026

Topic

Budget Issues

Method Received

Airtable Form

Is it charter related?	
Charter Related	Yes
Topic Simplified	Budget
Subtopic	Rainy Day Fund

Name

Renee Keitt

Email	[redacted]
Professional Affiliation	
Zip Code	
Public Comment	open elections
Attachment(s)	Drop files here or click to browse
Date Submitted	July 4, 2026
Topic	Open Primaries
Method Received	Airtable Form
Is it charter related?	
Charter Related	Yes
Topic Simplified	Elections

Subtopic	Open primaries

Name

Harry Weiner

Email	[redacted]
Professional Affiliation	Organization of Municipal Retiree Organizations, New York City Organization of Public Service Retirees
Zip Code	[redacted]

Public Comment

Omission on Government Efficiency

The Commission on Government Efficiency has issued a Preliminary Report. It reveals no outreach to retirees and glosses over health benefits.

COGE is "keen on a comprehensive external engagement approach to reach people from all corners of the city."

While noting that "City workers are the experts in the processes they run," COGE ignores that retirees are also experts, e.g., on the consequences of the drained Health Insurance Stabilization Fund, which has resulted in burdensome copays and the attempted push into Medicare Advantage.

The announcement of public hearings in The City Record stated that "New Yorkers from any of the five boroughs may testify" in person or via Zoom, ignoring that many retirees live elsewhere.

The Office of Mass Engagement's "Organize NYC" initiative mobilized residents to attend Rent Guidelines Board public hearings, but failed to target anyone to attend COGE hearings.

Tascha Van Auken, the OME Commissioner, told the New Yorker of the importance of "Treating people like smart people who have agency, who can be there or not…" So why marginalize retirees?

In the Budget chapter, only two sentences are devoted to health benefits: "In 2007 the City created the Retiree Health Benefits Trust to officially hold funds 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." (No mention that it was raided for budget relief.)

Also omitted is that an audit found the Health Insurance Stabilization Fund to be mismanaged and insolvent. This may spare COGE member Henry Garrido embarrassment, as the Municipal Labor Commitee bears some responsibility for this, for which he serves as the Acting Chair. (Mr. Garrido called the audit "a political stunt" and the MLC disagreed with the findings.)

COGE could do better.

Attachment(s)

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Date Submitted: July 4, 2026

Topic: Budget Issues, Reporting Requirements, Unnecessary Bureaucracy, Miscellaneous

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Feedback

Subtopic: Preliminary Report feedback

Name

Zachary Thomas

Email	[redacted]
Professional Affiliation	
Zip Code	[redacted]

Public Comment

(Note: Below is a copy of the public comment I delivered on June 22 in Long Island City)

Good evening, Chair Gaspard, Executive Director Cheng, and members of the Commission. And thank you to my fellow New Yorkers for offering insightful ideas and roadmaps at this hearing.

My name is Zachary Thomas and I serve on the [redacted] of [redacted] in Manhattan. Earlier this year, a fellow board member and I set out to address a critical gap at Tompkins Square Park in East Village. Of the 58 trees lining the park's exterior, only seven had protective tree guards. That meant nearly 90 percent of our park's perimeter trees were left completely exposed to soil compaction, vehicle strikes, and animal waste poison highly preventable causes of tree death.

We didn't ask the city for a handout. Instead, we partnered with our neighbors and raised $1000 to purchase a standard, pre approved metal tree guard through the NYC Parks "Tree Time" program. We submitted our donation on January 30th of this year.

And yet, as of today, nearly five months later, that single, simple tree guard has still not been installed.

To put this into perspective: since January 30th the New York Knicks basketball team has played 54 basketball games, including winning the NBA Championship. Our city's administrative apparatus requires more time to install a single, pre-approved metal frame around a tree.

When proactive citizens are met with months of silence and administrative delays, it discourages civic participation. It erodes public trust.

Thankfully, there may be ways to amend the City Charter to restore faith in local government and empower entrepreneurial New Yorkers who want to help their community.

The first is making it easier for NYC Parks and other agencies to hire and retain quality candidates to execute on promises to residents. Already, our main contact for the tree guard at Parks has left the department, and the new contact isn't responding to our emails. If Parks had more institutional knowledge within its ranks, it might not need a public-private partnership like Tree Time to install Tree Guards.

Next, we may need to examine procurement rules so that agencies can respond to common resident requests like installing more Tree Guards. That might look like raising the direct purchase threshold for agencies in Chapter 13 of the City Charter or exempting routine purchases from the full capital process.

I'm still really excited for this tree guard to get installed as it turns out,

raising money was the easy part. I hope voters this fall can receive ballot propositions that amend the charter to make local government more responsive to not just resident complaints but New Yorkers trying to help out.

Attachment(s)

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Date Submitted: July 4, 2026

Topic: Unnecessary Bureaucracy, Procurement Reform, Department of Buildings (DOB) Issues, Miscellaneous

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Streamlining purchases & DPR reform

Name

Kate Fisher

Email	[redacted]
Professional Affiliation	
Zip Code	[redacted]

Public Comment

To Chair Gaspard, Executive Director Cheng, and the Commissioners,
My name is Kate Fisher. I'm submitting this comment in a personal capacity, drawing on my experience as a service design and civic technologist from 18F who has worked to improve government services for the last ten years including on IRS Direct File. Thank you for the opportunity to comment.
Please note I have not worked with NYC government in some time and have focused on federal service delivery, so some of this may need further refinement and translation for the city context.
I want to highlight the thoughtful input people have already submitted on technology and digital capacity, including from Leah Bannon, BetaNYC, Robert Gordon, and Rebecca Heywood. I agree with the preliminary report's initial finding about how an 18F-style model could support NYC in delivering for residents in a number of ways.
The city has gotten reasonably good at running promising pilots. What it hasn't built is a reliable path from 'this worked in a small scale' to 'this is now how we do things across the city'. Regulatory, procedural, and cultural barriers consistently stall that transition, and the Charter is an opportunity to address them structurally.
Alongside that, what I've seen work better is organizing work around the service a resident needs to complete, like applying for a benefit or submitting a records request, rather than around an IT system or a contract. A team built around a service is more likely to survive leadership or funding changes, because the service is necessary to new yorkers. Funding should follow the outcome, not the project. And the team stays together long enough to actually learn what works.
These teams need to be multidisciplinary, so not just traditional roles like engineers, product managers, or product designers, but people who understand design, policy, and the day-to-day work of the agency, and they need to be embedded inside the agency, talking directly to the residents who will use what they build. Roles such as service designers, policy analysts, delivery managers, and user researchers are all needed.
With these concepts in mind, here are the recommendations I'd ask the Commission to consider, with enough specificity that they could become charter language:
First, amend the Charter to authorize the Procurement Policy Board to build upon the existing challenge-based procurement as an alternative method for a defined category of technology investments. Traditional procurement selects a vendor upfront and locks in a direction before the city knows whether the approach works. Challenge-based procurement could reverse that by defining the problem and the outcome the city needs, inviting multiple vendors or teams to demonstrate solutions, and awarding contracts based on demonstrated results. I'd ask the Commission to direct OTI/DoITT to pilot this model under that authority and integrate it with the broader innovation ecosystem.
Second, give OTI/DoITT authority to fund standing service teams, not just one off systems. Right now, money gets tied to a specific named system, with separate buckets for building it and maintaining it afterward. That structure disbands teams right when they should be learning the most, once real users start using what was built. I'd like to see the Charter authorize multi year,

outcome based funding for service teams organized around what residents actually need to do, rather than forcing every team to justify its existence system by system, year by year. The Charter should also require OTI/DoITT to maintain a "scale team," a small group whose explicit job is to identify what's working and make it the default citywide, rather than leaving good practices to spread by word of mouth.

Third, I recognize that civil service hiring reform depends heavily on state Civil Service Law, not just the Charter. The preliminary report itself notes this. Within whatever room the Charter does provide, I'd ask the Commission to give DCAS and OTI/DoITT explicit flexibility to pilot a faster, more flexible hiring path for technical roles, including having subject-matter experts screen applicants for relevant skills before resumes go to standard HR review, and to formally call for the state level review needed to make broader reform possible such as expanding the types of roles that make up service delivery teams. This gets qualified people in the door faster without throwing out merit-based hiring, and it's honest about where the Commission's authority stops and where Albany's begins.

Fourth, require OTI/DoITT to publish and maintain a citywide digital services strategy, updated on a defined cycle, with measurable outcomes attached including community impact metrics, not just delivery milestones, structured the same way the Charter already requires other periodic agency reporting. One consistent finding from retrospectives on government digital teams is that the absence of a shared strategy leads teams to measure their own existence as the goal rather than the outcomes they're meant to produce. A Charter requirement to publish and maintain such a strategy, tied to user facing outcomes and to the communities most affected by city services, would give agencies, the Council, and the public a basis for holding the work accountable.

Fifth, extend OTI/DoITT's or the Comptroller's existing Charter based oversight authority to include annual verification of whether technology investments are actually working, with the power to recommend pulling or redirecting funding if they aren't. That means reviewing whether a given system, built or bought, is measurably reducing the problems it was supposed to solve. This should also include explicit oversight of how the city is adopting AI tools, not to slow that work down, but to ensure there's someone whose job it is to check whether those tools are being used in ways that are fair, transparent, and actually improving service delivery rather than just automating existing problems.

Thank you for your time.

Attachment(s)

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Date Submitted

July 4, 2026

Topic	Technology × Procurement Reform × Reporting Requirements × Support Oversight Agencies × Unnecessary Bureaucracy ×
Method Received	Airtable Form
Is it charter related?	
Charter Related	Yes
Topic Simplified	Technology
Subtopic	Procurement & OIT/DoITT reforms

A Name

Cindy McLaughlin

A Email	[redacted]
A Professional Affiliation	Off-Ramp (www.offramp.nyc)
A Zip Code	

Public Comment

COGE should be entirely in service of human flourishing: cleaner air and water; more affordable housing, transportation, food, and education; better, greener, quieter, cleaner public spaces; more physically and socially connected communities.

But this starts with a clear and shared vision of the kind of city we're trying to build. Are we building Dubai or Amsterdam? Are we prioritizing delivery convenience with big trucks or our families' health + safety on the streets? Are we working to enable small business or maximizing profits for big developers and private equity? These are often mutually exclusive, and require a set of shared values to help us choose.

A master planning approach to NYC where these values were manifested would save the city tens of billions of dollars and lead to far better outcomes. Taxpayer funds could be considered holistically, and universal, publicly-measured KPIs used for decision-making and management — KPIs might include things like, by 2030: "reducing the % of income spent on housing and transportation by 25%" "improving air quality by 50%" "increasing tree canopy by 30%". "Reducing heat island effect by 25%" "reducing big trucks in the city by 50%" "meeting our Net Zero commitment" "increasing 15-minute neighborhoods by 50%" etc.

Beyond that, the details are in the execution and ensuring that the public sector does not fall so far behind the private sector in User Experience (UX).

Because we don't have master planning and a clear vision for what kind of city we're trying to build, the city makes *enormously* expensive and inefficient land use decisions. Breaking down silos between government agencies to allow true regional planning would prevent billions of dollars of wasteful spending and thousands of hours of employee time on infrastructure that doesn't serve the future of the city.

By way of example, the BQE. Thanks to an accident of history, the city "owns" the triple cantilever section. As such, it can't, or won't, operate or plan outside its 1.5 mile jurisdiction. If it could, and if it could take a rational look at the economics and outcomes of the whole urban highway, it would realize that the best way to handle it would be to remove it altogether, bringing the whole corridor to grade and adding active and public transit for an urbanist multimodal boulevard. Since it can't, the current plan (or at least the most recent plan under Adams) is to rebuild it for $$bs.

But if the highway were decommissioned, brought to grade, and converted into a leafy transit corridor, we would spend a lot less money and build all the *connected* projects differently. The MTA wouldn't spend $100m+ to widen the truck on ramps to the Verrazano. The BMT wouldn't be planned for a multi $b 60 acre container terminal and truck depot assuming an extant truck-centric highway. 100+ acres of new land along the corridor would be developed for housing and parks, etc.

This kind of robust city planning needs to happen as a *precursor* to making execution more efficient and effective. Without it, we'll end up with a grab bag of point solutions that make a handful of projects better, but do not consider whether they're good projects to begin with.

Thank you!

Attachment(s)

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Date Submitted: July 5, 2026

Topic: Real Estate and Development, Budget Issues, Unnecessary Bureaucracy, Street Redesigns, Technology

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Public Realm

Subtopic: Comprehensive Plan

Name

Juliana Francisco

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

My name is Juliana Francisco and I am an independent voter living in the [redacted] of Brooklyn. Thank you for the opportunity to submit written testimony.

In addition to the work this Commission is doing on government efficiency, I believe it is critically important for you to focus on opening the primaries in NYC to independent voters.

I have been an independent my whole voting life. I never felt the focus of the parties matched the needs of my family. My family, like so many families in our city, has faced eviction, been through the shelter system, lost our home, and find it increasingly difficult to make a life here.

It is upsetting every year to me, to not be able to vote in the primaries. I felt that especially this year. I really wanted to vote! I hate the experience of waiting for a decision to be made, a decision where I do not have a voice. I have to wait to see what other people do, because I can't participate as an independent. And we all know that after the primary, the race is over.

I want to vote. It is terrible to be motivated to do something and then not being allowed to do it.
I am not alone – 56% of Gen Z voters are now independent.

What is our city doing here? Do we want people to vote? I don't think so. This system is set up to not let 1.2 million of us participate. But we are citizens, we pay taxes, we love our city and want to have a voice.

I believe this Commission should put this issue before all the voters this November. My hope is that they would support letting all NYC voters have the right to vote in our primaries.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 5, 2026

Topic: Open Primaries

Method Received: Airtable Form

Is it charter related?

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Name

Melanie Torres

Email	[redacted]
Professional Affiliation	Student
Zip Code	[redacted]

Public Comment

Statement for City Town Hall Meeting Topic: Housing Stability for Survivors of Domestic Violence and At Risk Families
Good evening, Mayor Mamdani, esteemed city officials, community leaders, and fellow New Yorkers,

My name is Melanie Torres , and I stand before you today as a domestic violence survivor, a single mother, and a Masters in Social Work student—a living testament to resilience, but also a voice for the thousands of families who are one missed rent payment, one bureaucratic delay, or one premature voucher termination away from homelessness.
I am the mother of a 12-year-old daughter, who will turn 13 this summer—a milestone that should be marked with excitement, not the fear of displacement. Right now, we are unsure where we will be living in just a few short months, as our EHV Section 8 voucher faces premature termination. This is not just a housing crisis—it's a safety crisis, an educational crisis, and a childhood crisis.

My Story: From Survival to Advocacy

I lost my daughter's father to the opioid epidemic, a tragedy that left us vulnerable and forced us into the shelter system. But I refused to let my child grow up believing her story was defined by loss. So, I rebuilt.
* I earned my Bachelor's in Psychology and Women, Gender, and Sexuality Studies, because I believe in the power of healing through understanding.
* I am now completing my Masters in Social Work, so I can give back to a system that is flawed but I was able to utilize to the best of my abilities when I needed it most.
* I have navigated the shelter system, the PATH process, and the endless paperwork of housing assistance not once, but twice because stability should not be a privilege, but a right.

And yet, here I am again, fighting for a stable home for my daughter as she prepares to enter 8th grade. Middle school is already an intimidating and vulnerable time for any pre teen girl. Imagine adding the stress of not knowing where you'll lay your head at night, whether your school records will transfer on time, or if you'll have to start over in a new district—all because a system designed to protect us failed us at the last hurdle.

The Broken System: A Crisis in Plain Sight

This is not just my story. This is the story of hundreds of survivors in NYC who are being pushed back into homelessness because:
1. Section 8 vouchers are being terminated prematurely, leaving families with no safety net.
2. The PATH process is a maze one that takes years, not weeks or months, to navigate. How is a child supposed to thrive when their mother is spending months in limbo, begging for help?
3. Landlords refuse Section 8 vouchers, leaving survivors with fewer housing options, not more.

4. No one is held accountable. Where is the transparency? Where is the urgency? Where is the compassion?
I have re-established my life. I have earned two degrees. I have broken generational cycles of instability. And yet, at this moment, I am one bureaucratic failure away from losing everything I've worked for.

What We Need: Immediate Action

This is not a request for sympathy. This is a demand for justice. We need:
1. A moratorium on premature Section 8 voucher terminations for survivors of domestic violence and families in the PATH pipeline.
2. Expedited, dedicated PATH caseworkers who understand the urgency of our situations and can guide us through the process without months of silence.
3. Emergency housing solutions for families at risk of displacement, including partnerships with nonprofits like Safe Horizon, Sanctuary for Families, and the Urban Resource Institute.
4. Accountability a public dashboard tracking PATH applications, wait times, and outcomes so we can see where the failures are happening.
5. A commitment to no family being forced to choose between homelessness and returning to an abusive situation.

A Message to My Daughter and All Children Like Her
My daughter doesn't know the full weight of what we're going through. She shouldn't have to. She should be focused on her last year of middle school, her friends, her dreams not whether we'll have a roof over our heads.
But if we don't act now, that's the reality we're facing. And it's not just my daughter. It's every child who has survived trauma, who is trying to build a future, who deserves stability, safety, and hope.

A Call to Leadership
To Mayor Mamdani, to HUD, to DSS—I am begging you: Do not let bureaucracy win. Do not let red tape erase the progress we've made.
I have survived. I have evolved. But survival should not require superhuman strength. It should require a system that works.
I am here today not just as a survivor, but as a future social worker, an advocate, and a mother who refuses to accept that this is the best we can do for our children.

Final Words

Let's make sure no child has to grow up wondering if they'll have a home. Let's turn survival into stability. Let's be the change we wish to see.
Thank you.

Attachment(s)

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Date Submitted: July 5, 2026

Topic: Tenant Protection, Unnecessary Bureaucracy, Enforcement, Reporting Requirements

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Housing

Subtopic: HCV reform

Name

Christopher R. Yukins

Email [redacted]

Professional Affiliation: Lynn David Research Professor in Government Procurement Law, George Washington University Law School, Washington DC

Zip Code

Public Comment: My comments for the July 6, 2026 hearing on "Speeding Up Public Procurement" are attached and republished at https://publicprocurementinternational.com/2026/07/05/comments-to-nyc-commission-on-government-efficiency-speeding-up-public-procurement/.

Attachment(s)


GW LAW

Comments Submitted by
Professor Christopher Yukins
George Washington University Law School
to
New York City Commission on Government Efficiency
Hearing on "Speeding Up Public Procurement"
Staten Island, New York
July 6, 2026

NYC COGE - Comments of Prof Christop...

Date Submitted: July 5, 2026

Topic: Procurement Reform

Method Received: Airtable Form

Is it charter related?	
	Run agent
Charter Related	Yes
Topic Simplified	Procurement
Subtopic	Procurement reforms

Comments Submitted by

Professor Christopher Yukins

George Washington University Law School

to

New York City Commission on Government Efficiency

Hearing on "Speeding Up Public Procurement"

Staten Island, New York

July 6, 2026

To the Members of the Commission on Government Efficiency:

Thank you for this opportunity to submit comments on the reforms to the New York City Charter being considered by the Mayor's Commission on Government Efficiency. I write regarding the topic of today's hearing, speeding up New York City's public procurement.

My Background: I serve as the Lynn David Research Professor in Government Procurement Law at George Washington University Law School in Washington, D.C., one of the leading public procurement law programs in the world. I have taught at GW Law since 2002, including on state and municipal procurement law. My comments here reflect my own views and do not represent those of GW Law or any other institution.

I have extensive ties to New York City. I am a member of the New York State bar, and I served as a judicial clerk to Judge Lawrence W. Pierce of the U.S. Court of Appeals for the Second Circuit in Manhattan. My wife and I lived in New York for many years, as I practiced law there and she served as a dean of graduate schools of education in New York City.

Model Procurement Code (MPC): I work on a number of procurement law initiatives, both nationally and internationally. I previously served as an advisor to the U.S. delegation in a sweeping reform of the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Public Procurement. I also serve as the Academic Advisor to an ongoing reform of the 2000 American Bar Association (ABA) Model Procurement Code (MPC), which is coordinated by the ABA Public Contract Law Section, the National Association of State Procurement Officials (NASPO) and Partners for Public Good.

First adopted in 1979, the ABA Model Procurement Code has guided public procurement laws in the United States for nearly half a century. More than 20 states, from New Mexico to South Carolina, have enacted legislation based on the MPC, and many other major governments – including New York City – have relied on the Model Procurement Code as a guiding standard to promote best-value procurement and the ethical stewardship of taxpayer dollars.

Commission's Potential Procurement Reforms: As the Commission's June 2026 preliminary report pointed out, the last major reform of the City's charter in 1989 drew directly on the ABA Model Procurement Code. The Model Procurement Code was subsequently overhauled in 2000, and as noted is now being reformed again. Those changes to the Model Procurement Code may help inform the Commission's proposed amendments to the chapter in the City's Charter which addresses procurement.

The Commission's preliminary report suggested a number of potential procurement reforms in response to public concerns. Those reforms often intersect with changes considered under the Model Procurement Code and around the world.

1. **Reducing Paperwork:** The Commission's preliminary report suggested that, to reduce burdens on small businesses and other vendors, the Commission may consider streamlining vendors' qualification questionnaires. Because vendors typically work in broader markets, the City could draw on other governments' initiatives to share contractor qualification information (including anti-corruption information and past performance data). The City, following a model being developed in the European Union, could use other governments' qualification information to reduce vendors' burdens while at the same time reducing the City's own performance and corruption risks. The Open Contracting Partnership, among others, is working closely with governments across the world to make procurement data publicly available and machine-readable – cornerstones to efficiency, accountability and a healthy public procurement system.

2. **Eliminating a requirement for public hearings**: The Commission suggested eliminating required public hearings before certain contract awards (see Section 326 of the Charter). If, as discussed above, the City follows the global trend towards open contracting – making critical procurement information publicly available – the current comment period will be far more efficient than public hearings.

3. **Delegating authority to contracting officials:** The Commission's preliminary report recommended that the Mayor be permitted to delegate procurement approvals to agency chief contracting officers. This would echo a nationwide trend to giving contracting officials more authority, to allow them to innovate and to be more responsive to the needs of government users and the public. The Model Procurement Code's current reforms are, at their core, driven by the advancing professionalization of procurement officials, and New York City could improve procurement outcomes by embracing that trend. In practical terms that means (among other things) investing in the professional advancement of procurement officials, through training offered by NASPO, NIGP, the National Contract Management Association (NCMA) and other professional training providers.

4. **Innovation and Procurement:** The Commission's preliminary report noted the need to reform 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." In the procurement community, this policy question breaks down into three inter-related components: (i) innovation *in* procurement (improved procurement processes to buy better technology); (ii) procurement *of* innovation (buying the best technology); and (iii) procurement *for* innovation (using public procurement to spur cutting-edge technologies in the broader economy). The Commission may want to consider reforms from each of these perspectives. Improving procurement processes to welcome new market entrants, for example, may make it easier for New York City to access new technologies and could boost high technology start-up firms in the City.

5. **Streamlining Reports:** The Commission's preliminary report suggests that the Charter might be amended to reduce unnecessary reports by City procurement officials. First, the Commission suggests that the Charter's requirement that the Procurement Policy Board "submit an annual report . . . setting forth the professional standards for agency contracting officers . . . including any applicable certification process" is outdated and could be replaced by more modern methods of training and certification. The Trump administration's "Revolutionary FAR Overhaul" has done extensive work in this area. Federal reformers have developed "practitioner albums" that can be readily updated to meet procurement officials'

evolving needs for training and guidance; New York City may want to follow a similar approach. Second, the Commission suggested that the plans and hearings required by the Charter for client services contracting could be streamlined. (This streamlining may be especially appropriate because the City's procurement regulations separately require that, before a client services solicitation is issued, a "concept plan" be published.) Publishing plans for future procurement is a sound practice, but as the Guide to Enactment which accompanies Article 6 of the UNCITRAL model law explains:

> The purpose of [non-mandatory publication] is to highlight the importance of proper procurement planning for procuring entities and suppliers and contractors alike. The article recommends the publication of information on future procurement, which may contribute to transparency throughout the procurement process and eliminate any advantageous position of suppliers or contractors that might otherwise gain access to procurement planning phases in a non-transparent way.

Thus it makes sense to call for advance notice of distant procurements only when doing so would enhance the integrity of the competitive process or would provide essential transparency to client communities and the broader public.

Conclusion/Contact Information: Thank you again for this opportunity to submit comments on these important reforms. Should you or your staff have any questions, please feel free to reach out to me a[redacted]

Respectfully submitted,

/s/ Christopher R. Yukins

Christopher R. Yukins
Lynn David Research Professor in Government Procurement Law
George Washington University Law School

Name

Amy Li

Email [redacted]

Professional Affiliation: City employee (Department of Education)

Zip Code:

Public Comment:

I work in the Office of Communications at Manhattan HQ, and previously worked in the Mayor's Office of Contract Services. I feel strongly in both my experiences that executive level directors/chief officers often make decisions about procurements, hires, and team directions based on securing or bolstering their own careers and office influence as opposed to considering long term benefits for the public or improving the efficiency of the team or a process. Even though we have poor communication and organization internally and with other DOE offices, the Communications Knowledge Management team was converted into a Media Production team with additions, making a very large team to make videos and social media posts boosting the chancellor. Many flower arrangements were purchased just to decorate the stairs to the chancellor's office for just a few hours before they were discarded; this kind of expenditure isn't large compared to other amounts but are really unnecessary. I think it's unlikely this can be controlled in the NYC Charter, but I do wish some kind of counterbalance could exist to rein in the careless excess spending of high level hires.

Attachment(s): Drop files here or click to browse

Date Submitted: July 6, 2026

Topic: Unnecessary Bureaucracy, Budget Issues, Procurement Reform, Reporting Requirements, Support Oversight Agencies

Method Received	Airtable Form
Is it charter related?	
Charter Related	No
Topic Simplified	Procurement
Subtopic	Procurement approvals

Name

Jill Shapiro

Email [redacted]

Professional Affiliation N/A

Zip Code [redacted]

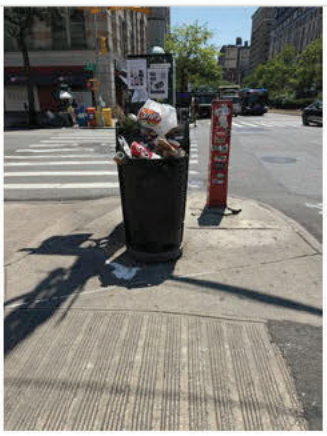
Public Comment

There have been many tries to improving the trash cans in the city to IMO no avail. There is CONSTANTLY trash overflowing in my neighborhood. More frequent pick ups are necessary.
Perhaps consider making alternate side parking once a week and up the ticket to a significantly higher amount ($200, first office in a month, $300 2nd etc). Currently it costs less to get 5 tickets than it costs monthly to park in a lot.
Incentives for businesses to better maintain the tree pits in front of their businesses.

Attachment(s)



IMG 1375.jpeg



IMG 1374.jpeg

Date Submitted July 6, 2026

Topic Enforcement ✕ Unnecessary Bureaucracy ✕ Miscellaneous ✕

Method Received	Airtable Form
Is it charter related?	
Charter Related	No
Topic Simplified	Public Realm
Subtopic	Trash collection

Name

Shelley Keeling

Email [redacted]

Public Comment

I am Shelly Keeling , I am a proud product of public housing and public schools. I was senior clerk to two New York state supreme court Justices and have been athletic director and Spanish teacher in both New York City Independent schools and public schools.

I have lived through some of the best and worst social and economic eras that New York has had in the last seven decades. Through it all an overriding theme with respect to the safety, growth and development, and mental health of our children, is a structured and robust competitive athletic program.

I always stress competitive because in this life we compete for everything. We compete for housing, admission to schools, jobs, husbands or wives, and the right to strive, and live a dignified life. Under the leadership of Mayor Zohran Mamdani we have this opportunity.

The venue where our children learn emotional management, develop tools for their toolkit, learn to strategize and negotiate, is on the courts, whether tennis or basketball, on the fields whether football or track; here they learn to win with dignity and lose with grace. Anger and violence have no place in these safe spaces. Safer children translate to safer communities. Safer communities need less policing. We have seen that more policing is not the answer as we are at once the most overpoliced communities and the most underprotected.

I grew up in the Saint Nicholas projects in central Harlem. Momma moved us there in 1955 when I was about to turn 4 years old. Don't stress I'll do the math. Back then there were certain stay at home parents who sat on the benches most of the day. That was all the policing we needed. Back then parents could discipline and even pop a kid who stepped out of line.

They were our unofficial referees for double dutch contest, line watches for lodies, referees for obstacle courses, and officials for for our self designed 100 m sprint, which was the distance between 230 West 131st Street and 250 West 131st Street.

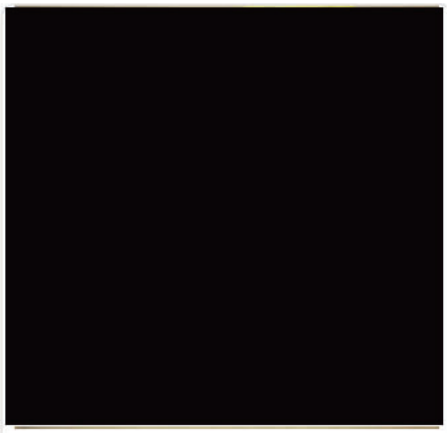
In 1978 tragedy struck and one brother was murdered as a result of the violence of the drug culture of the seventies and eighties he was 39 years old and had served in the Navy. 2 years 8 months later my second brother who had just turned 40 was also murdered, he had served two tours in the army.

Again competitive Athletics would save my mother who was almost impossible to lift up after the murders of my two brothers. I started her running at 67 years old and at the age of 92 she accompanied me to compete in France where she set her first world record in the 100 m dash. She was the first woman over 100 to run the 100 m competitively. You probably know her, her name was Ida Keeling and she was no stranger to the media.

She went on to set seven more world records the last one at age 103. She left us at age 106 with her mind intact, her sense of humor, and her Hennessy in her hand. She used the lessons she learned to help other children stay

focused through track and field and to always remember what was important. While we cannot go backwards to regain those times we can go forward to take them again.

Attachment(s)



IMG_20160823_221706.jpg

Date Submitted: July 13, 2026

Topic: Content flagged by usage policies, edit input(s) and try again

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Competitive Sports

Show 4 hidden fields


Riverside


W 110 St
Cathedral Parkway
MANHATTAN MART
Make music on a Microcontroller
Raising Cane's
DO NOT
ARCHER
REMAND
Brooklyn
SAM

Name

Jesus Ayala

Email [redacted]

Professional Affiliation IT

Zip Code [redacted]

Public Comment

The NYC handicap parking permit process feels unnecessarily outdated. There are no online forms to complete, no way to submit documentation electronically, and no portal to track your application status. Instead, you're expected to mail your paperwork and then wait often for months hoping it was received and that you'll eventually get a response.

For a city as technologically advanced as New York, this process should be modernized. Applicants should be able to submit applications and supporting documentation online, track the status of their request in real time, receive email or text updates, and communicate with the agency if additional information is needed. These improvements would make the process more transparent, efficient, and accessible for the people who rely on these permits the most.

Attachment(s) Drop files here or click to browse

Date Submitted July 6, 2026

Topic Unnecessary Bureaucracy × Technology ×

Method Received Airtable Form

Is it charter related?

Charter Related	No
Topic Simplified	Public Realm
Subtopic	Handicap parking permits

Name

Yvonne Langer

Email [redacted]

Professional Affiliation Non

Zip Code [redacted]

Public Comment

Residennnts , building and store workers should beak down boxes to reduce the blockage on the street on pick up days, reduce the pick up trucks required, reduce the number of piloting plastic bags used.
His wild make a difference by reducing visual, noise and air pollution and save using plastic bags which are polluting to make and dispose of..

Attachment(s)

Drop files here or click to browse

Date Submitted July 6, 2026

Topic Department of Buildings (DOB) Issues, Unnecessary Bureaucracy, Enforcement

Method Received Airtable Form

Is it charter related?

Charter Related No

Topic Simplified Public Realm

Subtopic	Trash collection

Name

Yvonne Langer

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

Government should bring back the campaign to dispose of litter properly,That is into appropriate receptacles and iNOT on the street or out the window of apartments or vehicles onto the sidewalk.
This would entail providing receptacles on every corner. Fines.
City patrol making sure receptacles are emptied and new bags placed inside.
Harlem bus stops, especially those near eateries are littered with cups, food and cartons.
None of. My friends wat to come up to Harlem to eat because it's so dirty. We have great restaurants here !!
Perhaps a competition for a slogan and eye catching posters would help spread the word and encourage. Do some promotion in schools .

Attachment(s)

Drop files here or click to browse

Date Submitted July 6, 2026

Topic Enforcement × Unnecessary Bureaucracy × Miscellaneous ×

Method Received Airtable Form

Is it charter related?

Charter Related	No
Topic Simplified	Public Realm
Subtopic	Trash collection

Name

Yvonne Langer

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

Save money in parks by :
Reducing off site management
City Parks also have far many people in management of various levels and divisions and not enough people to do the actual park work. Less management means extra money to hire workers at a decent wage.
Hirie enthusiastic workers who are interested in beautifying and caring for parks.
Hire on a trial basis and do not keep on those that don't perform. Too much money is wasted on salaries for employees who do very little or even nothing.

Every park should have a qualified head gardeners with plant knowledge and not just people familiar/trained in forestry. Many parks are not that big and many are works of art that should be nurtured.

Attachment(s)

Drop files here or click to browse

Date Submitted July 6, 2026

Topic Unnecessary Bureaucracy × Budget Issues × Enforcement ×

Method Received Airtable Form

Is it charter related?	
Charter Related	No
Topic Simplified	Public Realm
Subtopic	Parks reform

Name

Joseph Tornello

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

Thank you for this opportunity to submit testimony for this Hearing regarding NYC Procurement. My name is Joseph Tornello and I am the President and CEO of Meals on Wheels of Staten Island. I am away and sadly cannot be at the hearing to present this testimony. Meals on Wheels of Staten Island has provided home delivered meals (meals on wheels) in our Borough since 1972. We have remained committed over these years to deliver meals to all eligible older adults and never have a waiting list for receipt of healthy nutrition. We work well with DFTA for timely processing of our volume of meal delivery as we continue to see census increase from our growing Borough's older adult population. We join the other NYC home delivered meal providers advocating for funding of a seventh meal as current funding has remained limited to six meals per week. Our own growth had brought us to construction of a new larger facility for our kitchen, offices and larger parking area for our growing fleet (now over 30) delivery trucks. Last year we purchased the building and continue to work with NYCEDC and City Agencies to procure our NYC Capital Grant funding approved for our purchase and then funds for the Renovation and Construction Capital Grant funding. We need this funding to proceed with the renovation. Unfortunately it remains hard to tell how long it will take for us to receive the approved Capital Grant funding which we need to start this work. Not for Profit agencies seek NYC Capital Grant funding to proceed with projects then find that receipt of those funds is prolonged. For many of us we need to carry the burden of paying interest and principal on loans. We hope to see movement on NYC Capital Grant funding. One final point is related to our wonderful staff working in the kitchen, driving delivery vehicles and in the office who are dedicated hard workers who ensure the delivery of healthy nutrition to our frail older adult neighbors supporting their health and providing daily face to face contact all of which supports health and wellness. These staff are doing the City's work year to year and sadly will not benefit from NYC Pension or Health Insurance benefits when they retire. We have for years and continue to hope for NYC consideration of this issue. Thank you for this opportunity to present testimony.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 6, 2026

Topic: Procurement Reform, Budget Issues, Real Estate and Development, Miscellaneous

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Non profit payments

Name

Louis Cholden-Brown

Email	[redacted]
Professional Affiliation	
Zip Code	

Public Comment

Good evening, my name is Louis Cholden Brown, and I am speaking in my personal capacity, though some commissioners may know me from my tenure with the New York City Council and Comptroller, or from my time with the 2019 Charter Revision Commission.

I want to share thoughts on the Commission's Preliminary Report regarding the Report and Advisory Board Review Commission (RABRC).

One point for evaluation is whether RABRC's decisions should be binding. If so, I recommend that the RABRC have the authority to repeal or amend provisions of the Charter or Code, rather than just waiving reports or advisory boards in whole or part. Although the RABRC has eliminated only 28 reports, the Council has removed 145 requirements from the Charter or Code in the last three years. Eliminating Council review alone won't improve the RABRC's effectiveness, but it could contribute to confusion about the status of waived reports unless the Commission's authority is also enhanced to replace the Council at that step.

Furthermore, RABRC should be able to repeal laws that have been waived, amended, or are no longer in effect due to time expiration or an intervening judicial decision. Both the Charter and the Code contain outdated provisions that reference entities that are no longer operational, yet lack a structured mechanism for removal. Expanding RABRC's authority would fulfill the intent of Section 7 301 of the Code, which requires the continued operation of a board of statutory consolidation, and would ensure better representation and compliance. Likewise, if the RABRC's authority is expanded, I recommend that either the Commission restore the board composition proposed by the 2005 Commission, which the 2010 Commission altered without comment, to ensure that there is public representation or in the alternative institute additional safeguards to ensure that Council Members, rather than Council central staff, fill their apportioned seats on the RABRC as was the 2010 commission's intent and initial practice and the binding vote reaches some threshold above a majority of only Administration representatives.

The staff report indicates that automatic sunsets "ensure that all reporting requirements get a new hard look at regular intervals," but such hard looks are already required by the RABRC mandate to review all such requirements no later than five years after the date of enactment of such requirements and then again within five years of the date of the determination to retain the requirement. However, there isn't a public disclosure of which reports and boards were considered, when, and therefore when determinations to retain requirements are mandated to be reviewed anew. COGE should require RABRC to maintain such a public database moving forward.

Rather than new requirements, I suggest the Commission focus on strengthening compliance with the RABRC's existing authority and deadlines for reports and appointments to advisory boards. For instance, the RABRC hasn't met in 20 months and, in contravention of its enabling statute, hasn't issued a public notice of waivers since February 2023. Likewise, year-to-date, DORIS has issued 349 late notices for missing reports. Appointments to boards, both advisory and policy making, and of other officers are also areas in need of review. COGE should create a system in which, if an appointment for a non-departmental head goes unexercised for 60 days, it defaults to another entity. In several egregious examples, the CCRB hasn't had a

permanent chair which requires the joint approval of both the mayor and speaker, since the de Blasio administration and in currently on its 4th interim chair, Last month CGE released the MP4M report required by a 2022 law, but it is 2 yrs behind schedule because the city council did not appoint its final task force member until november 2025. We will achieve COGE's goal of clearing the decks by ensuring all elected officials better meet temporary reporting and task force deadlines and then sunsetting the entities as planned.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 6, 2026

Topic: Reporting Requirements, Unnecessary Bureaucracy, Support Oversight Agencies

Method Received: Airtable Form

Is it charter related?

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic

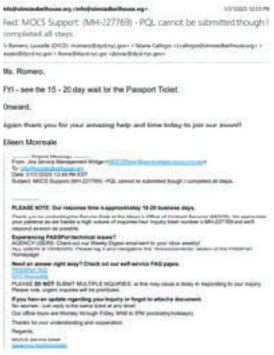
Report and Advisory Board Review Commission reform

Name

Eileen Monreale

Email	[redacted]
Professional Affiliation	Friends of Olmsted Beil House
Zip Code	[redacted]
Public Comment	I am the President of a non-profit, Friends of Olmsted Beil House, on Staten Island. Friends of Olmsted-Beil House has been trying for five years and untold hours to get through the system to no success. We've had a lawyer, board member William Bell, a Ph.D. (José Ramirez Garofalo of the Protectors of the Pine Oak Woods), a representative of the Conference House Association (Lee Conti) and many others try for over 100 hours to unlock the $10,000 that had been promised to us by our local Council member. The system is truly broken. Even people who are high in the agency told us that there's something wrong with the system and put in a complaint, but we've never heard back. The Friends of Olmsted-Beil House is working tirelessly to move forward with the renovation of our wonderful historic site. We need a system that will work with us to achieve our goals. (I attached four emails to demonstrate some of our communications on this issue. I have 100+ emails on this topic.)

Attachment(s)



MOCS Support_ (MH-227769) - PQL ca...



DYCD ID_ 931513 U Friends of Olmsted-...



Contracts Submission upload supportin...



DYCD Mail Business Friends of Olmsted...

Date Submitted: July 6, 2026

Topic: Unnecessary Bureaucracy ✕ | Budget Issues ✕ | Real Estate and Development ✕

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: No

Topic Simplified: Government Operations

Subtopic	City payments

- Budget This must get approved FIRST . Please complete the budget and email it to me (Note, within the budget you can request DYCD's Central Insurance Package rather than go through private insurance. CIP will cover only for this contract/program though.
- ~~FY23 Labor Peace Agreement Attestation~~

If utilizing Subcontractors or Consultants: --- **NOTE** These forms add an additional one month wait to your contract registration goal

- **Subcontractor/Consultant Approval Form**
- **Subcontractor Agreement**
- **Consultant Agreement**
- **Exhibit B for Subcontractors**

(Please be sure to email the documents below to your DYCD Program Manager)

- Board of Directors (in Microsoft word)
- ~~Contract attachment boilerplate for contracts over $100K~~ (in Microsoft word)
- Contract attachment boilerplate for contracts $100k and less (in Microsoft word)
- Sexual Harassment Policy Certificate
- ~~Appendix A Affirmation for Contracts Over $100K~~
- ~~Labor Peace Agreements rider for contract 100k and above~~
- Certification of Exemption from Requirement to Register with the NYS Charities Bureau

If you'd like to set up a time when we can go through the forms let me know.

Have a great weekend.

Be well,

NYC Department of Youth & Community Development

discover DYCD Opportunities and Services Near You

Louiselle Romero

Director, Discretionary Contract Review and Compliance

NYC Department of Youth & Community Development

[redacted]

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From: [redacted]
Sent: Friday, January 31, 2025 12:54 PM
To: Romero, Louiselle (DYCD) [redacted]
Cc: Lopez, Valentin (DYCD) [redacted]; Kovac, Joe (DYCD) [redacted]; Tatiana Callirgos [redacted]
Subject: Re: DYCD ID: [redacted] U Friends of Olmsted- Beil House Inc [redacted] FW: [EXTERNAL] Re: Final Notification on your Discretionary Contract - Friends of Olmsted-Beil House, Inc. - [redacted] Clearance Status Follow-up

Ms. Romero,

Thank you so much for joining our zoom call! We've submitted a ticket to Passport.

We are told there is 15-20 days wait for a response.

Let's continue to problem solve! I've reached out to my councilman too.

Eileen Monreale

On 01/31/2025 12:31 PM EST [redacted] wrote:

> Can you join
> [redacted]
>
> On 01/30/2025 2:50 PM EST Romero, Louiselle (DYCD) [redacted] wrote:
>
> Good afternoon,
>
> It has come to my attention that your contract remains pending in PASSPort.
>
> See email below. Did you follow the directions and complete all steps requested (see highlighted)? Without your compliance we cannot proceed. Please advise.
>
> As a possible means to keep you on track and informed without break, kindly attempt to continue this email thread. Keep the above subject line as well. It now includes your DYCD ID and EPIN for reference.
>
> Have a good day and I await your response so we can proceed.

Louiselle Romero
Director, Discretionary Contract Review and Compliance
NYC Department of Youth & Community Development
[redacted]

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From: Chou, Savanna <[redacted]>
Sent: Friday, December 27, 2024 2:55 PM
To: [redacted]
Cc: Lopez, Valentin (DYCD) <[redacted]>; DYCD Discretionary OPs <[redacted]>; 'William Bell' <[redacted]>; James Reyes <[redacted]>; Paul Scimone <[redacted]>; Savanna Chou <[redacted]>; 'Tatiana Callirgos' <[redacted]> Discretionary <[redacted]>
Subject: RE: [EXTERNAL] Re: Final Notification on your Discretionary Contract - Friends of Olmsted-Beil House, Inc. [redacted] Clearance Status Follow-up

Good afternoon,

Hope you're well. Please note Discretionary has heard back from MOCS Helpdesk that additional will be needed in order to fulfill the MOCS pending status; for additional details please visit [redacted]

MOCS Notes received on 12/27/2024:
I located the HHS PQL application for **Friends of Olmsted-Beil House, Inc.** and see that it was returned with the following message:

"Good afternoon, RE: Friends of Olmsted-Beil House Inc [redacted] Please note: The application will not be approved without the requested updates.

- *Certificate of Incorporation: Please upload an official copy of the original Certificate of Incorporation issued by the NY Department of State with a seal or stamp.*
- *Board of Directors: Please add the current place (name of organization/company) of employment for the all officers of the Board. If retired/unemployed/self-employed, please indicate. Please add organization name at the top of the page.*
- *Conflict of Interest: The uploaded document is unacceptable because it is a disclosure. All Non Profit organization's are required to have its own internal Conflict of Interest Policy. Please upload organization's internal Conflict of Interest Policy.*
- *Documents Tab: (Press on the "Manage Documents" button, unlink the documents using the three dots on the right hand side, then press "link file" to reupload documents and to change dates)*

Please update to the following dates when uploading your organization's documents - Start Date: Date application is submitted i.e. 12/2/2024 End Date: 5/15/2025

If you have any questions, please contact [redacted] *Thank you, -Justin Lee"*

They may visit **http://mocs.matrixlms.com** and use access code **UDKE-BQAO** to complete the Capacity Building Training. They **refer to these instructions** for step-by-step guidance.

Please let me know if you have any questions.

MOCS ID	Source	Council Member	Legal Name	Tax ID	MOCS Status	*	Status	Amount	Agency
[redacted]	Local	Borelli	Friends of Olmsted-Beil House, Inc.	[redacted]	Pending MOCS		Council OK	$5,000	DYCD

MOCS Discretionary Tracker:

https://www.nyc.gov/site/mocs/opportunities/discretionary-award-tracker.page

Thank you,

savanna

From: Chou, Savanna <[redacted]>
Sent: Monday, December 2, 2024 11:31 AM
To: Chou, Savanna <[redacted]>
Subject: RE: [EXTERNAL] Re: Final Notification on your Discretionary Contract - Friends of Olmsted-Beil House, Inc. - [redacted] Clearance Status Follow-up

---

From: [redacted]
Sent: Sunday, November 24, 2024 5:30 PM
To: Lopez, Valentin (DYCD) <[redacted]>
Cc: DYCD Discretionary OPs <[redacted]v>; William Bell <[redacted]>; Reyes, James <[redacted]>; Scimone, Paul <[redacted]>; Chou, Savanna <[redacted]>; Tatiana Callirgos <[redacted]>
Subject: Re: [EXTERNAL] Re: Final Notification on your Discretionary Contract

Hi Valentine,

I think we were successful. Please advise.

Eileen

On 11/21/2024 8:19 AM EST Eileen Monreale <[redacted]> wrote:

Valentin,

Yes, thank you. Please keep me updated on the status.

Eileen

Sent from my iPhone

> On Nov 21, 2024, at 8:02 AM, Lopez, Valentin (DYCD) <[redacted]> wrote:
>
> Good morning Eileen,
>
> I just checked, and it doesn't appear MOCS has updated the contract shell. Based on your email, we will follow up with them and get it updated. Also, have you worked on the contract documents? I would love for you to have them ready to upload once they open the shell.
>
> <image001.png>
>
> ---
>
> **From:** Eileen Monreale <[redacted]>
> **Sent:** Thursday, November 21, 2024 7:47 AM
> **To:** Lopez, Valentin (DYCD) <[redacted]>
> **Cc:** DYCD Discretionary OPs <[redacted]>; William Bell <[redacted]>; James Reyes <[redacted]>; Paul Scimone <[redacted]>; Savanna Chou <[redacted]>
> **Subject:** Re: [EXTERNAL] Re: Final Notification on your Discretionary Contract
>
> Valentine, after much work, we were successful in setting up. Please confirm that we met the deadline.
> <image002.png>
>
> Sent from my iPhone
>
> > On Nov 21, 2024, at 7:40 AM, Lopez, Valentin (DYCD) <[redacted]> wrote:
> >
> > Good morning,
> >
> > We look forward to your submission by the deadline.
> >
> > Thank you

From: Eileen Monreale <[redacted]>
Sent: Wednesday, November 20, 2024 9:56 PM
To: Lopez, Valentin (DYCD) <[redacted]>
Cc: DYCD Discretionary OPs <[redacted]>; William Bell <[redacted]>
Subject: [EXTERNAL] Re: Final Notification on your Discretionary Contract

CAUTION! EXTERNAL SENDER. Never click on links or open attachments if sender is unknown, and never provide user ID or password. If **suspicious**, report this email by hitting the **Phish Alert Button**. If the button is unavailable or you are on a mobile device, forward as an attachment to [redacted]

Valentin,

We are furiously working on it. Do not close our file.

Eileen

Sent from my iPhone

> On Nov 19, 2024, at 8:35 AM, Lopez, Valentin (DYCD) <[redacted]> wrote:
>
> Good morning,
>
> I hope this email finds you well. This is just a quick reminder that the contract submission deadline is this Friday, November 22.2024.
>
> Alternatively, you may want to decline the funds; in that case, reply to this email with your intentions. Program Managers can be reached at [redacted] or via email at [redacted]
>
> ---
>
> **From:** Lopez, Valentin (DYCD) <[redacted]>
> **Sent:** Friday, November 8, 2024 10:15 AM
> **To:** DYCD Discretionary OPs <[redacted]>
> **Subject:** FW: Final Notification on your Discretionary Contract
>
> Good morning,
>
> I hope you are doing well. This email serves as a reminder that your FY23 contract has been received and not finalized or you have not submitted the contract as of this morning. Please contact your assigned program manager as soon as possible. The deadline is November 22, 2024.
>
> Alternatively, you may want to decline the funds; in that case, reply to this email with your intentions. Program Managers can be reached at [redacted] or via email at [redacted]

Thank you,

Valentin

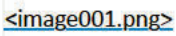
From: Lopez, Valentin (DYCD) <[redacted]>
Sent: Wednesday, October 16, 2024 8:14 AM
To: DYCD Discretionary OPs <[redacted]>
Subject: Final Notification on your Discretionary Contract

Good morning Community Partners,

I hope this email finds you doing well. I write today with a final attempt to process your outstanding contract with DYCD. We have been given one last opportunity to process your contract. The deadline to receive and process your contract is November 22, 2024, your contract will be withdrawn if we do not hear from you by the deadline.

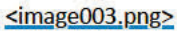
Please get in touch with your program manager today for assistance with any questions you may have. Alternatively, you may want to decline the funds; in that case, just reply to this email with your intentions. Program Managers can be reached at [redacted] or via email at [redacted]

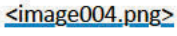
Thank you,



Valentin Lopez (He/Him/His) *What's this?*
Assistant Commissioner
Discretionary Programs

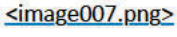
NYC Department of Youth & Community Development
[redacted]fl
[redacted]

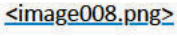










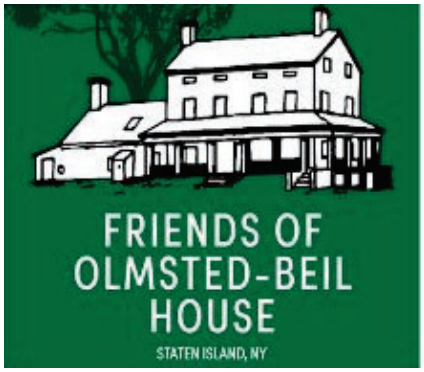


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Eileen Monreale

Friends of Olmsted-Beil House

Proud Member of the Olmsted Network





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- image003.jpg (5 KB)
- image004.jpg (10 KB)
- image005.png (42 KB)
- image006.jpg (37 KB)

[redacted] 6/22/2022 12:13 PM

Friends of Olmsted Beil House (Please help - Budget)

To Romero, Louiselle (DYCD) [redacted] Copy Lopez, Valentin (DYCD) [redacted]
Murrell, Markida (DYCD) [redacted]

Hi Louiselle,

Thank you for the response.

As this is our first time doing this process and we are desperately locked in a no-way out zone on Passport and it won't allow us to do anything, could you recommend someone to help or kindly schedule 20-minutes with us.

Sadly, we are days away from expiration and are about to lose the funding if we can't succeed with PassPort.

Thank you in advance.

Eileen Monreale
President
Friends of Olmsted-Beil House

> On 06/21/2022 1:09 PM Romero, Louiselle (DYCD) [redacted] wrote:
>
> Good afternoon,
>
> Your Program Manager, Markida Murrell, is unavailable today. In the meantime our aim is to provide CBOs with information and guided instruction, via emails and phone calls, so the contract processing can move quickly as possible. Unfortunately, due to technical limitations we don't usually see what you can view at your end. Also, as City Employees, we are not permitted access to particular sites. This makes it difficult to always assist you on a one-to-one basis. However, the City has taken steps to make the process more accessible to you by offering links, 'Help' sites, and the MOCs helpdesk.
>
> **Attached** is an email I received form MOCs that provides their Service Desk contact information in addition to other 'Help' links..
>
> For **FAQs** regarding PASSPort please click on this link: https://www1.nyc.gov/site/mocs/systems/passport-frequently-asked-questions.page
>
> These will assist in finding solution to your PASSPort and other related contracting issue(s).
>
> The expectation is that these will support in moving your contract to the registration process. Please contact your assigned Program Manager for additional assistance after the above mentioned help tools/sites have been

viewed and used for contracting matters.

Be well,

Louiselle Romero
Director - Discretionary Contract Review & Compliance
Discretionary Program Operations
Pronouns: She/Her/Hers

Please ***click this link*** to complete **DYCD's 2022 Community Needs Assessment Electronic Survey**:
[redacted]

NYC Department of Youth and Community Development
[redacted]

Department of Youth & Community Development

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From: [redacted]
Sent: Tuesday, June 21, 2022 12:44 PM
To: Murrell, Markida (DYCD) <[redacted]>
Cc: William Bell <[redacted]>; [redacted]; Kovac, Joe (DYCD) <[redacted]>; Lopez, Valentin (DYCD) [redacted]>
Subject: [EXTERNAL] Friends of Olmsted Beil House (Please help - Budget)

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Greetings,

Friends of Olmsted-Beil House is a 501(c)(3) on Staten Island and we are afraid we are going to lose the $5000 in funding, which is imperative to our success, as we can't get our way through the Passport system.

We have a few challenges that we can't solve and the buttons won't work in the Passport online program.

Would any one be able to join a meeting to help us? The deadline is June 30 that we will lose the funding if we can't work out these system issues. Please help.

As we sent several emails yesterday, I will cc the two added here who are listed in the Passport account

[redacted]

[redacted]

Thank you in advance for any help.

Eileen Monreale

On 06/20/2022 6:00 PM [redacted] wrote:

Hi Markida,

Are we supposed to complete the attached form (which you provided in June 1 email) and show the $5000 budget which is the amount of the award?

Also, if you could schedule 20-minutes to speak with us, we'd very much appreciate it and can send you a zoom invite. Please let me know if this would work and share a few dates/time of your availability this week. The June 30 deadline is looming and the Password website is vexing us.

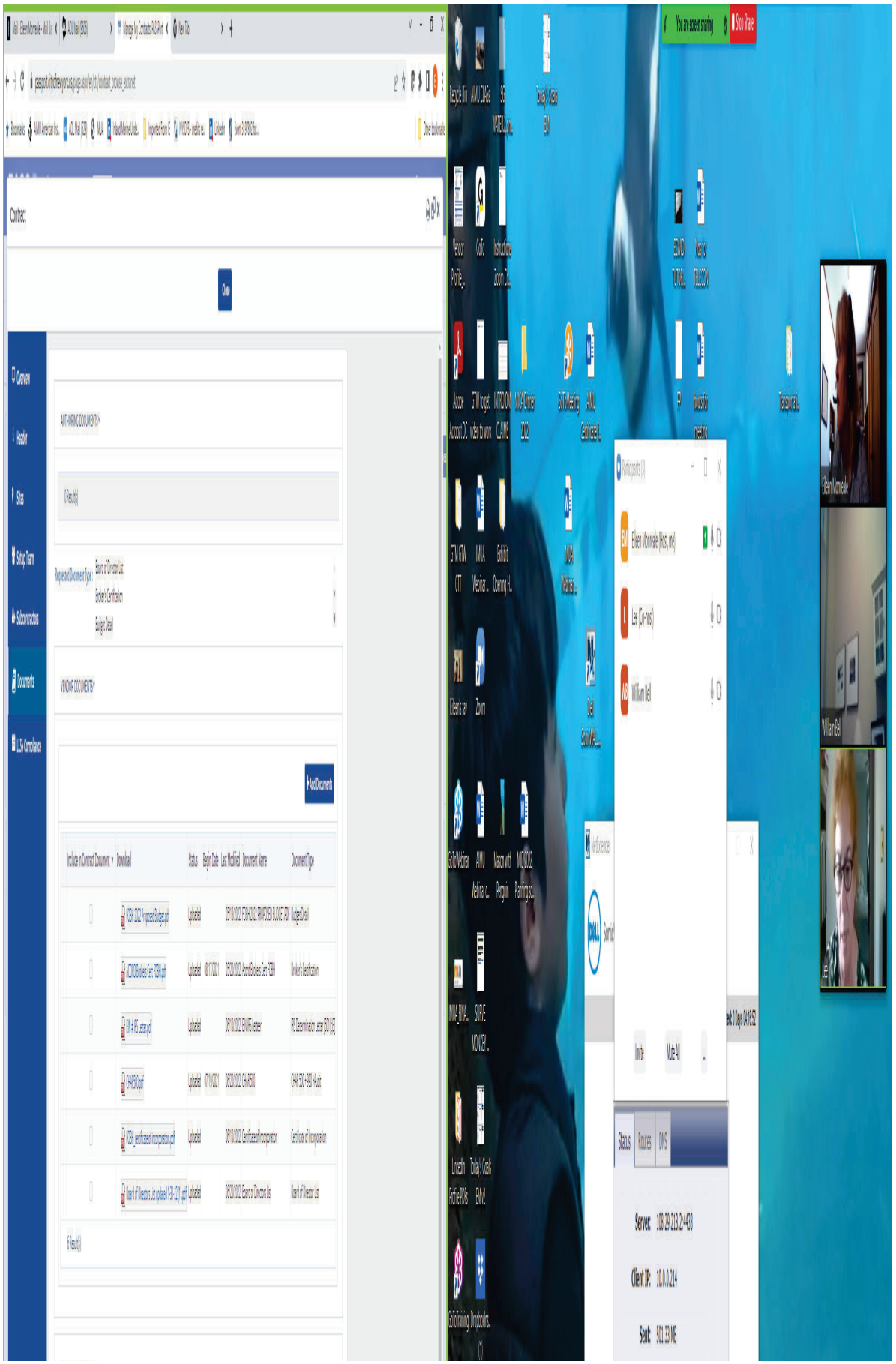
Thanks for any consideration.

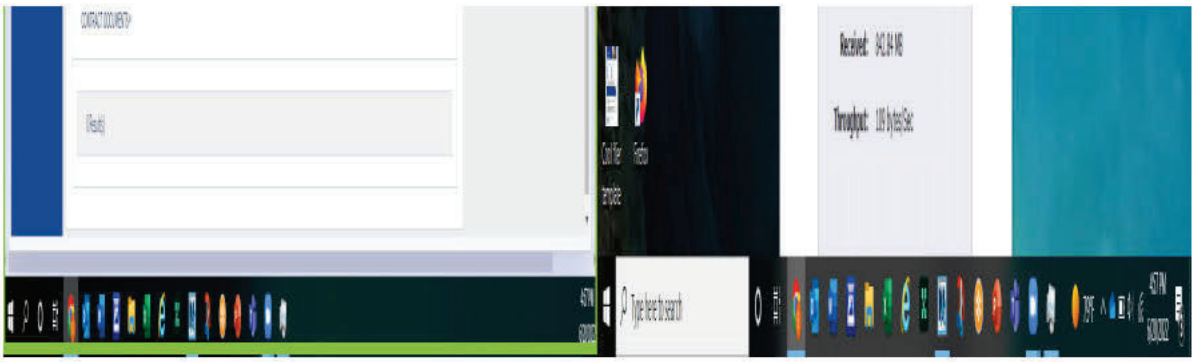
Eileen Monreale
Friends of Olmsted-Beil House
Proud Founding Partner of the Olmsted 200 bicentennial campaign

On 06/20/2022 4:58 PM [redacted] > wrote:

Markida,

We notice that the passport website is only requesting 3 documents more. Is this correct? Please see screen shot below. Again, thanks in advance! We are getting there - I HOPE!!


Contract
Close
Overview
Investor
Site
Setup Team
Subcontractors
Documents
CDA Compliance
Add Documents
Status
Routes
DNS
Server: 108.20.218.2:4433
Client IP: 10.8.0.214
Sent: 501.33 KB



On 06/02/2022 8:04 AM Murrell, Markida (DYCD) <[redacted]> wrote:

Send the workscope as well. Have you uploaded the requested documents in Passport?

From: Eileen Monreale[redacted]
Sent: Thursday, June 2, 2022 7:59 AM
To: Murrell, Markida (DYCD) <[redacted]
Cc: William Bell <[redacted] Lee Conti [redacted]>
Subject: Re: [EXTERNAL] Friends of Olmsted Bell House (Please help)

Thanks, Markida.

This information is helpful. However, after further consideration, we have decided we are not going to include the honorarium payments. Lee Conti, cc'd on this email, will send the budget for the $5000 shortly.

Once again, thank you for your help.

Eileen Monreale

Sent from my iPhone

> On Jun 2, 2022, at 7:48 AM, Murrell, Markida (DYCD) [redacted] wrote:
>
> Good morning,
>
> Your speakers would be considered Subcontractors. your will need a Subcontractor Agreement for all of them, they must be registered in the PIP system (Payee Information Portal) and have 3 Professional References each.
>
> Also, Consultants/Subcontractors are only allowed 30% out of your $5,000 budget combined. Consultants/Subcontractors agreement take up to 30 days for approval.

Everything mentioned below is fine. There is really no list for what General Operating Cost, consist of.

From: [redacted]
Sent: Wednesday, June 1, 2022 12:23 PM
To: Murrell, Markida (DYCD) <[redacted]>
Cc: William Bell <[redacted]>; [redacted]
Subject: RE: [EXTERNAL] Friends of Olmsted Beil House (Please help)

Hi Markida,

Thank you for this information.

1. We do offer an honorarium (speaker payment for their lecture) to our speakers. I'm not sure if this falls under general operating cost. Can we submit for this?
2. We do purchase D&O insurance to protect board members. Would that be a covered expense?
3. Would graphic artist fees for design of brochures etc be covered?
4. Do you have a sample list of general operating expense that are covered?

Thanks in advance.

Eileen

> On 06/01/2022 10:30 AM Murrell, Markida (DYCD) <[redacted]> wrote:
>
> Funds will be used for general operating cost. Please explain the highlighted below
>
> ---
>
> **From:** [redacted]>
> **Sent:** Wednesday, June 1, 2022 9:44 AM
> **To:** Murrell, Markida (DYCD) <[redacted]>
> **Cc:** [redacted] William Bell <[redacted]>
> **Subject:** [EXTERNAL] Friends of Olmsted Beil House (Please help)

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Thanks, Markida. We are working on this now.

In the meantime, can you let me know more about the expectation for the spending. We did spend the $5000 and have receipts for reimbursement. Please share, if you can, what the $5000 is allocated to cover. In other words, would it cover FOBH branded T-shirts and honorariums to speakers? A laptop? A projector and screen? Web design and graphic artist fees? Any help would be appreciated!

Eileen

On 06/01/2022 8:41 AM Murrell, Markida (DYCD) <[redacted]> wrote:

Good morning,

I see you've uploaded some documents in passport. you have 10 more documents to upload. Please look at the Requested Document Type in Passport to see the documents needed. I've attached many of the documents needed. Also, you Budget is for $5,000. Please just send a budget for $5,000

Please note that all the forms I've attached are required.

Please send me the Budget and Workscope as well as uploading them.

Once we get pass the uploading part we will move on to the next thing.

From: [redacted]
Sent: Tuesday, May 31, 2022 11:28 AM
To: Murrell, Markida (DYCD) <[redacted]>
Cc: [redacted]; Yuan, Nick (DYCD) <[redacted]>
Subject: [EXTERNAL] Friends of Olmsted Beil House (Please help)

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Hi Markida,

I am the President of the, all volunteer, Olmsted-Beil House board and we are trying to get reimbursement for $5,000 in Discretionary Funds that ends June 30, 2021. This is our first time in the system as we only formed in 2018 and are completely lost in this maze of a system. Kindly let us know what we must do to compile our contract before submitting to Nick Yuan.

Thanks!

Eileen Monreale

---------- Original Message ----------

From: "Yuan, Nick (DYCD)" <[redacted]>

To: "[redacted]" <[redacted]>, Eileen Monreale <[redacted]>, Lee Conti <[redacted]>

Date: 05/31/2022 11:16 AM

Subject: RE: [EXTERNAL] Friends of Olmsted Beil House (follow up)

Hi Eileen,

Your program manager is Markida Murrell ([redacted]).

She should of reached out to you to help you compile your contract before submission to me.

Thank you,

Nick Yuan

Contract Specialist

Procurement

NYC Department of Youth and Community Development

[redacted]

[redacted]

<image001.png>

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From: [redacted]>
Sent: Tuesday, May 31, 2022 11:14 AM
To: Yuan, Nick (DYCD) <[redacted]>; Eileen Monreale <[redacted]>; Lee Conti <[redacted]>
Subject: [EXTERNAL] Friends of Olmsted Beil House (follow up)

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HI Nick,

I do not and I'm totally unfamiliar. Can you share how to contact FOBH Program Manager. Thanks!!

Eileen Monreale
Friends of Olmsted-Beil House
Proud Founding Partner of the Olmsted 200 bicentennial campaign

> On 05/31/2022 11:06 AM Yuan, Nick (DYCD) <[redacted]> wrote:
>
> Hi Eileen,

In regards to reimbursement that is a question for your program manager.

Do you have the contact for your program manager?

Thank you,

Nick Yuan

Contract Specialist

Procurement

NYC Department of Youth and Community Development

[redacted]

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-----Original Message-----

From: Eileen Monreale <[redacted]>

Sent: Tuesday, May 31, 2022 11:01 AM

To: Lee Conti <[redacted]>

Cc: Yuan, Nick (DYCD) <[redacted]>; [redacted]

Subject: [EXTERNAL] Friends of Olmsted Beil House

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Hi Nick, thank you for your help in this process. Please let me know next steps and what we need to send as far as receipts in order to be reimbursed. We did spend the $5000 and have receipts for reimbursement. Please confirm also, if you can, what the $5000 is allocated to cover. In other words, would it cover FOBH branded T-shirts and honorariums to speakers? A laptop? A projector and screen? Any help would be appreciated!

Eileen

Sent from my iPhone

> On May 31, 2022, at 10:55 AM, Lee Conti <[redacted]> wrote:
>
> Hi Nick,
>
> We have successfully filed with Passport.
>
> Board President Eileen Monreale will be in touch with you about completing anything else necessary to expedite the grant.
>
> Thank you so much for your help!
>
> Best,
>
> Lee Ann Conti
>
> Friends of Olmsted Beil House

Eileen Monreale

Friends of Olmsted-Beil House

Proud Founding Partner of the Olmsted 200 bicentennial campaign

<image002.jpg>

Eileen Monreale

Friends of Olmsted-Beil House

Proud Founding Partner of the Olmsted 200 bicentennial campaign

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Eileen Monreale

Friends of Olmsted-Beil House

Proud Founding Partner of the Olmsted 200 bicentennial campaign

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Friends of Olmsted-Beil House

Proud Founding Partner of the Olmsted 200 bicentennial campaign

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Eileen Monreale

Friends of Olmsted-Beil House

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Eileen Monreale

Friends of Olmsted-Beil House

Proud Founding Partner of the Olmsted 200 bicentennial campaign



Thank you for contacting the Mayor's Office of Contract Services (MOCS).

IMPORTANT: If you've emailed [redacted] **that email address is officially retired**, **meaning emails sent to** [redacted] **will not be received by the MOCS Service Desk**. If you require assistance from the MOCS Service Desk, please visit nyc.gov/mocshelp.

Inquiries submitted through our contact form will be responded to as soon as possible.

Need an answer right away? Check out our self-service FAQ pages:
PASSPort FAQ
HHS Accelerator FAQ
NYC Nonprofits

Have an update regarding your inquiry or forgot to attach a document?
No problem just reply to this message at any time.

PLEASE DO NOT SUBMIT MULTIPLE INQUIRIES, as these may cause a delay in getting back to you. Urgent inquiries will be prioritized.

Our office hours are Monday through Friday, 9AM to 5PM (excluding holidays).

Regards,

MOCS Service Desk
[redacted]

COVID-19 Updates:

NYC is committed to ensuring that everyone can access free, safe, and easy COVID 19 vaccines. Those eligible can find vaccine locations and make appointments at vaccinefinder.nyc.gov or by calling 877 VAX4NYC for assistance. Appointments are based on availability, which is limited due to limited supply. We encourage everyone to check regularly.

Continue to get tested for COVID 19! It's FREE, confidential and available at a location near you. Go to NYC.Gov/COVIDTest and visit a testing site today. *#FightCOVIDNYC*.

Eileen Monreale
Friends of Olmsted-Beil House
Proud Founding Partner of the Olmsted 200 bicentennial campaign



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- image002.png (1 MB)
- image003.jpg (87 KB)

Eileen Monreale
President
Friends of Olmsted-Beil House
Proud Member of the Olmsted Network

Eileen Monreale [redacted] 6/12/2025 12:00 PM

Re: Contracts Submission upload supporting documents

To Allende, Christopher (DYCD) [redacted] Copy Romero, Louiselle (DYCD) [redacted] •
Kovac, Joe (DYCD) [redacted] > • William Bell < [redacted] >

Dear Christopher, we have found the system challenging and throw our hands up. Smart people have tried to do this and we have not succeeded. Seems the system is broken. Suggest you investigate that.
Eileen
Sent from my iPhone

On Jun 12, 2025, at 11:50 AM, Allende, Christopher (DYCD) < [redacted] > wrote:

Good morning ,

As you are aware, FY 2023 will be closed on June 30, 2025. According to PASSPort, you have not submitted your contract. Please reach

I've provided the link for the FY23 contract documents https://www.nyc.gov/site/dycd/involved/funding-and-support/discretionary-contracts-processing2023.page.

Reminder these documents must be uploaded and then submitted by you in PASSPort. Again the deadline is June 30, 2025.

NYC Department of Youth & Community Development

Christopher Allende
Program Manager
NYC Department of Youth & Community Development
[redacted]

discover DYCD Opportunities and Services Near You

- Outlook-DYCD.png (22 KB)
- Outlook-DYCD Conne.png (54 KB)

Name

Arlette Cepeda

Email	[redacted]
Professional Affiliation	La Colmena
Zip Code	[redacted]

Public Comment

Testimony of Arlette Cepeda
Interim Executive Director
La Colmena NYC, Inc. (Formerly known as Staten Island Community Job Center, Inc.)
Commission on Government Efficiency (COGE) Staten Island Hearing
Speeding Up Procurement July 6, 2026

Good afternoon, Commission on Government Efficiency (COGE)
My name is Arlette Cepeda, and I serve as the Interim Executive Director of La Colmena, an immigrant worker center based in Staten Island. Founded in 2014, working to empower immigrant workers and their families through education, organizing, culture, and economic opportunity.

La Colmena has been a reliable partner to a number of city agencies including MOIA, in making sure the most vulnerable populations can access the City services and resources they deserve. This work is only possible thanks to the Speaker's citywide support and many Council Member initiatives that address the needs of Immigrant New Yorkers.

We believe that the procurement process can be sped up by submitting required organizational paperwork such as liability insurance, certificate of incorporation, CHAR500 etc, only once for all contracts. This will prevent duplication and excessive administrative burden to non profits that also have to deliver direct services and oftentimes are the same staff members. Additionally, standardize an advancement amount of a minimum of 25% of the awarded amount, to be able to implement deliverables. Facilitate the process of budget modifications, especially towards the last quarter, given that nonprofits always have to pivot based on community needs. The contract registration process should not take longer than two weeks if all paperwork has been submitted. Multi year contracts also support sustainability of the work and reduces administrative burden.Work cannot be done without administrative support, therefore you should increase overhead costs such as rent, utilities and upper management salaries. You have not increased the 10% indirect cost in years, it is time to increase this percentage.

Our organization has become a trusted hub for immigrant communities on Staten Island, funding for these initiatives is of utmost importance during a time that immigrant communities are being terrorized by the current immigration enforcement tactics by the Federal Government. Staten Island is often overlooked in citywide conversations about immigration and delays on reimbursement only hurt the community and our ability to deliver much needed services.

We look forward to continuing to work with the City to ensure that immigrant communities in every borough including Staten Island are informed, supported, and protected.
Thank you for the opportunity to submit this testimony

Attachment(s)



Speeding Up Procurement La Colmena'...

Date Submitted: July 6, 2026

Topic: Procurement Reform ✕ | Budget Issues ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Tenant Protection ✕

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: Yes

Topic Simplified: Procurement

Subtopic: Streamlining paperwork reqs

Testimony of Arlette Cepeda
Interim Executive Director
La Colmena NYC, Inc. (Formerly known as Staten Island Community Job Center, Inc.)

Commission on Government Efficiency (COGE) Staten Island Hearing **Speeding Up Procurement** - July 6, 2026

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We look forward to continuing to work with the City to ensure that immigrant communities in every borough—including Staten Island—are informed, supported, and protected.

Thank you for the opportunity to submit this testimony.

Name

Claude Millman

Email [redacted]

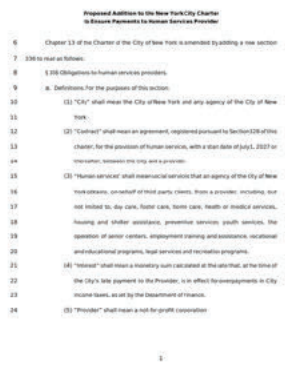
Professional Affiliation

Zip Code

Public Comment

This comment concerns New York City procurement. Many members of the public noted that the City does not pay human services providers within a reasonable time after services are performed. This occurs, primarily, because the City does not promptly submit contracts for registration; it does not promptly approve contract budgets; and it does not promptly approve invoices. The attached addition to the Charter (a new section 336) would ensure that these actions are prompt and require that interest be paid to the provider if payment is not received by the provider within 60 days of that date that services are provided.

Attachment(s)



Proposed Charter Section 336 re Obliga...

Date Submitted July 6, 2026

Topic Procurement Reform ✕ Budget Issues ✕ Reporting Requirements ✕ Unnecessary Bureaucracy ✕

Method Received	Airtable Form
Is it charter related?	
	Run agent
Charter Related	Yes
Topic Simplified	Procurement
Subtopic	Human services payment

Proposed Addition to the New York City Charter
to Ensure Payments to Human Services Provider

Chapter 13 of the Charter of the City of New York is amended by adding a new section 336 to read as follows:

§ 336 Obligations to human services providers.

a. Definitions. For the purposes of this section:

(1) "City" shall mean the City of New York and any agency of the City of New York.

(2) "Contract" shall mean an agreement, registered pursuant to Section 328 of this charter, for the provision of human services, with a start date of July 1, 2027 or thereafter, between the City and a provider.

(3) "Human services" shall mean social services that an agency of the City of New York obtains, on behalf of third party clients, from a provider, including, but not limited to, day care, foster care, home care, health or medical services, housing and shelter assistance, preventive services, youth services, the operation of senior centers, employment training and assistance, vocational and educational programs, legal services and recreation programs.

(4) "Interest" shall mean a monetary sum calculated at the rate that, at the time of the City's late payment to the Provider, is in effect for overpayments in City income taxes, as set by the Department of Finance.

(5) "Provider" shall mean a not-for-profit corporation

b. Effective July 1, 2027, notwithstanding anything to the contrary, the City shall ensure that each provider of human services is paid by the City within a short period of time after such human services are provided. To that end:

(1) A provider's proposed budget on a contract shall be deemed approved by the City within 15 days of its submission unless objected to in writing by the City. Any such objection must specify the budget items objected to; all other items are deemed approved. The pendency of a proposed budget modification shall not block the provider's submission to the City of an invoice or another proposed budget modification.

(2) An invoice for human services submitted by a provider on a contract shall be deemed approved by the City within 15 days of its submission to the City by the provider unless objected to in writing by the City. Any such objection must specify the invoiced items objected to; all other items are deemed approved. The pendency of an invoice for human services submitted by a provider shall not block the provider's submission a proposed budget modification on the contract.

(3) A provider's invoice for human services that is paid by the City on a contract shall include interest from the date that the human services were provided until the sixtieth day before the date that such invoice is paid. The accrual of such interest may predate the registration of the contract under section 328 of this charter and may predate the date of the invoice.

(4) The City shall not use any electronic device to block a provider's submission of a proposed budget, proposed budget modification, or invoice in connection with

a human services contract. If the City's electronic system blocks such a submission, the item shall be deemed submitted when the provider e-mails it to the Agency Chief Contracting Officer at the City agency administering the contract.

(5) A proposed subcontractor to a provider of human services shall be deemed approved by the City if the City does not object to the subcontractor in a writing received by the provider within 15 days of the date that the provider submits the proposed subcontractor to the City for approval. Such proposal and approval may precede registration of the human services contract under Section 328 of this charter.

(6) When the City issues a solicitation for a human service already being provided by one or more providers, then, sixty days before the termination of the existing contract or contracts, the City shall either: a) submit all contracts from the solicitation to the Comptroller for registration under Section 328 of this charter; b) submit contract extensions, with any provider willing to accept an extension for the continuation of such services, to the Comptroller for registration under Section 328 of this charter, or c) announce the termination of the services in the City Record *and by written notice to the providers whose contracts for such human services are terminating.*

(7) If a provider with a contract for human services continues providing the human services contemplated by that contract beyond the termination date of that contract, the provider may, within 15 days of such termination, submit that contract to the Agency Chief Contracting Officer and the Comptroller with a

written offer to continue providing the human services on the terminated contract's terms and conditions. In such case, the Agency Chief Contracting Officer may, within 15 days of such offer, reject the offer in a written notice to the provider and Comptroller. If such offer is not rejected in such a notice by the Agency Chief Contracting Officer within 15 days, then, on the following day, the provider's offer and the expired contract shall, together, be deemed a contract submitted by the City agency to the Comptroller for registration under Section 328 of this charter and shall be deemed to be submitted with the required information including, without limitation, the requisite signatures of the Corporation Counsel and Mayor.

c. Notwithstanding anything to the contrary, any dispute arising under or relating to this Section shall be resolved in the first instance by the Supreme Court of the State of New York for the County of New York. In any such dispute, this Section shall be construed in the manner most likely to promote the legislative intent of ensuring that a provider of human services is paid by the City for such services within a short period of time after such human services are provided.

Name

Frank Morano

Email	[redacted]
Professional Affiliation	New York City Council
Zip Code	[redacted]

Public Comment

Written Testimony of Council Member Frank Morano
Before the New York City Charter Revision Commission
July 7, 2026

Good evening, Chair Gaspard and members of the Commission.

My name is Frank Morano, and I have the privilege of representing New York City's 51st Council District on Staten Island in the New York City Council.

I am submitting this testimony on July 7, 2026, following the Commission's July 6 hearing on Staten Island, which I had hoped to attend in person. Unfortunately, my wife gave birth on July 6, and I was therefore unable to be there. I did not want to miss the opportunity to continue participating in this process, however, and so I am submitting my testimony in writing.

I want to note at the outset that I have been following this Commission's work closely and engaging with it in good faith. I previously testified in person before the Commission at its earlier Staten Island hearing, and I have also submitted testimony and recommendations on issues including community board reform, electoral reform, and a series of good-government proposals designed to make city government more transparent, more accountable, and more responsive.

I have followed Charter Revision Commissions for more than two decades. I continue to believe they can be among the most consequential exercises in city government, because the City Charter determines not just what government does, but how it does it, who has a voice in the process, and what checks exist when government inevitably overreaches or underperforms.

For that reason, I have tried to approach this Commission in good faith and on the merits. There are parts of the Commission's preliminary report that I believe are thoughtful and worth pursuing. There are other areas where I believe reform is appropriate, but only with meaningful guardrails. And there are still other areas where I have serious concerns that "efficiency" could become a euphemism for less public review, less neighborhood input, and more power concentrated in the hands of agencies or City Hall.

Efficiency is a worthy goal. But efficiency is not the only goal. Government can be efficient and still be unresponsive. It can be efficient and still be opaque. It can be efficient and still bulldoze neighborhoods, sideline communities, and weaken accountability. The best reforms are those that make government faster, yes but also fairer, more transparent, and more accountable to the people it serves.

With that in mind, I would like to offer my feedback on the Commission's preliminary report, as well as several recommendations I believe should still be under serious consideration.

I. Overall Reaction to the Preliminary Report

The Commission's preliminary report deserves credit for identifying several real and longstanding problems in city government:

small businesses and homeowners are too often trapped in slow, expensive, and duplicative permitting processes;
city procurement is too cumbersome and often delays needed services or projects;
technology systems across agencies are fragmented and outdated;
some reporting requirements and legacy procedures are genuinely obsolete;
and the City should have a more disciplined approach to reserves and long-term fiscal stability.

Those are legitimate concerns, and I appreciate that the Commission has attempted to approach them in a serious way.

At the same time, the report is also notable for what it leaves out and for the areas where its pursuit of "efficiency" threatens to become too one sided. In several sections, the report seems to assume that the primary obstacle to good government is too much process, too much review, or too much consultation. Sometimes that is true. But sometimes those processes are the only thing standing between a community and a decision being imposed on it from above.

The right question is not simply, "How do we make government move faster?" The right question is, "How do we make government work better without diminishing public accountability, neighborhood voice, or democratic legitimacy?"

That is the lens through which I offer the comments below.

II. Chapter 1 – Accelerate Access to Public Space and Infrastructure Improvements
A. Revocable consents, outdoor dining, and small business use of public space

I believe the Commission is largely on solid ground in identifying the revocable consent process as an area in need of reform.

The report correctly notes that the process for obtaining revocable consents and related approvals for the use of public space is often too slow, too expensive, too confusing, and too burdensome, particularly for small businesses such as restaurants. The fact that applicants may be required to spend significant sums on publication, navigate multiple layers of approvals, and wait months for action on relatively modest requests is a sign that the current system is not working as it should.

I support efforts to streamline this process.

If a restaurant owner wants to put a handful of tables outside or a small

business needs a relatively minor approval to use public space, the City should not force them through a process that feels designed to break their spirit. The current framework often appears less like public administration and more like an endurance test.

That said, I would urge the Commission to distinguish between cutting unnecessary red tape and cutting meaningful public notice or local input.

If publication requirements are outdated, then replace them with something better not with nothing. My view is that any reform in this area should be accompanied by a modern public-notice framework, including:

email alerts
text alerts
borough- and district-specific notifications
a centralized public notice portal
and a simple online calendar of hearings and applications

The answer to obsolete notice should be better notice, not less notice.

So in this area, I support the Commission's diagnosis of the problem and the general goal of reform, provided the result is a system that is both more efficient and still transparent to the public.

B. Street safety, "major transportation projects," and public review

This is the area of the report that concerns me the most.

The Commission suggests that the City's existing process for "major transportation projects" may create delays for street redesigns and safety projects, and it raises the possibility of streamlining public review, narrowing the definition of major transportation projects, or reducing certain interagency and consultation requirements.

I understand the desire to move important safety projects more quickly. Nobody wants dangerous streets. Nobody wants preventable injuries. And I do not dismiss the importance of traffic safety or the need to improve dangerous corridors.

But "efficiency" cannot become a euphemism for making it easier for DOT or City Hall to impose major street redesigns without meaningful neighborhood review.

Street redesigns, lane reconfigurations, busways, bike lane installations, curb changes, and other transportation projects can have profound effects on traffic patterns, parking availability, emergency access, commercial corridors, school operations, and neighborhood quality of life. Communities deserve a meaningful opportunity to weigh in before those decisions are made.

The fact that a project is described as a "safety" project does not mean it is

beyond scrutiny. It does not mean DOT is automatically right. And it does not mean local residents should simply be expected to accept whatever is proposed in the name of efficiency.

If the Commission wishes to explore a distinction between truly minor transportation projects and major corridor redesigns, that is a conversation worth having. But I would strongly oppose any Charter change that uses the language of efficiency to weaken public review for major transportation decisions or to reduce the voice of neighborhoods in those decisions.

A government that wants to be efficient should start by listening early, listening honestly, and listening often. It should not treat public participation as a bureaucratic obstacle to be minimized.

C. Franchises, concessions, and "right-sizing" review of city property arrangements

The report also explores ways to streamline the Franchise and Concession Review Committee process and "right-size" review for smaller concessions or certain intellectual property licensing arrangements.

I am open to that concept in principle.

Not every minor concession or licensing arrangement should necessarily be treated as though it were a decades long exclusive franchise involving substantial public assets. There is a legitimate argument that smaller, lower risk arrangements should not be subjected to the same cumbersome process as large, complex, long-term agreements.

But here again, the Commission should proceed with care. Streamlining should not become a vehicle for shrinking oversight of public assets or making it easier for politically connected entities to receive favorable treatment without sufficient scrutiny.

If the City is going to move toward a more proportionate review structure, that structure should be clear, transparent, and narrowly tailored. The public should know:

which arrangements still require robust review,
which do not,
and why.

I would support a rational and proportionate process. I would not support a process that simply reduces oversight because oversight is inconvenient.

III. Chapter 2 Accelerate Permitting and Contracting
A. Permitting reform and reducing DOB bottlenecks

I believe the Commission is right to focus on permitting.

The report documents what property owners, businesses, and ordinary New Yorkers have known for years: permitting in New York City is often fragmented, duplicative, and painfully slow, with applicants sent from agency to agency, office to office, and desk to desk.

There is no good reason why homeowners, small businesses, institutions, and nonprofit organizations should have to navigate a bureaucratic obstacle course for straightforward projects. Nor is there a good reason why multiple layers of city bureaucracy should repeatedly re review matters that another competent city official has already examined.

I support reforms that would:

reduce unnecessary handoffs,
centralize permitting functions where appropriate,
eliminate duplicative reviews,
and allow applicants to navigate a more coherent process.

If a project has already been substantively reviewed by a qualified city unit, the City should not force applicants to restart the process with another team simply because of a legacy bureaucratic structure that no longer makes sense.

That said, permitting reform should not become a back door for weakening substantive safety review or bypassing legitimate land-use oversight. The goal should be to reduce bureaucratic waste, not to reduce public protections.

B. Expanding DOB rulemaking authority over construction-code matters

The report suggests that some construction code changes could potentially be handled through DOB rulemaking rather than always requiring a full legislative process.

I understand the rationale. Building technologies evolve. Safety standards change. The City should not be incapable of responding to technical developments simply because the legislative process can be slow.

At the same time, construction code changes are not always merely technical. They can have significant cost implications for homeowners, small landlords, institutions, contractors, and neighborhoods. Sometimes they reflect real policy judgments rather than ministerial updates.

For that reason, I would urge the Commission to draw a distinction between:

truly technical or ministerial updates, which may be appropriate for administrative rulemaking; and
substantive changes that materially alter obligations, costs, or standards, which should remain subject to a more accountable process.

I am open to limited modernization in this area, but I would not support a broad transfer of policymaking authority from elected lawmakers to agency

officials.

C. Procurement reform and speeding up contracting

This is another area where the Commission is addressing a very real problem.

New York City's procurement system is too often slow, cumbersome, and opaque, even while everyone involved acknowledges that strong integrity checks, labor protections, anti fraud safeguards, and auditing remain essential. The City's procurement process can delay critical services, slow down capital work, and create real hardship for nonprofits and service providers waiting to be paid.

I support efforts to streamline procurement where doing so does not weaken oversight.

If contracts are delayed because too many approvals are required for routine actions, those delays should be addressed. If agencies are spending weeks on duplicative signoffs that add no meaningful value, those steps should be revisited. If human services providers are waiting intolerably long periods to be paid for work already performed, that is a failure of government and it should be fixed.

But procurement reform must not become an excuse to lower the guardrails that protect taxpayers. I would support procurement modernization that:

preserves anti-corruption safeguards,
preserves labor and anti-discrimination standards,
preserves meaningful auditing and transparency,
and reduces delay by simplifying process rather than by weakening integrity.
D. Delegating procurement approvals to agency contracting officers

The report suggests that some approvals currently requiring Mayoral signoff could potentially be delegated further to agency chief contracting officers.

I am open to that idea, but only if it is done carefully.

If the proposal is simply that routine approvals should not sit on a desk at City Hall for a week or two when a qualified chief contracting officer can lawfully and competently make the same decision, that seems reasonable. If, however, the proposal is to move significant discretion into less visible corners of the bureaucracy without adequate oversight, then I would be skeptical.

As with many of the report's recommendations, the question is not simply whether process can be shortened. The question is which process, for which decisions, with what safeguards, and at whose expense.

IV. Chapter 3 – Modernize Outdated Systems and Requirements to Bolster Innovation
A. Technology modernization and interoperability

The Commission is right that city government's technology systems are too often fragmented, outdated, and incapable of speaking to one another. Residents should not have to navigate multiple portals, repeat the same information to multiple agencies, or struggle with systems that look and function like relics of another era.

I support efforts to modernize government technology, improve interoperability, and make it easier for New Yorkers to access services.

In fact, I would urge the Commission to think even more expansively about how technology can be used not merely for internal efficiency, but for public accountability. A modern city government should have:

a Government Response Time Dashboard showing how long permits, complaints, licensing applications, and FOIL requests actually take;
a Contractor Performance Dashboard showing cost overruns, delays, change orders, and vendor performance;
a Public Notice Portal that allows New Yorkers to subscribe to hearings, land-use applications, and neighborhood matters by borough, district, or ZIP code;
and an Agency Promise Tracking System so residents can see whether agencies actually fulfill the commitments they make during land use reviews, capital projects, and neighborhood negotiations.

If the Commission is serious about innovation, it should not confine that innovation to internal workflow. It should also empower the public to see how government is performing.

B. Eliminating outdated reporting requirements

I agree with the Commission's premise that some mandated reports are obsolete, duplicative, or of little continuing value, and that agencies should not spend hundreds of hours generating reports no one reads.

But this is an area where I would urge the Commission to use a scalpel, not a chainsaw.

Government has a bad habit of labeling transparency "burdensome" whenever transparency becomes inconvenient. So if the Commission is going to recommend eliminating reports, it should identify with specificity:

which reports are obsolete,
why they are obsolete,
whether the information is already reported elsewhere,
and whether the public or Council would lose meaningful oversight if the report disappeared.

I would support repealing or consolidating genuinely useless reports. I would oppose any broad rollback of reporting requirements that leaves New Yorkers with less information about how their government is performing.

C. Public officer bond requirements

I have no objection to the Commission's proposal to revisit or eliminate antiquated public officer bond requirements if they truly no longer serve a practical purpose and simply create administrative cost or delay. This strikes me as the sort of housekeeping reform that Charter Revision Commissions should not be afraid to recommend.

D. Waterfront permitting

The report suggests consolidating waterfront permitting functions within DOB.

I am open to this if it is a genuine administrative streamlining measure and not a substantive diminution of review. For Staten Island, waterfront policy is not abstract. It affects resiliency, ferry infrastructure, shoreline development, drainage, environmental quality, and economic development. Any reform in this area should therefore be approached with care.

If the goal is simply to align construction related permitting with the agency already responsible for construction permitting and code enforcement, that may be sensible. But if the result would be to weaken scrutiny, reduce environmental review, or diminish public input regarding waterfront uses, I would oppose it.

V. Chapter 4 – Ensure the City's Fiscal Stability
Rainy day fund rules and fiscal reserves

I support the Commission's attention to the City's rainy day fund and reserve practices.

A city with a budget as large and complex as New York's should have clear, disciplined rules governing:

how reserves are built,
when they can be used,
and what constitutes a genuine emergency or downturn justifying withdrawal.

I have long believed that New York City should not treat reserves as a political slush fund or as an excuse to avoid hard budget choices. Reserves should exist to protect taxpayers and maintain continuity of essential services during genuine fiscal stress, not to finance every policy preference that happens to arise in a given year.

So in this area, I believe the Commission is raising a legitimate and worthwhile issue.

VI. What the Report Gets Right, What It Misses, and Where It Goes Wrong

Having reviewed the report as a whole, I would summarize my view this way:

What the report gets right

The Commission is right to focus on:

unnecessary red tape for small businesses,
permitting bottlenecks,
slow procurement,
fragmented technology systems,
obsolete administrative requirements,
and the need for sound fiscal management.

Those are real problems. They frustrate residents, delay services, increase costs, and undermine confidence in government.

Where the report goes wrong or risks going wrong

The report is most troubling where "efficiency" begins to shade into less public review, less neighborhood input, or less accountability, especially in transportation and land use adjacent areas.

New Yorkers do not want a government that is merely fast. They want a government that is fair. If the price of speed is fewer opportunities for communities to be heard, then that is not a bargain the Charter should make.

What the report leaves out

The report also leaves out several areas that, in my view, are central to the very questions of accountability and efficiency it claims to be examining.

In particular, I believe the Commission should seriously consider recommendations in the following areas:

VII. Additional Reforms the Commission Should Pursue
1. Community Board Reform – Put it on the ballot

I have already testified on this, but I want to reiterate it here because I believe it is one of the most important reforms this Commission could advance.

Community boards are supposed to be the public's most accessible entry point into local government, but too often they are unrepresentative, opaque, and insufficiently accountable to the neighborhoods they serve. I continue to strongly support a Charter amendment allowing City Council Members to appoint up to one half of the members of their local community boards, with Borough Presidents appointing the remainder.

That reform would:

create real local accountability,

diversify the appointing structure,
give neighborhoods a more direct voice in board composition,
and help restore confidence that community boards reflect current community priorities rather than only the preferences of a single appointing authority.

I respectfully urge the Commission to place a community board reform question on the ballot. I continue to believe this is one of the strongest and most meaningful Charter reforms available to the Commission.

2. Make this a two-year commission

I also want to reiterate something I have said publicly and directly to the Commission: this should be a two year commission.

There is simply too much at stake, and too many important subjects left underdeveloped, for the Commission to rush toward a limited set of ballot questions on an accelerated timeline.

A second year would allow the Commission to:

hear from more communities,
refine and narrow its proposals,
examine underdeveloped areas like community board reform, public notice modernization, and fair share siting,
and build greater public confidence in the legitimacy of the process.

It would also allow the Commission to separate genuinely consensus good-government reforms from more controversial proposals that deserve fuller debate.

Charter Revision should not be a race. It should be a careful effort to improve the structure of city government in a way that lasts.

3. Public Notice Modernization

The report repeatedly discusses outdated publication requirements, but it does not go nearly far enough in proposing a modern alternative.

If the City wants meaningful public participation, it should provide:

email alerts
text alerts
interactive maps
borough specific and district specific notifications
centralized hearing calendars
and a public notice portal for ULURP applications, environmental reviews, Charter Revision hearings, and community board meetings.

The answer to outdated notice should not be less notice. It should be better

notice.

4. Government Response Time Transparency

If the City is serious about efficiency, it should tell New Yorkers how long it actually takes to do business with their government.

Agencies should publicly report average response times for:

permits
complaints
constituent inquiries
FOIL requests
licensing applications

If Amazon can tell a customer where a package is, City Hall should be able to tell a New Yorker where their permit is.

5. Agency Promise Tracking

One of the biggest frustrations in city government is that agencies make promises to communities during land use reviews, capital projects, and neighborhood negotiations, and then years later no one knows whether those promises were kept.

The City should maintain a public system tracking agency commitments from promise to completion.

Government should not be judged only by the promises it makes. It should also be judged by the promises it keeps.

6. Contractor Performance Dashboards

If we want a more efficient city government, we should know which contractors are delivering and which are not.

The City should publish contractor scorecards showing:

cost overruns
delays
performance metrics
complaints
change orders

Taxpayers should not have to wait for a scandal, a newspaper investigation, or an audit to learn whether a contractor receiving millions of public dollars is actually performing.

7. Fair Share / Neighborhood Impact

The Commission should also give serious consideration to neighborhood level impacts of city siting decisions and the cumulative burden borne by communities that are repeatedly asked to absorb shelters, treatment facilities, sanitation uses, and other city burdens.

Efficiency should not mean shifting even more burdens onto communities that already feel ignored by City Hall. If the City is going to talk about fairness and efficiency, it should also talk about equity in where burdens are placed and how neighborhood impact is measured.

VIII. Conclusion

I appreciate the work the Commission has done thus far, and I appreciate the opportunity to submit this testimony.

I have tried to approach this process in good faith because I believe the Charter matters too much to do otherwise. There are areas of the preliminary report that I support. There are others that I could support if they are written carefully and accompanied by meaningful guardrails. And there are some that I believe risk moving the City in the wrong direction by prioritizing administrative convenience over democratic accountability.

My view is simple: government should be easier to navigate, easier to understand, and easier to hold accountable. It should be faster where it can be faster. But it should never become so "efficient" that it forgets the people it is supposed to serve.

I respectfully urge the Commission to:

continue its work beyond this year and operate as a two year commission;
place a community board reform question on the ballot;
modernize public notice and improve public participation;
pursue transparency based reforms such as response time dashboards, contractor scorecards, and promise tracking;
examine fair-share and neighborhood-impact issues more seriously; and
avoid using "efficiency" as a pretext to weaken local input, neighborhood review, or public accountability.

Thank you for your consideration and for your service on the Commission.

Frank Morano
Council Member, 51st District

Attachment(s)

Drop files here or click to browse

Date Submitted	July 7, 2026
Topic	Revocable Consent, Franchises & Concessions, Procurement Reform, Department of Buildings (DOB) Issues, Real Estate and Development, Public Bonds, Reporting Requirements, Unnecessary Bureaucracy, Enforcement, Budget Issues, Technology, Street Redesigns, Miscellaneous
Method Received	Airtable Form
Is it charter related?	
Charter Related	No
Topic Simplified	Government Operations
Subtopic	Many recommendations

Name

Marianne Pizzitola

Email	[redacted]
Professional Affiliation	President, NYC Organization of Public Service Retirees
Zip Code	[redacted]

Public Comment

I am greatly disturbed that the Mayor has not only still ignored every request by our organization and retirees to meet and we represent over 200,000 municipal retirees, but he also has Henry Garrido, Executive Director of DC37 on COGE. COGE, was created to improve efficiency, modernize government, and find ways to help government keep pace with the needs of the people it serves. That includes current NYC Retirees. If the City continues to ignore our organization and allows Henry, whom the last comptroller, after a 20-year audit of the Health Insurance Stabilization Fund, found that he, with a few other union leaders and the Mayor's Office of Labor Relations, misused taxpayer money, how can this effort be taken seriously?

There has been no investigation or accountability, and if you want efficiency, you need to address that, or they will just do it again.

For example, after the retirees sued the City three times and won 12 different wins across those three cases, the unions dug their heels in more. Retirees are not in unions and we do not vote for union leaders (except 2 unions out of 162) and none vote on contracts. Henry was part of the machine that not only tried to force us into Medicare Advantage, which is not Medicare and not an advantage to anyone, but then assessed a penalty to the elderly and disabled retirees for the first time in 60 years a copay on every medical visit and service amounting to a car payment to us on a monthly basis. 2/3 of DC37 retirees make under $35k pensions like myself, and 1/3 of them under $12k. Yes - you read that right. And our former unions assessed us costs to create a funding stream for them to use literally on our back.

That is not governmental efficiency - that is greed and harming your most vulnerable. This was encouraged by the last Mayors Office of Labor Relations and this administration has an opportunity to correct it. Medicare retirees are the least cost to the City our Medicare supplement is $200 a month and given our low incomes - it was a no brainer why costs were not assessed on us - because our city supplement was well under the cap in the city administrative code. The longer this administration hides from the truth and protects those who perpetrated the harm, the more it shows us this really isn't a "new era."

We hope you take the concerns seriously.

Marianne Pizzitola
President
NYC Organization of Public Service Retirees

Comptroller Report: https://comptroller.nyc.gov/wp-content/uploads/documents/FK24-070A.pdf

UFT President saying they have to keep copays in place to fund raises for active workers: https://mariannepizzitola.substack.com/p/you-cant-create-the-divide-and-then

Initially the MLC said Medicare Advantage and these added costs were to fund the stabilization fund, then the Municipal Labor Committee which Henry is acting chair stated in the Comptroller Audit that they knew moving retirees to Medicare Advantage wasn't going to solve the funding problem, but would "buy them time." Then the lawyer for the MLC admitted in a meeting they had long determined to end the stabilization fund then why harm retirees to temporarily fund it?

This is not government efficiency; this is abuse. These same "leaders" also misrepresented facts to the City Council in hearings when they tried to change the law we won our litigation on to force us off the federal public health benefit of Medicare.

You want transparency and efficiency? It starts with looking into what we are bringing to you.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 7, 2026

Topic: Enforcement, Reporting Requirements, Budget Issues, Unnecessary Bureaucracy, Support Oversight Agencies, Miscellaneous

Method Received: Airtable Form

Is it charter related?

Charter Related: No

Topic Simplified: Feedback

Subtopic: NYC Retirees

Name

Christopher Yukins

Email	[redacted]
Professional Affiliation	Professor, George Washington University Law School
Zip Code	
Public Comment	Attached please find my supplemental comments responding to a question from the Commission at the hearing on July 6, 2026. These materials are also available at https://publicprocurementinternational.com/2026/07/05/comments_to_nyc_commission-on-government-efficiency-speeding-up-public-procurement/.
Attachment(s)	 NYC COGE SUPPLEMENTAL Comment...
Date Submitted	July 7, 2026
Topic	Procurement Reform
Method Received	Airtable Form

Is it charter related?	
	Run agent
Charter Related	Yes
Topic Simplified	Procurement
Subtopic	Non profit payment

SUPPLEMENTAL COMMENTS

Submitted by

Professor Christopher Yukins

George Washington University Law School

to

New York City Commission on Government Efficiency

Hearing on "Speeding Up Public Procurement"

Staten Island, New York

Submitted: July 7, 2026

To the Members of the Commission on Government Efficiency:

Thank you for the opportunity to speak with the Commission at yesterday's Staten Island hearing on the reforms to the New York City Charter being considered by the Mayor's Commission on Government Efficiency, regarding speeding up New York City's roughly $50 billion public procurement system. These supplemental comments respond to a question raised at yesterday's hearing by Commission Chairman Patrick Gaspard.

The majority of the testimony at yesterday's hearing came from non-profit contractors that provide social services – such as housing for persons without homes – to the City of New York. Those contractors voiced one recurring complaint with the City's procurement system: delays in contract awards and payments. When they presented, the City's contracting officials also discussed extensive efforts that the City has made to shorten procurement time cycles. When my turn came to address the Commission, the Chairman put that same issue to me: what can New York City learn from other systems so as to reduce these procurement delays?

One very thorough study of procurement delays was done in 2024 by the U.S. Government Accountability Office (GAO) (GAO Report No. 24-106528) regarding delays in federal procurement. GAO focused on strategies used to reduce the time from solicitation to contract award, which is referred to as "procurement administrative lead time" (PALT).

In that study, GAO noted that the U.S. Office of Management and Budget had issued a policy memorandum in 2021 outlining a series of measures agencies can use to reduce PALT. While New York City has adopted many of those strategies (such as monitoring contracting delays across the enterprise), the Commission may wish to consider other innovative approaches, such as using vendor video presentations to streamline competitions. In a subsequent presentation on its report, GAO emphasized that these innovative strategies must be combined with agency-wide monitoring and accountability in order to reduce delays in the procurement process.

Thank you again for allowing me to submit supplemental comments on the Commission's important work. Should you or your staff have any questions, please feel free to reach out to me at [redacted]

Respectfully submitted,

/s/ Christopher R. Yukins

Christopher R. Yukins
Lynn David Research Professor in Government Procurement Law
George Washington University Law School

Name

Jessica Baker Vodoor

Email	[redacted]
Professional Affiliation	President & CEO, Snug Harbor Cultural Center & Botanical Garden
Zip Code	[redacted]
Public Comment	Snug Harbor Cultural Center & Botanical Garden relies on City Council initiative funding to execute its programs and serve our mutual constituencies. Delays in reimbursement cause considerable strain on cash flow programs must operate within the fiscal year, but often we are not compensated until the service period has concluded. As with many — if not most — non-profit organizations, Snug Harbor is under-resourced and strains to meet the obligations that these initiatives entail without timely payment. We appreciate the Administration's efforts to explore and address these long standing challenges.
Attachment(s)	Drop files here or click to browse
Date Submitted	July 7, 2026
Topic	Budget Issues ✕ Unnecessary Bureaucracy ✕
Method Received	Airtable Form
Is it charter related?	
Charter Related	No

Topic Simplified	Procurement
Subtopic	Non profit payments

Name

Niketa Hyder

Email	[redacted]
Professional Affiliation	NYCPS
Zip Code	[redacted]
Public Comment	Please scale back and remove deputy superintendents or excess central and top up positions in NYCPS and support more direct staff and hiring them, like teachers, social workers, counselors. Get rid of curriculum that are part of larger corporations and let teachers decide how they would like to teach. Pass an AI moratorium at the very least for the next school year.
Attachment(s)	Drop files here or click to browse
Date Submitted	July 7, 2026
Topic	Unnecessary Bureaucracy, Technology
Method Received	Airtable Form
Is it charter related?	
Charter Related	No
Topic Simplified	Government Operations

Subtopic	Reduction in duplicative senior staff

Name

Moonia Awad

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

My name is Moonia Awad. I have lived in Brooklyn for 40 years and work as an ICU nurse. I was turned away at my polling place on primary day. This should not happen.

I believe that everyone should be able to vote in the primaries. We have a responsibility as citizens to vote in every election in our city. It is our chance to voice our opinion and to vote for the candidates that we believe will be valuable for our city.

No one should be denied the right to vote because they are independents. How we affiliate should be personal and private. It is time for open primaries.

Attachment(s)

Drop files here or click to browse

Date Submitted July 7, 2026

Topic Open Primaries

Method Received Airtable Form

Is it charter related?

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Name

Daniel Kam-Gordon

Email	[redacted]
Professional Affiliation	teacher
Zip Code	[redacted]
Public Comment	Currently there is a way for schools and central employees to check to see if there are enough special education teachers to teach an ICT section of a class like, for instance, Algebra. But, as far as I know, there is not a report to make sure that there is a general education credentialed teacher alongside a special education teacher in the data system that is measured by the district. I would encourage an investigation into the number of general education classes that are taught by two special education teachers instead of 1 general education and 1 special education teacher as designed by the spirit of the integrated co teaching. I think that holding schools accountable for licensing areas more firmly in general would help to make sure funds are spent appropriately and accurately.
Attachment(s)	Drop files here or click to browse
Date Submitted	July 7, 2026
Topic	Reporting Requirements ✕ Enforcement ✕
Method Received	Airtable Form
Is it charter related?	

Charter Related	No
Topic Simplified	Government Operations
Subtopic	DOE

Name

Alexandra

Email	[redacted]
Professional Affiliation	NYCDOE
Zip Code	[redacted]
Public Comment	I'm curious about opportunities for efficiency in the DOE's central office. In my 8 year teaching career, I've spoken to central employees exactly 0 times, learned from central employees exactly 0 times, and never felt that the central office was doing meaningful work to improve students experiences or our experiences as teachers. I'm sure there may be much work of importance happening behind the scenes, but think that making that information more clear to other employees and city dwellers might be helpful, in addition to eliminating redundancies or unnecessary positions.
Attachment(s)	Drop files here or click to browse
Date Submitted	July 7, 2026
Topic	Unnecessary Bureaucracy ✕ Reporting Requirements ✕ Miscellaneous ✕
Method Received	Airtable Form
Is it charter related?	
Charter Related	No

Topic Simplified	Government Operations
Subtopic	DOE

Name

Bridget Segui

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

I have been an independent voter since I turned 18, many decades ago. I have never joined a party and for my whole adult life I have not been able to vote in the primaries. I am frustrated.

Every primary season, I get notices to go vote, bring this card when you vote, notices telling me my poll site. I go and they scan my card and boop – I can't vote because I am independent. The city has a lot of nerve to send me notices, only to turn me away. And the overwhelming majority of cities and states let independents vote.

I am a full time caregiver and live in Coney Island. We need open primaries. We fought so hard to get the right to vote. We should all have a voice. There is no reason why people who decide to not join a party should be locked out.

What about the Constitution? Where is my freedom of speech? Where is my freedom of association? This is unfair and we can do better. We need to enact an open primary system.
Bridget Segui

Attachment(s)

Drop files here or click to browse

Date Submitted July 7, 2026

Topic Open Primaries

Method Received Airtable Form

Is it charter related?	
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Name

Jaye Werrell

Email [redacted]

Professional Affiliation

Zip Code

Public Comment

Dear Chair Gaspard, Executive Director Cheng, and Members of the Commission:

As an Upper West Side resident, I am submitting these specific recommendations for City Charter revision to be considered for the November general election ballot. To help the city deliver faster, smarter, and more cost-effective services, the Charter should be amended in the following key areas:

1. Overhaul the 311 System to End "Phantom Closures" and Operational Waste
The Problem: Agencies frequently mark 311 service requests as "closed" when they have merely acknowledged the ticket or filed paperwork, long before the underlying issue is resolved. This forces frustrated residents to repeatedly file duplicate reports for the same unresolved issues (e.g., illegal dumping, missed pickups, chronic noise). This data distortion masks severe backlogs and triggers highly redundant, inefficient agency dispatches.
Proposed Charter Fix: Amend the City Charter to mandate that 311 transition to a verifiable, cross-agency tracking model. The Charter should explicitly forbid the closure of a service request until concrete, auditable evidence of resolution (such as a time stamped digital photo, geolocated data, or a field inspector sign off) is attached to the public facing ticket. This will eliminate repetitive, unnecessary city dispatches and save tax dollars.

2. Require Community Board Members to Reside in the Districts They Govern
The Problem: Under current Charter rules, individuals can be appointed to a local Community Board if they live, work, or possess a vague "professional or significant interest" in the area. Consequently, critical neighborhood decisions regarding zoning, land use, and local capital allocations are frequently decided by individuals who do not live with the daily reality of those choices.
Proposed Charter Fix: Amend the City Charter to update the qualifications for Community Board membership, mandating that appointees must be primary residents of the specific geographic district they serve. Forcing this alignment between residency and representation ensures hyper local democratic accountability.

3. Streamline Capital Procurement and Eliminate Overlapping Agency Mandates
The Problem: The city's infrastructure pipelines are severely bottlenecked by archaic procurement regulations and overlapping agency jurisdictions. When multiple entities share vague authority over public spaces and works, it creates structural friction, stretches project timelines, and balloons taxpayer expenditures.
Proposed Charter Fix: Amend the Charter to clearly delineate agency boundaries, consolidate redundant administrative units, and establish expedited review timelines for essential public works.

A modern city government must be structured to solve problems on the first try, and its local democratic institutions must represent the people living

within them.

Thank you for your time and consideration.

Sincerely,
Jaye Werrell
Upper West Side Resident
[redacted]

Attachment(s)



Jaye_Werrell_Public_Comment.pdf

Date Submitted: July 8, 2026

Topic: Technology ✕ | Procurement Reform ✕ | Unnecessary Bureaucracy ✕ | Real Estate and Development ✕

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: 311, CB, & Procurement reforms

TO:	The City Commission on Government Efficiency (COGE)
FROM:	Jaye Werrell, Upper West Side Resident
DATE:	July 8, 2026
SUBJECT:	**Public Comment on Proposed Charter Amendments for Structural Efficiency and Local Governance**

Dear Chair, Executive Director, and Members of the Commission:

Thank you for the opportunity to submit written testimony regarding structural improvements to the City Charter. As a resident invested in the operational health, transparency, and fiscal efficiency of our municipal government, I strongly support the commission's mandate to modernize operations, eliminate waste, and reduce unnecessary expenditures. Any structural fixes advanced by this commission will give voters a historic opportunity to build a more agile city at the November general election.

To ensure our city structures are resilient, accountable, and highly responsive to the public, I respectfully submit the following specific recommendations for charter revision to be considered for the ballot:

1. Overhaul the 311 System to End "Phantom Closures" and Costly Operational Duplication

THE PROBLEM

The 311 system currently acts as a passive message-router rather than a true accountability tool. Agencies frequently mark service requests as "closed" or "resolved" when they have merely acknowledged the ticket, filed paperwork, or arrived at a site long after a temporary condition has shifted. This structural flaw forces frustrated residents to repeatedly file duplicate reports for the exact same unresolved issues (e.g., illegal dumping, missed pickups, chronic noise). This data distortion masks severe backlogs, wastes countless hours of administrative time, and triggers redundant, highly inefficient agency dispatches.

PROPOSED CHARTER FIX

Amend the City Charter to mandate that 311 transition to a verifiable, cross-agency tracking model. The Charter should explicitly forbid the closure of a service request until concrete, auditable evidence of resolution (such as a time-stamped digital photo, geolocated data, or a field-inspector sign-off) is attached to the public-facing ticket. Ending this loop of premature closures will clean up municipal data, provide true operational transparency, and drastically reduce municipal waste by eliminating repetitive, unnecessary city dispatches.

2. Require Community Board Members to Reside in the Districts They Govern

THE PROBLEM

Under current Charter rules, individuals can be appointed to a local Community Board if they live, work, or possess a vague "professional or significant interest" in the area. Consequently, critical neighborhood decisions regarding zoning, land use, traffic patterns, and local capital allocations are frequently decided by individuals who do not actually live with the daily reality of those choices. This dilutes local democratic accountability and disconnects governance from lived neighborhood experience.

PROPOSED CHARTER FIX

Amend the City Charter to update the qualifications for Community Board membership, mandating that appointees must be primary residents of the specific geographic district they serve. Forcing this alignment between residency and representation ensures that the people voting on hyper-local issues are the ones who directly experience and navigate them every single day.

3. Streamline Capital Procurement and Eliminate Overlapping Agency Mandates

THE PROBLEM

The city's infrastructure pipelines are severely bottlenecked by archaic procurement regulations and overlapping agency jurisdictions. When multiple entities share vague authority over public spaces and works, it creates structural friction, stretches project timelines, and balloons taxpayer expenditures through compounding delays.

PROPOSED CHARTER FIX

Amend the Charter to clearly delineate agency boundaries, consolidate redundant administrative units, and establish expedited, modern review timelines for essential public works, directly driving down long-term expenditure baselines.

A modern city government must be structured to solve problems on the first try, and its local democratic institutions must represent the people living within them. By implementing these concrete, structural reforms into the City Charter, this commission can deliver a leaner, smarter, and significantly more accountable government.

Thank you for your time, your leadership, and your careful consideration of these proposals.

Sincerely,

Jaye Werrell
Upper West Side Resident
[redacted]

Name

A NYC Parent Coordinator

Email	[redacted]
Professional Affiliation	NYCDOE/ NYCPS
Zip Code	

Public Comment

SUPPLEMENTAL COMMENT TO THE COMMISSION ON GOVERNMENT EFFICIENCY

Re: Preliminary Report – Chapter 3: Modernize Outdated Systems and Requirements to Bolster Innovation (Civil Service Barriers to Workforce Development)

Submitted by a New York City Parent Coordinator with 23 years in the title and 28 years of total service to New York City Public Schools.

I previously submitted written testimony and a supporting evidence document identifying a structural weakness in New York City's workforce planning and civil service classification system. This supplemental comment builds upon that record in light of the Commission's Preliminary Report.

My earlier testimony argued that New York City's civil service framework contains no standing mechanism requiring job classifications to be periodically re examined against the duties employees actually perform as positions evolve. After reading the Commission's Preliminary Report, I believe that issue fits squarely within the Commission's own modernization framework.

Throughout the report, the Commission recognizes that many of the systems governing City government are "creatures of a different era," and that outdated structures slow agency action, increase costs, weaken service delivery, and prevent government from keeping pace with the City's needs. The report further recognizes that meaningful reform requires listening to City workers because they are the experts on how government actually functions and that an efficient government is one that "listens to its workforce and empowers them to deliver."

I respectfully suggest that workforce classification belongs alongside the outdated systems identified throughout Chapter 3.
The report discusses civil service primarily as a hiring challenge. It is equally a workforce planning, retention, and organizational accuracy challenge. A title may be appropriately classified when it is created, yet accumulate years—or even decades of additional responsibilities without any corresponding review because neither the Charter nor the City's civil service framework requires one. As responsibilities evolve while classifications remain static, workforce planning gradually diverges from operational reality.
The Parent Coordinator title illustrates this broader governance issue.

Created in 2003 as a family-engagement position, the role has expanded substantially to include communications management, enrollment support, attendance initiatives, language access, technology assistance, crisis response, community resource coordination, and frontline implementation of citywide initiatives in nearly every public school. Yet the underlying civil service classification remains largely unchanged from more than two decades ago.

This is not unique to Parent Coordinators. Any title whose responsibilities evolve faster than its official classification presents the same structural problem. Government gradually loses the ability to accurately assess workloads, plan staffing levels, evaluate career pathways, recruit and retain experienced employees, and allocate resources based on the work actually being performed.

Compensation is relevant only because it provides one of the clearest measurable indicators that a classification no longer reflects operational reality. The issue is not whether this Commission should establish salaries or negotiate contracts. Rather, it is whether City government has a reliable system for recognizing when its own workforce structures have become outdated. At present, it does not.

Without periodic review, government cannot know whether a title continues to reflect the work it was created to perform. Instead, outdated classifications become institutionalized while responsibilities continue to expand. That disconnect reduces organizational efficiency, weakens workforce planning, contributes to turnover, erodes institutional knowledge, and ultimately affects service delivery to New Yorkers.

For that reason, I respectfully encourage the Commission to include workforce classification modernization among its recommendations for improving government efficiency by recommending that the City:
Establish a regular, duties based review of civil service classifications.

Require agencies to publicly report when a title's actual responsibilities have materially diverged from its official specification.
Publish workforce planning metrics including vacancy rates, turnover, years of service, and compensation data by title to improve transparency and accountability.
Ensure that classification and career advancement structures evolve alongside the work government asks its employees to perform.

These recommendations would not require the Commission to establish salaries, reclassify positions, or alter collective bargaining agreements. Instead, they would create the governance framework necessary to ensure that New York City's workforce structures remain current, transparent, and responsive to changing operational needs.

The Commission correctly concludes that outdated technology, procurement systems, reporting requirements, and administrative processes impede effective government. Workforce classification should be recognized as another outdated system deserving modernization. Just as the City should not rely on permitting rules or technology designed for a different era, it should not rely on workforce structures that no longer reflect the work its employees perform every day.

Government cannot truly modernize if the systems governing its employees remain frozen while the work itself continually evolves.

Thank you for considering this supplemental comment and for the opportunity to contribute to the Commission's work.

Respectfully submitted,
A New York City Parent Coordinator
23 years in the title
28 years of total service to New York City Public Schools

Attachment(s)



COGE_Supplemental_Comment.pdf

Date Submitted: July 8, 2026

Topic: Procurement Reform ✕ | Reporting Requirements ✕ | Unnecessary Bureaucracy ✕ | Technology ✕

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Hiring

SUPPLEMENTAL COMMENT TO THE COMMISSION ON GOVERNMENT EFFICIENCY

Re: Preliminary Report – Chapter 3: Modernize Outdated Systems and Requirements to Bolster Innovation (Civil Service Barriers to Workforce Development)

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- Require agencies to publicly report when a title's actual responsibilities have materially diverged from its official specification.
- Publish workforce planning metrics—including vacancy rates, turnover, years of service, and compensation data by title—to improve transparency and accountability.
- Ensure that classification and career advancement structures evolve alongside the work government asks its employees to perform.

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Government cannot truly modernize if the systems governing its employees remain frozen while the work itself continually evolves.

Thank you for considering this supplemental comment and for the opportunity to contribute to the Commission's work.

Respectfully submitted,

A New York City Parent Coordinator
23 years in the title
28 years of total service to New York City Public Schools

Name

Melissa Fisher

Email	[redacted]
Professional Affiliation	
Zip Code	[redacted]

Public Comment

As you review the City Charter to modernize our government, I ask you to look at how we run our local elections.

Every election cycle, New York City uses public funds, schools, and community centers to operate primary elections. Yet, under our current closed primary system, over one million independent, unaffiliated New York City voters are legally locked out of those very spaces. In contrast, 42 out of the 50 largest U.S. cities use some type of nonpartisan primary for their local offices. In other words, 84% of the largest cities in our country have opened their primary elections to all voters.

I've been an independent for most of my voting life. Last year, I felt so strongly about the mayoral election that I decided for the first time in decades to register as a Democrat. I shouldn't have to be a member of a private political party to exercise my right to vote for the candidates I think will best represent the city.

Open primaries are particularly important in a city like New York where Democrats outnumber Republicans 2:1 and many elections are essentially decided in the primary.
Requiring voters to navigate our current party switching rules just to have a voice in our government is an outdated practice and limits participation. I ask this commission to consider how our electoral system can be modernized to be more inclusive, more efficient, and genuinely representative of all voters. Open primaries is an essential element of that goal. Every voice should count, not just at the finish line but at the start of the democratic process.

One of the things I love about New York City and what I think makes it so great, is that it is a welcoming, vibrant, diverse, and open city. I ask you to extend that inclusiveness to our local elections and to put an amendment on the ballot that opens our primary system to all registered voters, regardless of political affiliation.

Thank you.

Melissa Fisher
Bay Ridge

Attachment(s)

Drop files here or click to browse

Date Submitted

July 8, 2026

Topic

Open Primaries

Method Received	Airtable Form
Is it charter related?	
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Name

Abigail Blair-Halliday

Email [redacted]

Professional Affiliation NYC PS

Zip Code [redacted]

Public Comment

As a NYCPS teacher, I respectfully urge the Commission to consider policies that grant schools greater autonomy in making instructional and operational decisions. Those closest to
students the educators, school leaders, and families within each school community are often best equipped to determine what students need to succeed.
NYC's schools serve diverse communities with vastly different academic, social, emotional, and cultural needs. While centralized guidance provides consistency, many directives require schools to devote significant time and resources to initiatives that may not align with the most pressing needs of their students. This can reduce the time available for targeted instruction, intervention, and innovation.
In my classroom, I have seen the impact of tailoring instruction to students

Attachment(s) Drop files here or click to browse

Date Submitted July 8, 2026

Topic Unnecessary Bureaucracy

Method Received Airtable Form

Is it charter related?

Charter Related	No
Topic Simplified	Education & Youth
Subtopic	More autonomy for schools

Name

Katherine Herman

Email [redacted]

Professional Affiliation

Zip Code [redacted]

Public Comment

I am writing to urge the Charter Revision Commission to create a Department of Public Safety to handle mental health crises without police involvement. New Yorkers in mental health crises need help, but our current system overwhelmingly relies on the NYPD to deal with mental health emergencies rather than on trained mental health professionals. This often escalates nonviolent but tense situations, sometimes leading to undue stress, criminal charges, violence, or even death.

Mental health crises should not be met with a law enforcement response. New Yorkers showed their support for the proposed Department of Public Safety when they elected Mayor Mamdani. We need this department to save lives and get New Yorkers living with mental illness and their families the help they need and deserve.

Attachment(s)

Drop files here or click to browse

Date Submitted July 8, 2026

Topic Policing × Miscellaneous ×

Method Received Airtable Form

Is it charter related?

Charter Related	Yes
Topic Simplified	Public Safety
Subtopic	Mental health response

Name

J.C. Polanco

Email [redacted]

Professional Affiliation

Zip Code

Public Comment

See attached testimony -- updated from earlier submission.

Attachment(s)



JC Polanco Testimony Charter Commissi...

Date Submitted

July 8, 2026

Topic

Miscellaneous

Method Received

Airtable Form

Is it charter related?

Run agent

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

J.C. Polanco, Esq., MBA

Testimony Before the New York City Charter Revision Commission

Good evening, Commissioners.

My name is J.C. Polanco. I am an attorney, professor at the University of Mount Saint Vincent and CUNY Borough of Manhattan Community College, former President and Commissioner of the New York City Board of Elections, and a lifelong New Yorker. Today I am appearing in my personal capacity as an independent voter.

I appreciate the Commission's willingness to examine how New York City conducts its elections. Regardless of where someone falls on the political spectrum, I believe one fact has become increasingly difficult to ignore: our closed primary system no longer reflects the reality of New York's electorate. It is not progressive, and if it does not change, it will guarantee that we in NYC live in a democracy in name only.

The largest and fastest-growing segment of American voters is independent. Gallup has consistently found that roughly four in ten Americans identify as independents rather than members of either major political party. New York mirrors that trend. More than 3.4 million New Yorkers are now registered as unaffiliated or blank voters, making them one of the largest voting blocs in the state. And in New York City? 1.1 million of us in the five boroughs, and yet, we are excluded from participating in the elections that often determine who ultimately governs them.

That is because, in much of New York, the decisive election is no longer held in November. It is held in June.

It is tragic to say, but we don't live in any democracy when a small group of people on a hot day in June makes all the decisions for the rest of us. We know that the November election is a fait accompli and that, because of a combination of partisanship and gerrymandering that the division in November is known so much that our own mayor introduced the winners of last week's elections not as nominees but as the next member of the various legislatures because he too knows that like Nancy Pelosi said referring to these types of districts that if the bottle of water was the Democratic nominee, the bottle of water would win in November. It's true; you know it's true; we all know this, yet we do nothing about it. But you have the power to start fixing this mistake and create a more perfect electoral process.

The majority of jurisdictions around the country have some form of open primary that allows more of us to have a say in who represents us. You have so many options for the kind of open primary, from fully open to semi-open to jungle-style, nonpartisan, top-two. Any of these is better than what we have now, which encourages extreme partisanship and rewards folks who, at times, win with single-digit turnout. That is no way to elect people to represent hundreds of thousands of people in Albany and Congress.

In district after district, overwhelming registration advantages and legislative district boundaries mean the Democratic or Republican primary effectively decides the outcome months before the general election. Once a nominee is selected, the November election is frequently a foregone conclusion.

When that happens, the electorate that actually chooses public officials is dramatically smaller than the electorate those officials will ultimately represent.

Low-turnout closed primaries naturally reward campaigns that can mobilize the most committed and organized supporters. Candidates have every incentive to appeal to a relatively small segment of highly engaged primary voters instead of the broader electorate. The result is a political environment that rewards ideological purity over coalition-building and consensus.

This is not a criticism of any one party or any one candidate. It is a structural feature of the system itself. If one party is convinced of the nefarious motives of members of another party, fine, do not let them vote, but let those who refuse to register in any party because of the exhaustion of partisanship have a say. We cannot let the fear of bad actors keep us from doing the right thing.

Those people will always find a way to donate to, campaign for, and even re-register as members of a party to hurt the party. We cannot live in fear of these people. By opening primaries to unaffiliated blank voters, we can achieve a more representative democracy and elect candidates who better reflect the broader population, not just a tiny minority of voters. Having elected officials win elections, where 87% of Democrats stay home, is unsustainable for a democracy.

We have repeatedly seen candidates from across the political spectrum win nominations with the support of only a small percentage of eligible voters because turnout in closed primaries remains exceptionally low. Those victories are entirely legitimate under the existing rules. The question before this Commission is whether those rules continue to serve the interests of New York City.

Independent voters pay taxes, serve on juries, own businesses, teach in our schools, and raise families in every borough. Yet they are routinely denied any meaningful voice in the election that frequently determines who will represent them.

That exclusion carries consequences.

It encourages candidates to campaign primarily to their party's activist base rather than to the broader public. It discourages moderation. It reduces incentives to build consensus across ideological lines. Most importantly, it tells millions of New Yorkers that their participation is welcome in November only after the meaningful decision has already been made.

New York is increasingly an outlier. Many states have adopted some form of open or semi-open primary because they recognize that broader participation can strengthen confidence in the electoral process and encourage candidates to appeal to a wider cross-section of voters.

No electoral system is perfect. Open primaries are not a cure-all. But they represent an acknowledgment that elections function best when participation expands rather than contracts.

This Commission has an opportunity to recommend reforms that better reflect today's electorate rather than yesterday's party structure. At a minimum, independent voters should have the opportunity to participate in the municipal primary elections that so often determine who will govern New York City.

Whatever model the Commission ultimately recommends, I hope it is guided by one principle: elections should encourage participation, not exclusion.

Millions of New Yorkers have chosen not to affiliate with either major political party. They should not lose their voice because of that decision.

Thank you for your time and for your service.

Name

Paula Mae

Email [redacted]

Professional Affiliation

Zip Code

Public Comment

Please see attached one-page letter as pertains to NYC HRA. Thank you.

Attachment(s)



COGE Public Comment.pdf

Date Submitted

July 8, 2026

Topic

Miscellaneous

Method Received

Airtable Form

Is it charter related?

Run agent

Charter Related	No
Topic Simplified	Government Operations
Subtopic	HRA bureaucracy/tech challenges

COGE Public Comment

While I prefer not to publicize my personal circumstances, I believe my unfortunate HRA experiences could be useful to COGE. I also consider this my civic duty.

I have a multidisciplinary background in designing and implementing service-oriented systems large and small, from technology to health, so I tend to pay attention to procedures and processes at both detail and overview levels. I'm also an aging member of this great city who didn't plan on retiring, let alone becoming disabled or in need of public services. I even waited years too long to apply. In seeking services, though, I encountered nerve-wracking problems like delays, errors, irrational expectations, lack of help, and wrongful cancellation of insurance, resulting in escalation of bureaucratic need.

The cascade of problems I have encountered while working with HRA, increased each year I submitted my renewal. My circumstances didn't change significantly, I was fully cooperative, and I made a point to be timely with renewals and documentation submissions. To have filed early and done everything asked, and then to encounter the problems that never seem to end, is a kind of punishment of the cognitive dissonance variety.

I'll be as brief as I can as to some of the specifics:

- Documentation uploads often require a mobile phone and app, yet not everyone has or wants a mobile phone. This forced the snail mailing of documents that resulted in threatening letters that documentation was not received, which resulted in cancellation of insurance, which had a nerve-wracking domino effect on finances. Is there a mail delivery problem in HRA? No way to get someone on the phone to find out. In a separate case, almost a year went by before I received the return of documentation I'd mailed, with "return to sender" on the envelope. This happened because HRA documentation had an invalid address they instructed us to send documentation to. I think I still have that envelope.
- Letters from HRA come not only with outdated, overly complicated, and unhelpful procedural information, but also with numbers to call for help, yet not one of those numbers will get you a human, not even the one reserved for the disabled. What those numbers will get you is recordings of information ALREADY AVAILABLE ONLINE, and in some cases just the message: "mail box full - attendant not available." I personally wish phones were not be used for regurgitating what's already online or on forms and letters, but for human to human contact for the purpose of quick and efficient problem resolution. And a voice mailbox that's full? That means they aren't processing their messages any more than they are their mail, which means people are getting away with not doing the job they are paid to do. This last is a pet peeve of mine that should be a global pet peeve.
- Letters sent to me via USPS also had a threatening tone, but worse were past-due before they even arrived in my mailbox - yet never would have needed to be sent if they were processing the mail correctly, for nearly every threatening letter I received was asking for documentation I had already long ago sent.
- I finally and recently needed to enlist a community service organization to file for needed services from scratch, all over again, because they, at least, have a devoted upload portal, inaccessible to me or the service-seeking public. Shouldn't everyone in need of services have access to a web-based portal for documentation uploads?

These problems - and more - have not only cost the city more money while unnecessarily adding to it's own backlog, but further degraded the very health problems that resulted in my disability in the first place. This is a lose-lose reality that I'd like to help change into a win-win one.

Outlining these problems may mean that people will get blamed and punished, yet that is the exact opposite of what needs to occur. Blame and punishment are what keep people from saying what needs to be said and doing what needs to be done, thereby ensuring the continued downward spiral of service oriented institutions. Our mayor clearly knows this, but everyone should.

Thank you for asking us to speak up. I hope and pray that what I've shared makes for positive change for all involved.

Name

Torrey Fishman

Email	[redacted]
Professional Affiliation	Zillow
Zip Code	[redacted]

Public Comment

Written Comments for the New York City Commission on Government Efficiency (COGE)

Re: Preliminary Report — Housing Supply and Permitting Reform

Torrey A. Fishman, Senior Government Relations Manager

July 8, 2026

On behalf of Zillow, I appreciate the opportunity to submit written comments on COGE's Preliminary Report. As someone who previously staffed two Charter Revision Commissions, I have a deep appreciation for the seriousness and rigor this work requires, and for the genuine public service it represents. The Preliminary Report reflects exactly the kind of careful, evidence grounded analysis that productive charter reform demands. We are grateful to Executive Director Cheng, Chair Gaspard, and the full Commission for their commitment to this process.

Zillow is the most widely used real estate platform in the country. In New York City, Zillow operates StreetEasy, the only major real estate marketplace focused exclusively on the five boroughs. Together, our platforms serve millions of New Yorkers navigating the for sale and rental markets each year. That vantage point gives us a data-informed view of how housing supply constraints translate directly into cost burdens for real people — buyers, renters, and families trying to stay in the city they call home.

We write in strong support of the Commission's recommendations on permitting reform, and offer the following comments in hopes of reinforcing the case for moving forward ambitiously.

The Stakes: New York's Housing Supply Crisis Is Real and Measurable

New York City's housing affordability crisis is not a perception problem it is a supply problem. According to Zillow's analysis of Census data, New York City has the largest housing deficit of any metropolitan area in the country: more than 400,000 units short of what the city needs to meet current demand. That shortage is the single biggest driver of the cost burdens New Yorkers face. When supply cannot keep pace with demand, prices rise and they have. The average home value in New York City now stands at approximately $818,000. The citywide median asking rent reached $3,950 in late 2025, an 8.2% increase year over year. Even as rent growth moderates nationally, StreetEasy economists project New York City will continue to buck that trend.

The human cost is significant. New York City's rental vacancy rate sits near historic lows. More than 8 million families nationally are doubling up in shared housing — with millennials bearing a disproportionate share of that burden — and New York is ground zero for that trend. Renters who can afford to stay put are doing so; those who cannot are being pushed further from jobs,

schools, and communities. Homeownership, long a pathway to generational wealth building, remains out of reach for most working New Yorkers, and at 32.7%, the city's homeownership rate was the lowest among the nation's 50 largest metro areas in 2024, according to Census data.

From 2010 to 2023, New York City's housing supply grew just 4% while employment grew 22%. That gap does not close through market forces alone. It closes when government makes it easier and faster to build.

On the Commission's Permitting Recommendations

The Preliminary Report's analysis of the Department of Buildings permitting process is clear eyed and correct. The Commission cites a recent government report identifying 40 separate permits and procedures that may be required for a single affordable housing building — spanning 15 different agencies. It notes that, even with the improvements DOB has made over the past decade, it takes an average of more than four years from the initial filing of a new building permit to completion of construction and inspections. That is four years in which a unit that New York City desperately needs does not exist.

We support the following specific recommendations and urge the Commission to advance them to the ballot:

Centralized Permitting Authority
The Commission's proposal to allow the DOB Commissioner to designate additional senior officials to issue final determinations rather than routing completed reviews back through geographically assigned borough offices — is a targeted, practical fix. It reduces administrative handoffs without compromising review quality. We support this change.

A Central Permitting Hub
-The proposal to explore a single, cross-agency permitting portal would be transformative for applicants who currently must navigate separate processes at DOB, DEP, FDNY, Parks, and a dozen other agencies. Transparency, predictability, and speed all improve when applicants have a single point of access. We strongly encourage the Commission to include this among its final recommendations.

-DOB Rulemaking Authority for Construction Codes
The current framework requires City Council legislation to implement even routine technical code updates a process that competes with other legislative priorities and can introduce years of lag between new national safety standards and their adoption in New York. Vesting DOB with rulemaking authority under CAPA for technical amendments is a sensible modernization that preserves public notice and comment while removing an unnecessary chokepoint. We support this recommendation.

City Property Disposition
The Commission's recommendation to streamline the disposition of underutilized City owned parcels the "SAIL Away" permanence proposal

and broader disposition acceleration also merits support. The City owns 15,000 parcels totaling 2.2 billion square feet. Every acre that moves efficiently from fallow City land to productive use is an opportunity to add housing to the pipeline.

A Note on Speed and Affordability

There is sometimes a misperception that streamlining permitting primarily benefits large developers. The data does not support that. Permitting delays increase carrying costs, and those costs are passed through to the eventual cost of the unit — whether market rate or affordable. The organizations most disadvantaged by a slow permitting process are often the smaller developers, nonprofits, and community based builders who lack the capital to absorb multi year delays. Making the process faster and more predictable is, at its core, a pro-affordability intervention.

StreetEasy data shows that rental inventory in Manhattan declined annually for the 27th consecutive month this May as renters faced fierce competition. Due to high asking prices, it would take nearly two decades for an aspiring homeowner earning the median household income in NYC to save up a 20% down payment. The challenges New Yorkers face reflect the fundamental mismatch between supply and demand that years of underbuilding have produced. Closing even a fraction of New York City's 400,000-unit deficit would have measurable effects on that dynamic.

Conclusion

COGE has identified permitting reform as a genuine lever for change — not a marginal improvement but a structural fix with direct downstream consequences for housing cost and availability. Zillow strongly supports the Commission's recommendations in this area and encourages the Commission to advance them with specificity in its final report.

We would welcome the opportunity to share additional data or analysis in support of the Commission's work and thank the Commission again for its dedication to this process.

Respectfully,

Torrey A. Fishman
Senior Government Relations Manager
Zillow Group

Attachment(s)



Zillow COGE Comments July 2026.pdf

Date Submitted: July 8, 2026

Topic: Procurement Reform, Department of Buildings (DOB) Issues, Real Estate and Development, Unnecessary Bureaucracy, Tenant Protection

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: Yes

Topic Simplified: Housing

Subtopic: Empowering DOB

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    - The Commission's recommendation to streamline the disposition of underutilized City-owned parcels — the "SAIL Away" permanence proposal and broader disposition acceleration — also merits support. The City owns 15,000 parcels totaling 2.2 billion square feet. Every acre that moves efficiently from fallow City land to productive use is an opportunity to add housing to the pipeline.

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COGE has identified permitting reform as a genuine lever for change — not a marginal improvement but a structural fix with direct downstream consequences for housing cost and availability. Zillow strongly supports the Commission's recommendations in this area and encourages the Commission to advance them with specificity in its final report.

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Respectfully,

Torrey A. Fishman
Senior Government Relations Manager
Zillow Group

Name

Maya Jasinska

Email	[redacted]
Professional Affiliation	Win— Women In Need
Zip Code	

Public Comment

Thank you to Chair Gaspard and the esteemed members of the Commission on Government Efficiency for the opportunity to testify, on behalf of Win, on the importance of streamlining the child care permitting process. My name is Maya Jasinska and I'm the Director of Policy and Research at Win, the largest provider of shelter and services to families with children experiencing homelessness in New York City. We operate 16 shelters and nearly 500 supportive housing units across the five boroughs. Each night, nearly 7,000 people call Win "home," including 3,600 children, over 40% of whom are under the age of five.

Win is proud to offer onsite, drop-in child care at seven of our families with children shelters, with four additional classrooms currently undergoing the permitting process. Shelter based child care programs enable Win parents to search for employment or permanent housing with peace of mind, knowing that their children are safe and well taken care of. However, it can take as long as two years for child care providers to obtain a permit from the Department of Health and Mental Hygiene (DOHMH), leaving ready classrooms empty and unable to serve children. The process of permitting a single classroom requires inspections from and coordination among many agencies: DOHMH, Department of Buildings (DOB), Fire Department (FDNY), and the Department of Homeless Services (DHS). Even at our brand new, purpose built shelter with a child care classroom explicitly designed to meet the Article 47 requirements–we are still struggling to obtain a child care permit more than a year after the shelter opened.

In coordination with Win's Real Estate, Operations, and Children's Services staff, we have identified common sense reforms that the City should undertake to help reduce costs and delays in obtaining child care permits, not just for shelter based child care programs, but for all child care providers. Together, these reforms could cut the child care permitting processing time by more than half, helping shelter-based providers serve children and families within six months, instead of two years.

Establish a "Child Care Unit" at the Department of Buildings that is focused on processing Certificates of Occupancy and Letters of Verification for child care providers.

Though DOHMH's 14 step checklist outlining all of the steps and agencies involved in the permitting process estimates that obtaining a Certificate of Occupancy (COO) from the DOB should take only 90 days, in fact, this is consistently one of the longest points of delay we experience in the permitting process. There is little transparency into the COO approval process and expected timelines. It can take anywhere from three months to over a year to receive the Permanent COO, compared with only 3-6 months to obtain a COO for the entire shelter building. Similarly, obtaining a Letter of Verification to amend a COO (necessary when applying to serve younger children) also takes about a year to obtain.

Child care applications are processed with all other COO and Letter of

Verification requests in the city, including those of restaurants and businesses. Given the Mamdani Administration's ambitious goal of expanding universal child care and the need for new child care spaces to implement that expansion, we recommend that child care classrooms be prioritized and processed by a discrete unit within the Department of Buildings so that the "90 day" timeline can be met. We recognize that this may take hiring or reassigning additional staff but see this as an opportunity to train inspectors and staff on child care permitting requirements so that providers receive consistent information from DOB inspectors.

Ensure sufficient staffing and efficient workflows at the Bureau of Child Care at DOHMH to enable timely processing of permit applications, background checks, and routine inspections.

- Staff at the Bureau of Child Care (BCC) are responsible for both issuing new permits and conducting routine and permit renewal inspections of already permitted providers. Leadership at DOHMH should examine the workflows and organizational charts of these inspection teams to increase productivity, eliminate bottlenecks, and expedite the process for scheduling and seeing these inspections through. Understaffing and turnover may also contribute to many of the delays and inconsistent inspection requirements described in this memo. Investing in the staff at the BCC will reduce delays and setbacks in the permitting process.

Ensure better training and consistent expectations from inspector to inspector, and borough office to borough office.

- While the health code does not change from borough to borough, we experience tremendous differences in wait times, inspection expectations, guidance, and citations from borough office to borough office. Leadership at DOHMH should enforce regular trainings for borough office staff to ensure consistent policy implementation across the boroughs.

Schedule site viability checks within 90 days of receipt of the permit application.

After submitting a child care permit application, the first step in the permitting process for providers is to have the Bureau of Child Care conduct a "site viability inspection" of the child care space. However, we find that after submitting an application, it can take between 3 and 8 months, depending on the borough the site is in, for an inspector to come conduct this inspection. If the site fails, it can take another 3 4 months to schedule the follow up visit. Delays at this stage are particularly frustrating because we cannot proceed with any of the other steps in the permitting process, or rectify any issues in our space, until the viability check has been done. We recommend that the Bureau of Child Care institute a 90 day turnaround time between receiving permit applications and scheduling site viability checks.

Align DOHMH requirements with DOB requirements for lead paint and lead

water testing in newly constructed buildings.

- DOHMH requires lead-paint and lead-water testing in instances where DOB does not. For example, when DOB approves the plans for a new build, safety protocols regarding not using lead paint and/or lead pipes are structured in the buildout of the facility. DOHMH requesting lead paint and lead water testing for new construction after DOB has already verified and approved the building plans is an unnecessary and costly duplication: lead-paint and lead-water testing together cost $1300, which nonprofit providers must pay for out of pocket, without any help from the City.

Stop requiring lead testing for buildings built after 1978, and especially for those built after 2004.

- The use of lead-paint in new construction was banned in 1960. The NYC Childhood Lead Poisoning Prevention Act from 2004 requires buildings built before 1978 to undergo annual lead testing if children under the age of five spend more than 10 hours a day in them. However, this law does not require this rigorous testing schedule for buildings built after the year 1978 and DOHMH should not require child care centers in newly constructed buildings to conduct this testing.

Waive the FDNY inspection fee for nonprofit City Contractors.

The $200 FDNY inspection fee should be waived for providers opening child care classrooms in city owned or city contracted buildings, such as DHS Tier II shelters.

Reimburse nonprofit City Contractors for lead paint and lead water testing in child care classrooms.

- While the lead water testing and lead-based paint tests are swift to conduct, they are costly: together, these lead tests cost about $1300 per classroom. Though the DOHMH checklist does state that newer buildings may not need to do this testing, in practice, we find that lead-testing is ultimately left to the discretion of each inspector, and most inspectors require the testing done, even for brand new facilities. We understand the importance of these tests for ensuring our clients' safety and building quality. At the same time, as a shelter and child care provider attempting to open four new child care classrooms simultaneously, these tests are a tremendous strain on our budget. Our DHS contracts do not cover this expense, and DHS has previously denied our reimbursement requests for DOHMH requested lead testing at our newly constructed shelters because they deemed them unnecessary. To guarantee the safety and quality of childcare classrooms serving children experiencing homelessness, we recommend that DHS reimburse nonprofit City contractors for these DOHMH required tests.

With these commonsense reforms, we can ensure that families experiencing homelessness have access to quality, flexible, and convenient child care

programs during a difficult moment of transition in their lives. We would be grateful for the opportunity to partner on or pilot any of these initiatives and are happy to meet and share more information on any of the above recommendations. Please reach out to [redacted] with any questions.

Thank you!

Attachment(s)


win

Testimony of Win for the Commission on Government Efficiency
Hearing on Streamlining Permitting Processes
July 8, 2026

Thank you to Chair Gaspard and the esteemed members of the Commission on Government Efficiency for the opportunity to testify, on behalf of Win, on the importance of streamlining the childcare permitting process. My name is Maya Isainiaa and I'm the Director of Policy and Research at Win, the largest provider of shelter and services to families with children experiencing homelessness in New York City. We operate 15 shelters and nearly 500 supportive housing units across the five boroughs. Each night, nearly 7,000 people call Win "home," including 3,600 children, over 40% of whom are under the age of five.

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In coordination with Win's Real Estate, Operations, and Children's Services staff, we have identified common sense reforms that the City should undertake to help reduce costs and delays in obtaining child care permits, not just for shelter-based child care programs, but for all child care providers. Together, these reforms could cut the child care permitting processing time by more than half, helping shelter-based providers serve children and families within six months, instead of two years.

Increase Productivity and Staffing at Relevant City Agencies:

- **Establish a "Child Care Unit" at the Department of Buildings that is focused on processing Certificates of Occupancy and Letters of Verification for child care providers.**

Win Testimony Commission on Govern...

Date Submitted: July 8, 2026

Topic: Department of Buildings (DOB) Issues ×, Unnecessary Bureaucracy ×, Procurement Reform ×, Budget Issues ×, Enforcement ×

Method Received: Airtable Form

Is it charter related?

Run agent

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Expedited permitting for shelters

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[redacted]

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Align agencies on inspection requirements to avoid redundancies and delays in the permitting process

- **Align DOHMH requirements with DOB requirements for lead-paint and lead-water testing in newly constructed buildings.**

DOHMH requires lead-paint and lead-water testing in instances where DOB does not. For example, when DOB approves the plans for a new build, safety protocols regarding not using lead paint and/or lead pipes are structured in the buildout of the facility. DOHMH requesting lead-paint and lead-water testing for new construction after DOB has already verified and approved the building plans is an unnecessary and costly duplication: lead-paint and lead-water testing together cost $1300, which nonprofit providers must pay for out-of-pocket, without any help from the City.

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Support nonprofit City Contractor providers with fees in standing up programs

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The $200 FDNY inspection fee should be waived for providers opening child care classrooms in city-owned or city-contracted buildings, such as DHS Tier II shelters.

- **Reimburse nonprofit City Contractors for lead-paint and lead-water testing in child care classrooms.**

While the lead water testing and lead-based paint tests are swift to conduct, they are costly: together, these lead tests cost about $1300 per classroom. Though the DOHMH checklist does state that newer buildings *may* not need to do this testing, in practice, we find that lead-testing is ultimately left to the discretion of each inspector, and most inspectors require the testing done, even for brand new facilities. We understand the importance of these tests for ensuring our clients' safety and building quality. At the same time, as a shelter and child care provider attempting to open four new child care classrooms simultaneously, these tests are a tremendous strain on our budget. Our DHS contracts do not cover this expense, and DHS has previously denied our reimbursement requests for DOHMH requested lead-testing at our newly constructed shelters because they deemed them unnecessary. To guarantee the safety and quality of childcare classrooms serving children experiencing homelessness, we recommend that DHS reimburse nonprofit City contractors for these DOHMH required tests.

With these commonsense reforms, we can ensure that families experiencing homelessness have access to quality, flexible, and convenient child care programs during a difficult moment of transition in their lives. We would be grateful for the opportunity to partner on or pilot any of these initiatives and are happy to meet and share more information on any of the above recommendations. Please reach out to [redacted] with any questions.

Thank you!

[redacted]

Name

Santos Rodriguez

Email [redacted]

Public Comment

Testimony on behalf of Building & Construction Trades Council of Greater New York, President Gary LaBarbera,

Testimony

On behalf of Building and Construction Trades Council of Greater New York & Vicinity

Charter Revision Commission Streamlining Permitting

July 8, 2025

My name is Gary LaBarbera, and I am President of the Building and Construction Trades Council of Greater New York & Vicinity ("BCTC"). Thank you for the opportunity to submit written testimony today on behalf of our affiliates and the more than 100,000 skilled union construction workers.

The Building and Construction Trades Council of Greater New York & Vicinity is an organization of local building and construction trade unions affiliated with 15 International Unions in the North American Building Trades Union. Our local union affiliates represent approximately 100,000 union construction workers. Our mission is to raise the standard of living for all workers, to advocate for safe working conditions, and to collectively advance the interests of our affiliates' members and all workers in New York City.

Our members are the city's backbone. They construct the housing people live in, the schools children attend, the hospitals families depend on during emergencies, and the infrastructure that keeps the city functioning. But they don't just build New York; they live here, raise their children here. They have as much stake in the city's future as anyone in this room. Our goal is simple: to help build a city where working people can still afford to live. Since our members are present at every stage of a project, from the initial permit to the final inspection, across all boroughs we have a firsthand understanding of what drives projects forward and what hinders their progress.

I want to begin tonight by addressing what happened yesterday in Midtown Manhattan directly, because it is exactly why we are here. Structural columns buckled on the 21st floor of a high rise on East 42nd Street the former Pfizer headquarters, being converted to apartments. Forcing the evacuation of the building and several surrounding properties. Construction workers were put at risk. Hotel guests hauled their suitcases into the street. Nearby businesses faced potential weeks without access to their offices. And the developer's response? Called it "a typical construction mishap" and suggested that a four-inch sag is not a collapse. I want to be unambiguous: that framing is unacceptable, and this Commission should treat it as such. The building is the subject of multiple prior complaints, including allegations of falling debris and unsafe conditions, and a construction worker suffered a grave injury at the same site last year. There is nothing typical about that record. There is nothing acceptable about treating workers and communities as collateral

damage in a construction project. And there is nothing efficient about a permitting and oversight system that allows conditions like these to persist until a crisis forces action. CNN + 2

As this Commission looks for ways to streamline permitting, I want to offer a perspective that goes beyond process and paperwork. Real efficiency isn't just about moving faster. It's about getting better results, projects delivered on time, under budget, and above all, safely. Streamlining permitting cannot mean weakening the inspections, fines, and enforcement mechanisms that are the last line of defense between a job site and a catastrophe. What happened yesterday is not an argument for less oversight. It is a powerful argument for smarter, stronger, and better-resourced oversight.

Permits exist for a reason. Inspections exist for a reason. Fines exist for a reason. They are not bureaucratic inconveniences; they are the system by which this city tells developers and contractors that cutting corners has consequences. When that system is underfunded, understaffed, or structured in ways that allow violations to accumulate without meaningful penalty, we get exactly what we saw yesterday: a building that had raised red flags for months, a workforce put in danger, and a surrounding community disrupted and frightened. If we are going to streamline permitting, we need to be honest about what that means. It should facilitate faster approvals for projects that adhere to the established standard, rather than lowering the standard to increase project eligibility. Additionally, we must address the funding for DOB inspections and enforcement, especially since the agency is already understaffed while there is a push for it to assume more responsibilities.

The answer, for us, starts with the skilled union workforce. Skilled workers understand efficiency; they are what make it possible. Workers who know their trade get it done right the first time, which means fewer delays and fewer mistakes. Our registered apprenticeship programs are among the most effective workforce pipelines in the country. We have been successfully building sustainable pathways to the middle class for working families for generations, with programming designed to better reach our communities across the five boroughs — including students, women and non-binary individuals, veterans, justice-involved individuals, and public housing residents. This is not a side benefit of public investment. It is part of what the public is paying for.

The data backs this up. In 2022, the Independent Project Analysis group published a rigorous study Quantifying the Value of Union Labor in Construction Projects examining real project outcomes across the industry. The findings were clear: union labor consistently delivers better cost performance, better schedule performance, and fewer incidents than non-union labor on comparable projects. What union workers bring to a job is not just skill it's continuity, accountability, and a culture of safety built over years of apprenticeship training. They show up credentialed, they work under established safety protocols, and they are backed by a system of labor-management cooperation that keeps projects moving. For anyone wanting to learn more, that study is worth reading in full: IPA Study Quantifying the

Value of Union Labor in Construction Projects.

When public dollars are on the table, whether through direct spending, tax incentives, or subsidies, New Yorkers deserve accountability and results. Cutting red tape is one thing. Cutting the conditions that ensure public money serves the public good is another. And cutting the enforcement mechanisms that keep workers and communities safe is not reform — it is negligence with a policy name attached to it.

A truly efficient government doesn't just build faster or cheaper. It builds smarter, invests wisely, demands quality, and builds to last. It ensures that fines and penalties are meaningful enough to change behavior. It maximizes its resources to build the infrastructure and facilities it needs while ensuring the people doing the work can afford to live in the city they're building. The City has shown time and again that it can do hard things - we can build housing for our residents, develop the green energy structure we need for the future, and modernize our infrastructure while creating good careers with middle class wages, healthcare and retirement benefits, and train the next generation of skilled construction workers. If this City wants to do "all of the above" and truly demonstrate the benefits of "abundance" in this manner, then the Building & Construction Trades Council is ready to be a real partner in that effort.

Thank you for the opportunity to submit this testimony.

Gary LaBarbera

Attachment(s)


BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

Testimony

On behalf of Building and Construction Trades Council of Greater New York & Vicinity

Charter Revision Commission — Streamlining Permitting

July 8, 2026

Charter Revision Commission — Stream...

Date Submitted

July 8, 2026

Topic	Department of Buildings (DOB) Issues ✕ Enforcement ✕ Unnecessary Bureaucracy ✕ Procurement Reform ✕ Real Estate and Development ✕
Charter Related	Yes
Topic Simplified	Building and Construction
Subtopic	Union construction

Show 4 hidden fields

BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

GARY LaBARBERA
PRESIDENT

AFFILIATED WITH THE BUILDING CONSTRUCTION TRADES DEPARTMENT OF WASHINGTON, DC
NABTU
NYS BUILDING AND CONSTRUCTION TRADES COUNCIL
AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

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Thank you for the opportunity to submit this testimony.

Gary LaBarbera

Name

Samuel Robinson

Email [redacted]

Public Comment

Good evening,

My name is Samuel Robinson. I am a landscape designer, builder, and resilience strategist based in Brooklyn, the founder of Field Form, and the creator of Flood Form, a platform that helps New Yorkers understand and reduce flood risk at the property, block, and neighborhood scale. Over the past decade, I have worked directly with homeowners, tenants, businesses, and community organizations across New York City on stormwater management and flood mitigation. One thing has become increasingly clear: New Yorkers are anxious about flooding. Before every major rainstorm, it is now common to see sandbags stacked in front of row houses and basement apartments as residents prepare for water entering their homes. Families watch weather alerts with apprehension, move belongings out of basements, and hope the next cloudburst won't cause another costly disaster. Those with the fewest resources—working-class families, basement apartment residents, NYCHA communities, immigrants, and neighborhoods with aging infrastructure often face the greatest risk while receiving the least support. Yet despite flooding becoming one of the City's fastest growing climate challenges, there is still no coordinated public system dedicated to helping property owners understand their flood exposure or identify practical ways to reduce it.

New Yorkers deserve access to transparent, property-scale flood exposure information and practical mitigation guidance that translates complex stormwater conditions into understandable action. At present, flooding on private property largely falls outside the mandate of the Department of Environmental Protection, leaving residents without meaningful technical support or coordinated pathways toward resilience. The City should establish and fund a dedicated stormwater resilience office potentially housed within the DEP or even the Mayor's Office of Mass Engagement to serve as the public-facing entity for private-property flood resilience. This office could provide transparent flood exposure data, technical assistance, resilient retrofit incentives, workforce development, and support for community based Resiliency Districts while partnering with platforms like Flood Form to help New Yorkers understand their flood risk, identify mitigation opportunities, and organize around shared neighborhood solutions. By investing in distributed resilience on private property alongside traditional public infrastructure, New York can reduce pressure on the sewer system, create local jobs, strengthen neighborhood stewardship, and build a more equitable, participatory, and cost-effective model for climate adaptation.

I have attached a report published by Field Form titles "Bridging the Gap Between Private Property & Public Resilience : Creating a Resilient New York City which lays out our approach to mitigating flood risk by meeting people where they live, in their homes.

Thank you for your time,
Samuel Robinson

Principal
Field Form Inc.

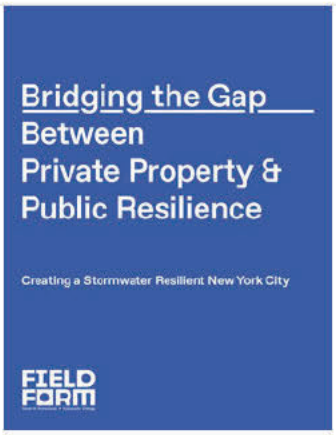
Attachment(s)



BTG Exec.pdf



BTG Critical Pathways.pdf



Bridging_The_Gap_260507.pdf

Date Submitted: July 8, 2026

Topic: Real Estate and Development ×; Department of Buildings (DOB) Issues ×; Unnecessary Bureaucracy ×; Technology ×; Tenant Protection ×

Charter Related: No

Topic Simplified: Environment

Subtopic	DEP stormwater management

Show 4 hidden fields

Bridging the Gap Between Private Property & Public Resilience

Creating a Stormwater Resilient New York City

FIELD FORM

Unearth Potential • Cultivate Change

Executive Summary

Bridging the Gap Between Private Property and Public Resilience

New York City is experiencing increasingly frequent and severe stormwater flooding driven by climate change, aging sewer infrastructure, and extensive impervious surface coverage. Short, intense rain events routinely overwhelm the combined sewer system, triggering Combined Sewer Overflows, street flooding, and sewer backups into homes—sometimes during storms producing as little as 0.3 inches of rainfall per hour. These potentially fatal impacts fall disproportionately on low-lying neighborhoods, communities built on historic wetlands, and residents of basement apartments.

The City has invested in large-scale gray infrastructure, including the $1.3 billion Gowanus Canal retention tanks. While necessary, these systems address stormwater only after it enters the sewer network and do not reduce runoff at its source. Approximately one-third of New York City's impervious surface area—primarily rooftops—is located on private property, placing a critical component of stormwater management outside the City's direct control.

Field Form is a New York City based landscape studio with a focus on distributed stormwater management. Their expertise comes from over a decade of installing, servicing and managing gardens and drainage systems throughout New York City. Their approach combines lot-level flood exposure mapping, infiltration suitability analysis, and designing stormwater runoff diversion systems. These systems intercept the majority of runoff in typical storm events at a fraction of the cost of large-scale gray infrastructure.

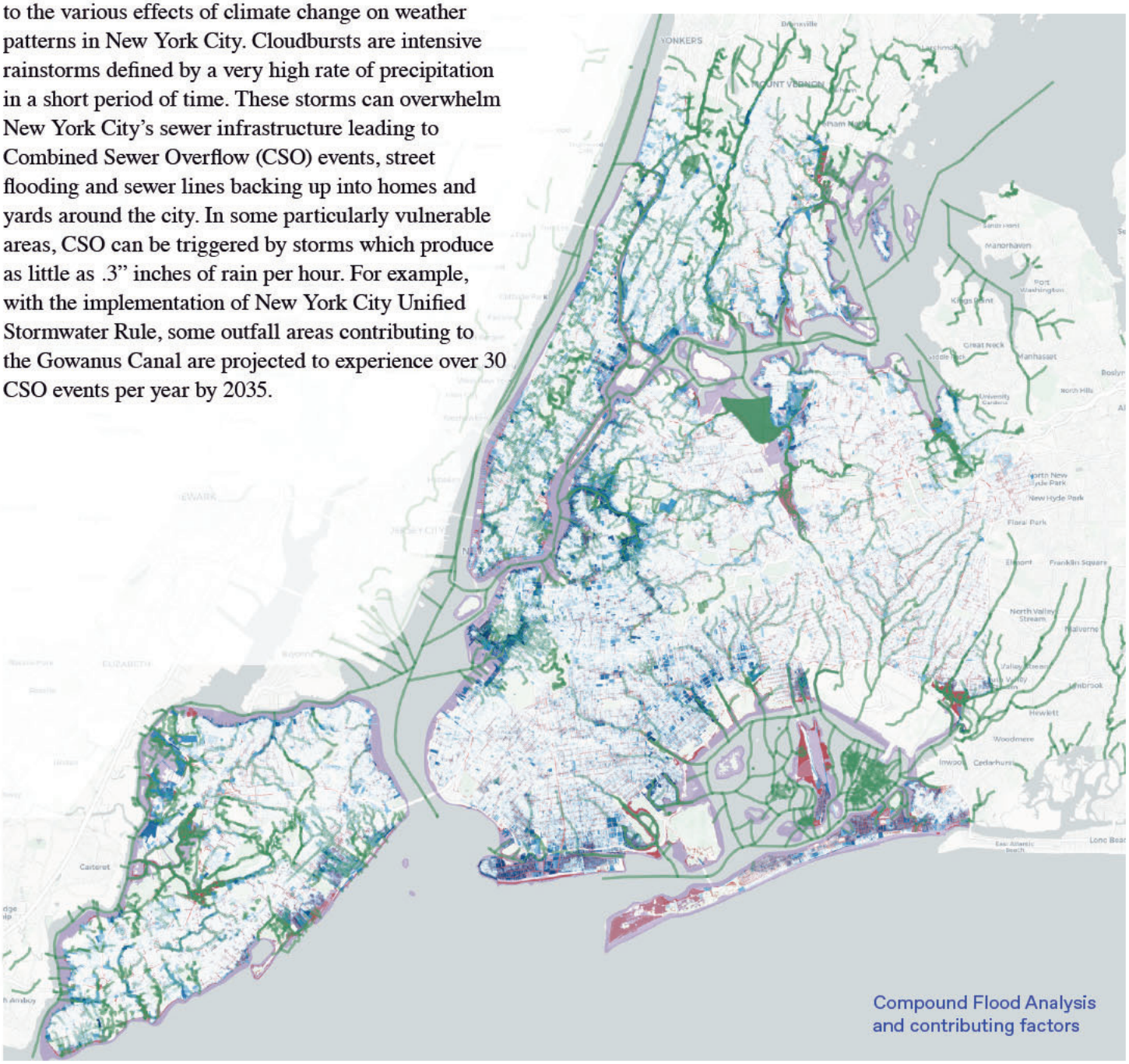
Implementation as the Missing Link
Field Form's experience demonstrates that technical solutions alone are insufficient. Adoption is constrained by limited organizational capacity, complex policy environments, and funding gaps. To address these barriers, Field Form provides implementation support through their mapping and strategy resource—Flood Form—focused on community capacity building, policy navigation, funding access, and insurance alignment—enabling coordinated, neighborhood-scale action.

Policy Implications and Collective Action
Translating this approach into measurable impact begins with piloting Stormwater Resilient Districts in high-impact sewersheds, using the Flood Form tool to identify priority blocks, organize property owners, and set clear runoff reduction targets. These efforts should be supported by a Stormwater Diversion Subsidy Program that ties public investment directly to gallons of stormwater diverted on private property, while streamlining access to existing funding mechanisms. At the same time, expanding standardized, neighborhood-level GIS reporting will equip community organizations, elected officials, and agencies with actionable data to guide investment, coordinate interventions, and advocate for resources.

To sustain and scale these efforts, the City must establish a dedicated stormwater implementation entity to coordinate across agencies, manage funding programs, and provide technical assistance to communities. By aligning public capital with neighborhood-based organizing and equipping residents with the tools and resources needed to act collectively, New York City will unlock the stormwater management potential of private property. This integrated model—combining physical infrastructure, data-driven planning, and social capacity—offers a practical pathway to reducing flood risk, meeting regulatory obligations, and advancing a more equitable and resilient urban future.

Identifying the Gap

New York City is plagued by storm water flooding. It impacts infrastructure, homeowners, businesses, the broader city economy, and the entire watershed. The rainfall events most likely to create flooding conditions—cloudburst storms—are expected to become increasingly frequent in the coming years due to the various effects of climate change on weather patterns in New York City. Cloudbursts are intensive rainstorms defined by a very high rate of precipitation in a short period of time. These storms can overwhelm New York City's sewer infrastructure leading to Combined Sewer Overflow (CSO) events, street flooding and sewer lines backing up into homes and yards around the city. In some particularly vulnerable areas, CSO can be triggered by storms which produce as little as .3" inches of rain per hour. For example, with the implementation of New York City Unified Stormwater Rule, some outfall areas contributing to the Gowanus Canal are projected to experience over 30 CSO events per year by 2035.



Compound Flood Analysis and contributing factors

The impacts of storm water flooding are not evenly distributed around the city, or amongst demographics. Low-lying and coastal homes, blocks and neighborhoods bear a high proportion of the risk related to stormwater, and among these areas, low income, non-white and disabled residents are disproportionately represented. These risks are both chronic and acute. This was made painfully clear when New York City was hit by the remnants of Hurricane Ida in September 2021 and the city's stormwater infrastructure was overwhelmed by the intensity of the rainfall, eventually responsible for the deaths of 14 people, many of whom were occupying basement apartments.

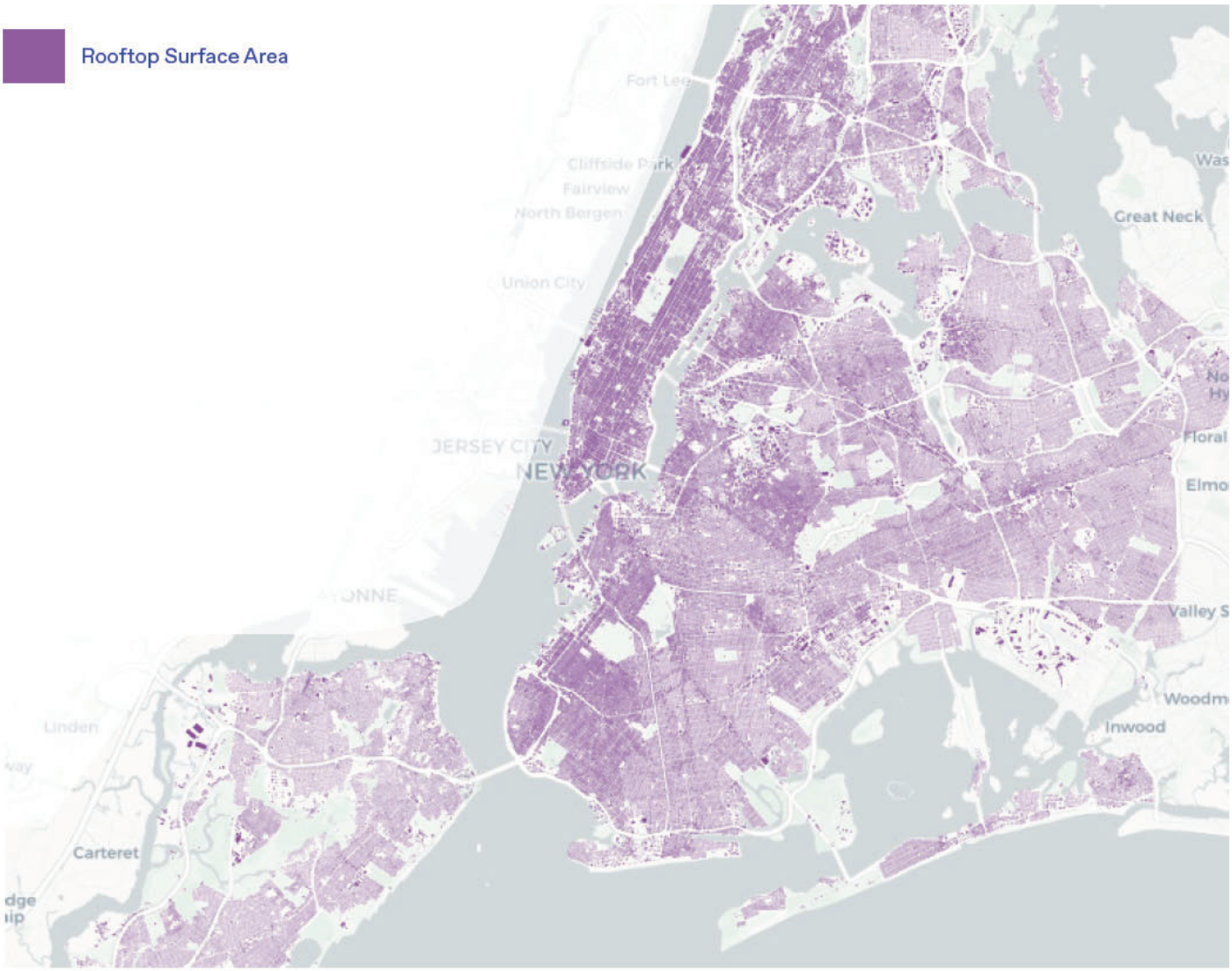
The estimated costs of this storm alone in NYC were as high as $9 billion. In addition to the costs to life, safety and well-being, the impacts of flood events create lasting social and emotional compound impacts that cannot be recouped solely through financial compensation.

The impact of climate change on rainfall is a complicated, ongoing scientific problem. While theory is able to link increasing temperatures with more water vapor globally, specific impacts and change in risk to rainfall are best characterized in a regional manner. There are a few generalizations that can be made which apply to the Northeastern US, including NYC. One is that it is already a wet place that is predicted to get wetter. Another is that in the future, the variability in intensity for the most extreme storms is more uncertain and may be much higher than more 'regular' rainfall events. We may also see less frequent but more intense extreme rainfall events. There are many open scientific questions about how exactly rainfall will evolve globally and within NYC as a result of climate change, and so predictions and estimates of building standards will likely evolve over time. The uncertainty embedded in these projections suggest that adopting the widest range of mitigation strategies possible will be key to a resilient future.

The residents of the Gowanus Houses NYCHA complex are familiar with the full range of threats posed by this underperforming sewer system. Due to their location on filled wetland, residents of the Gowanus Houses are continually exposed to CSO driven pollution in the Canal and plagued by equipment failures and interior mold and moisture related to flood events during intense storms.

A primary driver of storm water flooding and CSO events is the city's substantial coverage of impermeable surfaces funneling storm water directly into the sewer system. Beyond the paved streets and concrete sidewalks managed by NYC Department of Transportation, rooftops comprise approximately 22% of the land cover in NYC, representing the largest single contributor to impervious surfaces in the city. While the city in recent years has outlawed the connection of private downspouts to public sewer or stormwater infrastructure, inadequate enforcement and minimal compliance has forced the city to pursue expensive grey infrastructure downstream.

In the outfall areas surrounding the Gowanus Canal, NYC Department of Environmental Protection (DEP) and the Federal EPA are attempting to address this issue on property they control at great cost. The city is spending $1.3 billion dollars to build detention tanks at two points along the Canal. These tanks will have a combined capacity of 12 million gallons, and are intended to store untreated stormwater that would otherwise overflow to the Canal during CSO events so that it can be released after the immediate storm event to the appropriate water treatment facilities. To comply with the federal EPA and state DEC, NYC DEP is obligated to reduce their overflow volume by 41 million gallons compared to 2008 by 2030.



While such downstream infrastructure must be part of the city's toolbox for addressing stormwater flooding, it cannot fully address the issues related to stormwater flooding alone. (1) Downstream tanks do not reduce the quantity of water entering the city sewer infrastructure. Properties that experience sewer backup and overflowing storm drains will not experience reductions in these events because they stem from overtaxed conveyance infrastructure, rather than downstream pooling. (2) Such tanks do not address the unintended consequences of compliance with city laws to disconnect downspouts, as more private properties comply with this law and release their stormwater onto surfaces in their yards or onto public ROW, surface flooding could be exacerbated by these new unmanaged flows. (3) The siting, design, and construction of large scale gray infrastructure in New York City requires significant capital outlay and time to bring new systems online. These high costs and delays throttle the overall capacity of the systems the city can pursue, and reduce available funds for more efficient systems.

The Gowanus tanks represent just one of the city's many approaches to dealing with flooding risks. Agencies like NYC DEP and NYCEM and executive teams like the former Mayor's Office of Climate & Environmental Justice (MOCEJ) have applied a range of strategies seeking to identify and address the variety of flood exposure risks that New Yorkers face. Research such as DEP's Citywide Parcel Based Impervious Area Study and the Flood Vulnerability Index map provide valuable reference material for understanding where specific risk factors are concentrated throughout the city. Direct interventions like the Unified Stormwater Rule, Cloudburst Hubs and increased enforcement of downspout rules seek to address flooding risks slightly further upstream by diverting rainwater into detention tanks and street runoff into bioswales and designated subsurface storage. Such interventions, if widely adopted, show promise for reducing the strain on the city's sewer infrastructure, however, they have failed so far to fully address the single largest contributor to stormwater runoff in the city - privately owned rooftops of existing buildings.

Bridging the Gap

New York City will not be able to adequately address storm-water flooding and overflow issues without diverting a significant percentage of runoff from private hardscape into designated retention and infiltration areas. To achieve this, the gaps between government support, private interventions and public impact must be bridged. As evidenced by the range of approaches taken by city agencies, it is critical to accurately understand where flood risk is distributed geographically and to have flexible solutions which can be rapidly implemented at scale across distributed private properties.

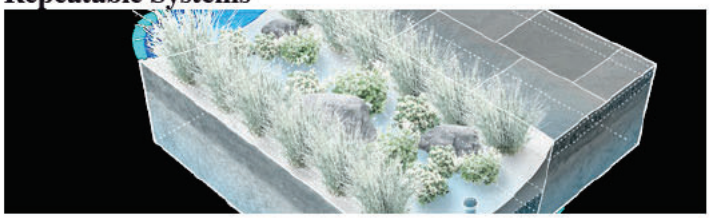


In response to these needs Field Form is pursuing four primary layers of approach:

Data and Mapping



Repeatable Systems



Outreach



Implementation Support



There is growing recognition of the need for a more comprehensive tool for understanding compound flood exposure both for addressing acute flooding risks and for determining the highest priority areas to locate mitigation infrastructure. This need has been reinforced for the Field Form team after years of working in areas in which community members were consistently sharing stories of flooding despite being unrepresented on existing flood risk assessments. Field Form conducted a review of the many existing mapping assets available in the city and determined that while many shared critical information about individual factors contributing to flooding, none provided a composite understanding of the wide range of elements which contribute to the potential for a given property to experience flooding. The full literature review is available in Appendix A.

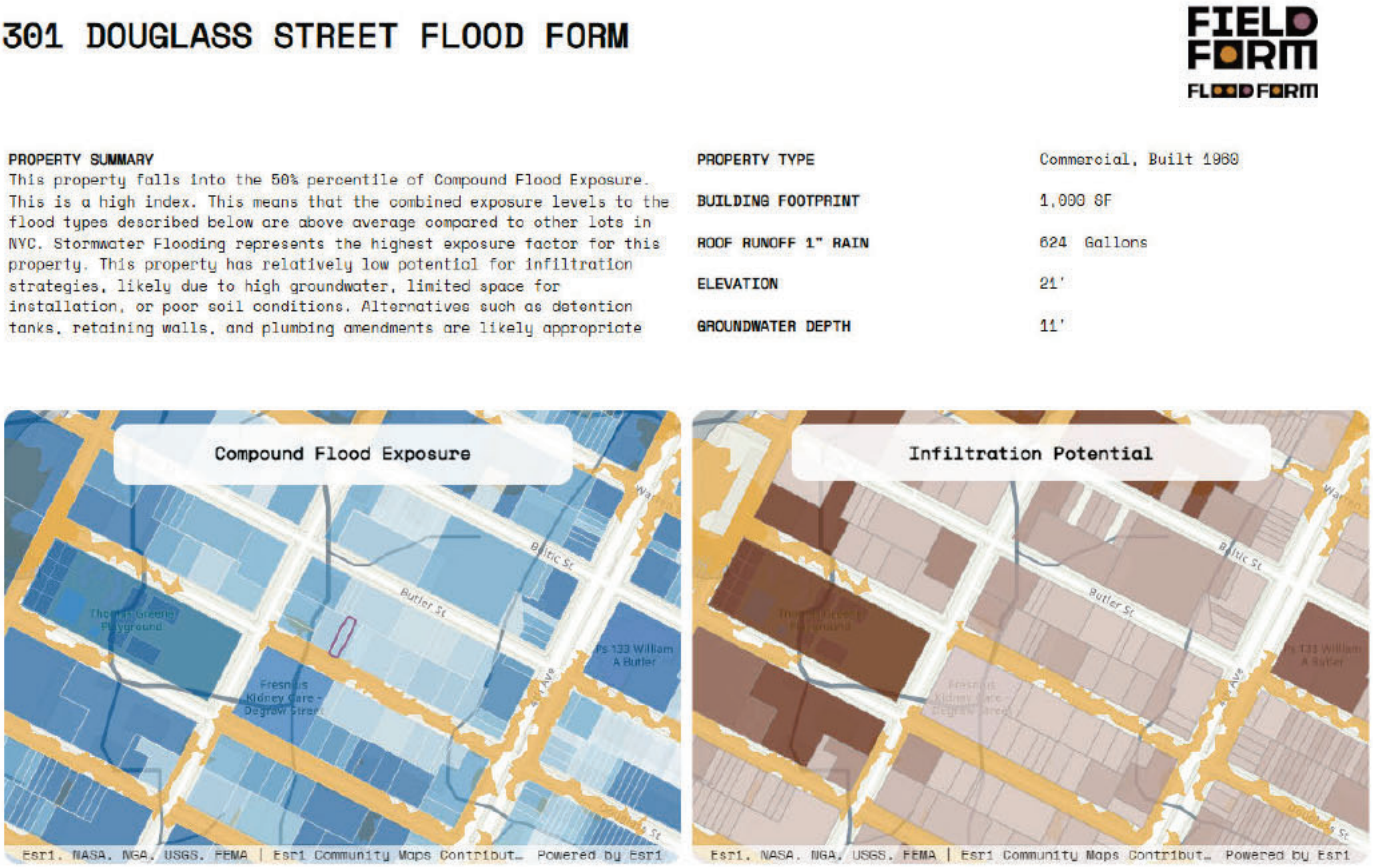
NYC DEP recognizes four different types of flooding that the city must contend with: Street, Coastal, Groundwater and Sewer Backup. Each type of flooding has a range of data available which can be used to define a property's exposure level to that type. Examples of data types associated with each factor are provided below.

The flood mapping and tracking tools surveyed variously utilize the datasets listed in isolation or with limited comparison.

Street Flooding	Coastal Flooding	Groundwater Flooding	Sewer Backup
NYC DEP Stormwater Flooding Maps, 311 Street Flooding reports, Elevation, Impervious Surface Coverage, NFIP Claims, FloodNet Sensors	FEMA Flooding Maps, Historic Storm Inundation Maps, NOAA Sea Level Rise Predictions, Elevation, NFIP Claims	Historical stream and pond maps, 311 Basement Flooding reports, USGS Groundwater Depth Rasters, DOB Soil and Geotechnical Reports	Historical stream and pond maps, 311 Basement Flooding reports, USGS Groundwater Depth Rasters, DOB Soil and Geotechnical Reports

To address these gaps, Field Form has developed the **Flood Form mapping tool**. This tool leverages the wide range of data available for all four of DEP's flood types and generates aggregated exposure levels for each flooding type for every tax lot in the city. Users can query the tool and receive a Flood Form customized to the specific conditions found on the property in question along with recommendations and resources related to addressing their specific exposure types.

The tool serves two primary purposes:
(1) Allowing Field Form to quickly analyze the types of flooding that their clients may be dealing with and identify areas of the city that might benefit most from interventions.
(2) As a publicly available resource, concerned residents, elected officials, advocates and other practitioners can use the tool to better understand the range of flood exposure that properties and whole areas might implement.



Beyond the public-facing interface, the dataset assembled and processed by Field Form provides valuable opportunities for custom queries such as understanding where different types of flood exposure are prevalent, identifying high exposure areas within political boundaries (i.e. what is the exposure level of CB10 compared to the city averages) or calculating city-wide exposure levels.

To support more targeted and technically appropriate stormwater interventions, the Flood Form tool also uses an Infiltration Suitability Layer that evaluates the feasibility and performance potential of infiltration-based stormwater infrastructure on a lot-by-lot basis. The layer integrates building physical characteristics (including footprint, age, foundation type, and basement presence) with subsurface conditions such as soil permeability, groundwater depth, and bedrock elevation. These factors are analyzed alongside proximity to known flooding complaints, sewer backup incidents, and areas of recurrent stormwater accumulation. This layer allows for a nuanced assessment of where infiltration-based practices—such as drywells, infiltration columns, and increasing permeable surface area—are technically viable and where they may pose risks or yield limited benefit.

Each tax lot in New York City is assigned a composite Infiltration Potential Score, reflecting both physical feasibility and flood mitigation potential. Lots with permeable soils, sufficient separation from groundwater and bedrock, and adequate open area receive higher scores, while parcels with shallow groundwater, impermeable soils, or high basement flood risk are flagged for alternative strategies such as detention, controlled discharge, or non-infiltrating diversion.

The Infiltration Suitability Layer functions as a decision-support and prioritization tool. It enables rapid identification of high-opportunity clusters where infiltration can be safely and effectively deployed at scale, informs outreach and funding strategies by aligning technical feasibility with areas of documented flood harm, and provides a transparent, data-driven basis for public investment on private property. When paired with Field Form's compound exposure mapping and implementation support services, this layer helps translate complex subsurface conditions into actionable guidance—ensuring that infiltration-based stormwater infrastructure is deployed where it delivers the greatest resilience benefit with the lowest risk.

Outreach

Social infrastructure is required to gain enough support from individual property owners to install as many diversions as possible. While residents of New York City are increasingly aware of the threat posed by flooding,



The typical system can hold approximately 600 gallons of water, with an additional 50-60 gallons per hour of capacity from infiltration. Once the system has reached capacity, any additional runoff overflows to the sewer system, but at a drastically reduced rate. The median residential rooftop in NYC is approximately 800 SF, generating 500 gallons of runoff per 1" storm. This means these systems can prevent the majority of runoff from a standard roof from entering the sewer system in 99% of storms. In the case of a storm the size of Ida, this can have a drastic impact on reducing sewer backup, stormwater overflow on the streets, and deadly basement flooding.

These systems can be installed in less than a week at a landed cost of approximately $15,000 per installation, or approximately $27 / static gallon of capacity. The cost per gallon of static capacity for the Gowanus Retention Tanks is over $108 while expanding sewer lines to increase capacity can cost as much as $130 million per mile.
Starting with this system as a foundation, drainage solutions for a wide range of site conditions can be rapidly iterated and decided through a basic decision matrix comparing flooding symptoms, onsite conditions, and their associated strategies.

While the Field Form team periodically encounters on site conditions beyond those described in the matrix, this approach has been found to efficiently point to appropriate drainage strategies for a high proportion of site conditions encountered.



many—especially those away from the coast—do not believe they are at risk. Unfortunately water does not flow along property lines, and blockages, overflows and flooding upsewer can have negative impacts on properties that don't have issues on their immediate lot.

Field Form has addressed this issue by collaborating with block associations, neighborhood groups, advocacy organizations, local elected leaders and community liaisons to help educate residents about the responsibility and vulnerability that neighbors throughout New York City share. In this effort, the Flood Form tool has also proven invaluable in showing residents how different types of flooding can impact a wide range of neighborhoods and properties, helping to illustrate the need for collective action.

In the Combined Sewer Overflow outfall area Owls Head-007—serving much of Park Slope, Brooklyn—the tool has been used to translate abstract CSO and runoff metrics into block-level exposure profiles that residents



Selection of neighborhoods which have been analyzed using the Flood Form Tool in collaboration with property owners, advocacy groups and elected officials

can understand and act upon. By mapping rooftops, sewer drainage patterns, 311 flooding complaints, and macro contributing areas, the tool identifies clusters of properties that collectively contribute significant runoff to the OH-007 sewershed. In neighborhood workshops, this analysis allows neighbors to see how upstream roof downspouts, downstream low points, and known nuisance flooding locations are hydrologically connected. Rather than framing flooding as an isolated household issue, the Flood Form tool demonstrates shared system dynamics and highlights where coordinated downspout diversions could meaningfully reduce peak flows entering the outfall.

The tool has also been used to simulate the cumulative impact of group adoption scenarios within OH-007. For example, by modeling the effect of diverting runoff from a defined percentage of rooftops along a given block or corridor, Field Form can illustrate potential reductions in stormwater volume entering the combined sewer during a design storm. These visualizations provide community groups and elected officials with concrete, evidence-based targets—such as the number of rooftops required to divert a specified number of gallons during a one-inch rain event. This type of scenario planning empowers residents to organize around achievable goals and positions neighborhood associations to pursue coordinated funding applications or policy advocacy grounded in data.

The map has been used in service of a wide range of educational and analytical exercises for elected officials and community groups alike. These activities are critical for building the collective action necessary to have a notable impact on the flooding outcomes in a given area. Field Form has shown that by promoting group adoption of these drainage strategies, the per-lot costs can be reduced and installations can be batched to reduce installation times and disruption to the neighborhood. To date, the Flood Form Tool has been used to generate exposure reports and strategy recommendations for a range of communities and districts around the city, listed below.

- Assembly District 44
- Assembly District 56
- City Block 1087
- City Block 1094
- Council District 39
- Cypress Hills Local Development Corporation
- Fifth Avenue Committee
- Gowanus Canal outfall sewershed
- Long Island City Business Improvement District
- Octagon Neighborhood Association
- Southeast Queens Residents Environmental Justice Coalition
- Whitestone Neighborhood
- Jewel Street Planning Area

These reports provide visual and numeric data sharing the aggregated exposure levels of all lots in the study area broken out into each type of flooding, compares them to city wide averages, and identifies high priority areas by flooding type. Where needed, closer analysis is conducted at the block and lot level which is often necessary due to the hyper-local nature of storm, street and groundwater flooding. Such reports provide community members with accurate, focused information that can help them understand how they might address flooding issues directly, as well as providing clear communication tools they can use to advocate for further support.

Implementation Support

As Field Form has grappled with the challenges faced by New Yorkers related to flooding, it has become clear that some of the most persistent and widespread issues faced by individual homeowners and neighborhood organizations alike are related to the infrastructure of implementation. Barriers such as murky organizational structures, lagging and unclear policy, insufficient funding, and opaque insurance arrangements all contribute to slow implementation of necessary flood mitigation strategies. Field Form supports implementation efforts in the following areas:

- Organizational capacity building
- Policy navigation
- Funding access
- Insurance alignment

This support is structured to complement, rather than replace, public agency responsibilities, while addressing gaps that prevent private-property interventions from contributing meaningfully to citywide resilience goals.

Capacity Building

Flood mitigation at the neighborhood scale requires a level of coordination and sustained engagement that many informal or volunteer-led organizations are not structured to provide. Block associations, tenant groups, and neighborhood coalitions often emerge organically in response to shared flooding experiences, but they frequently lack the administrative capacity, technical knowledge, and continuity needed to plan and execute multi-property interventions. Critically, many funding paths are only available to formally organized groups, a large barrier to entry for many property owners.

Field Form supports these groups by providing technical assistance that strengthens internal capacity rather than substituting for it. This includes helping organizations formalize governance structures, clarify decision-making processes, and develop shared project scopes that reflect collective priorities. Field Form also assists with translating technical flood data and engineering concepts into accessible language, enabling community leaders to confidently communicate risks, solutions, and tradeoffs to their members.

By building organizational capacity, Field Form enables neighborhood groups to move beyond isolated, reactive projects toward coordinated, scalable interventions. This approach increases participation, reduces per-property costs through economies of scale, and positions community organizations to engage more effectively with public agencies, funders, and elected officials over time.

Policy Advocacy and Navigation

Policy complexity and ambiguity represent a significant barrier to flood mitigation, particularly on private property. Regulations governing stormwater, wastewater, building codes, zoning, and environmental review are distributed across multiple agencies and levels of government, often with overlapping or unclear jurisdiction. For homeowners and organizations seeking to install green stormwater management practices, understanding the mix of applicable policies and incentives in New York City and New York State is critical to improving implementation outlooks.

Field Form provides targeted policy guidance to help communities understand and leverage existing regulatory frameworks and incentive programs that surround green stormwater management. A key example is the NYC Unified Stormwater Rule (USWR).

The USWR requires significant redevelopment projects to implement on-site stormwater capture and reuse measures to reduce runoff volumes. While the rule applies primarily to larger developments, its provisions and guidance materials establish standards (e.g., stormwater capture volumes per impervious area) that homeowners and small organizations can reference when designing voluntary green infrastructure practices. It is also triggered any time a new sewer connection is filed, subjecting smaller properties and projects to similar levels of scrutiny as large development projects.

Homeowners and environmental groups often require assistance to interpret these frameworks, determine which policies apply to their projects, and align their proposals with regulatory expectations and funding opportunities. Where policies are misaligned or create unnecessary obstacles—for example, permitting thresholds that treat small infiltration systems as complex construction projects—Field Form supports advocacy for targeted policy adjustments and helps define compliant pathways that do not add dramatic cost increases.

Field Form synthesizes flood risk and implementation data from the Flood Form mapping tool to generate policy-relevant insights. By aggregating this data at neighborhood and political boundaries, Field Form helps articulate where existing regulations fall short and where tailored policy support—such as expanding grant eligibility to smaller residential systems or creating streamlined permitting for backyard stormwater practices—could unlock significant public benefit.

Funding Access and Financial Structuring

While distributed stormwater mitigation on private property offers strong public return on investment, access to appropriate funding remains a central barrier to implementation. Field Form focuses its financial support work on high impact funding strategies that are both active and well aligned with neighborhood-scale stormwater interventions in New York City, helping communities match project types to the most effective capital sources.

Adoption of programs like the Resilient Retrofit Grants from NYS DEC are often stifled by difficulties informing property owners of the fund availability and the opacity of eligibility and requirements tied to such funds.

Insurance

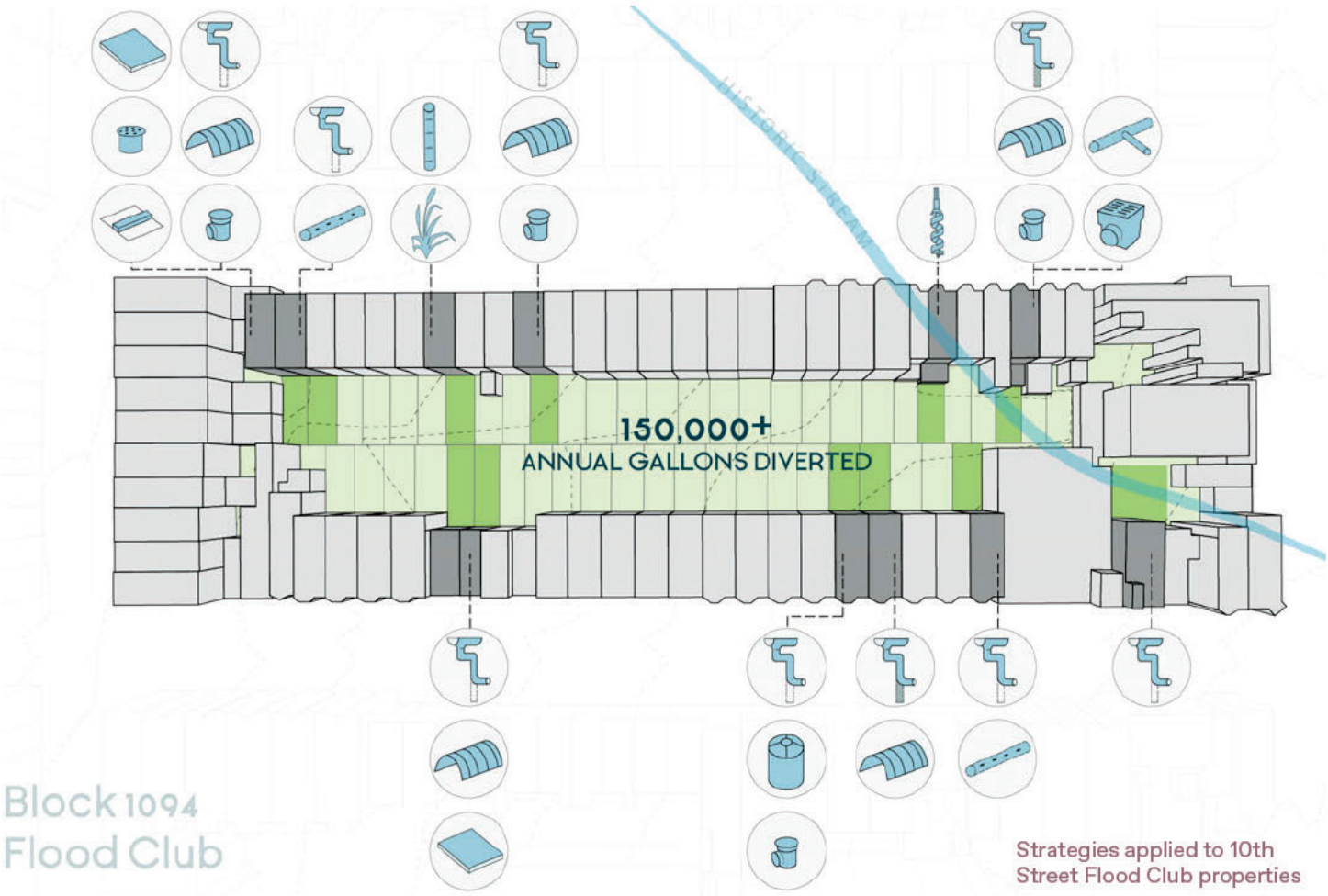
Insurance plays a critical role in shaping how property owners perceive and respond to flood risk, yet conventional insurance products are poorly aligned with the realities of urban stormwater flooding. Standard homeowners insurance typically excludes flood damage, National Flood Insurance Program (NFIP) policies are oriented toward coastal and riverine flooding rather than sewer backup and groundwater intrusion, and mitigation investments are rarely reflected in premiums or coverage terms. This disconnect weakens incentives for proactive risk reduction and leaves many property owners vulnerable.

In response, Field Form assists communities in understanding and evaluating emerging flood insurance options that are better suited to urban stormwater conditions. Products such as FloodFlash and Neptune Flood's parametric offerings provide coverage based on measurable flood triggers—such as rainfall intensity, surface water depth, or sewer surcharge thresholds—rather than on post-event damage assessments. When a predefined trigger is met, payouts are issued automatically, often within days, providing rapid liquidity for cleanup, temporary relocation, or emergency repairs. This structure is particularly relevant for basement flooding and flash flood events that may not qualify for traditional flood insurance claims.

At the neighborhood scale, Field Form explores the potential for group or cooperative insurance models, where multiple property owners participate in shared parametric coverage tied to local rainfall or flood sensors. When paired with on-site stormwater diversion and detention, these products offer a pathway toward aligning risk reduction, financial resilience, and rapid recovery—ensuring that proactive communities are better protected while longer-term infrastructure solutions are deployed.



Example of Flood Flash insurance installation



10th Street Flood Club Case Study

The 10th Street (city tax block 1087) Flood Club provides an example of the efficacy and challenges of pursuing broad distribution of backyard interventions. More than half of the residents on the block were experiencing some form of flooding during heavy rain storms, and this shared issue surfaced in conversations between homeowners.

Following an inquiry by the 10th Street Block Association Field Form was invited to present a basic overview of the historic and current conditions which might be contributing to flooding on their block. Because of the shared experiences of residents with flooding, the presentation of considerations that extended beyond property lines was well received and understood. Twelve participants in the introductory meeting indicated their interest in pursuing onsite drainage strategies further, whether to address flooding in their own home, or out of a broader concern for their neighborhood.

Field Form conducted site visits for each property in two batches, and worked with the interested property owners to offer reduced rates for visits due to the large number of them in close proximity. For each property the following data points were collected, in addition to the unique concerns and issues shared by owners.

- Roof and lot square footage
- Surface conditions and permeability
- Downspout and other existing drainage infrastructure
- Soil conditions and infiltration rate



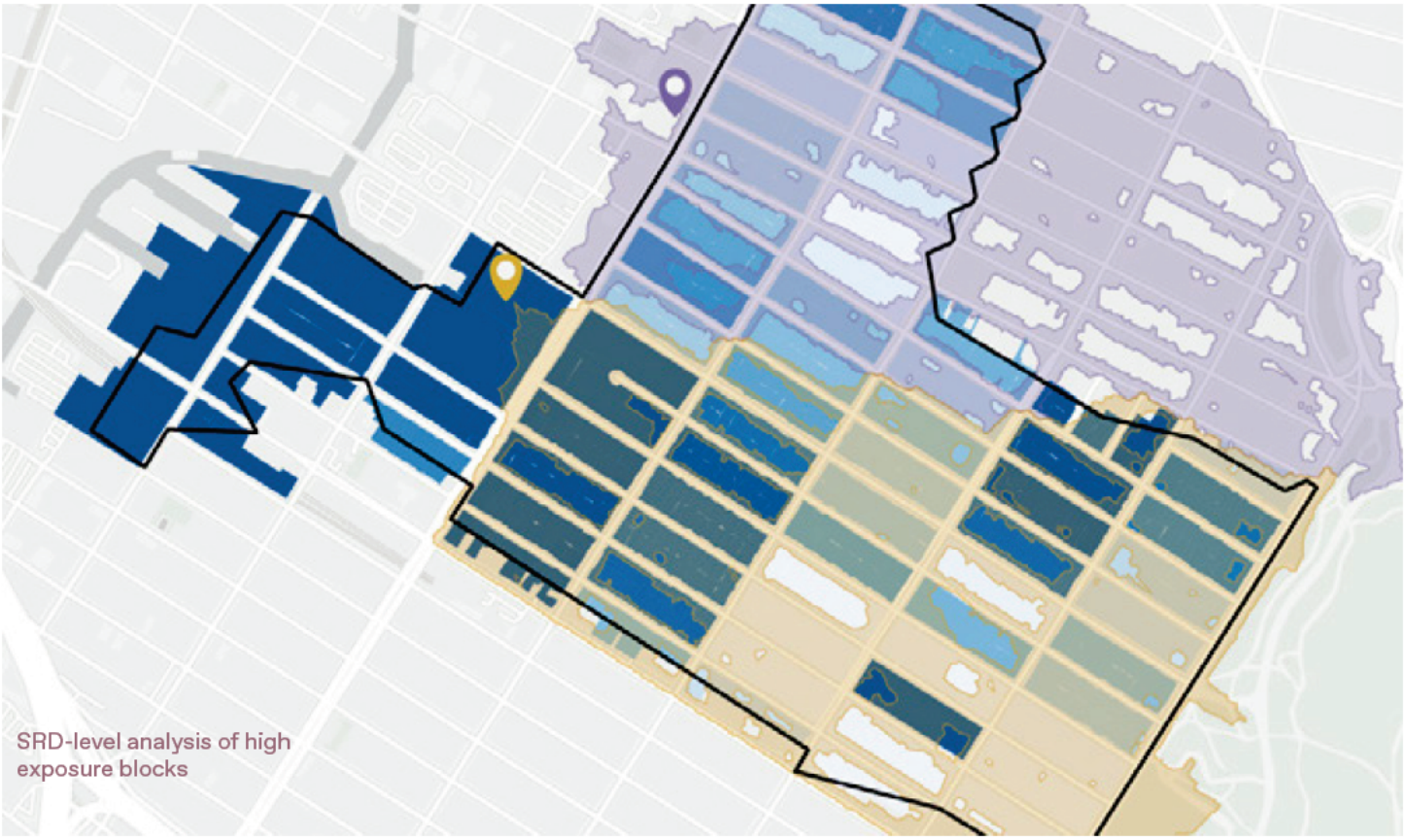
Drywells being installed at one of the 10th Street properties

Following the completion of these site visits, a generic design agreement was drafted offering three levels of design services along with price estimates for design and construction for review by all members of the block association. Group discounts were again offered as a means to lower barriers to participation for the widest range of owners possible.

Following significant discussion between Field Form and interested members, six property owners made the decision to proceed with drainage strategies. The reasons for deferring diversion or drainage work for most owners came down to simple cost-benefit perception. While many voiced their understanding of the importance of diverting and managing stormwater on site, the abstract vulnerability to future flooding did not counter the prospect of the outlay necessary for a basic diversion and detention system. The outreach, operational efficiency and cost savings of grouping projects and good intentions of the block association resulted in six properties on the block selecting significant diversion interventions ranging from simple drywell installations to full regrading and surfacing of backyards in addition to downspout diversions. The specifications of each project are illustrated in the graphic below. The full drainage capacity and component breakdown is available in appendix B. The resulting interventions are capable of diverting 150,000 gallons of runoff from the sewer system each year.

Introducing the Stormwater Resilient District

A Field Form Initiative



SRD-level analysis of high exposure blocks

The Stormwater Resilient District (SRD) model, a Field Form Initiative, proposes building directly on the neighborhood organizing demonstrated through the Flood Club case study by scaling that collaborative approach to the level of the sewer drainage basin.

Organized around the boundaries of a Combined Sewer Overflow outfall catchment, an SRD treats stormwater management as a collective responsibility shared by thousands of properties across multiple blocks. Beginning in June 2026, Field Form will pilot the SRD model in the district encompassing the Owls Head-007 outfall, which serves much of Park Slope and includes over 3,400 properties and nearly 21,000 residents. The Flood Form tool will be leveraged to translate complex runoff and CSO dynamics into clear block-level exposure profiles. These visualizations—incorporating rooftop impervious cover, drainage patterns, flood complaints, and contributing areas—allow residents, community groups, and elected officials to better understand how individual properties influence neighborhood-wide flood outcomes.

By organizing around these shared drainage conditions, a Stormwater Resilient District enables coordinated action across an entire sewershed. Modeling scenarios can demonstrate how diverting runoff from a defined portion of neighborhood rooftops could significantly reduce the volume of stormwater entering the combined sewer during heavy rainfall. This structure allows residents to pursue bundled projects, coordinate installations, and advocate collectively for targeted public investment. In doing so, SRDs create community-based implementation partners capable of accessing public funding programs, attracting new investment, and complementing large-scale infrastructure projects with distributed stormwater solutions and ongoing maintenance structures which strengthen neighborhood resilience.

Bridging the Gap Between Private Property and Public Resilience

The most frequently cited barrier among residents who recognize the need for downspout diversion and on-site stormwater management is cost. While some homeowners are able to invest in protecting their properties from future flooding, many others cannot—particularly in neighborhoods facing housing cost burdens, insecure tenure, and elevated flood exposure, such as Southeastern Queens. Yet financial barriers are only part of the challenge. Even where funding is available, implementation is often stalled by limited organizational capacity, policy complexity, and uncertainty around long-term maintenance, insurance, and regulatory compliance.

New York City stands at a crossroads in its stormwater management strategy. Despite significant public investment in large-scale, city-owned infrastructure such as the $1.3 billion Gowanus Canal retention tanks, nearly one-third of the city's impervious surface area remains on private property. Without directly addressing runoff from rooftops, driveways, and patios, the city will be unable to meet its CSO reduction goals or its legal obligations under DEP's Long Term Control Plans in Gowanus and beyond. Developing new ways to efficiently fund and support stormwater management interventions on private property is essential.

Field Form's pilot interventions, mapping tools, and neighborhood case studies demonstrate that distributed, low-cost stormwater diversion systems on private property are technically effective, rapidly deployable, and financially strategic. With costs of approximately $27–35 per gallon of capacity, these systems deliver a three-to-fourfold cost advantage over large-scale gray infrastructure.

We propose expanding the use of the Flood Form tool as a city-wide platform for organizing and coordinated action using Stormwater Resilient Districts as a medium to pursue such an expansion. By translating complex hydrologic and infrastructure data into clear, lot-level exposure profiles and providing a prioritized list of intervention strategies, the tool enables residents to identify shared risk patterns and recognize where collective intervention would have the greatest impact. Rather than approaching flood mitigation as an isolated household decision, the mapping framework supports the formation of block to neighborhood sized groups—Stormwater Resilient Districts— that can pursue bundled projects, coordinate stormwater diversion strategies, and advocate for targeted public investment. In this way, the tool functions not only as an analytical resource, but as civic infrastructure—connecting neighbors around shared exposure and shared opportunity.

By merging flood exposure types and their associated strategies, the mapping platform is designed to link communities to actionable resources that close the gap between large-scale financing and policy initiatives and the practical challenges residents face on the ground. By pairing exposure data with guidance on funding eligibility, technical feasibility, maintenance considerations, and relevant public programs, the system helps translate citywide resilience strategies into implementable neighborhood plans. This integrated approach ensures that capital commitments and regulatory reforms are matched with organized, informed communities capable of advancing localized, distributed stormwater solutions that contribute meaningfully to broader public resilience goals.

Flooding is not merely an environmental nuisance—it is a public health crisis, a housing justice issue, and a growing economic liability. It is also a solvable problem if New York City commits to pairing physical infrastructure investments with the social infrastructure required to implement them. By supporting residents with funding, tools, guidance, and institutional backing needed to act, the city can transform private property into a cornerstone of public resilience and establish itself as a national leader in decentralized, equity-driven climate adaptation.

Critical Implementation Pathways

To translate the strategies outlined in this paper into measurable reductions in stormwater runoff and flood risk, a coordinated set of near-term actions is required. The following steps are intended to advance the integration of private property interventions, community-based organization, and public sector support into an operational framework capable of scaling across New York City.

Pilot Priority Stormwater Resilient Districts
Initiate 2–3 pilot Stormwater Resilient Districts (SRDs) in high-risk Combined Sewer Outfall areas, including Owls Head–007 in Park Slope/Gowanus. These pilots should leverage the Flood Form tool to identify priority blocks, recruit participating property owners, and define neighborhood-scale runoff reduction targets. Building on the Flood Club model, these districts would formalize local organizing structures, coordinate installations across multiple properties, and establish baseline performance metrics to evaluate impact over time.

Establish a Stormwater Diversion Subsidy Program
The New York City Department of Environmental Protection (DEP), in coordination with the Mayor's Office, should design and administer a dedicated subsidy program to support installation of private property stormwater diversion systems. Modeled on the existing Green Infrastructure Grant Program, funding should be directly tied to gallons of stormwater retention or diversion capacity installed. DEP would establish technical standards, verification process, and integration with Long Term Control Plans, while MOCEJ would ensure alignment with citywide climate adaptation priorities and equity goals. Initial funding allocations should prioritize SRD pilot areas to maximize near-term impact and demonstrate cost-effectiveness relative to gray infrastructure investments.

Deploy Flood Form Reporting
The NYC Department of Environmental Protection (DEP), in partnership with the Department of City Planning (DCP) and Field Form, should formalize and expand the production of sewershed level flood exposure and infiltration reports using the Flood Form tool. SRDs, supported by community-based organizations— groups such as the Fifth Avenue Committee and local development corporations—would serve as implementation partners, using these reports to support neighborhood organizing, inform local planning processes, and guide participation in subsidy programs.

Create a Dedicated Stormwater Implementation Entity
The Mayor's Office, in coordination with the New York City Council, should establish a dedicated Stormwater Department or interagency Stormwater Implementation Office to coordinate distributed stormwater management efforts. This entity could be modeled on the Berlin Rainwater Agency and headed by the city's Chief Climate Officer. Establishing such an entity would consolidate responsibilities currently fragmented across DEP, NYC Emergency Management (NYCEM), and many others, and would be charged with administering subsidy programs, coordinating interagency policy, and providing direct technical assistance to property owners and SRDs. The City Council would authorize its formation, define its mandate, and allocate baseline funding through the capital and expense budget. This body would also be responsible for tracking performance metrics, ensuring compliance with regulatory requirements, and prioritizing investments in high-risk and historically underserved communities.

Collectively, these steps establish a clear pathway from analysis to action—linking data, design, funding, and community organization into a cohesive model for reducing stormwater impacts. By investing in both the physical and social infrastructure required to manage runoff at its source, New York City can accelerate progress toward its CSO reduction goals while building a more resilient and equitable urban environment.

Glossary of Terms

ACS – American Community Survey
An ongoing survey administered by the U.S. Census Bureau that provides annual data on social, economic, housing, and demographic characteristics. ACS data is used in flood exposure analysis to understand population vulnerability and housing conditions.

Basement Flooding
Flooding that occurs in below-grade residential or commercial spaces due to sewer backup, groundwater intrusion, or surface water infiltration. Basement flooding poses elevated life-safety, health, and housing stability risks, particularly in informal or unregulated dwelling units.

Bedrock Depth
The vertical distance from the ground surface to underlying bedrock. Shallow bedrock can limit the feasibility of infiltration-based stormwater management practices by reducing available storage volume and infiltration capacity.

Bioswale
A vegetated, engineered channel designed to convey, store, and infiltrate stormwater runoff. Bioswales are commonly installed in the public right-of-way but may also be used on private property.

Cloudburst
A short-duration, high-intensity rainfall event characterized by extremely high precipitation rates over a limited area. Cloudbursts are a primary driver of urban flash flooding and Combined Sewer Overflow (CSO) events in New York City.

Combined Sewer Overflow (CSO)
The discharge of untreated sewage and stormwater into surface waters when combined sewer systems exceed capacity during rainfall events. CSOs are regulated under federal and state water quality laws.

Combined Sewer System
A sewer system that conveys both sanitary sewage and stormwater runoff in a single pipe. Much of New York City is served by combined sewers, making it particularly vulnerable to CSO events during heavy rain.

Compound Flood Exposure
The cumulative flood risk experienced by a property or area due to the interaction of multiple flooding mechanisms, including street flooding, coastal flooding, groundwater flooding, and sewer backup.

DEC – New York State Department of Environmental Conservation
The state agency responsible for environmental regulation and oversight, including water quality standards, stormwater permits, and compliance with the Clean Water Act.

DEP – New York City Department of Environmental Protection
The city agency responsible for managing New York City's water supply, sewer system, and wastewater treatment facilities, as well as stormwater regulation and green infrastructure programs.

Downspout Diversion / Disconnection
The practice of redirecting roof downspouts away from direct connections to the sewer system and toward on-site detention, infiltration, or controlled discharge areas.

Drywell
A subsurface structure designed to temporarily store stormwater and allow it to infiltrate into surrounding soils. Drywells are a common infiltration-based stormwater management practice.

EPA – United States Environmental Protection Agency
The federal agency responsible for enforcing environmental laws, including the Clean Water Act, and overseeing CSO consent decrees and Long Term Control Plans.

Flood Vulnerability Index (FVI)
A composite index developed by NYC agencies that combines physical flood risk with social and economic vulnerability indicators to identify communities at heightened risk from flooding.

GI – Green Infrastructure
Stormwater management practices that use natural or engineered systems—such as vegetation, soils, and infiltration—to manage runoff and improve water quality.

Gray Infrastructure
Traditional engineered stormwater and wastewater infrastructure, such as pipes, tanks, and pumping stations, designed to convey or store water.

Groundwater Flooding
Flooding caused by rising groundwater levels, often influenced by historic waterways, soil conditions, or tidal forces, which can infiltrate basements and underground spaces.

Impervious Surface
Surfaces such as rooftops, pavement, and concrete that prevent water from infiltrating into the ground, increasing runoff to storm drains and sewers.

Infiltration
The process by which water penetrates the soil and moves into subsurface layers. In stormwater management, infiltration is used to reduce runoff volumes entering sewer systems.

Long Term Control Plan (LTCP)
A federally required planning document outlining how a municipality will reduce CSO frequency and volume over time, typically through a combination of gray and green infrastructure investments.

NFIP – National Flood Insurance Program
A federal insurance program administered by FEMA that provides flood insurance primarily for riverine and coastal flooding risks.

Glossary of Terms

Parametric Flood Insurance
An insurance product that pays out based on predefined, measurable triggers—such as rainfall intensity or flood depth—rather than documented physical damage.

Permeability
The ability of soil or surface materials to allow water to pass through. Low permeability soils reduce infiltration capacity and influence stormwater management design.

Right-of-Way (ROW)
Publicly owned land used for transportation and utilities, including streets and sidewalks, where some stormwater infrastructure may be installed.

SBS – New York City Department of Small Business Services
A city agency that administers programs supporting small businesses, including flood risk assessment and mitigation grants through Business PREP.

Stormwater Diversion
The redirection of stormwater away from sewer systems toward on-site storage, infiltration, or controlled discharge locations.

Unified Stormwater Rule (USWR)
NYC DEP regulations requiring certain development and sewer connection projects to capture and manage stormwater on-site to reduce runoff volumes.

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Appendix A

Tool / Resource		Agency / Party	Updated	FEMA Maps	NPCC Tide	Stormwater Maps	Historic Storm Maps	Historic Water Maps	311	ACS Data	Proprietary Data	NOAA
Hazard History and Consequence	Catalog of extreme weather events in NYC	NYCEM	2023	☐	☐	☐	☐	☐	☐	☐	☑	☐
Flood Zone NYC	Map of Coastal Flooding and Flood Shelters	NA		☑	☐	☐	☐	☐	☐	☐	☑	☐
FloodHelpNY	Coastal Flooding Lookup tool and generic resources	Center for New York C	2025	☑	☐	☐	☐	☐	☐	☐	☐	☐
Coastal Flood Exposure Mapper	Coastal Flooding Lookup tool and generic resources	NOAA	2025	☑	☐	☐	☐	☐	☐	☐	☐	☐
Sandy Inundation Zone	NYC open dataset highlighting areas flooded by Hurricane Sandy	NYC SBS	2024	☐	☐	☐	☑	☐	☐	☐	☐	☐
NYC Flood Hazard Mapper	Overview of coastal flood hazards that threaten the city today and projections	NYC DCP	2017	☑	☑	☐	☐	☐	☐	☐	☐	☐
NYC Stormwater Flood Map	Estimated stormwater flood zones	NYC DEP	2024	☐	☐	☑	☐	☐	☐	☐	☐	☐
Flood Vulnerability Index	Assesses the distribution of vulnerability to flooding across NYC	MOCEJ	2024	☑	☑	☐	☐	☐	☐	☑	☐	☐
First Street	Aggregated flood risk property lookup	First Street	2025	☑	☐	☐	☑	☐	☐	☑	☑	☐
Mapping Hazard Hotspots	Jurisdictional Risk Assessment 2024 (Uses FVI)	NYC Health	2025	☑	☐	☐	☐	☐	☐	☑	☐	☑
Compound Flood Exposure			2025	☑	☑	☑	☑	☑	☑	☑	☑	☐

Appendix B

LONG ISLAND CITY PARTNERSHIP COMPOUND FLOOD EXPOSURE ANALYSIS

LONG ISLAND CITY PARTNERSHIP STUDY AREA

The Long Island City Partnership study area (LICP), covering a large swath of Long Island City Queens, is comprised of 791 unique tax lots and 20,000 dwelling units and 580 lots with a wide range of commercial uses. **The study area's average Compound Flood Exposure index is at 12.1 while the average Compound Flood Exposure index in New York City is 7.8, suggesting a broadly elevated exposure to flood factors.**

EXPOSURE SUMMARY:

The study area shows above average exposure in every flood exposure type, however groundwater threats from high water table, historic water bodies, and evidence of basement flooding affect 430 lots in the area, approximately 60% of the total. Further, high exposure to Stormwater flooding, Sewer flooding and Coastal result in an above average Compound Exposure. This can be attributed to a its low relative elevation, proximity to the coast, likely inadequate sewer systems, and numerous documented incidents of sewer flooding.

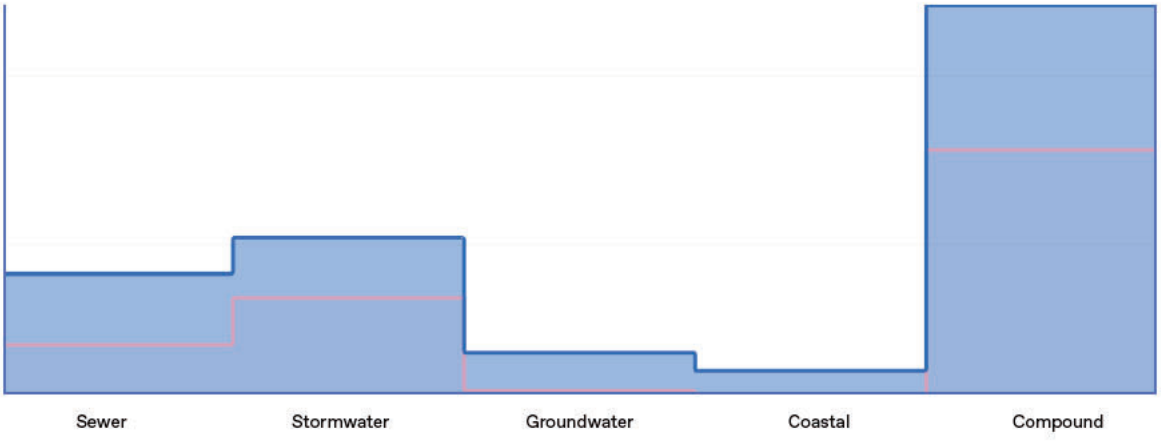
TAKEAWAYS

The neighborhood's low relative elevation and position in relation to many historic water bodies exacerbates its vulnerability to groundwater and basement flooding events.

Many streets in the study area have experienced significant instances of sewer flooding on their blocks, suggesting blockages or under sized sewer infrastructure along those stretches.

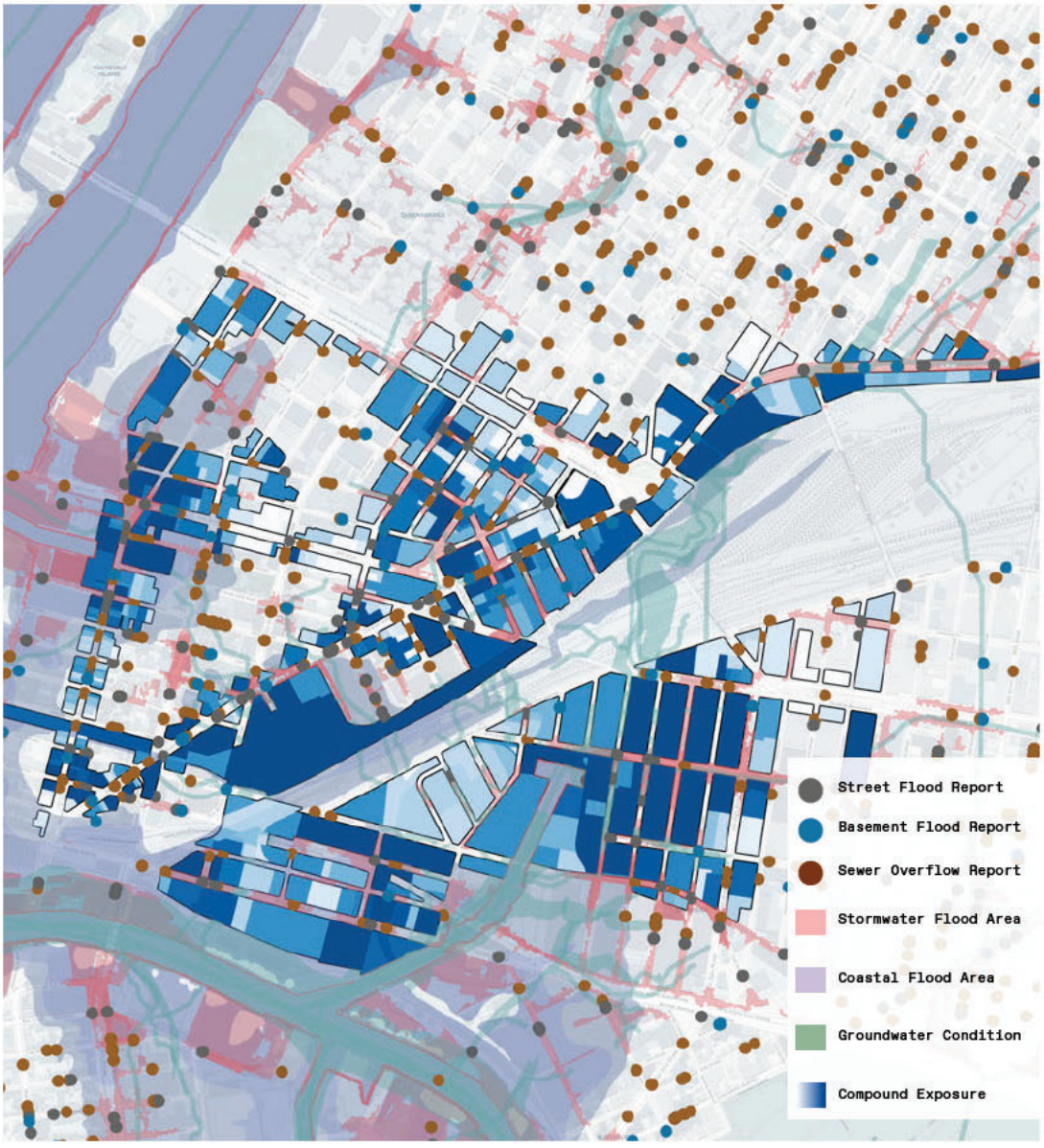
New developments and park area along the East River have improved Coastal exposure since Sandy, however, to effectively target flooding exposure in the study area, reducing the flow of stormwater runoff into the sewer system is critical for addressing Sewer and Street Flooding issues.

Due to high Groundwater exposure, special care will be necessary to target these reductions in areas where the diversion of stormwater will not result in unintended consequences. The infiltration map identifies areas with high potential for retaining and infiltrating water through designated areas on private property in order to relieve pressure on the city sewers and comply with recent DEP laws related to downspout connections.



Appendix B

COMPOUND EXPOSURE SUMMARY

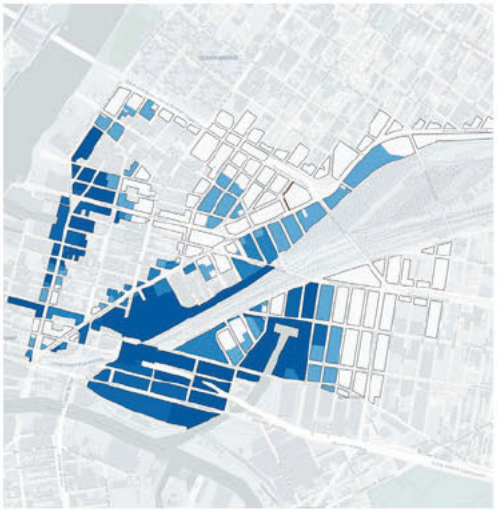


Appendix B

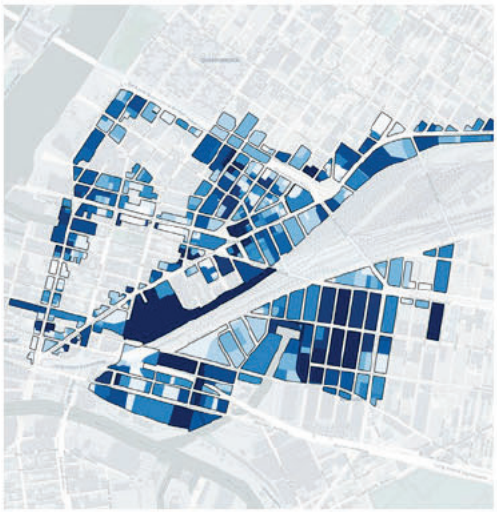
EXPOSURE BY FACTOR

Percentile
100

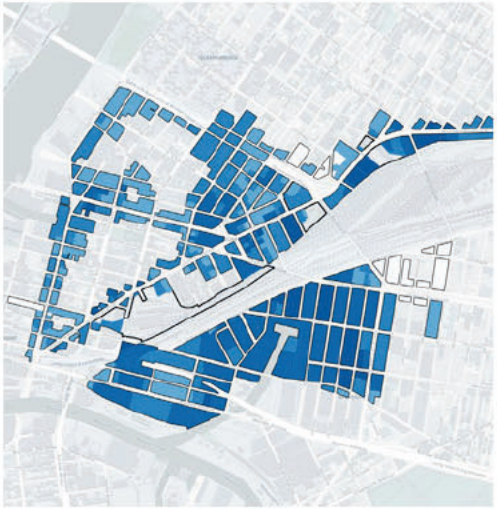
COASTAL EXPOSURE



STORM EXPOSURE



GROUNDWATER EXPOSURE



SEWER EXPOSURE



Critical Implementation Pathways

To translate the strategies outlined in this paper into measurable reductions in stormwater runoff and flood risk, a coordinated set of near-term actions is required. The following steps are intended to advance the integration of private property interventions, community-based organization, and public sector support into an operational framework capable of scaling across New York City.

Pilot Priority Stormwater Resilient Districts
Initiate 2–3 pilot Stormwater Resilient Districts (SRDs) in high-risk Combined Sewer Outfall areas, including Owls Head–007 in Park Slope/Gowanus. These pilots should leverage the Flood Form tool to identify priority blocks, recruit participating property owners, and define neighborhood-scale runoff reduction targets. Building on the Flood Club model, these districts would formalize local organizing structures, coordinate installations across multiple properties, and establish baseline performance metrics to evaluate impact over time.

Establish a Stormwater Diversion Subsidy Program
The New York City Department of Environmental Protection (DEP), in coordination with the Mayor's Office, should design and administer a dedicated subsidy program to support installation of private property stormwater diversion systems. Modeled on the existing Green Infrastructure Grant Program, funding should be directly tied to gallons of stormwater retention or diversion capacity installed. DEP would establish technical standards, verification process, and integration with Long Term Control Plans, while MOCEJ would ensure alignment with citywide climate adaptation priorities and equity goals. Initial funding allocations should prioritize SRD pilot areas to maximize near-term impact and demonstrate cost-effectiveness relative to gray infrastructure investments.

Deploy Flood Form Reporting
The NYC Department of Environmental Protection (DEP), in partnership with the Department of City Planning (DCP) and Field Form, should formalize and expand the production of sewershed level flood exposure and infiltration reports using the Flood Form tool. SRDs, supported by community-based organizations— groups such as the Fifth Avenue Committee and local development corporations—would serve as implementation partners, using these reports to support neighborhood organizing, inform local planning processes, and guide participation in subsidy programs.

Create a Dedicated Stormwater Implementation Entity
The Mayor's Office, in coordination with the New York City Council, should establish a dedicated Stormwater Department or interagency Stormwater Implementation Office to coordinate distributed stormwater management efforts. This entity could be modeled on the Berlin Rainwater Agency and headed by the city's Chief Climate Officer. Establishing such an entity would consolidate responsibilities currently fragmented across DEP, NYC Emergency Management (NYCEM), and many others, and would be charged with administering subsidy programs, coordinating interagency policy, and providing direct technical assistance to property owners and SRDs. The City Council would authorize its formation, define its mandate, and allocate baseline funding through the capital and expense budget. This body would also be responsible for tracking performance metrics, ensuring compliance with regulatory requirements, and prioritizing investments in high-risk and historically underserved communities.

Collectively, these steps establish a clear pathway from analysis to action—linking data, design, funding, and community organization into a cohesive model for reducing stormwater impacts. By investing in both the physical and social infrastructure required to manage runoff at its source, New York City can accelerate progress toward its CSO reduction goals while building a more resilient and equitable urban environment.

Executive Summary

Bridging the Gap Between Private Property and Public Resilience

New York City is experiencing increasingly frequent and severe stormwater flooding driven by climate change, aging sewer infrastructure, and extensive impervious surface coverage. Short, intense rain events routinely overwhelm the combined sewer system, triggering Combined Sewer Overflows, street flooding, and sewer backups into homes—sometimes during storms producing as little as 0.3 inches of rainfall per hour. These potentially fatal impacts fall disproportionately on low-lying neighborhoods, communities built on historic wetlands, and residents of basement apartments.

The City has invested in large-scale gray infrastructure, including the $1.3 billion Gowanus Canal retention tanks. While necessary, these systems address stormwater only after it enters the sewer network and do not reduce runoff at its source. Approximately one-third of New York City's impervious surface area—primarily rooftops—is located on private property, placing a critical component of stormwater management outside the City's direct control.

Field Form is a New York City based landscape studio with a focus on distributed stormwater management. Their expertise comes from over a decade of installing, servicing and managing gardens and drainage systems throughout New York City. Their approach combines lot-level flood exposure mapping, infiltration suitability analysis, and designing stormwater runoff diversion systems. These systems intercept the majority of runoff in typical storm events at a fraction of the cost of large-scale gray infrastructure.

Implementation as the Missing Link

Field Form's experience demonstrates that technical solutions alone are insufficient. Adoption is constrained by limited organizational capacity, complex policy environments, and funding gaps. To address these barriers, Field Form provides implementation support through their mapping and strategy resource—Flood Form—focused on community capacity building, policy navigation, funding access, and insurance alignment—enabling coordinated, neighborhood-scale action.

Policy Implications and Collective Action

Translating this approach into measurable impact begins with piloting Stormwater Resilient Districts in high-impact sewersheds, using the Flood Form tool to identify priority blocks, organize property owners, and set clear runoff reduction targets. These efforts should be supported by a Stormwater Diversion Subsidy Program that ties public investment directly to gallons of stormwater diverted on private property, while streamlining access to existing funding mechanisms. At the same time, expanding standardized, neighborhood-level GIS reporting will equip community organizations, elected officials, and agencies with actionable data to guide investment, coordinate interventions, and advocate for resources.

To sustain and scale these efforts, the City must establish a dedicated stormwater implementation entity to coordinate across agencies, manage funding programs, and provide technical assistance to communities. By aligning public capital with neighborhood-based organizing and equipping residents with the tools and resources needed to act collectively, New York City will unlock the stormwater management potential of private property. This integrated model—combining physical infrastructure, data-driven planning, and social capacity—offers a practical pathway to reducing flood risk, meeting regulatory obligations, and advancing a more equitable and resilient urban future.

Name

Jeff Mao

Email [redacted]

Public Comment

I would like to see the Charter Revision Commission put forward a proposal to open the primaries in our city. I am an unaffiliated voter. I live in [redacted] and work as a line cook. I have lived in NYC since 1998. I am an unaffiliated voter because neither party represents me. I don't want to enroll in a specific party, because I would have to be loyal to that party. I want to support the best candidates, not a party. However, this means that I can't vote in the primaries and I feel singled out, and that this system denies me an actual voice. For years when I get to the polls in November, I am forced to pick between the lesser of two evils, and I have had no say in who these candidates are. This is not democracy.

I just learned that most cities and states have some form of open primaries. Why not New York City – we lead the nation in so many ways, yet not in democracy? Everyone's voice would be heard with an open primary system. That, to me, is what democracy is.

I hope this Commission will move forward with a proposal for opening our primaries.
Jeff Mao
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted July 8, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

James Edward BECTON III

Email [redacted]

Public Comment

My name is JAMES EDWARD BECTON III. I sit here before you, professionally as an Artist, Educator, Veteran, & Entrepreneur. TheBecton.com , if you will. As well as a PROUD DELEGATE of FIVE BOROUGH VETERANS

Personally, I sit before you as a dues paying judicial delegate of the WORKING FAMILIES PARTY, as since the 80's, I have been privy to see the development of today's democratic caucus resemble strongly that of REAGAN REPUBLICANS of the same aforementioned decade.

But most importantly, as a PROACTIVE CITIZEN here to address the antiquated DUAL PARTY SYSTEM , which prevents just not myself, as a VETERAN from participating in the very constitutional democratic process and ideology with which I volunteered to support, defend and uphold but the millions of civilians statewide who feel we are being forced to vote for representation that does not represent us.

For this BODY to not only take up consideration of the topics of RANKED CHOICE VOTING but to follow through with PERHAPS action, resembling legislation for representative change with regards to RANK CHOICE VOTING, BUT IT would be exactly what myself, and millions of others citizens remunerate and expect representation to do. REPRESENT WE THE PEOPLE.

I Thank YOU ALL AGAIN for YOUR PROACTIVE SERVITUDE in having the wherewithal, fortitude , and foresight in even taking up the CURIOSITY OF THIS ISSUE BIT consideration OF this issue FOR PROPER REPRESENTATION

Attachment(s)

Drop files here or click to browse

Date Submitted July 8, 2026

Topic	Open Primaries × Miscellaneous ×
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Rank Choice Voting

Show 4 hidden fields

Name

Hope Cardenas

Email [redacted]

Public Comment

Thank you for the opportunity to speak today.

I'd like to propose that New York open its closed primary system, in which only voters formally enrolled in a qualified political party may participate in that party's primary election.
Nationally, independents now comprise a record 45% of adults, according to Gallup 2025. In New York, unaffiliated voters have grown steadily to over 25%. This could reflect declining trust in the two major parties and/or a desire for more pragmatic governance. Ignoring this trend disenfranchises a key segment of the electorate.
Our closed primaries exclude a substantial and growing group — registered independents — from having any say in selecting the major-party nominees who will appear on the general election ballot. Primaries frequently decide the winner in heavily partisan districts and often statewide races. When a large bloc of voters is shut out of the candidate-selection process, the nominating electorate becomes unrepresentative of the broader population. This leads to reduced legitimacy of elected officials, lower overall voter engagement, and a tilt toward more ideologically extreme candidates who appeal mainly to the most partisan voters.
Allowing independents — many of whom hold moderate or cross-cutting views to participate would broaden the candidate pool, encourage nominees with wider appeal, and help reduce polarization. Evidence from other states that have opened their primaries shows more representative outcomes and less extreme nominees.
Right now, a registered independent who wants to vote in a primary must change their party affiliation by the February 14 deadline, I could be wrong on the date but its — months before candidates campaign heavily or debates occur. Many people don't think about it until it's too late, and many others don't even know the option exists. This creates unnecessary bureaucracy for voters who simply want a voice in who appears on the ballot.
Importantly, these primaries are funded by taxpayer dollars. If the public is paying for the election with our hard-earned tax dollars, why should millions of independent voters be excluded?
Many other states successfully use semi closed or open systems that permit independents to vote in one party's primary. These reforms have increased turnout without undermining parties.
In conclusion, New York's closed primary system is an outdated barrier that excludes millions of voters from the most consequential stage of candidate selection. Reforming the process would facilitate turnout, produce more representative nominees, and align our election rules with today's diversifying, increasingly non partisan electorate. This is not an attack on political parties it is a pro democracy, pro common sense, pro participation step that simplifies the process and strengthens the legitimacy of our government. Other states have made this change successfully. New York should do the same so every registered voter has a meaningful voice in shaping the choices on the ballot.

Thank you,
Hope

Attachment(s)

Drop files here or click to browse

Date Submitted: July 8, 2026

Topic: Open Primaries, Unnecessary Bureaucracy

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Max Bissonnette

Email [redacted]

Public Comment

My name is Max Bissonnette, and I am 17 years old, which means I can't vote. Despite this, I've been registered as an independent since I was 16. In fact, across America, 56% of Gen Z voters are independent (Gallup). In New York City alone, nearly half of our unaffiliated voters are Gen Z or Millennials (NYCCFB). The fact , that we don't have open primaries , is a crisis when it comes to young people voting.

In the New York City Public High School system, we have a week called "Civics Week,' where high schoolers like myself get involved with things like participatory budgeting, civic education presentations, and early voter registration. This is a city that distinctly encourages youth civic engagement. Yet, at the same time, many of us are shut out from what is arguably the most important election in New York City because we aren't aligned with a party. How can we get young people civically involved, when we are being denied a meaningful vote?

Of course, I'm not the only independent in my circle. I come from a family of independent and unaffiliated voters. Actually, my mom had to explain to me when I was still in elementary school why she could not vote in the primaries. My father isn't even registered at all because he is aware of how little power independents have in this primary voting system. I have teachers in my school teaching U.S. History and Government, who are educated and deeply involved in our democracy, that have confessed they're registered as Democrats because they can't vote in our primaries as an independent.

And, this issue isn't isolated to just my closest communities. During the recent primary election, I was a regular volunteer on a campaign. While canvassing, I spoke with many independent voters who supported a candidate and cared deeply about the issues presented but simply were not allowed to vote. It's not that independents aren't involved in our local politics, or that we don't believe in certain candidates each election cycle. It's that we aren't given a voice to participate. We are informed and we are engaged. We are 1.2 million New Yorkers, not counting the future voters my age who are registered unaffiliated but are excited to vote when the time comes. We future voters lead protests, we volunteer, we are journalists and debate club members and Model UN delegates. We have beliefs, we are political, and we want to vote in a primary someday.

So, I urge the Commission to put a proposal for open primaries before the voters this fall, one where independent voters can choose a party's ballot without needing to register as said party. I hope I'll be able to vote in a primary election when I am old enough. We are more than ready to vote, this city just needs to let us.

Attachment(s)



Open Primaries Statement.pdf

Date Submitted: July 8, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Testimony for the Commission on Government Efficiency
Submitted by: Max Bissonnette

Hello. Thank you to the Commission for the opportunity to testify. My name is Max Bissonnette, and I am 17 years old, which means I can't vote. Despite this, I've been registered as an independent since I was 16. In fact, across America, 56% of Gen Z voters are independent (Gallup). In New York City alone, nearly half of our unaffiliated voters are Gen Z or Millennials (NYCCFB). The fact , that we don't have open primaries , is a crisis when it comes to young people voting.

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And, this issue isn't isolated to just my closest communities. During the recent primary election, I was a regular volunteer on a campaign. While canvassing, I spoke with many independent voters who supported a candidate and cared deeply about the issues presented but simply were not allowed to vote. It's not that independents aren't involved in our local politics, or that we don't believe in certain candidates each election cycle. It's that we aren't given a voice to participate. We are informed and we are engaged. We are 1.2 million New Yorkers, not counting the future voters my age who are registered unaffiliated but are excited to vote when the time comes. We future voters lead protests, we volunteer, we are journalists and debate club members and Model UN delegates. We have beliefs, we are political, and we want to vote in a primary someday.

So, I urge the Commission to put a proposal for open primaries before the voters this fall, one where independent voters can choose a party's ballot without needing to register as said party. I hope I'll be able to vote in a primary election when I am old enough. We are more than ready to vote, this city just needs to let us.

Name

Nancy Sheran

Email [redacted]

Public Comment

The COGE Commission may be considering putting a proposal on the ballot to have open primary elections in NYC, meaning that elections would no longer be party-based for primary elections in NYC.

This is a complicated issue, and much depends on how it is implemented.

There are several ways to do this. It would be best to develop a ballot proposal or legislation through a process where there can be many public hearings and public education on the issues for just this one topic. We need to hear from experts and from the public on the different ways to implement open primaries, and then try to reach a consensus on what is the best way for NYC.

It does seem desirable that voters who register as Independent should have a say in choosing the candidates who go on the general election ballot. Instead of open primaries should we find a way to give Independents a chance to vote on all of the primary candidates running in all parties? Then combine the results of the Independent voting with the party based voting?

Some things that must be considered are how to run the primary election and how to choose the top contenders that will go on the general election ballot.

Would an open primary election in NYC mean that just one primary election would be held for all candidates in all parties?

Would it be ranked choice voting?

Which candidates would move on to the general election?
(a) Would it be the top 2 or 3 candidates, regardless of party and regardless of what percentage of eligible voters voted for them?
(b) Would a candidate have to receive a certain percentage of the votes in order to move on to the general election?
(c) Or would the candidate from each party who received the most votes move on to the general election?

Would there be a mechanism for a runoff primary election if criteria were not met?

Would there be a way to prevent undesirable voting practices where one party tries to sabotage another?

I find it problematic to think that the candidates that move on to the general election might be from one party. This would take away representation for a minority party in a city like NYC which is heavily weighted Democratic.

I'm sure there are many other concerns that should be discussed and addressed. This is why we need public hearings and also should welcome participation by all kinds of experts to contribute to the process of developing

the proposal or proposed legislation.

Attachment(s)

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Date Submitted: July 8, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries (neutral)

Show 4 hidden fields

Name

Brian McCann

Email [redacted]

Public Comment

As a member of the union building trades as well as the New York City community I believe it's important now more than ever to to set a standard of labor that's both safe and responsible as well as providing good paying jobs for the people that live in the community.

Attachment(s)

Drop files here or click to browse

Date Submitted

July 8, 2026

Topic

Department of Buildings (DOB) Issues × Tenant Protection × Enforcement ×

Charter Related

No

Topic Simplified

Building and Construction

Subtopic

Union construction

Show 4 hidden fields

Name

Kristina Maria Lopez

Email [redacted]

Public Comment

Good morning, Commissioners.

My name is Kristina Maria Lopez, a 3rd generation Afro-Caribbean Morningside Heights resident, and I am here to ask the Commission on Government Efficiency to examine New York's rent stabilized succession claim process and identify ways to make it more efficient, transparent, and fair for tenants.

I am a rent stabilized tenant in a "non evict" cooperative conversion. When my grandmother passed away in 2024, I should have been given the opportunity to grieve. Instead, I was immediately forced into a Housing Court holdover proceeding while trying to establish my succession rights.

What has followed has been years of uncertainty. Rather than moving my case toward resolution, my landlord has repeatedly sought adjournments before trial, leaving me trapped in legal limbo. During this time, the landlord continues to control whether my succession claim is recognized, despite the fact that rent stabilization is governed by New York State law. It is now 2026, I'm confident in my succession rights but have not yet been able to defend them due to the current system that's in place, a system that even allows the threat of private investigators and invasive surveillance to disrupt my daily life while my landlord controls a court date.

This raises an important question: Why should a tenant's succession rights depend on a lengthy holdover eviction process controlled by a landlord whose financial interests may be directly opposed to preserving an affordable apartment? My landlord is neither nameless nor faceless, it's made of neighbors who have used the legal system to request countless documents from me, which I have provided. What becomes of all this private information I provided to them once I win my case?

In cooperative conversions, landlords often stand to benefit if a rent-stabilized tenant vacates. That creates an inherent conflict of interest and can incentivize prolonged litigation or pressure that encourages self eviction. No one should have to choose between grieving the loss of a loved one and defending their home.

I urge the Commission to investigate the rent stabilized succession process and recommend reforms that make it more efficient, timely, and tenant-centered. There should be a clear administrative pathway for determining succession rights without requiring years of costly litigation whenever possible.

Protecting rent-stabilized apartments in cooperative conversions is also a matter of preserving New York City's affordable housing. As it becomes increasingly difficult and expensive to build new affordable homes, we cannot afford to lose the ones we already have through inefficient processes that discourage lawful succession.

Our elders deserve to age in peace, knowing their families will not lose their homes because of bureaucracy or delay. Young people deserve the opportunity to grow up with a sense of belonging in the communities that raised them.

Thank you for your time and consideration.

Attachment(s)

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Date Submitted: July 9, 2026

Topic: Tenant Protection, Unnecessary Bureaucracy, Real Estate and Development, Enforcement

Charter Related: Yes

Topic Simplified: Housing

Subtopic: Rent-stabilization succession

Show 4 hidden fields

Name

Nile Berry

Email

[redacted]

Public Comment

Last November, voters approved digitizing the city's 8,000 paper maps into one digital map, because that analog pile quietly slows down approvals. So digitizing an outdated record to speed up permitting isn't a hypothetical. New Yorkers voted yes on it eight months ago.

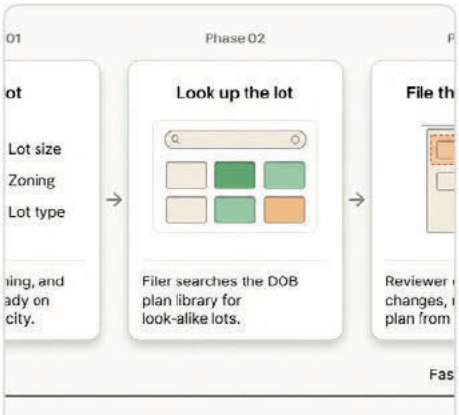
Let's go one step further!

The city already knows every lot's size, its zoning, and the plans already approved for lots like it. And this year, through City of Yes, it built exactly this kind of tool for backyard homes: a library of pre-approved designs, where the plan is already cleared and the reviewer only checks the specific site.

So finish the job. Extend that library to the buildings we need most, rowhouses, storefronts, small apartment buildings. Pair approved plans with look alike lots citywide, so a builder starts from a set that already passed review and simply files the changes.

Faster for the filer, who skips the blank page. And faster for the reviewer, who only checks what's different.

Attachment(s)



DOB_PlanLibrary_Mockup.jpeg

Date Submitted

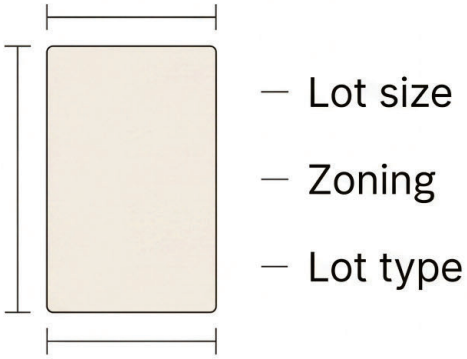
July 9, 2026

Topic	Real Estate and Development ✕ Technology ✕ Unnecessary Bureaucracy ✕ Department of Buildings (DOB) Issues ✕
Charter Related	Yes
Topic Simplified	Building and Construction
Subtopic	Standardizing construction designs

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Phase 01

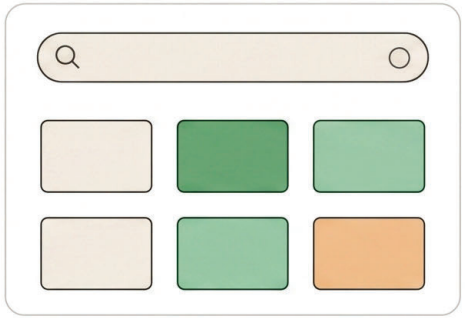
Your lot



Dimensions, zoning, and constraints already on record with the city.

Phase 02

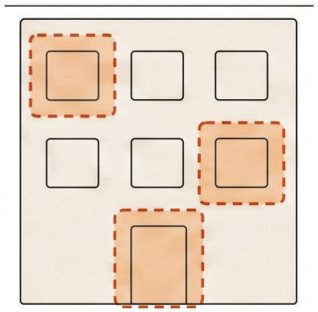
Look up the lot



Filer searches the DOB plan library for look-alike lots.

Phase 03

File the difference



Reviewer checks only the changes, not the whole plan from scratch.

Faster for the filer

Faster for the reviewer

Name

Amanda Vender

Email [redacted]

Public Comment

I am a public school teacher and parent in Queens. I, like so many educators who volunteered and formed a significant part of the Mamdani campaign, am eager to see his campaign promises and socialist governing have a real impact on our schools. My suggestions mainly have to do with following the existing laws or implementing the recommendations of previous NYC government appointed working groups.

1- Class size: The City should follow the State law and present a specific and multi year plan to reduce class sizes as required. It has yet to come up with a detailed plan and relies on exemptions from the law. Also, follow the recommendations of the City's own Class Size Working Group from 2023 including shifting some of the PreK classes to nearby CBOs to free up classrooms and achieve construction savings.

Please do not try to evade environmental review for new school construction. This is currently part of the DOE's insufficient class size reduction plan.

Also, please stop the promotion of online classes. We know very well from all of the research and experience with the pandemic that virtual learning is ineffective. It should not be used as a mechanism to achieve lower class size as I know to be the case at at least two high schools.

2- Contracts: Cancel expensive contracts that don't serve our students. My 10th grader spends 12 class periods in a school year on computerized MAP testing. Parents and students never see the results. Eliminate it.

IReady is another contract that can be cut. The City has spent millions on this ineffective online tool.

Another contract is the "Leader in Me," a program of questionable effectiveness where the corporate language of "The Seven Habits of Highly Effective People" is supposed to be inserted into daily school activities. This costs schools and districts tens of thousands of dollars every year and is widespread in Districts 24 and 30.

Please cut the HMH curriculum, or make it optional for teachers to use. Return to reading actual books rather than the excerpts and online articles that these packaged curricula provide. Let's rely on the expertise of our educators.

3- School Integration. Put into place a serious plan to follow the recommendations of the School Diversity Advisory Group.

Ensure uniform experiences across schools by addressing differences in schedules for K-8. As a parent in District 30, I saw that schools that serve more lower income children have less time in their schedules for arts, PE and recess than higher income schools. This only furthers school segregation. There are NY State and City laws regarding time for the arts and PE that are not being enforced due to the excessive focus on ELA and math test prep.

4 Lastly, infrastructure. Ensure that all students have easy access to drinking water; speed up the process for replacing half century old drinking water units. At my school, staff fought for 3 years just to replace one old, disgusting and leaky drinking fountain with a modern bottle-filler station. When the fountain, delayed by months of waiting for asbestos testing, didn't get installed by the end of the school year, we had to reapply the following school year. This single fountain cost our school $14,000, so there is work to be done to ensure both procedural and cost-effectiveness.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Department of Buildings (DOB) Issues, Unnecessary Bureaucracy, Enforcement, Procurement Reform, Budget Issues, Technology, Miscellaneous

Charter Related: No

Topic Simplified: Education & Youth

Subtopic: DOE reforms (class size, infrastructure, contracts, integration)

Show 4 hidden fields

Name

Wendy Frank

Email [redacted]

Public Comment

I live on a street where the developer got the entire street for $20 bucks and the old [redacted] for a couple of bucks by the Guiliani administration. The developer has left numerous buildings with construction defects and there has been many lawsuits against the developer. I am asking for government efficiency to have community agreements reviewed yearly because promises made are never fulfilled as can be seen by the mismanaged park https://www.thecityreporter.nyc/2019/07/08/locked_out_key_needed_for_this_unofficial_park_in_harlem/ The park was transferred with no public knowledge, no psa, no communications to the community board or elected officials. To date the same organization recently made the news because their Exec Director was arrested for mismanaging a building https://www.cbsnews.com/newyork/news/harlem_congregations_for_community-improvement-president-arrested/

What I'm asking is for better vetting of developers on HPD properties and make sure $ is set aside in a reserve fund in case there are construction defects and other issues. As you know in New York we don't have lemon laws for buildings so new homeowners like myself have sticker shock due to the increase in our maintenance due to shoddy construction.
What I'm asking again is that all community agreements get reviewed yearly too
I would like to also see a bad property management list. If we can have a worst landlord list we should have a worst property management list too
To date HPD can't tell me how they vet out their preferred property management list
Property management companies need to have a better vetting process where how is it that my hair dresser goes through more requirements to cut my hair than the property management of buildings in NYC.

When it comes to efficiency let me tell you the NYC.Gov jobs website is a bigly mystery too. How anyone gets a job is a mystery. I've applied for many jobs and osmosis. If you want efficiency, then that includes following up and hiring New Yorkers who can roll up their sleeves and do a job. Jobs posted and no rejection letters and osmosis There has to be a better and more efficient hiring process because hey I'm no slouch.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Real Estate and Development, Enforcement, Unnecessary Bureaucracy, Reporting Requirements, Procurement Reform, Miscellaneous

Charter Related: No

Topic Simplified: Building and Construction

Subtopic: Shady developers/property managers

Show 4 hidden fields

Name

Jesse Shayne

Email [redacted]

Public Comment

My name is Jesse Shayne. I'm the Digital Communications Director at Open Primaries.

I'm also an independent voter who rejoined the Democratic Party last year for one reason: to vote for Zohran Mamdani. Before the primary, I volunteered my time canvassing for Zohran, and I met countless people who had done exactly what I did—rejoined the Democratic Party solely so they could vote for him.

My organization recently conducted polling that found nearly 40% of registered Democrats actually consider themselves independents but remain registered with the party because it's the only way they can participate in New York City's most consequential elections. We shouldn't have to join a political party just to have a meaningful vote.

The last politician who inspired me the way Zohran did was Bernie Sanders in 2016. That campaign awakened millions of people who wanted a different kind of politics. Many of us felt the Democratic Party establishment resisted that movement rather than embracing it. Ten years later, millions of Americans remain frustrated with both major parties, and trust in our political institutions continues to erode.

The polling tells the story. Nearly half of Americans now identify as independents, and the numbers are even higher among younger voters and voters of color. People are leaving both parties because they want more choices, more competition, and a political system that better reflects the electorate as it actually exists.

I studied political science in college, where one concept that always fascinated me was realignment theory — the idea that American politics periodically undergoes major shifts as old coalitions break apart and new ones emerge. Many political scientists believe we're overdue for one of those moments.

Whether that realignment ultimately benefits democratic socialists, progressives, moderates, independents, or someone else entirely should be decided by voters—not by election rules that restrict participation before a campaign even begins.

There is a clear thread from Bernie Sanders' movement to Zohran Mamdani's victory. If organizations like the DSA believe their vision resonates with working people — and I think the results suggest it does — they should welcome a larger electorate, not fear one. Strong ideas shouldn't depend on closed primaries to succeed. They should be able to persuade anyone.

Throughout American history, political parties have evolved, splintered, merged, and been replaced. That's how democracy renews itself. But today, our political system increasingly protects two aging institutions from competition instead of encouraging the next generation of political movements to emerge.

More than 85% of American cities already use some form of open primary system for municipal elections. New York City can too.

I urge the CRC and the Mamdani administration to embrace a more open democracy by adopting open primaries. If we truly believe in expanding participation, then every voter—not just those willing to register with a political party—should have an equal voice in choosing the leaders who govern them.

Thank you for your time.`

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open Primaries

Show 4 hidden fields

Name

Jacob Johnson

Email [redacted]

Public Comment

NYC government needs to review its hiring process for city workers to make it more accessible for those not already employed with the city.

I've been trying to join the NYC civil service for over 18 months. I have more than 15 years of distinguished experience in the private sector, and recently earned a Master of Public Administration from NYU Wagner with the explicit goal of entering the government workforce. I have a history of high performance and I bring a strong set of transferrable skills, but the current hiring process for NYC government is structurally archaic and opaque.

The NYC government hiring process is full of barriers. Because I don't currently hold a civil service title, I am automatically disqualified from many roles for which I have years of relevant work experience. Of the roles that don't require a current civil service title, many require that I be listed on specific civil service exam lists a process that can take over a year to be listed, with no indication of which exam numbers may have hiring opportunities in a year's time. I have spent hundreds of dollars to take all potentially relevant exams, many of which are "Education and Experience Exams" (EEE) that simply confirm my educational or employment history with no test taking. The requirements for existing civil service titles, and the exam process are barriers to entry that make it difficult for skilled workers not already in government to enter the civil service.

My extended job search has left my household without a second income for nearly two years. I'm privileged to have a spouse who is gainfully employed and able to support me while I chase my dream of developing a public service career. Not many working class families could afford such a prolonged waiting period for employment.

New York City is missing opportunities to recruit talented and passionate workers into the civil service because the application process is outdated, opaque, and archaic. I believe NYC government should review its hiring process with the goal of making it more accessible for workers not already in the civil service to apply and be considered based on their skills, experience, and potential.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Unnecessary Bureaucracy, Procurement Reform

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Civil service improvements and hiring speed

Show 4 hidden fields

Name

Carlos Eduardo Beato Esq. on behalf of Plumbers of Local Union No. 1

Email [redacted]

Public Comment

I am submitting on behalf of Plumbers Local Union No. 1.

Attachment(s)



PLUMBERS AND GASFITTERS LOCAL UNION NO. 1
OF THE
UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
NEW YORK CITY

PAUL O'CONNOR
Business Manager

FREDDY DELLIGATTI
Financial Secretary-Treasurer

July 9, 2026

Testimony of Paul O'Connor
Business Manager
Plumbers Local Union No. 1
Before the New York City Commission on Government Efficiency (COGE)
Public Input Session on Proposed New York City Charter Revisions

Good evening, Chair Gaspard and members of the Commission.

My name is Paul O'Connor, and I am the Business Manager of Plumbers Local Union No. 1, representing thousands of highly skilled plumbers, pipefitters, apprentices, and tradespeople who build, maintain, and protect New York City's critical infrastructure. Thank you for the opportunity to submit testimony.

Plumbers Local No. 1 supports thoughtful efforts to improve the efficiency of City government. We recognize that New York must find ways to accelerate housing production, modernize infrastructure, and make the permitting process more predictable. However, efficiency can never come at the expense of public safety, worker safety, or construction quality.

The July 7th incident at Pfizer Building in Midtown Manhattan should serve as a warning to everyone considering changes to the City's permitting process. A large commercial building undergoing conversion to residential use became structurally unstable, forcing the evacuation of neighboring buildings and narrowly avoiding what could have been a catastrophic loss of life. Reports from union officials and construction workers familiar with the project indicate that the developer was operating with a nonunion workforce and had routinely ignored accepted safety and worker protection standards. Those reports should be thoroughly investigated. If they are confirmed, they demonstrate the serious consequences that can arise when developers cut corners and disregard the safety culture that has long been the hallmark of New York's union construction industry.

As New York works to build its way out of the housing crisis, office-to-residential conversions will become increasingly common. These are among the most technically challenging construction projects undertaken in our city. They demand rigorous engineering review, experienced licensed trades, careful inspections, and strict compliance with safety requirements. Streamlining the permitting process must mean eliminating unnecessary bureaucracy—not weakening the safeguards that protect construction workers, neighboring communities, and the public.

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Testimony of Paul O'Connor for COGE.pdf

Date Submitted July 9, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified Building and Construction

Subtopic

Importance of union workforce for efficiency; importance of permitting and process for safety.

Show 4 hidden fields

PLUMBERS AND GASFITTERS LOCAL UNION NO. 1
OF THE
UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING
AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
NEW YORK CITY

PAUL O'CONNOR
Business Manager

FREDDY DELLIGATTI
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Business Agent-At-Large
RICHARD GILLIGAN

Business Agents
PAUL COTTO
ANDREW FRISCIA
RICHARD GARNER
CARL L. JOHNSON, JR.
TOMMY KINIRONS
GEORGE MALANDRAKIS
ROBERT MURRAY
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CHRISTOPHER EGBERT
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Finance Committee
MICHAEL FUSCO
DAVID J. McINTOSH
VICTOR ROSSI

Examining Board
PIOTR AKSAMITOWSKI
RAFAEL CRUZ
JOSEPH ESPOSITO
STRACY JONES
MICHAEL PINTO
MICHAEL J. REED

Inside Sentry
KENNY VAZQUEZ JR.

July 9, 2026

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Business Manager
Plumbers Local Union No. 1
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[redacted]

Our members know firsthand that safety and productivity are not competing values they go hand in hand. The safest projects are also the projects completed correctly, efficiently, and without costly accidents or delays. New York's union apprenticeship programs produce the most highly trained construction workforce in the nation because we invest in safety, craftsmanship, and accountability from the first day of training through an entire career. Plumbers Local Union No.1 would be proud to have the members of this Commission meet with our apprentices and sees first-hand the world class training and education that they receive.

For that reason, organized labor must play an active and meaningful role in developing any changes to the City's permitting process or implementing regulations. The workers who build this city understand where unnecessary delays exist, but they also understand which safeguards cannot be compromised. Their expertise should be incorporated into any recommendations adopted by this Commission.

Government can and should become more efficient. But efficiency cannot be measured solely by how quickly a permit is issued. It must also be measured by whether projects are completed safely, whether workers return home to their families at the end of each day, and whether New Yorkers can have confidence that the buildings in which they live and work were constructed to the highest standards.

Plumbers Local Union No. 1 stands ready to work with this Commission, the Department of Buildings, elected officials, and all stakeholders to modernize the permitting process while preserving the strong safety protections, labor standards, and skilled craftsmanship that have made New York City's construction industry the gold standard.

Thank you for the opportunity to submit this testimony.

Sincerely,

Paul O'Connor

Paul O'Connor
Business Manager

PO:kp

Name

Sam Goetz

Email [redacted]

Public Comment

A quick few thoughts on the outdoor dining program:
Permitting time is excessive. 1-year to get a permit is bananas. If the DOH can turn a permit in a few weeks, the DOT certainly can.
A year round program would fix a lot of issues for many people. The main barrier to entry for most locations is the seasonality of the program. Having to build-up and tear down these structures and then store these structures is a non starter for 90% of businesses thinking about doing this. Cost, man power, and lack of space.
If you can't commit to a year-round program, the program should AT LEAST start in March. In most years, March has many nice days and New Yorkers flock to outdoor seating on those days. It stinks to have the outdoor permit, but not be able to sit people out there in March.
I haven't checked, but the thing where you have to spend $1k to put an ad in an obscure newspaper announcing your outdoor seating is ridiculous. You already have the requirement to alert your local Community Board. The newspaper situation makes no sense.

Attachment(s)

Drop files here or click to browse

Date Submitted July 9, 2026

Topic Revocable Consent × Unnecessary Bureaucracy × Department of Buildings (DOB) Issues × Real Estate and Development ×

Charter Related Yes

Topic Simplified Public Realm

Subtopic	Outdoor dining program improvements

Show 4 hidden fields

Name

Barbara Sibley

Email [redacted]

Public Comment

My issue with the open streets program is an issue of equity. The process disadvantages businesses and advantages others.
The overly expensive and bureaucratic process means that small business owners that are not well funded or don't have the resources are unable to take advantage of it.
The open streets advantages blocks that don't have Citibike docks causing the docks to be an economic burden that is not reflected in rents or real estate taxes.
The designation of corridors is arbitrary and not well documented. For example, my block is designated as 12' pedestrian access and virtually none of the street has sidewalks that are 12' wide in any place so it is really a nonsensical regulation.
The regulations and implementation of on street dining platforms is both still too burdensome and still too unsafe.
I know it's not popular to hear negatives about this program, but this is what I see.

Attachment(s)

Drop files here or click to browse

Date Submitted July 9, 2026

Topic Unnecessary Bureaucracy × Street Redesigns × Real Estate and Development × Enforcement ×

Charter Related Yes

Topic Simplified Public Realm

Subtopic	Open streets improvements

Show 4 hidden fields

Name

Alice Rydel

Email [redacted]

Public Comment

My name is Alice Rydel and I've been a resident in NYC for 50+ years now. I went to the commission's public hearing scheduled to start at 5pm this evening at Riverside Church in order to urge the commission to put open primaries on the ballot for the general election, but the event started late, they announced they were taking expert opinions regarding the city budget, then prioritizing statements regarding the city's infrastructure followed by people who wanted to speak on other topics, and definitely ending at 8pm. Attendees were told they can submit online if they were not able to get to them, so that's what I'm doing.

I have never been able to vote in the primaries because I'm an independent. I'm active with the Open Primaries and Let Us Vote organizations & glad there are a number of organizations working towards changing this.

I recently volunteered to call independent voters in New Mexico and congratulate them on finally getting semi open primary legislation passed and to remind them to vote because there wasn't much local notification that they could now do so. I've got to admit I felt a little jealous of their victory!

I am disappointed to see your preliminary report does not include anything about putting opening the primaries on the ballot and urge you to include it in your final report. Independent voters are the 2nd largest voting bloc in NYC. Our tax dollars go towards running the elections yet we can't participate. 85% of the major cities in the country have some form of open primaries. I love NYC -- it's creativity and forward-thinking in so many ways yet when it comes to the election process, it's way behind the times and this has got to change. I again urge you to put open primaries on the ballot this fall.

If any candidate in the upcoming election, if any elected official came out openly in support of open primaries, they would get my support and I'm sure along with the million plus independents and a good percentage of people frustrated with the two parties.
Thank you for taking this into consideration.
Alice Rydel
Manhattan

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Open Primaries, Budget Issues, Miscellaneous

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Harriet Hoffman

Email [redacted]

Public Comment

I am an 85 year old registered Democrat in New York City. This was not always the case. Until very recently I was a registered independent voter but I grew increasingly frustrated with not being able to have a voice in primary elections where often this is where the final outcome will actually be determined. That is the case in my district.

Prior to moving back to New York I lived in both Washington State and then California for 18 years, where all registered voters were/are able to cast a vote in every election.and the percentage of voters who participate in primaries to this day is much,much higher than it is here in New York City.

Open primary systems foster more engagement of voters of every persuasion. Here when independents are asked why they just don't register into one of the two parties, they almost always respond that they do not wish to be limited in that way. Our democracy must be protected and opening primaries to independents will help with this all important challenge.

Harriet Hoffman
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted July 9, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

ira Gershenhorn

Email [redacted]

Public Comment

see attached.

already submitted in June but this updates and includes all I said previously.

[redacted]

Attachment(s)



COGE Public Comment 2026-0709.docx...

Date Submitted July 9, 2026

Topic Miscellaneous

Charter Related No

Topic Simplified Streets

Subtopic Improve paving operations and traffic enforcement

Show 4 hidden fields

COGE Public Comment July 9 2026

To whom it may concern:

The following measures would result in much cost savings to New York City.

I am Ira Gershenhorn. For 35 years or more I have been volunteering in Riverside park currently with the Department of Parks and Recreation and the Riverside Park Conservancy. I attend Community Board 7,9,12 and police community council meetings.

DOT has an incredible inventory. The current inventory is very similar to what it was in 1950. It should not be. There have been changes since then. The inventory should be reviewed annually. The people of NYC are paying for repaving and enforcement on roads that should not exist.

1. At a time when NYC is in a budget crisis, DOT is spending money on Exit 12N which has been closed for a year and few have noticed. This is an exit ramp that should be closed permanently and whose land should be transferred to Parks.

2.Marginal Street in West Harlem Piers is currently being repaved. This street and any street connecting to it should not be in DOT's portfolio. Many other similar streets throughout NYC should also not be in DOT's portfolio. Marginal Street should be transferred to West Harlem Piers Park and the Parks Department.

3. Replace Highway Unit 1 on the Henry Hutchinson ParkwayRoute 9A with speed cameras. Highway Unit 1 does nothing on this road to prevent crashes. The road was originally designed for vehicles driving 40mph. The speed limit on the road is 50mph north of 59th Street. Most vehicles on the road travel at 60mph or above when it is possible. Highway Unit 1 main function becomes cleanup and calling the FDNY and EMS. They are unnecessary. A combination of speed cameras and EMS would do the same.

The NYPD doesn't prevent crashes . They clean up after them. They make notes. How about no crashes? No admissions to NYC hospitals..

4. Replace one of the three driving lanes in each direction on Route 9A with a bicycle lane. This will save repaving costs, slow down vehicular traffic, prevent injuries, lessen the need for EMS.

5 As with Highway Unit 1, review the performance and cost of other police precincts that are responsible for other NYC highways. Replace them with speed cameras.

6. Get EMS to use bicycles. Find out how its done in other cities. Obviously its difficult to transport someone. Maybe a bicycle and a trailer? EMS vehicles cannot get to places bicycles could. eg. Riverside Park.

7. Build more wide bike lanes. The bike lanes could be used by emergency services in NYC as they do now. Bike lanes are known to result in fewer crashes. They would allow quicker responses by emergency services which should result in lower expenses to New York City.

8. Build bioswales wherever possible. eg. any 4 lane road that ends at another road like the intersections of Riverside Drive with West 120th, West 135th, West 145th should have only two lanes and a bioswale down the middle.

9. Convert DOT assets to saleable properties to yield more housing and tax base.

9. Switch to smaller EMS and FDNY vehicles. The size of these vehicles slow them down in traffic and streets with cars parked on both sides limits the use of some vehicles anyway. The size of these vehicles limits the type of bridges that can be built. The rest of the world uses them successfully. Why can't we? This YouTube video explains very well why smaller EMS and FDNY vehicles should be used. https://www.youtube.com/watch?v=j2dHFC31VtQ.

10. Finally, public space and swimming. I swim regularly at the excellent Riverbank State Park and I'm lucky to be real close to it. But I also swim regularly in the Hudson River north of Riverbank State Park and I've swum in the East River. We need some swimming beaches on these rivers and in the Jackie Onassis Reservoir in Central Park. Years ago, I looked at this and a 1000 yd beach would likely only use 20% of that reservoir (it has not been used as a reservoir for over 20 years) so the ducks and birders who follow them would still have plenty of access. Beautiful clean water. No concerns about currents and sharks. So many summer jobs. Naming rights.

Sincerely,
Ira Gershenhorn
[redacted]

Name

Gwen Mandell

Email [redacted]

Public Comment

This is the testimony that I intended to present in person last night at the Riverside Church hearing: Hello Commission members. I applaud this Commission for taking on the work of making city government work better for New Yorkers. I'm here to say that the single most consequential thing you can do toward that goal is open up our primary elections.

I know open primaries wasn't the reason this Commission was formed. But at the last set of charter hearings, independents made it the number one issue even though it wasn't on that agenda either because for over a million of us, it's the most direct way this Charter fails us. I'd ask you not to treat "government efficiency" and "who gets to vote" as separate conversations. A government can't be accountable to New Yorkers if a third of us are locked out of the round of voting that actually decides who governs.

Currently, over one million voters are prevented from participating in the most critical round of voting — the first round — because we choose to be independent. I am one of those voters, and I am offended when I receive solicitations telling me I should change my registration in order to vote in one of the primaries. I've chosen to be independent for a reason. So have millions of others — those registered as such, and the many who grudgingly choose a party because it's the only way they'd get to vote. Nationally, between 40 and 50 percent of the population identifies as independent, according to the latest Gallup polls and registration numbers of independents are on the rise. We should not have to join a party in order to participate in taxpayer-funded elections.

I am independent because I believe that not being beholden to a party is the best way to choose candidates who prioritize our democracy and the interests of NYC residents not the interests of a party. A system that has quashed innovation and produced elected officials who are rubber stamps for their party has led to bad public policy. An open system, where the best candidates are considered on their merit, will create a healthier, better-functioning city.

We have elections where millions of people don't vote not only independents who are shut out of primaries, but others who've lost faith that their vote matters. Increasingly, these are young voters and voters of color, who make up a large share of New York City's independents.
I am a leader of independents formerly Director of National Outreach at IndependentVoting.org, and currently Director of Leadership Development at Open Primaries, where I also founded our national Spokesperson Training program. I've talked to thousands of independents over the years. They're educated, informed voters, passionate about their independence, despite what the media often reports.

We need open primaries now in New York, so we can have competitive, healthy elections where all voters can participate. My ask of this Commission: don't let this issue quietly fall off the table just because it wasn't part of your founding mandate. Let independents vote. Let's do it now. Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 9, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Corey B. Bearak, Esq.

Email [redacted]

Public Comment

[redacted]

Donovan Richards Bryan J. Block
Borough President Chair

Michael Carlier Mark McMillan
Director of Community Boards District Manager

Make NYC Efficient by Empowering Regional Governance

by Corey Bearak
Chair, Queens Community Board 13 Special Committee on Charter Revision

On behalf of Queens Community Board 13 ("QCB13"), I share the board's recommendations to the Commission on Government Efficiency, COGE, a Charter Revision Commission tasked by the Mayor on May 28, 2026 "with changing the NYC Charter to make City government work better for New Yorkers." I am Corey Bearak and I chair Queens Community Board 13's Special Committee on Charter Revision. Some of you also know of my prior service and work with a city council member and with two borough presidents.

QCB13 takes this opportunity to present changes it previously advanced to recommend improvements in NYC governance with respect to land use, budget, oversight, government structure and delivery of city services – all items within QCB13's purview under the City Charter.

The QCB13 recommendations emphasize these seven main points:
1) NYC should be recognized as a region;
2) The boroughs and local communities should be meaningfully involved in decisions on the delivery and effective allocation of municipal services and City resources;
3) The City budget never reflects the need to allocate resources and services to reflect different neighborhood priorities as represented and identified by Community Boards;
4) NYC should explore regional models for funding agencies;

5) There should be a greater role for the borough presidents in land use planning for their boroughs, allocation of agency resources within the boroughs, overseeing local implementation of the capital budget and oversight of delivery of local services;
6) Strengthening the role of Community Boards and the Offices of the Borough Presidents and empower these institutions with the resources to carry out their responsibilities under the City Charter; and
7) Correcting the 1989 mistakes that removed legislative review of decisions of the Board of Standards and Appeals and failing to include rules for major concessions.

Find the full QCB13 report and resolution at http://coreybearak.com/blogs/2026_06_22_QCB13_Charter_Report_&_Proposed_Resolution.pdf.

As QCB13's Chair of its Special Committee on Charter Revision, I presented this set of recommendations to share with the Commission and stressed the need for QCB13 to act early this summer as opposed to when our board next regularly meets, likely September 28, 2026. The mayor announced this commission on May 28 – 10 days after QCB13 last met on May 18. That leaves little time to consider recommendations when QCB13 meets next on June 22. Secondarily, to get its recommendations placed on the November 2026 ballot, the commission would need to finalize its recommendations before the community board meets after the summer.

At our June meeting, I recommended that Community Board 13 members meet this summer early enough to propose meaningful changes to the City Charter that the mayor's commission could review and consider. Nonetheless, community board members expressed support for the Resolution shared in June and it was left that I would discuss the plan further with members upon their request.

The Queens Community Board 13 resolution "welcomes this opportunity to recommend improvements in New York City governance with respect to land use, budget and delivery of city services all items within it purview under the City Charter."

It recommends that "New York City should be recognized as a region;" and that the [five] boroughs and local communities should be meaningfully involved in decisions on the delivery and effective allocation of municipal services and City resources."

In emphasizing how the "City budget never reflects the need to allocate resources and services to reflect different neighborhood priorities as represented and identified by Community Boards," it recommends that New York City should explore regional models for funding agencies."

It also calls for "a greater role for the borough presidents in land use planning for their boroughs, allocation of agency resources within the boroughs, overseeing local implementation of the capital budget and oversight of delivery of local services;" and identifies that "a need exists to

strengthen the role of Community Boards and the Offices of the Borough Presidents and empower these institutions with the resources to carry out their responsibilities under the City Charter."

It also seeks "to correct the 1989 mistakes that removed legislative review of decisions of the Board of Standards and Appeals, and the failure to include rules for major concessions;" and address "New York City's policies wrongly subsidize extra illegal occupancies that crowd schools and overburden services."

The resolution also states that "community boards remain important partners in smart growth policies to provide needed housing, especially housing that remains affordable for our seniors, our children as they leave their family nests and new families starting out – as exemplified by Queens Community Board 13's role in the development planned on the Creedmoor campus; and "the timing of this charter commission's appointment and the placement of any recommendations it makes for consideration at the November 2026 election limits this community board's ability to timely offer any proposals and thus requires the community hold special meetings to consider and approve recommendations to this commission."

Therefore, Queens Community Board 13 makes the following specific recommendations that address how to make the city of New York work better for its residents and urges the Charter Revision Commission ("Commission on Government Efficiency") to include each in its proposal it makes to the voters:

Land Use Items

● Provide the Community Boards, Borough Presidents and the Public Advocate with the resources to empower each to carry out their charter functions and help New York City weather the current fiscal crisis; use the IBO/OMB analogy to assure each of the offices adequate funding by base lining funding for those offices and setting funding for each office against a set percentage of the overall expense budget.

● Subject all residential, commercial, industrial and public (agency) developments that occupy a city block or more, and all public agencies' projects to ULURP public review (which includes Community Board, Borough President and City Council review and oversight and approvals), whether or not a zoning or permit change is required.

● Create distinct borough based planning and zoning offices under supervision of each borough president.

● Maximize community participation in City approval of major concessions for private use of public spaces, including parkland, by involving the Borough Presidents, Council Members and Community Boards in formulating rules defining and governing major concessions.

● Empower the City Council to review all Board of Standards and Appeals

dispositions.

● Provide for Council oversight of all decisions by the City Planning Commission.

Government Structure
● Expand the role of borough presidents in local land use planning for their boroughs, allocation of agency resources within the boroughs, overseeing local implementation of the capital budget and greater oversight of the delivery of city services in their boroughs.

Budget
● Budget for the delivery of city services where appropriate by borough and community district.

● Set up a mechanism that devolves resources and service delivery to the appropriate borough or local level that directs City resources to address community needs such as precinct staffing, code enforcement, tree pruning/ removal, traffic studies and signal installation, and programs for youth and seniors.

● Make elected officials accountable by barring mayoral rate-setting boards and authorities from imposing budget allocations unless the Council grants such authority, as in the example of the Water Board setting rates after, rather than, as it does now, before the budget's adoption.

Oversight
● Shift responsibility for preparation of the Mayor's Management Report (MMR) to the Independent Budget Office and renaming the document the Independent Management Report.

● Create an independent Civilian Complaint Review Board ("CCRB") by base lining its funding as a percent of the NYPD budget and establishing a mechanism to make the appointed CCRB members more reflective of the City and controlled less by the administration.

● Make City Charter Revision recommendations for approval by the electorate on a subject matter basis that empowers voters to vote separately and distinctly on each item for their consideration and approval.

In conclusion, recognize community boards as important partners in good governance and smart growth policies that provide needed housing, especially housing that remains affordable for our seniors, our children as they leave their family nests and new families starting out as exemplified by Queens Community Board 13's role in the development planned on the Creedmoor campus.

Thank you.

Attachment(s)


Queens Community Board 13

Make NYC Efficient by Empowering Regional Governance

QCB13 COGE Charter Recommendatio...

Date Submitted: July 9, 2026

Topic: Real Estate and Development, Budget Issues, Reporting Requirements, Enforcement, Tenant Protection, Franchises & Concessions, Unnecessary Bureaucracy, Support Oversight Agencies

Charter Related: Yes

Topic Simplified: CBs

Subtopic: Increase regional (borough and community) representation in planning decisions.

Show 4 hidden fields

Donovan Richards
Borough President

Michael Carlier
Director of Community Boards

Bryan J. Block
Chair

Mark McMillan
District Manager

Make NYC Efficient by Empowering Regional Governance

by Corey Bearak

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Thank you.

Name

Max Barton

Email [redacted]

Public Comment

I have been a member for Queens Community Board 13 for several years now. At some point next year there will be term limits for the first time where we will lose the entirety of our Executive Board and well over a dozen of our well respected veterans. The math that was put together was that we will lose over 300 years of community service in one shot. As devastating as this is, your Commission of Government Efficiency has given them an opportunity to put all of their knowledge and hard work together for one final submission. I implore this Commission to review the Queens Community Board 13 submission a second and a third time. These are some of the best unpaid public servants for the greatest city in the world, and this is one of their last best chances to share their knowledge with decision makers. I assure you that they have a pulse on the community and that their collective voice is well thought out and based on the best interests of the quality of life of their surrounding residents. My public comment is that I support everything that they put forward. Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified CBs

Subtopic Against term limits for CB members.

Show 4 hidden fields

Name

Ronald Harper

Email [redacted]

Public Comment

My name is Ronald Harper and I live in [redacted]. I am a Marine Corps veteran, and served two tours of duty in Vietnam. While I am a registered Democrat, over 50% of my fellow veterans are independents. This makes a lot of sense to me when we serve our country, we do not serve team red or team blue – we serve America.

When I look at candidates that is what I am looking for people who will serve our veterans, our seniors, and our city. I do not believe any citizen in our city should be denied the right to vote because they choose to be independent of team red or team blue. Everyone should have the right to vote and the freedom to have their own political identity without penalty. That's what I fought for.

In my borough, there are over 167 thousand people who are independents. Citywide there's 1.2 million independent voters, and 54% of them are people of color and 53% are under the age of 40. Why should I have more voting rights than they do? We all pay taxes and these are public elections.

I want to ask the Commission to include opening our primaries in your recommendations.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Christopher Hammett

Email [redacted]

Public Comment

Events during the administration of Mayor Eric Adams made clear the weaknesses of the city charter when it comes to replacing a mayor who is unfit for office. The city charter is unclear and inadequate regarding the measures available to the city and its people. Following are three recommendations:

1) Clarify the role and process of the "Inability Committee"
There are three problems with the Inability Committee as currently spelled out in the charter:

There is no clear mechanism for convening the committee. The charter neither specifies a triggering event nor who can invoke the committee, whether committee members are compelled to participate once it is invoked, etc. As such, it leaves open the possibility of disputes regarding the legality of the committee's actions, whether from participants, outsiders, or the sitting mayor or their allies.

The circumstances when the committee can act are unclear. I was told by one potential member of the committee that it is really intended for actual inability, such as a medical emergency or other occasion when the mayor cannot carry out the duties of the office. But this is not spelled out in the charter. Again, it leaves open the possibility of disputes regarding the committee's actions, as well as potentially leaving the city without a mechanism for removing a mayor who is able but either is not exercising their duties or is acting in a corrupt manner.

The committee's membership as currently established is inherently political. If the purpose of the Inability Committee is truly to determine whether the mayor is capable of carrying out their responsibilities, it would be possible to compose a committee of more independent members, such as medical personnel or others who are more independent.

The charter should be revised to specify when and how the Inability Committee may be invoked, and possibly to depoliticize it. For example, perhaps a majority or supermajority of the City Council could invoke the committee.

2) Eliminate the special election process
There is no reason to hold a special election to replace the mayor for the duration of their term. The charter specifies that the Public Advocate will replace the mayor, and citizens vote for the Public Advocate knowing that this is an important responsibility of the position. We can assume, just as with the vice president or the lieutenant governor, that the city has elected a Public Advocate it believes is capable of fulfilling the responsibilities of the office of mayor, should the occasion arise.

In contrast, the special election process is more disruptive and more open to abuse. It does not follow the format of any of the city's regular elections. It is rushed and prone to favoring those with celebrity status. It will likely result in very low turnout if it ever occurs. During the Adams administration, I was told

that officials were reluctant to act toward removing the mayor because of fears of a special election. This sort of delay would be unacceptable in the case of a mayor who is corrupt or compromised by legal or other concerns.

Instead of the current process, the Public Advocate should simply serve as mayor for the remainder of the term, with a process to replace the Public Advocate as needed.

3) Create a process for citizens to recall elected officials
New York City and State are un progressive in lacking a process for recalling corrupt or ineffective public officials. In the absence of action by the Governor or the Inability Committee, the people should have the ability to replace the mayor (and other elected officials) by calling a special election and voting for a recall. There are legitimate concerns about overuse or inappropriate use of such a process, but safeguards could be put in place to prevent abuse. For example, indictment of an elected official could serve as a necessary condition for a recall (there could be others, of course, such as repeated absence from required duties or other malfeasance). Or, a high bar could be set for triggering an election, such as requiring 20% of voters in the last election to sign petitions.

As it currently stands, voters are powerless to act in the face of corrupt or incompetent elected officials, other than waiting for the next election to roll around. The ability to recall elected officials, including the mayor, the public advocate, council members, borough presidents, and any other citywide or local elected officials, should be made available to voters.

Thank you for your consideration of these proposals.

Sincerely,
Christopher Hammett

Attachment(s)

Drop files here or click to browse

Date Submitted: July 10, 2026

Topic: Miscellaneous, Reporting Requirements

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic	Codify procedures for replacing an unfit Mayor

Show 4 hidden fields

Name

Auda Vinson

Email [redacted]

Public Comment

I would like to be able to vote for open primaries in the November election. Please put it on the ballot.

My name is Auda Vinson. I live in [redacted]. I have 3 kids, 6 grand kids. I left my job to take care of my mom. I also try to be there for the kids in the neighborhood to give them positive direction.

I support opening the primaries to independent voters because I think opening up the primaries would encourage candidates to get out and talk to more people, to go into the neighborhoods of this city. They couldn't just stay inside, in their own little bubble. They would have to come out and face the world. I think then they would find out that people really do care and what they care about.

I'm registered as a Democrat, though I don't agree with everything they do. But I want to keep an open ear to what other candidates are saying. I want to evaluate the candidates on the basis of whether or not they are helping to build the community stronger and push us all on a positive note.

We need to redesign how things are done. That's why I am asking you to give the people of NYC the opportunity to weigh in on this very important matter.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Catherine Munoz

Email [redacted]

Public Comment

My name is Catherine Munoz and I live in [redacted]. I am writing to ask the Commission to put open primaries on the ballot in November and let the voters decide what they want.

I think opening the primaries is important because everybody has the right to vote. I used to be in the Green Party, but I found out that I had been changed to independent. When I went to vote, I wasn't allowed to vote. They said I had to change my party to vote and gave me a paper ballot. They said I could vote but it wouldn't count, only Democrats and Republicans could vote.

I was embarrassed because I had my kids with me. I wanted them to know it's their right and that they should be aware of the choices they have and why they are voting for them

I also feel that opening the primaries would increase competition. Candidates would have to put their case before all the voters and let the people choose the ones that are looking out for them the most. I hope you will give us a chance to vote on this important issue. Thank you.

Attachment(s) Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Jojo Alonzo

Email [redacted]

Public Comment

My name is Jojo Alonzo and I live in [redacted] I would like the Commission to put open primaries on the ballot in November.

I support opening the primaries because I think that the 1.2 million independent voters in NYC should have a voice in the election. They could have a big impact. The way things are now, Republicans and Democrats only campaign to their party and only appeal to certain voters. With open primaries, they would have to appeal to all the voters. Special interests couldn't just run things.

I used to be a Republican. Sometimes the unions try to dictate but I just do what I believe. I will always do what I believe is right. I hope the commission will give me the chance to weigh in on this very important issue.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic Open primaries

Show 4 hidden fields

Name

Arjuna Asad

Email [redacted]

Public Comment

My name is Arjuna Asad and I live in [redacted]. I am a city employee with the Administration for Children's Serivce for 35 years, and did military service for 8 years.

I support opening the primaries because I want to be involved in selecting the candidates who will be governing this city. Often, I see primary candidates that I would have liked to vote for, but because of being an independent I wasn't able to.

I don't want to commit to either party. I care about what a person is bringing to the table. I don't just vote automatically for candidates because of the party designation. I'm not 100% either way, Republican or Democrat. I work in detention, so I don't support some of the positions of the Democrats and I think the Republican Party has become too polarizing.

If we had a truly open primary, I think a lot more people would register to vote.
Being in the military, I realize that people fought for the right for us to participate. So, I feel obligated to vote and I want to exercise my right to the fullest extent.

Personally, I think there are more independent people than in either the Democratic or Republican parties. Independents are a huge untapped resource. Sometimes I think the major parties like it that way. They don't want to include independents because we are not going to listen to the nonsense. We're informed. I think independents may have more critical skills and will actually listen more carefully to what candidates are saying.

I hope you will seriously consider putting open primaries on the ballot in November. It's the democratic and American way to go.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 10, 2026
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Tom McClelland

Email [redacted]

Public Comment

I am a Vietnam-era combat veteran. I am currently in a nursing home in [redacted]. I worked in a nursing home for 24 years. I also played music professionally. I would like to be able to cast my vote for open primaries in the November elections. I understand it's in your court.

I support opening the primaries because I think independents should be able to vote in the primaries. Even though I am registered as a Democrat, I'm more of an independent. It's frustrating to have to register as a Democrat rather than be true to who I am. I don't agree with everything the Democrats do. I won't vote straight Democrat. I want to be true to myself. Independents should be able to vote. I think that's the fairest way to go and the most democratic approach. It would give voters more choice.

Additionally, if there are independents who run that would give me the opportunity to vote for them in the primary if I think they are the better candidate.

Thank you for the opportunity to submit my testimony on this very, very important change in the election rules. It means a lot to me.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

John Alba

Email [redacted]

Public Comment

My name is John Alba. I was born and raised in [redacted] and [redacted]. I am currently retired and disabled. Before I retired I worked in construction and as a chef. I would like to ask the Commission to put open primaries on the ballot in November.

I am a Democrat, but I support giving independents the right to vote in the primaries. I think we need to hear everybody's voice about what's good and what's not. The more people who are included in the process, the more we increase the chances of finding candidates who truly represent what we want.

Opening the primaries would be beneficial to candidates and to the voters. Candidates wouldn't be restricted to just the "party line". People could vote for whoever they like. Opening the primaries might allow candidates to emerge who are more interested in hearing from people and supporting what they need.

I sincerely hope you will give the voters a chance to weigh in on this issue - give the people the voice. This important issue should be decided by them.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Michael Piccirillo

Email [redacted]

Public Comment

See Attached File

Attachment(s)



UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

Good evening. My name is Michael Piccirillo, and I am here on behalf of the New York City District Council of Carpenters.

I want to start by saying this clearly: we are not against making government work faster. We are not against cutting red tape when it helps get housing built, infrastructure moving, and working people on the job. But yesterday's emergency at the former Pfizer building in Midtown is exactly why streamlining can never come at the expense of worker safety or public safety.

When columns buckle, floors sag, nearby buildings are evacuated, streets are shut down, and workers are pulled off a jobsite, this is not paperwork. That is not bureaucracy. That is a warning sign. It shows what can happen when complicated construction work moves faster than transparency, oversight, and accountability.

If this Commission is going to recommend changes to streamline permitting, then jobsite information has to be easier to find, not harder. The city cannot make the process faster while leaving workers, inspectors, enforcement agencies, and the public in the dark about who is actually performing the work on these jobsites.

The general contractor's permit, or at the very least the DOBNOW virtual folder, should clearly identify every subcontractor working under that permit and the type of work they are performing. The law is already on the books. NYC Construction Code Section 28-416.3.1 says the general contractor is responsible for providing DOB with information about its subcontractors and the particular work they perform on jobs where DOB has issued permits to that general contractor.

Right now, too much critical information is buried or hard to track. I should not have inspectors from city and state agencies calling me to figure out where predatory contractors are working in the five boroughs — contractors accused of wage fraud, tax fraud, and misclassifying workers. That information should be in the system. It should be visible to the agencies responsible for enforcing the law, and it should be available before workers are hurt or cheated.

Testimony City Charter on Permitting P...

Date Submitted July 10, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified Building and Construction

Subtopic In support of union labor and building permitting

Show 4 hidden fields

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

Paul Capurso
Executive Secretary-Treasurer Pro Tem

David Caraballoso
President / Asst EST

Adam Harkin
Vice President / Asst EST



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When columns buckle, floors sag, nearby buildings are evacuated, streets are shut down, and workers are pulled off a jobsite, that is not paperwork. That is not bureaucracy. That is a warning sign. It shows what can happen when complicated construction work moves faster than transparency, oversight, and accountability.

If this Commission is going to recommend changes to streamline permitting, then jobsite information has to be easier to find, not harder. The city cannot make the process faster while leaving workers, inspectors, enforcement agencies, and the public in the dark about who is actually performing the work on these jobsites.

The general contractor's permit, or at the very least the DOB NOW virtual folder, should clearly identify every subcontractor working under that permit and the type of work they are performing. The law is already on the books. NYC Construction Code Section 28-418.5.1 says the general contractor is responsible for providing DOB with information about its subcontractors and the particular work they perform on jobs where DOB has issued permits to that general contractor.

Right now, too much critical information is buried or hard to track. I should not have inspectors from city and state agencies calling me to figure out where predatory contractors are working in the five boroughs — contractors accused of wage fraud, tax fraud, and misclassifying workers. That information should be in the system. It should be visible to the agencies responsible for enforcing the law, and it should be available before workers are hurt or cheated.

This matters most for the most vulnerable workers, who often do not have a voice and are being taken advantage of. Faster permitting only works if the city also gives workers, inspectors, and the public better access to the information that keeps people alive and protects workers from abuse. We can build faster, but we have to build safer. We can modernize DOB, but we cannot weaken oversight or let efficiency become a free pass for bad actors to hide behind complicated filings.

So my message is simple: streamline the process, but strengthen transparency. Put subcontractor information directly on the general contractor's permit or in the DOB NOW virtual folder. The city already has the legal authority. Now it needs to use it in a way that protects workers, protects taxpayers, and protects the public.

Thank you.

Michael Piccirillo

NYC District Council Of Carpenters

Area Standards Director

[redacted]

[redacted]

Name

Timothy Marshall

Email [redacted]

Public Comment

I live in [redacted]. I'm 53 and have 5 kids. I retired, then went back to school and back to work. I am currently a Fusion Inspector for ConEd. I was brought up in an age where you work until you die.

I am an independent. I haven't been able to vote in a primary for 30 years. We are supposed to be able to vote. I won't choose Democrat or Republican. I think you should choose who you think is best, not the party. I go to the polls on election day and when they tell me I can't vote, I make a fuss. It should be illegal to deny people the right to vote. It's guaranteed in the Constitution.

If we had truly open primaries I think we would finally get an honest election. I think we would get a broader range of candidates, candidates who wouldn't be beholden to, and chosen by, the party. Government is supposed to be "of the people, by the people, for the people".

I really hope to be able to vote in the primaries for the first time in November!

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Gail Mendez

Email [redacted]

Public Comment

I live in [redacted] and I am an administrative assistant for supportive housing.

I support opening up the primaries to independent voters because we have the right to vote. We shouldn't have to join a party to vote. We should vote for whoever we want right across the board. I can't.

When I went to the polls on Primary Day I said I'm independent. And they put me on another line and I wasn't allowed to cast a regular ballot. I think the way the primaries are set up is kind of unfair because you can only vote for people in one party. But I want to pick and choose. I may want to vote for a Republican or Working Family Party candidate for one office and a Democrat for another. Closed primaries don't give you that right.

We should have the right to vote in the primaries. We shouldn't be excluded. The constitution says WE HAVE THE RIGHT TO VOTE! It's the bottom line.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 10, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Heather Langeneckert

Email [redacted]

Public Comment

I live in [redacted] and have lived in NY for 15 years. I am a public school teacher and teach art. I have a daughter who went through the public school systems.

I am registered as a Democrat, but I support opening the primaries to the 1.2 million independent voters in NYC. I think if the primaries were opened up then the candidates would have to speak directly to all the voters and people would be more educated on the issues. For me the main concerns are basic human survival – food security, education, housing, climate change, etc – and it feels like everything is getting worse.

I am 50 years old. I want to be a part of change. I'm worried for my daughter who's 25 years old. There are so many important issues. The only hope is to get everyone involved in the process of selecting- and shaping - the candidates that best represent us on the issues.

Please put open primaries on the ballot in November.

Attachment(s)

Drop files here or click to browse

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Citizens for Efficient NY

Email [redacted]

Public Comment

See attached recommendations.

Attachment(s)



Building a Faster City.pdf

Date Submitted

July 10, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Procurement

Subtopic

Consolidate procurement

Show 4 hidden fields

CITIZENS FOR EFFICIENT GOVERNMENT IN NEW YORK CITY

An independent, non-partisan civic working group

Building a Faster City

Charter Reforms to Make New York City Government More Efficient

A Submission to the New York City Charter Revision Commission

Recommendations limited to amendments of the New York City Charter

Prepared for the working group on government efficiency

Submitted anonymously in the public interest

2026

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The eleven recommendations appear within Section 5.

1. Executive Summary

New York City operates on a budget above $125 billion and employs roughly 300,000 people across more than 70 agencies. By revenue it is larger than most states. Residents still wait months for permits, more than a year for contracts to register, and a long time for routine repairs. Much of that delay is not caused by the people who do the work. It is built into the structure of the City Charter, the document that defines how the City is organized and how it spends money.

This report is written for the Charter Revision Commission. Every recommendation it makes is a change to the New York City Charter. **We do not propose new taxes, new spending, or new programs, and we do not comment on any official or on leadership.** We propose structural amendments that would let the current workforce and current budget deliver more at a lower cost.

Our method is comparative. We studied nine governments that lead international efficiency and governance rankings, including Zurich, Oslo, Geneva, Copenhagen, London, Dubai, Abu Dhabi, Singapore, and Estonia. We asked what structural features make them fast, and which of those features New York can adopt through its Charter.

> **The core finding**
>
> The most efficient governments in the world are not the ones with the most advanced technology. The 2026 IMD Smart City Index found that a city's performance on institutions, governance, and public services predicts its overall standing more than technology does. Efficiency is a question of organizational design before it is a question of software. The Charter can be redesigned for speed.

Summary of recommendations

1. **Consolidate procurement authority in the Charter.** Give one City Chief Procurement Officer Charter standing, index the small-purchase threshold to inflation, and set a decision clock for the Procurement Policy Board.
2. **Assign each function to the agency that does it best.** Amend the Charter so that one operating agency owns each core function citywide, ending the split of responsibility by geography.
3. **Adopt a once-only data rule.** Bar agencies from demanding information the City already holds, which forces its systems to share data.
4. **Create a one-stop permitting authority.** Give applicants a single point of entry rather than a series of separate agency reviews.
5. **Separate policy from delivery.** Let operating agencies act with defined autonomy on the model of Singapore's statutory boards.
6. **Put decision deadlines in the Charter.** Set time limits on defined reviews, with a default outcome when a deadline passes.
7. **Reduce the cost of claims and settlements.** Charge each agency for a share of its own settlement costs so that agencies have reason to prevent the harm that produces them.
8. **Right-size the vehicle fleet and cut crash costs.** Reduce the fleet, buy smaller vehicles, require speed governors, and shift routine travel to for-hire trips.
9. **Reduce paperwork by Charter mandate.** Require a standing review that removes and consolidates forms across agencies.

10. **Put the Mayor's Management Report to work.** Give the Charter's performance report real force by tying it to the budget.
11. **Give residents a single navigator.** Assign one City worker as a point of contact to guide a resident through the agencies, on the model of Denmark's citizen service.

Each recommendation below states the problem, cites the peer precedent, sets out the specific Charter change, and gives a concrete example of the saving it would produce.

2. Problem Statement

For many residents, an inefficient government is a personal experience. It is the months an apartment building waits for a permit, a delay that later shows up as higher rent. It is the extra time a family spends in a shelter because a slow process cannot move them into an available unit. It is the unanswered service request and the sidewalk shed that never comes down. When the City lets a process drift, residents pay for it in lost time and higher cost. Several of the largest causes sit in the Charter.

2.1 Procurement is built for large contracts, so small ones move slowly too

In Fiscal Year 2025 the City registered more than $42 billion in contracts across nearly 13,000 separate procurements. Close to 40 percent of the budget pays for contracted goods and services. The rules that govern this spending are set by a Procurement Policy Board that meets on no fixed schedule and has often lacked direction. The small-purchase threshold, the amount below which an agency can buy without a full competition, has stayed at $100,000 since the 1989 Charter and has never been raised for inflation. The federal equivalent now sits at $350,000 and rises automatically. As a result, a routine purchase runs through a pipeline designed for a major contract. That ties up staff time and feeds a payment backlog that the Comptroller has measured at more than $1 billion in unpaid invoices to nonprofit providers.

2.2 Responsibility is split by geography instead of by expertise

Several core functions are divided among agencies in ways that no longer make sense. Paving inside a park may fall to one agency while the same crew that paves every other street sits in another. Trees along an arterial highway may belong to a different agency than the one that manages the roadway. The result is duplicated equipment, duplicated management, and work that waits while agencies sort out who owns it. The Charter assigns these duties, so the Charter is where the fix belongs.

2.3 The City spends close to $2 billion a year on claims and settlements

In Fiscal Year 2024 the City paid $1.04 billion in personal injury and property damage claims and $907.83 million in law claims. The New York City Police Department (NYPD) was the single largest source, with 9,036 tort claims filed and $309.51 million in settlements. The Department of Correction (DOC) paid $252.87 million, including one $171.52 million settlement over the failure to release people from pretrial detention after they had posted bail. The Department of Transportation (DOT) paid $115.27 million. Many of these payouts are preventable, and the City settles a large share of them before a lawsuit is ever filed.

2.4 A large vehicle fleet drives crashes, claims, and cost

The City owns more than 30,300 vehicles. Every additional vehicle adds fuel, maintenance, storage, and crash risk. Motor vehicle crashes involving City vehicles are a standing category of tort claims, and auto claims numbered in the thousands in recent years. The City already runs one of the largest municipal speed-governor programs in the world, and it works. After the Department of Citywide Administrative Services (DCAS) installed intelligent speed assistance, speeding in the equipped vehicles fell by nearly two-thirds. The program still covers only a fraction of the fleet.

2.5 Data lives in silos, so residents supply the same facts again and again

The City holds vast amounts of information about residents and businesses, but its systems do not readily share it. A person who has already given the City an address or an income figure usually has to give it again to the next agency. Each repeat is a chance for delay and error. Nothing in the Charter forbids it.

2.6 The scale that makes reform hard also makes it valuable

As of early 2026 the City's authorized full-time headcount stood above 305,000 positions, with actual staffing near 292,000. An organization this size is genuinely hard to coordinate. That is also why reform pays. In a workforce of 300,000, a small improvement in cycle time or overhead frees hundreds of millions of dollars and millions of staff hours for service. That is the opportunity this report addresses.

3. Scope and Method

3.1 A Charter-only mandate

The New York City Charter sets the basic framework of City government. It defines the elected offices, the powers and duties of officials, and the core processes for budgeting, contracting, and land use. More detailed rules sit in the Administrative Code and the Rules of the City of New York. This report stays with the Charter, because the Commission's remit is the Charter and because the deepest causes of delay are Charter-level features. Where a recommendation would also require a conforming change in the Administrative Code or in agency rules, we say so.

3.2 Method

We identified the structural bottlenecks in City government using public records, Comptroller reports, and the testimony gathered by the current Charter review. We studied nine governments that lead international efficiency and governance indices, and we isolated the structural features behind their performance rather than the cultural or technological ones. For each feature, we asked whether the Charter could reproduce it in New York, and we wrote a recommendation to match.

3.3 What this report does not cover

- Anything that requires State legislation or that concerns New York State government.
- The Metropolitan Transportation Authority, which is a State authority rather than a City agency.
- Personnel, hiring, discipline, and any comment on individual officials or on leadership.
- New taxes, new spending, or changes to service levels.

> **A note on the comparison governments**
>
> Some efficiency measures, such as the World Bank's government effectiveness indicator, are national rather than municipal, and we flag those cases in the text. The city-level evidence, chiefly the IMD Smart City Index and Swiss municipal referendum data, carries the most weight here.

4. Peer Review: How Nine Leading Governments Achieve Efficiency

This section reviews the nine comparison governments and draws out the structural mechanism behind each one's performance. The pattern is consistent. These governments design for speed. They legislate against duplication, they separate policy from delivery, they fund the mandates they hand down, and they publish the results.

4.1 The comparison at a glance

Government	Signature structural feature	Primary efficiency gained
Zurich (CH)	Direct-democracy fiscal control; first on the IMD index for seven years	Spending discipline and high public trust
Oslo (NO)	Deep fiscal devolution with funded mandates	Local accountability and faster delivery
Geneva (CH)	Cantonal referendum and administrative-initiative tools	Citizen-directed public works
Copenhagen (DK)	Highest local-government spending share in the EU, fully funded	Strong service delivery at the local level
London (UK)	Digital-government leadership and single service standards	Consistent, low-friction services
Dubai (AE)	Streamlined single-window bureaucracy	Speed used as an investment strategy
Abu Dhabi (AE)	Consolidated, digitally enabled administration	Fast permitting and licensing
Singapore	Statutory boards, policy and delivery split, published metrics	Fast execution and measurable outcomes
Estonia (Tallinn)	Legal once-only data rule and the X-Road data layer	About 2 percent of GDP saved each year

4.2 Estonia shows that efficiency can be written into law

Estonia is the clearest case that efficiency can be legislated. Its once-only rule is a legal requirement. A government agency may not ask a person for information that another public system already holds. The only way to comply is to connect to a shared data layer, so the law itself produces interoperability. A second statute gives a digital signature the same legal force as a signature on paper, which is what makes a fully online process binding. Estonia estimates that the model saves about 2 percent of GDP each year and well over 1,300 years of working time. A tax return fills itself from employer and bank records and is often done in under three minutes.

4.3 Singapore separates the people who set policy from the people who deliver it

Singapore's speed rests on statutory boards, which are separate legal bodies created by specific laws, each with a defined mission. Ministries set policy. The boards deliver it. Because a board is its own legal entity, it has room to move on operations, hiring terms, land, and capital that a normal department does not. Budget rules reinforce the design. Funds can shift between programs as priorities change, and allocations are tied where possible to measured performance. Ministries publish their key metrics, and residents give feedback through structured channels.

4.4 The Nordic cities fund the mandates they hand down

Copenhagen and Oslo push real responsibility down to the municipal level, and they send the money with it. In Denmark, local government accounts for about 36 percent of GDP, the highest share in the European Union, and municipalities levy their own taxes. The lesson transfers directly. The body that makes a decision should carry its cost. An unfunded mandate, where one level orders and another pays, works against both accountability and speed.

4.5 The Swiss cities let residents steer spending

Zurich and Geneva pair professional administration with direct-democratic checks. Voters can force a spending question to referendum, and through the administrative initiative they can call for a specific public work. Zurich alone held 457 referendums between 1970 and 2003. Research finds higher reported life satisfaction in cantons with stronger direct-democratic tools even after income is accounted for. Spending stays disciplined because it can be challenged, and trust stays high because residents feel authorship over the result. Zurich has led the IMD Smart City Index for seven years running.

4.6 London, Dubai, and Abu Dhabi build a single front door

London standardizes service across government, so the experience does not fragment from one agency to the next. Dubai and Abu Dhabi, the highest-ranked cities outside Europe on the 2026 IMD index, treat bureaucratic speed as economic policy and fold licensing and permitting into single-window processes. The shared feature is consolidation. One entry point and one accountable owner for each transaction, in place of a relay across departments.

4.7 The pattern underneath all nine

- **Legislate efficiency.** Make non-duplication and data sharing legal duties rather than goals.
- **Separate policy from delivery.** Let operating units act with defined autonomy.
- **Fund the mandate.** Attach the money to the responsibility.
- **Consolidate the front door.** One entry point for each transaction.
- **Publish outcomes.** Measure quality against budget and make it public.
- **Structure beats technology.** Institutions predict performance more than software does.

5. Recommendations for Charter Amendment

Each recommendation states the problem, names the peer precedent, sets out the Charter change, and gives a concrete example of the saving. All are Charter amendments within the Commission's authority, and none requires a new appropriation to begin.

Recommendation 1. Consolidate procurement authority in the Charter

Problem

Procurement rules are spread across many hands. The Procurement Policy Board meets on no fixed schedule. The small-purchase threshold has been frozen at its 1989 level of $100,000. No single office has Charter standing to own citywide procurement, so routine buys move at the speed of major contracts.

Peer precedent

Singapore concentrates clear operational authority and ties spending to performance. Federal practice indexes its small-purchase threshold to inflation and now sets it at $350,000.

Proposed Charter change

> **How this helps, in practice**
>
> A community nonprofit that runs an after-school program signs an $80,000 contract to continue work it has done for years. Today that contract can wait months to register while the provider covers payroll on credit. With the threshold indexed and a single procurement office accountable for the timeline, the same contract clears quickly, the provider is paid on registration, and the City stops absorbing the interest and closures that late payment causes.

Recommendation 2. Assign each function to the agency that does it best

Problem

Core functions are split by geography rather than by expertise. Paving inside a park can fall to the Department of Parks and Recreation while the Department of Transportation paves every other road. Trees and landscaping along an arterial highway can belong to a different agency than the one that owns the roadway. Trash pickup inside a park can sit outside the Department of Sanitation. Each split means duplicate crews, duplicate equipment, and work that stalls over ownership.

Peer precedent

Singapore assigns each operational mission to the body built for it, and large projects run through defined inter-agency cooperation rather than overlapping claims. Dubai and London consolidate ownership of each transaction under one accountable agency.

Proposed Charter change

How this helps, in practice

An arterial roadway runs past a park. Today a pothole on that road and a dead tree beside it can belong to two agencies with two schedules and two contractors. Under a clear functional assignment, the Department of Transportation paves the road with the same crew and asphalt plant it uses two blocks away, and the Department of Parks and Recreation prunes the tree with the arborists it already employs. One mobilization replaces two. The City stops paying twice to manage the same corridor.

Recommendation 3. Adopt a once-only data rule

Problem

Residents and businesses give the same information to one agency after another. Nothing in the Charter forbids the repeat collection, and the City's systems face no legal pressure to share what they already hold.

Peer precedent

Estonia's once-only rule bars an agency from asking for data the government already holds. That single rule forces its systems to interoperate and saves an estimated 2 percent of GDP each year.

Proposed Charter change

How this helps, in practice

A small business owner applies for a sidewalk cafe permit and, separately, renews a health permit. Today each application asks again for the business address, the ownership records, and the tax identification already on file elsewhere in the City. Under a once-only rule the second application arrives pre-filled from the City's own records. The owner confirms rather than re-enters, the reviewing agency stops re-keying data that was already verified, and a common source of error and delay disappears.

Recommendation 4. Create a one-stop permitting authority

Problem

A single project can require approvals from several agencies through a century-old, borough-based structure. An applicant faces many front doors and repeated requirements for the same project.

Peer precedent

Dubai, Abu Dhabi, and London fold permitting and licensing into single-window processes with one accountable owner for each transaction.

Proposed Charter change

How this helps, in practice

A small landlord converting a vacant ground-floor unit into housing needs sign-offs from several agencies that each schedule their own review. Today those reviews run in sequence, and a delay in one holds up the rest. Through a single permitting authority the applicant files once, one coordinator sequences the reviews in parallel,

and the unit reaches the market months sooner, which shows up later as lower rent.

Recommendation 5. Separate policy from delivery

Problem

Operating agencies are bound by procedures designed for policy bodies, which slows routine execution and blurs accountability for outcomes.

Peer precedent

Singapore's split, in which ministries set policy and statutory boards deliver it with defined autonomy, produces faster decisions without loss of accountability.

Proposed Charter change

How this helps, in practice

A permitting operation with a clear mission and published targets can move staff to clear a seasonal backlog without waiting on a citywide process built for policy decisions. The unit answers for its cycle times in public, so the autonomy comes with a scoreboard rather than a blank check.

Recommendation 6. Put decision deadlines in the Charter

Problem

Many City reviews carry no binding time limit, so delay has no consequence and the applicant absorbs the cost of an open-ended wait.

Peer precedent

The fastest governments treat time as something they govern. Estonia delivers many services almost instantly, and Dubai's single-window process runs against clear service standards.

Proposed Charter change

How this helps, in practice

A homeowner files for a routine alteration permit. Today the file can sit without a clock, and the homeowner has no date to plan around. With a deadline in the Charter and a default escalation, the review either clears on time or moves to a named official who must act, so the wait becomes bounded and someone owns it.

Recommendation 7. Reduce the cost of claims and settlements

Problem

The City pays close to $2 billion a year in claims and settlements. In Fiscal Year 2024 the NYPD alone accounted for 9,036 tort claims and $309.51 million in settlements, the DOC paid $252.87 million, and the DOT paid

$115.27 million. Under the current structure the payout comes from the citywide general fund rather than from the budget of the agency whose practice produced it, so no agency feels the cost of the harm it causes. The Comptroller has recommended that agencies internalize a share of these costs.

Peer precedent

Governments that publish performance data and hold operating units accountable for outcomes, as Singapore does, give each unit a direct reason to prevent the events that generate cost. The Comptroller's own analysis recommends agency-level accountability for settlement costs, including crash-related costs.

Proposed Charter change

How this helps, in practice

The data already shows where the money goes. Police-action claims are the most common tort claims against the City, motor vehicle crashes are a standing category, and a single Department of Correction failure to release people after bail produced a $171.52 million settlement. When an agency carries a share of its own payouts, a dollar saved on preventable claims stays with that agency, so preventing the harm becomes a budget decision the agency actually feels. Even a 10 percent reduction against a $2 billion annual cost returns about $200 million to services.

Recommendation 8. Right-size the fleet and cut crash costs

Problem

The City owns more than 30,300 vehicles. Each one adds fuel, maintenance, storage, and crash risk, and City-vehicle crashes are a standing source of tort claims. The City already proved that speed governors work. After DCAS installed intelligent speed assistance, speeding in the equipped vehicles fell by nearly two-thirds, yet the program still reaches only a fraction of the fleet.

Peer precedent

Transport for London fits its buses and fleet vehicles with intelligent speed assistance, and the European Union now requires the technology in new cars. London and the Nordic cities also lean on shared and for-hire travel rather than large owned fleets for routine trips.

Proposed Charter change

How this helps, in practice

An agency assigns a sedan to an inspector who drives it a few times a week. The City pays all year for fuel, insurance, parking, maintenance, and crash exposure on a vehicle that mostly sits. If the inspector takes a metered yellow-cab trip for those visits, the City pays only for the trips actually taken, removes a car from the crash-and-claims pool, and frees a parking space. Applied across thousands of lightly used vehicles, a smaller fleet with speed governors means fewer crashes, fewer claims, and lower carrying cost, while emergency vehicles are left untouched.

Recommendation 9. Reduce paperwork by Charter mandate

Problem

Residents, businesses, and City staff fill out large numbers of forms, many of them duplicative, outdated, or required by rules no one has revisited in years. Each unnecessary form is staff time to process and applicant time to complete.

Peer precedent

Estonia's once-only rule and Singapore's continuous review of how government does its business both work to strip out steps that no longer add value. The common move is to treat every form as a cost to be justified rather than a default to be kept.

Proposed Charter change

> **How this helps, in practice**
>
> A contractor starting a City project completes overlapping forms for several agencies that each ask for the same insurance, licensing, and ownership details. A standing forms review consolidates those into one submission that other agencies draw from. The contractor fills it once, and each agency stops processing the same facts a second and third time.

Recommendation 10. Put the Mayor's Management Report to work

Problem

The City already publishes the Mayor's Management Report, a detailed account of agency performance. Its measures are underused because nothing ties them to money or to consequence, so they inform without driving decisions.

Peer precedent

Singapore requires ministries to publish key metrics and ties budget allocation to measured performance. The Swiss referendum tools give residents visibility and leverage over spending. In both, published performance carries weight.

Proposed Charter change

> **How this helps, in practice**
>
> When a permitting agency's median approval time and a sanitation route's completion rate sit next to that agency's budget request, the Council can see what each dollar buys and can move resources toward what works. The Management Report stops being a document that is filed and becomes a tool that shapes the budget.

Recommendation 11. Give residents a single navigator to guide them through the bureaucracy

Problem

A resident with a complex need often has to deal with several agencies at once, and sometimes with the county, the State, and the federal government as well. The resident is left to figure out which office owns which piece, in what order, and with what paperwork. The burden of coordination falls on the person least equipped to carry it, usually at the hardest moment of their life. Nothing in the Charter gives a resident a single point of contact to hold the whole process together.

Peer precedent

Denmark's Borgerservice gives every resident a single citizen-service entrance to the entire public sector. One staff member helps with registration, identity documents, health coverage, benefits, licenses, and civil records, and routes the resident to the right authority when a matter sits elsewhere. The United States has pursued the same idea through the life-event and no-wrong-door model, which reorganizes services around events such as having a child, losing a home, or leaving the military, so that a resident tells the government about the event once rather than repeating it at every counter. Congressional casework applies the human version of this, assigning a caseworker to guide a constituent through federal agencies.

Proposed Charter change

How this helps, in practice

A family loses its apartment after a fire. Today the family must separately reach a shelter intake office, a benefits office, a school enrollment office, and a housing office, and must retell the same story and hand over the same documents at each stop, often while displaced. With a citizen navigator, one City worker owns the whole path. The navigator opens the shelter placement, files the benefits application from records the City already holds, arranges the children's school transfer, and starts the housing search, then routes the family to State disaster aid when that applies. The family tells its story once and has one number to call. The City resolves the case faster and avoids the repeat visits, missed steps, and dropped hand-offs that drive cost and hardship today.

6. From Peer Practice to Charter Text

The table below maps each recommendation to the peer precedent behind it and the nature of the Charter change required.

Recommendation	Peer precedent	Charter change
1. Consolidate procurement	Singapore; federal indexing	New office, threshold indexing, board clock
2. Function to the best agency	Singapore, Dubai, London	Reassign functions citywide by expertise
3. Once-only data rule	Estonia (Tallinn)	New prohibition and data-sharing duty
4. One-stop permitting	Dubai, Abu Dhabi, London	New consolidated permitting authority
5. Policy and delivery split	Singapore statutory boards	New organizational option with accountability
6. Decision deadlines	Estonia, Dubai	Deadlines with default outcomes
7. Cut claims and settlements	Singapore metrics; Comptroller	Agency-level cost within the budget
8. Right-size the fleet	London, EU, Nordics	Fleet reduction, speed governors, for-hire travel
9. Reduce paperwork	Estonia, Singapore	Standing forms review and pre-fill
10. Use the Management Report	Singapore, Switzerland	Tie performance report to the budget
11. Citizen navigator	Denmark; U.S. no-wrong-door	Single point of contact across agencies

6.1 Suggested sequence

If the Commission cannot advance every item at once, we suggest ordering by the ratio of impact to controversy.

12. **First, the items with broad support:** procurement consolidation, decision deadlines, the forms review, and the Management Report reforms. These are largely administrative and already have support in the testimony before the Commission.
13. **Second, the items of moderate complexity:** the once-only data rule, the one-stop permitting authority, functional reassignment, the fleet reforms, and the citizen navigator, which need coordination but rest on clear precedent.
14. **Third, the structural items:** the policy and delivery split and agency-level settlement costs, which reach deeper into institutional arrangements and benefit from the credibility earned by the earlier changes.

7. Risks and Responses to Likely Objections

7.1 That speed will erode oversight and public input

Efficiency and accountability are not opposites. The comparison governments are both fast and highly trusted. Each recommendation here keeps genuine public input. Consolidating a review removes duplication, not scrutiny. A deadline escalates a decision rather than skipping it. Published metrics add oversight rather than remove it. The Swiss experience shows that stronger citizen leverage and efficient administration reinforce each other.

7.2 That a once-only data rule threatens privacy

The Estonian model pairs data reuse with strict access controls and a resident-facing log of who viewed the data. The Charter amendment should carry the same safeguards, including purpose limitation, security requirements, and transparency. Reuse stays inside government and does not mean public exposure.

7.3 That charging agencies for settlements will distort budgets

The proposal charges each agency a share, not the full amount, and it can phase in over several years. The Comptroller has recommended the same approach. The point is to give the agency that can prevent the harm a reason in its own budget to do so.

7.4 That fleet cuts will slow essential work

The recommendation exempts emergency vehicles and applies to non-emergency, lightly used vehicles, where a metered trip is often cheaper than a car that sits idle. Speed governors already operate across part of the fleet and have cut speeding sharply without impairing operations.

7.5 That autonomous delivery units reduce accountability

Singapore shows the opposite when autonomy comes with published performance obligations and a clear mission. Recommendation 5 is tied to Recommendation 10 for exactly this reason. The autonomy is granted in exchange for public, measured accountability.

7.6 Implementation

Charter text is necessary but not sufficient. Several items need conforming changes in the Administrative Code and in agency rules, and the data rule needs technical work. Each amendment should include a transition period and a duty to report progress, so the reforms do not stall after adoption.

8. Conclusion

New York does not need to become another city to become a faster one. It needs the structural logic that makes the world's most efficient governments work. Legislate against duplication. Give each function to the agency built for it. Attach money to mandates. Build a single front door. Make agencies feel the cost of the harm they can prevent. Publish the results. Every one of those moves is available to the Commission as an amendment to the City Charter.

The prize matches the City's scale. On a budget above $125 billion and a workforce near 300,000, structural efficiency is not a rounding error. It is hundreds of millions of dollars and millions of hours returned to the service of residents. The comparison governments show the gains are real and measurable. The Commission has the authority, the evidence, and the moment. We urge it to act.

Respectfully submitted by Citizens for Efficient Government in New York City, an independent non-partisan working group, in the public interest.

Appendix A. Sources and References

This report draws on public records, official City reports, and international governance research. Key sources are listed below by topic. All links were public as of 2026.

New York City Charter, procurement, and reform

NYC Charter Revision Commission and Commission on Government Efficiency: https://www.nyc.gov/site/charter/index.page

Commission on Government Efficiency, Preliminary Report (2026): https://www.nyc.gov/mayors-office/news/2026/07/commission-on-government-efficiency-releases-preliminary-report-

2025 Charter Revision Commission, Preliminary Staff Report: https://www.nyc.gov/site/charter/news/releases-preliminary-staff-report-2025.page

Vital City, A Striving Government for a Thriving City: https://www.vitalcitynyc.org/a-striving-government-for-a-thriving-city-coge-mamdani/

NYC Charter, Chapter 13, Procurement: https://nyccharter.readthedocs.io/c13/

NYC Council, contracting and payment reform (Int. 1247-B and 1248-B): https://council.nyc.gov/press/2025/10/09/2987/

Budget, workforce, claims, and fleet

NYC Comptroller, New York by the Numbers No. 110 (Feb 2026): https://comptroller.nyc.gov/newsroom/newsletter/new-york-by-the-numbers-monthly-economic-and-fiscal-outlook-no-110-february-2026/

NYC Comptroller, Claims and settlements dashboard (nearly $2B in FY2024): https://comptroller.nyc.gov/newsroom/comptroller-landers-new-dashboard-tracks-city-claims-city-paid-nearly-2b-in-settlements-last-fiscal-year/

NYC Comptroller, Annual Claims Report: https://comptroller.nyc.gov/reports/annual-claims-report/

NYC Comptroller, A Blueprint for Department-Wide Restraint (NYPD claims): https://comptroller.nyc.gov/reports/a-blueprint-for-department-wide-restraint/

DCAS, 2025 Safe Fleet Transition Plan Update (fleet size, ISA): https://www.nyc.gov/assets/dcas/downloads/pdf/fleet/2025/nyc-safe-fleet-transition-plan-update-2025.pdf

Streetsblog, City in-house program proves speed governors work: https://nyc.streetsblog.org/2026/05/12/citys-in-house-program-proves-speed-governors-work

Citizen navigator and no-wrong-door models

Denmark, Borgerservice and the national citizen portal: https://en.digst.dk/digital-services/borgerdk-national-citizen-portal/

Denmark, Aarhus Citizen Service (single point of entry): https://international.aarhus.dk/live/citizen-service-borgerservice

Governing, The Promise of Life-Event Service Delivery: https://www.governing.com/now/the-promise-of-life-event-service-delivery

POPVOX Foundation, Congressional casework resources: https://www.popvox.org/casework

Comparison governments

IMD Smart City Index 2026: https://www.imd.org/smart-city-observatory/home/

IMD 2026 governance briefing (Place Brand Observer): https://placebrandobserver.com/imd-smart-city-index-2026-briefing/

e-Estonia, X-Road and the once-only principle: https://e-estonia.com/solutions/interoperability-services/x-road/

Singapore statutory boards (overview): https://en.wikipedia.org/wiki/Statutory_boards_of_the_Government_of_Singapore

Singapore Public Service (Governance) Bill: https://www.psd.gov.sg/newsroom/public-sector-governance-bill-by-min-ong-ye-kung-at-parliament/

Nordic local-government model (ORF analysis): https://www.orfonline.org/expert-speak/nordic-countries-and-urban-local-governance-architecture

Swiss direct democracy (Swiss federal government): https://www.aboutswitzerland.eda.admin.ch/en/direct-democracy

Note on sourcing. Figures for the comparison governments reflect the cited public sources. Some governance measures are national in scope and are noted as such. Claims about New York reflect City Comptroller, DCAS, and Charter Commission materials.

Name

Mona Cassidy

Email [redacted]

Public Comment

END CITY FUNDED WAGE INEQUALITY

No regulations exist under city and state contracts for wage disparities across organizations. While these organizations tend to tout goals towards social and economic justice, their financial documents and salary floors perpetuate these issues. For example, an entry level position in the organization may have an annual salary of $40,000, whereas the organization may list their highest paid staff on their IRS Form 990 as over $450K.

Nonprofits often employ majority women, BIPOC staff, and those with lived experience. However, their highest paid staff are usually men, or typically from white backgrounds, with greater access to education and generational wealth. Instead of addressing inequity starting at the organizational level, these non profits perpetuate these inequities with money paid by New Yorkers' tax dollars.

There is no justification for an over $400,000 pay disparity, which contributes towards wage inequality across the city and affects the most marginalized. Additionally, organizations often employ contractors as security or janitorial staff, meaning that these salaries are often even lower, or without reasonable benefits.

The use of city-contracts to perpetuate such stark inequality, paid by taxpayers is abhorrent. There are no regulatory limits on the salary disparities across organizations. This means that organizations can set their salaries at NYS minimum wage, while bloating the salaries of executive staff. Roles may be created specifically for well-liked staff, while direct-line workers are given more responsibilities as part of their "professional growth" without additional compensation, or even regular wage increases to meet the rate of inflation. As such, direct line staff effectively see wage stagnation and wage decreases when compared to the increasing costs of living. Their salaries are occasionally increased with this in mind, while executive staff salaries may double or even triple without reasonable explanation or justification.

Instead, nonprofits have been increasing conversations about "burnout" and "compassion fatigue" without addressing direct tangible issues like this depraved wage disparities. The economic distance of executive staff and their direct line workers indicates a clear devaluation of staff that ensures contracts to obtain funds from citywide grants can be met. Direct-line workers both contribute the work that allows nonprofits to receive city contracts, and provide real services to New Yorkers. Organizations generally keep financial information hidden from the majority of staff, excluding the limited details within the publicly available IRS form 990. While workers have organized for unions, nonprofit management have engaged in union-busting, and insisted their commitment to increasing wages for staff. Their advocacy efforts push forth statewide legislation, which remains an ongoing fight and is often already long overdue and insufficient once bills are finally passed. Organizations need to effectuate change at the organizational level to ensure sufficient wages for their staff, who are more impactful on the day to day

level in addressing these organization's stated mission.

Furthermore, corruption exists in nonprofits. Lori Zeno, the former leader of Queens Defender Services reveals the reality of nonprofits: union-busting, abuses of power, the creation of false jobs for friends and relatives, and the utilization of city funding to finance executive staff's lavish lifestyles (^1). These issues have been widespread, with non-profits including CAMBA Inc. and the Acacia Network denoting striking executive pay, where Joanne Opulstil earned more than $750,000, and Raul Russi earned $931,391 in fiscal year 2022 (^2).

Currently, Melanie Hartzog as CEO of The New York Foundling has been on Mayor Mamdani's transition team, where the Mayor intends to support the majority of New Yorkers. This non profit had former CEO William Baccaglini earn $570,385 reportable compensation for only six months of full-time employment as CEO from July 1, 2021 through to January 2022. Baccaglini remains listed as the highest paid staff on the Foundling's 2024 IRS Form 990 as "Former CEO/Senior Advisor" with reportable compensation of $856,285 in fiscal year 2024, and his and Melanie Hartzog's salaries constitute 1.2 million of New York Foundling's funds. This executive salary for a former employee while there are current full time staff at the Foundling that receive SNAP benefits, with full time positions advertised with starting wage under $49,000.

1 U.S. Attorney's Office, Eastern District of New York (February 3, 2026). https://www.justice.gov/usao-edny/pr/former-executive-director-legal-services-non-profit-queens-pleads-guilty-fraud.
2 G Hogan, 'Homeless Shelter Execs Make Huge Salaries and Hire Family Members, DOI Report Finds,' The City. (October 17, 2024). https://www.thecity.nyc/2024/10/17/homeless-shelter-bosses-pay-nepotism-department-investigation/.

A Proposal to Eliminate City-Funded Wage Disparity

NEW YORK CITY COUNCIL
Intro #: 2026-

SPONSOR:
TITLE OF BILL: End City Funded Wage Inequality (ECWI)

PURPOSE: To codify regulations to ensure fair and reasonable wages for city-contracted non profit workers. The current lack of regulations has permitted nonprofit organizations to prioritize executive staff lavish lifestyles over the services meant to serve New Yorkers. This bill also serves to discourage excessive wage disparities within New York City that have created a two-tiered wage system of front line staff and middle management who are more connected with the daily realities of the people they serve, and executive staff who are disconnected from the realities of the cost of living.

SUMMARY OF PROVISIONS: To be added as an amendment into current legislation:

NYC CHARTER, Chapter 6, Section 104.
NYC ADMINISTRATIVE CODE, Title 6, Chapter 1, § 6 109.

Regulations of wage disparities across organizations that receive funding from New York City shall be codified.

This regulation will impose a limit on wage disparities for compensation. The maximum allowable compensation disparity will henceforth be $200,000. Compensation will include salary and paid wages. Benefits including paid time off, sick leave, healthcare deductions (FSA, HSA and HRAs) will be excluded from this limit but must remain equivalent to that offered to the lowest paid workers at an organization (differences related to tenure at an organizaiton may remain).
Retirement contributions to 401(k), 403(b), and Roth IRA are to be included as compensation, whether derived from pre-tax earnings or after-tax earnings. These retirement benefits are included, as these are often utilized for ongoing wealth accumulation, rather than for actual financial needs through retirement. Contributions to retirement funds are only plausible for those making wages that already cover their necessary expenses (as defined by the IRS national standards). Pensions are not affected by this proposed regulation.

Furthermore, organizations will require detailed descriptions that denote whether salaries in the top twenty percent of earners utilize city funds, donations, other contributions, or any combination of such. This will be presented as a ratio that clarifies the amount of salary paid from city funding, inclusive of grants, contracts, and city council discretionary fundings; fundraising donation; and other sources. This is necessary to ensure the transparency of funding sources for highly paid salaries, which are often negotiated and not subject to restrictions imposed on other staff. Contracts stipulate how much funding may be used for staff salaries, and these should be directed to the workers that perform the services covered by these grants, rather than support a luxurious lifestyle of the organization's figureheads.

This regulation will apply to all workers, including contracted workers like consultants, janitorial staff, security staff, and anyone who performs paid work for an organization. This may also include internships, both paid and unpaid, unless the paid compensation is not provided for by any city funding. Unpaid and low-paid internships perpetuate the cycles of inequality, as these remain only accessible for those who can afford to perform unpaid or low-paid work as part of their career trajectory. When individuals are reliant on their wages to pay for their housing and utilities, food, health insurance, and other essential needs (e.g. Wi-Fi, cell phones, etc.), the use of unpaid or low-paid internships denies these opportunities to lower-income households.

JUSTIFICATION: Income inequality in the United States of America has exponentially risen over the last thirty years (^3). This income divide has not always been as vast, where the erosion of levelling measures from the 1970s has returned the country to extreme levels of inequality. Technological advancement and globalization have contributed to this widening gap.

However, many lower waged jobs remain localized due to the necessity of face to face interactions, such as in residential care facilities and social work fields. While policymakers can and must raise wages, this process takes time, and these delays have significant implications on those making the least (^4).

In New York City, there is a growing disparity between high wage and low wage workers, contrasting with national wage compression (^5). The significant increases to top earners have contrasted with the very real issues of poverty, and the growing demand for cash benefit assistance in New York City. Amongst these issues, recent federal tax cuts for the wealthiest households and spending cuts to services that will harm low-income households. Cuts to Medicaid, Medicare, Supplemental Nutrition Assistance Program (SNAP), and other low income support programs have significant impacts on low income households (^6). These retrenchments cascade downwards, with compounding effects
on low-income households. As New Yorkers face heightened income inequality and reductions in social protections, their health and wellbeing are compromised with ramifications on their economic stability, both in the short and long-term. While non-profits aim to serve social causes, rather than generate profit, the wage structures within these organizations perpetuate the social issues they claim to address. As such, these regulations impose a standard that New Yorkers will no longer accept this perpetual wage inequality, and reflects the interest of the majority of city taxpayers.

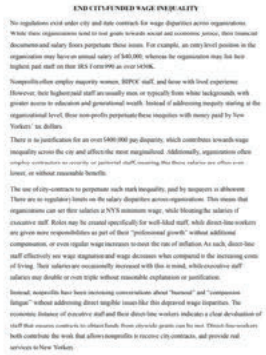
3) Inequality.org, "Income Inequality in the United States", Institute for Policy Studies. https://inequality.org/facts/income_inequality/.4
4) A Venugopal, "NYC $30 minimum wage proposal headed to City Council, " Gothamist. (March 10, 2026). https://gothamist.com/news/nyc-30-minimum-wage_proposal_headed_to_city_council.
5) M Obaidy, J Parrott, and A Mehrotra, "Wage Compression or Wage Divergence, " Center for New York City Affairs, The New School. (October 2014). p. 20.
https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/67070c86ee76a55d0b44a421/1728515217650/Wages+report+oct9.pdf
6) K Kosec and C H Mo, "Shrinking Welfare in the United States Will Bring Political and Social Consequences," Carnegie Endowment for International Peace. (January 8, 2026).
https://carnegieendowment.org/posts/2026/01/shrinking_welfare_benefits_united-states.

LEGISLATIVE HISTORY: New Bill
FISCAL IMPACT: To be determined.
EFFECTIVE DATE: This act shall take effect immediately

SOURCES:
Hogan, G., 'Homeless Shelter Execs Make Huge Salaries and Hire Family Members, DOI Report Finds,' The City. (October 17, 2024).
https://www.thecity.nyc/2024/10/17/homeless-shelter-bosses-pay-nepotism-department_investigation/.
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Obaidy, M., Parrott, J., and Mehrotra, A. "Wage Compression or Wage Divergence," Center for New York City Affairs, The New School. (October 2014). p. 20. https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/67070c86ee76a55d0b44a421/1728515217650/Wages+report+oct9.pdf.
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Attachment(s)



End City Funded Wage Inequality.pdf

Date Submitted: July 10, 2026

Topic: Procurement Reform ✕ | Reporting Requirements ✕ | Budget Issues ✕ | Enforcement ✕ | Unnecessary Bureaucracy ✕

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Regulate uneven wages at city funded nonprofits

Show 4 hidden fields

END CITY-FUNDED WAGE INEQUALITY

No regulations exist under city and state contracts for wage disparities across organizations. While these organizations tend to tout goals towards social and economic justice, their financial documents and salary floors perpetuate these issues. For example, an entry level position in the organization may have an annual salary of $40,000, whereas the organization may list their highest paid staff on their IRS Form 990 as over $450K.

Nonprofits often employ majority women, BIPOC staff, and those with lived experience. However, their highest paid staff are usually men, or typically from white backgrounds, with greater access to education and generational wealth. Instead of addressing inequity starting at the organizational level, these non-profits perpetuate these inequities with money paid by New Yorkers' tax dollars.

There is no justification for an over $400,000 pay disparity, which contributes towards wage inequality across the city and affects the most marginalized. Additionally, organizations often employ contractors as security or janitorial staff, meaning that these salaries are often even lower, or without reasonable benefits.

The use of city-contracts to perpetuate such stark inequality, paid by taxpayers is abhorrent. There are no regulatory limits on the salary disparities across organizations. This means that organizations can set their salaries at NYS minimum wage, while bloating the salaries of executive staff. Roles may be created specifically for well-liked staff, while direct-line workers are given more responsibilities as part of their "professional growth" without additional compensation, or even regular wage increases to meet the rate of inflation. As such, direct-line staff effectively see wage stagnation and wage decreases when compared to the increasing costs of living. Their salaries are occasionally increased with this in mind, while executive staff salaries may double or even triple without reasonable explanation or justification.

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Furthermore, corruption exists in nonprofits. Lori Zeno, the former leader of Queens Defender Services reveals the reality of nonprofits: union-busting, abuses of power, the creation of false jobs for friends and relatives, and the utilization of city funding to finance executive staff's lavish lifestyles.[1] These issues have been widespread, with non-profits including CAMBA Inc. and the Acacia Network denoting striking executive pay, where Joanne Opulstil earned more than $750,000, and Raul Russi earned $931,391 in fiscal year 2022.[2]

Currently, Melanie Hartzog as CEO of The New York Foundling has been on Mayor Mamdani's transition team, where the Mayor intends to support the majority of New Yorkers. This non-profit had former CEO William Baccaglini earn $570,385 reportable compensation for only six months of full-time employment as CEO from July 1, 2021 through to January 2022. Baccaglini remains listed as the highest paid staff on the Foundling's 2024 IRS Form 990 as "Former CEO/Senior Advisor" with reportable compensation of $856,285 in fiscal year 2024, and his and Melanie Hartzog's salaries constitute 1.2 million of New York Foundling's funds. This executive salary for a former employee while there are current full-time staff at the Foundling that receive SNAP benefits, with full-time positions advertised with starting wage under $49,000.

Thus, I'd like to propose the following.

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[1] U.S. Attorney's Office, Eastern District of New York (February 3, 2026). https://www.justice.gov/usao-edny/pr/former-executive-director-legal-services-non-profit-queens-pleads-guilty-fraud.

[2] G Hogan, 'Homeless Shelter Execs Make Huge Salaries and Hire Family Members, DOI Report Finds,' *The City*. (October 17, 2024). https://www.thecity.nyc/2024/10/17/homeless-shelter-bosses-pay-nepotism-department-investigation/.

A Proposal to Eliminate City-Funded Wage Disparity

NEW YORK CITY COUNCIL

Intro #: 2026-

SPONSOR:

TITLE OF BILL:

End City-Funded Wage Inequality (ECWI)

PURPOSE:

To codify regulations to ensure fair and reasonable wages for city-contracted non-profit workers. The current lack of regulations has permitted nonprofit organizations to prioritize executive staff lavish lifestyles over the services meant to serve New Yorkers. This bill also serves to discourage excessive wage disparities within New York City that have created a two-tiered wage system of front-line staff and middle management who are more connected with the daily realities of the people they serve, and executive staff who are disconnected from the realities of the cost of living.

SUMMARY OF PROVISIONS:

To be added as an amendment into current legislation:

- NYC CHARTER, Chapter 6, Section 104.
- NYC ADMINISTRATIVE CODE, Title 6, Chapter 1, § 6-109.
- ~~NYC DOT APPENDIX D GENERAL PROVISIONS GOVERNING CONTRACTS, Section 4.04 Minimum Wage~~
- ~~(2018) ATTACHMENT 8: Appendix A: General Provisions Governing Contracts, Section 4.04 Minimum Wage; Living Wage.~~

Regulations of wage disparities across organizations that receive funding from New York City shall be codified.

- This regulation will impose a limit on wage disparities for compensation. The maximum allowable compensation disparity will henceforth be $200,000.
- Compensation will include salary and paid wages. Benefits including paid time off, sick leave, healthcare deductions (FSA, HSA and HRAs) will be excluded from this limit but must remain equivalent to that offered to the lowest paid workers at an organization.
- Retirement contributions to 401(k), 403(b), and Roth IRA are to be included as compensation, whether derived from pre-tax earnings or after-tax earnings. These retirement benefits are included, as these are often utilized for ongoing wealth accumulation, rather than for actual financial needs through retirement.
    - Pensions are not affected by this proposed regulation.
- Furthermore, organizations will require detailed descriptions that denote whether salaries in the top twenty percent of earners utilize city funds, donations, other contributions, or any combination of such.
    - This will be presented as a ratio that clarifies the amount of salary paid from city funding, inclusive of grants, contracts, and city council discretionary fundings; fundraising donation; and other sources.
    - This is necessary to ensure the transparency of funding sources for highly paid salaries, which are often negotiated and not subject to restrictions imposed on other staff. Contracts stipulate how much funding may be used for staff salaries, and these should be directed to the workers that perform the services covered by these grants, rather than support a luxurious lifestyle of the organization's figureheads.
- This regulation will apply to all workers, including contracted workers like consultants, janitorial staff, security staff, and anyone who performs paid work for an organization.
    - This may also include internships, both paid and unpaid, unless the paid compensation is not provided for by any city funding. Unpaid and low-paid internships perpetuate the cycles of inequality, as these remain only accessible for those who can afford to perform unpaid or low-paid work as part of their career trajectory. When individuals are reliant on their wages to pay for their housing

and utilities, food, health insurance, and other essential needs (e.g. Wi-Fi, cell phones, etc.), the use of unpaid or low-paid internships denies these opportunities to lower-income households.

JUSTIFICATION:

Income inequality in the United States of America has exponentially risen over the last thirty years.[3] This income divide has not always been as vast, where the erosion of levelling measures from the 1970s has returned the country to extreme levels of inequality. Technological advancement and globalization have contributed to this widening gap. However, many lower-waged jobs remain localized due to the necessity of face-to-face interactions, such as in residential care facilities and social work fields. While policymakers can and must raise wages, this process takes time, and these delays have significant implications on those making the least.[4] In New York City, there is a growing disparity between high-wage and low-wage workers, contrasting with national wage compression.[5]

The significant increases to top earners have contrasted with the very real issues of poverty, and the growing demand for cash benefit assistance in New York City. Amongst these issues, recent federal tax cuts for the wealthiest households and spending cuts to services that will harm low-income households. Cuts to Medicaid, Medicare, Supplemental Nutrition Assistance Program (SNAP), and other low-income support programs have significant impacts on low-income households.[6] These retrenchments cascade downwards, with compounding effects on low-income households. As New Yorkers face heightened income inequality and reductions in social protections, their health and wellbeing are compromised with ramifications on their economic stability, both in the short and long-term.

While non-profits aim to serve social causes, rather than generate profit, the wage structures within these organizations perpetuate the social issues they claim to address. As such, these regulations impose a standard that New Yorkers will no longer accept this perpetual wage inequality, and reflects the interest of the majority of city taxpayers.

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[3] Inequality.org, "Income Inequality in the United States", *Institute for Policy Studies.* https://inequality.org/facts/income-inequality/.

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[6] K Kosec and C H Mo, "Shrinking Welfare in the United States Will Bring Political and Social Consequences," Carnegie Endowment for International Peace. (January 8, 2026). https://carnegieendowment.org/posts/2026/01/shrinking-welfare-benefits-united-states.

LEGISLATIVE HISTORY:

New Bill

FISCAL IMPACT:

To be determined.

EFFECTIVE DATE:

This act shall take effect immediately

SOURCES:

Hogan, G., 'Homeless Shelter Execs Make Huge Salaries and Hire Family Members, DOI Report Finds,' *The City*. (October 17, 2024). https://www.thecity.nyc/2024/10/17/homeless-shelter-bosses-pay-nepotism-department-investigation/.

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Name

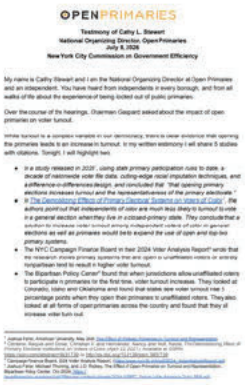
Cathy Stewart

Email [redacted]

Public Comment

I am attaching my written testimony that focuses on the issue of opening primaries and voter turn out.

Attachment(s)


OPENPRIMARIES

Testimony of Cathy L. Stewart
National Organizing Director, Open Primaries
July 8, 2026
New York City Commission on Government Efficiency

My name is Cathy Stewart and I am the National Organizing Director at Open Primaries and an independent. You have heard from independents in every borough, and from all walks of life about the experience of being locked out of public primaries.

Over the course of the hearings, Chairman Gaspard asked about the impact of open primaries on voter turnout.

While turnout is a complex variable in our democracy, there is clear evidence that opening the primaries leads to an increase in turnout. In my written testimony I will share 5 studies with citations. Tonight, I will highlight two:

- *In a study released in 2026[1], using state primary participation rules to date, a decade of nationwide voter file data, cutting-edge racial imputation techniques, and a difference-in-differences design, and concluded that "that opening primary elections increases turnout and the representativeness of the primary electorate."*
- *In [The Demobilizing Effect of Primary Electoral Systems on Voters of Color][2], the authors point out that independents of color are much less likely to turnout to vote in a general election when they live in a closed-primary state. They conclude that a solution for increase voter turnout among independent voters of color in general elections as well as primaries would be to expand the use of open and top-two primary systems.*
- The NYC Campaign Finance Board in their 2024 Voter Analysis Report[3] wrote that the research shows primary systems that are open to unaffiliated voters or entirely nonpartisan tend to result in higher voter turnout.
- The Bipartisan Policy Center[4] found that when jurisdictions allow unaffiliated voters to participate in primaries for the first time, voter turnout increases. They looked at Colorado, Idaho and Oklahoma and found that states see voter turnout rise 1 percentage points when they open their primaries to unaffiliated voters. They also looked at all forms of open primaries across the country and found that they all increase voter turn out.

Stewart Testimony to NYC Charter Revis...

Date Submitted July 10, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic Open primaries

Show 4 hidden fields

OPENPRIMARIES

Testimony of Cathy L. Stewart
National Organizing Director, Open Primaries
July 8, 2026
New York City Commission on Government Efficiency

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[1] Joshua Ferrer, American University. May 2026 The Effect of Partisan Primaries on Turnout and Representation
[2] Centeno, Raquel and Grose, Christian R. and Hernandez, Nancy and Wolf, Kayla, The Demobilizing Effect of Primary Electoral Institutions on Voters of Color (April 22, 2021). Available at SSRN: https://ssrn.com/abstract=3831739 or http://dx.doi.org/10.2139/ssrn.3831739
[3] Campaign Finance Board, 2024 Voter Analysis Report, (https://www.nyccfb.info/pdf/2024_VoterAnalysisReport.pdf)
[4] Joshua Ferrer, Michael Thorning, and J.D. Rackey, The Effect of Open Primaries on Turnout and Representation, Bipartisan Policy Center, Oct. 2024, https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2024/10/BPC_Ferrer-Unite-America-Grant_R04.pdf.

- Another study by Geras and Crespin[5] found that turnout increases the more open the primary system.

I also want to note that turnout in the CA Top Two statewide primary this year was 40.1%. The turnout in NYC, while we are still waiting for the final numbers, is projected at 17% citywide.

In ME and NM, where bills for semi-open primaries were recently passed, the 2026 primaries saw soaring turn outs.

To be clear, there are many forms of open primaries. All improve turnout. We are not taking a position on what form to utilize. We are simply asking — Let all voters vote.

One turnout issue that often gets raised is why independents don't turn out in the general election at the same rate as Democrats or Republicans. Doesn't this mean independents are apathetic? No, it is the result of a closed system that disenfranchises and marginalizes independents. Independent voters do not receive the same outreach from candidates in the general election. Independents are, by definition, not "super prime" voters. Independents are sent the message that their vote does not matter. The systemic failure to include independents in the primaries, the start of the process, negatively impacts on their participation at the end of the process. As NM Secretary of State Maggie Toulouse Oliver said in her 2025 testimony in support of open primaries – "participation begets participation."

Let me conclude with this – there is something more important than turnout on the table here. The question independents are asking is where do our voting rights originate? Are they derived from our *citizenship* or from membership in a political party? We should not have to prove anything to have voting rights in elections that we help pay for, that are conducted in our public institutions, and that decide who are elected officials 85-90% of the time.

I ask the Commission to advance a proposal for open primaries. It is long overdue.

[5] Matthew J. Geras and Michael H. Crespin, "The Effect of Open and Closed Primaries on Voter Turnout," Routledge Handbook of Primary Elections (Routledge: 2018) at 144.

Name

Geoff Brown

Email [redacted]

Public Comment

Please see the attached written submission to compliment testimony scheduled for July 13, 2026. Thank you.

Attachment(s)



COGE July 13 Written Submission from ...

Date Submitted July 10, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified Technology

Subtopic

Include cybersecurity in the charter

Show 4 hidden fields

TESTIMONY FOR THE RECORD

Submitted to the New York City Charter Revision Commission

(Commission on Government Efficiency)

On the Charter Level Accountability and Structural Independence of the City's Cybersecurity Risk Function

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Submitted by: Geoff Brown, Chief Executive Officer, Silobreaker (www.silobreaker.com); former Chief Information Security Officer, City of New York (2016–2022); founding Head, New York City Cyber Command

Submitted in a personal capacity, drawing on the public record.

Date: July 13, 2026

I. Summary of Position

I write in support of a single proposition: New York City's cybersecurity mission requires a named, accountable, commissioner-level owner whose authority is established in the City Charter, and whose risk-governance line is structurally independent of the City's information-technology delivery function.

This is not an argument against consolidation, and it is not an argument against efficiency. It is an argument that cybersecurity is an enterprise risk, co-equal with the City's financial, legal, and physical-safety risks, and that enterprise risks must be governed by an owner who is not subordinate to the operations they are charged with holding to account. Efficiency and independence are not in tension here. In the one moment that matters most, a live cyber attack on the City's systems, independence of authority is what produces speed, clarity, and a single line of accountability. Ambiguity about who is in charge is the most expensive inefficiency a city can carry.

I make this case as the person who built the function, and as someone who has since spent years advising national governments that studied New York's model as they designed their own.

II. My Standing to Speak on This

I served as the Chief Information Security Officer for the City of New York from 2016 to 2022, and as the founding Head of New York City Cyber Command. In that role I was responsible for cybersecurity and aggregate information risk across more than one hundred City departments and agencies. Many years before joining the City, I served on the staff of the National Commission on Terrorist Attacks Upon the United States (the 9/11 Commission) and held senior cybersecurity roles at JPMorgan Chase and First Data. Since leaving City government, I have led the delivery of intelligence capabilities to governments internationally, was President of an incident response firm that specifically dealt with ransomware

attacks, and I am today the Chief Executive Officer of Silobreaker, an intelligence technology company that works with governments and global enterprises on cyber, physical, and geopolitical risk.

III. What New York Built, and Why Its Structure Was Deliberate

On July 11, 2017, Executive Order 28 established New York City Cyber Command. This was not a symbolic act. The order gave the Command authority to set information-security policy and standards for the entire City, to direct citywide cyber defense and incident response, and to require the cooperation of every agency and office head. Critically, it placed the function under the direction of the First Deputy Mayor. In practice, the City's senior cyber official reported at the deputy-mayor level (during my tenure, to the Deputy Mayor for Operations) with standing comparable to that of a commissioner. That placement was itself the point: cyber was governed as an enterprise operational risk, co-equal with the City's other operational risks, and not as a subordinate function of IT delivery.

That structure was chosen on purpose. A security function that must ask permission of the very IT organizations it is charged with auditing cannot do its job. New York's design recognized that the person who owns cyber risk needs the independence to say "no", to mandate controls, and to escalate directly when an agency prioritizes its own mission necessities in a way that collides with (creating cyber risk to) the City's safety. On that foundation we built a cloud-first defensive architecture, a citywide security data pipeline, and consumer-facing protections such as NYC Secure. New York became a reference model, cited nationally and internationally, for how a large, complex government could centralize cyber defense without smothering the agencies it served.

IV. What Changed

In January 2022, Executive Order 3 reorganized the City's technology agencies into a renamed Office of Technology and Innovation (OTI), and re-established New York City Cyber Command as an office within OTI rather than as a body reporting directly to the City's senior executives. Executive Order 10 that year formalized the Command's roles under the direction of the Chief Technology Officer.

The consolidation of the City's IT services themselves under a single office is a defensible management decision. But an unintended consequence was structural: the City's cyber-risk owner was placed underneath the City's IT-delivery owner. And because the entire arrangement rests on executive orders, the function New York pioneered now exists, and can be reorganized away, at the stroke of a pen, administration to administration. That fragility is the problem this Commission is uniquely positioned to fix.

V. The Core Argument: Cyber Is an Enterprise Risk, Not an IT Service

Every mature enterprise, public or private, eventually learns the same governance lesson, usually the hard way. The function that delivers a capability and the function that judges the risk of that capability must sit on separate lines of authority. In corporate governance this is the "three lines of defense" model: operations and IT are the first line; risk and security are the second line; independent audit is the

third. The second line only works if it is independent of the first. When security is placed under IT delivery, the second line collapses into the first, and one leader is asked to hold two structurally opposed mandates at once: keep the systems running, cheaply and fast, and likely innovate capabilities and technical services at the speed of modern technology invention, and be the one who slows them down, spends money to remediate, and formally accepts or rejects risk on the record. Those mandates conflict. Under budget pressure or delivery pressure, the risk mandate loses. That is not a criticism of any individual; it is what the structure produces.

The clarifying tool here is the RACI framework: the discipline of asking, for any critical function, who is Responsible, who is Accountable, who is Consulted, and who is Informed. The defect introduced in 2022 is precisely a RACI defect: accountability for the City's cyber risk was made ambiguous by folding it into a general technology office. When accountability is ambiguous, it is, in practice, absent. And you cannot hold "an office within an office" answerable to the Mayor, the Council, and the public the way you can hold a named commissioner answerable.

Accountability of this kind is not one feature among many that can be traded off against others. It is a gate condition. A cyber function without a single accountable, empowered owner is not a slightly weaker cyber function: it is one that will fail at the moment of test, because in a crisis the ultimate risk manager, City Hall, will be unable to weight the information technology perspective (often the owners of the infected systems) with the cybersecurity perspective (the owners of the control framework, audit, and response tactics) .

VI. Why This Serves Efficiency, Not the Opposite

I am mindful that this Commission's charge is to make City government work better and spend wisely. Independence of the cyber-risk line is not a bureaucratic indulgence; it is an efficiency measure in the domain where efficiency is counted in hours and in millions of dollars: incident response.

When a serious attack hits, three things determine the cost: how fast the City detects it, how fast a single authority can direct a coordinated response across dozens of agencies under the authority of the Mayor, and how clearly accountability is assigned before, during, and after. Each of those is degraded by diffusion. And each is improved by a clear, senior, independent owner. A ransomware event that halts city services (as attacks on peer municipalities have shown to be possible) is the most expensive form of inefficiency imaginable. The introduction of uncertainties related to Artificial Intelligence (AI) and its operationalization by criminals and other hostile actors, amplifies this danger. The cheapest insurance against it is unambiguous ownership, established in advance and protected in the Charter so that it survives the next reorganization.

VII. The Global Dimension: New York Led, and Others Followed

In the years since I left City government, I worked with national governments around the world as they confronted the same question New York faced first: where should the cyber mission sit, and how much

independence and authority should it carry? The clear direction of travel among serious governments has been to give cybersecurity a distinct statutory home and a named, senior, accountable leader. Not to bury it inside general information technology administration. Nations have created dedicated cyber authorities with defined mandates precisely because they concluded that cyber risk is a sovereign level enterprise risk that cannot be treated as an IT subfunction.

New York City was ahead of much of the world on this. Officials abroad studied what we built. It would be a genuine regression, and I believe a signal noticed well beyond this City, for New York now to institutionalize, in reverse, the very subordination that more experienced cyber governments have deliberately moved away from. New York should lead by codifying what it pioneered, not by quietly dismantling it. I was proud to be part of the work the showed New York City's leadership. It was the highlight of my professional career.

VIII. The Standard: "Check Us," Not "Trust Us"

Public trust in a digital city is not earned by asking residents to take the City's security on faith. It is earned by making that security accountable: a named official who can be questioned, a risk posture that can be reported and audited, and a clear answer to the question "who is responsible?" when something goes wrong. The standard I would urge on this Commission is therefore not "trust us" but "check us." A charter structure that assigns clear, independent, and auditable accountability for cyber risk is precisely what makes "check us" possible.

IX. Recommendations to the Commission

I respectfully urge the Commission to consider the following charter amendments:

1. Codify the City's cybersecurity function in the Charter. Further establish the City's cyber-defense and information risk function in the Charter itself, so that its existence and core authorities do not depend on an executive order that can be rescinded or reorganized by any single administration.

2. Establish a named, commissioner-level cyber official. Provide for a senior official, a citywide Chief Information Security Officer and functional Head of Cyber Command, with a "Commissioner" title, and with commissioner-equivalent standing and a defined mandate to set and enforce citywide information-security standards across all agencies.

3. Guarantee an independent risk-governance line. Ensure that this official's authority to escalate, to accept or reject risk formally, and to direct incident response runs on a line structurally independent of the City's IT-delivery function. This official needs to report, for risk-governance purposes, to the Mayor or First Deputy Mayor (or an equivalent enterprise-risk authority within City Hall and directly able to execute on the intent of the Mayor). (This is markedly not solely through the technology-delivery chain.)

4. Require auditable public reporting. Mandate periodic, independent reporting on the City's cyber-risk posture to the Mayor and the Council: the accountability mechanism that turns "trust us" into "check us."

5. Protect the cyber mandate from budgetary trade-off. Provide that the resourcing of the core cyber function is identified and reported distinctly, so that enterprise-risk protection is not silently traded away inside general technology budgeting.

None of these recommendations requires a large new bureaucracy. Each is an accountability measure. Together, they would ensure that the municipal function New York invented is governed the way enterprise risk must be governed: by a single, empowered, answerable owner whose independence is protected by the Charter rather than left to the preference of the moment.

I thank the Commission for the opportunity to submit this testimony, and I welcome the Commission's questions.

Respectfully submitted,

Geoff Brown

Name

Patrick Hart

Email [redacted]

Public Comment

Public Comment Submitted by Patrick Hart to NYC Commission on Government Efficiency:

I appreciate the opportunity to share public comments with COGE. Although I have the privilege of working for the CUNY Institute for State and Local Governance (ISLG) and playing an active civic/volunteer role in several community-based organizations, these comments are solely my personal opinions and not in any way the opinions of my employer or any other organization.

I am submitting recommendations for COGE to consider focused on improving the public financing and reducing the administrative burden on New York City's nonprofit ecosystem. These comments are primarily focused on our City's social/civic infrastructure and the nonprofits that are the lifeblood of this system. I am aware that many comments submitted to COGE focus more on our physical infrastructure (transportation, housing, etc.), and I appreciate the many great ideas coming from places like Vital City and the preliminary COGE report focused on improving our housing, transportation, and land use planning. My comments today focus on social and civic infrastructure.

Our nonprofit sector is the beating heart of New York City. Community based organizations play a critical role in administering social services in the City – a huge percentage of New York City social services are administered by third-party nonprofit providers.

For many years, the sector has called out delays in contract registration and payments as a major threat to New York's nonprofit sector, and by extension all of our City's communities. Through the tireless advocacy of groups like the Human Services Council, the wise analysis of partners like SeaChange Capital, and systems change from within by the Mayor's Office of Nonprofit Services, the Comptroller's Office, and other actors, we are beginning to see some relief from this backlog, but payment delays remain a crisis and the City must continue to work to improve speedy payments to nonprofits.

My public comments here are focused on some additional ways that the City can help improve funding for our core social infrastructure, and I offer them as guideposts for consideration. They fall under a broad theme:

Build on Lessons from Participatory and Trust-Based Grantmaking

In the philanthropic world, there has recently been a movement towards trust-based and participatory approaches. While there is a wide range of these approaches, some frequent features include:

- Not using a rigid RFP process, but rather engaging in ongoing holistic assessment of community needs and maintaining a flexible, rolling process of grant distribution.
- Rather than having a foundation board or program officers making investment decisions, having a larger circle of community members who will

be impacted by the funding taking a lead role in making funding decisions.
- Speedy movement of funds out the door to grantee organizations with minimal administrative burden and an emphasis on unrestricted funds.
- Prioritization of smaller grassroots organizations and individuals with deep community connections.
- Providers viewed as partners, rather than as simply grant recipients/arms of the funding organization.

These principles would help organizations that are too often left out of City funding processes, which can often create heavy administrative burdens that only large organizations are able to meet, and would increase the speed of funding delivery and the amount of funding going to grassroots organizations. These principles could also help reduce a variety of administrative pain points that providers, particularly smaller ones, often face when dealing with over

Of course, City funding is subject to many constraints and rules that philanthropic funding is not subject to, and it will not be possible to simply adopt these approaches wholesale in a public funding context. However, COGE and other City agencies and offices (particularly MOCS, MONS, and the Comptroller's Office) should examine ways to incorporate these principles as much as possible into our City systems. For instance, I heartily endorse Robert Joyce and Catherine Vaughan's suggestion to COGE of raising the Procurement Policy Board's small purchase threshold, which has not been adjusted for inflation since 1989. This is one example of a policy change that would make more flexible, participatory, and community based grantmaking easier in City government.

Some additional ways to infuse lessons from participatory and trust based grantmaking include:

Explore Using Alternate Funding Solicitation Methods with Fewer Barriers to Small Organizations

The City traditionally uses Requests for Proposals (RFPs) for contract solicitations. While RFPs are the standard, and offer advantages of transparency and clarity, they also tend to be cumbersome, require a hefty amount of paperwork, and often function as administrative barriers to smaller community-based organizations.

There are several methods that both government and philanthropic entities have used to overcome these barriers that deserve wider adaptation across City government. These methods include:
-Microgrants with a quick and easy application process. The Citizens' Committee for New York City has led the way on this with its small grants for community leaders these low barrier applications have proved enormously successful at getting millions of dollars in small grants (up to $5,000 each) to community leaders and organizations.
Mandating that large organizations receiving City awards subcontract with small community partners. CUNY ISLG and the Manhattan District Attorney's

Office used this approach with the Youth Opportunity Hubs, and it successfully prompted larger nonprofits to contract with approximately 30 small grassroots organizations who might not have otherwise received funding.

Instituting participatory grantmaking councils and/or giving circles composed of City experts and community stakeholders to design funding structures and directly make awards. This type of participatory grantmaking approach, as noted above, has become more common in an age of trust-based philanthropy and offers a pathway to both greater community participation AND greater public efficiency and speed, two goals that are often seen as in tension.

Not all of these methods will be appropriate for every setting, but the central recommendation is for City agencies to be more open to alternate ways of funding that prioritize speed, funding getting directly to communities, City program staff expertise, and community wisdom rather than an overly rigid process focused notion of procedural fairness.

Move More City Nonprofit Funding to a Grant Model, Rather than a Contract Model.

Recently, the Mayor's Office of Nonprofit Services and the City Council worked to replace many City discretionary funding contracts of less than $25,000 with grants. This shift allowed for more small organizations to receive funding up front, rather than go through a cumbersome contracting process.

This is a very promising development, but as of now, it is limited to discretionary awards of less than $25,000 from a select number of City agencies. The City should increase the funding amount threshold for these grants, increase the number of City agencies that issue these grants, and shift additional baselined/non-discretionary funding agreements to grant agreements.

Move Away from Traditional Reimbursement Based Invoicing

Some common threads running through my comments above is focus on flexibility, participation, trust, getting funding out the door quickly, and having a holistic view of community impact. One way to move towards these goals is for public funding agencies to spend less time asking "exactly how was every dollar spent?" and asking "how did this funding make a difference on the ground and how can we continue making community impact with these funds?"

This reframing has potentially profound impacts, and impacts that could potentially save City dollars in the long run. One way to actualize this approach is for more grants and contracts to move away from traditional reimbursement-based invoicing (i.e. nonprofits document costs and then the City reimburses those costs) and towards a system where there is a clear grant amount agreed on upfront between the City and the nonprofit grantee, that amount is paid up front (or in set installments triggered by

reports/deliverables) and the nonprofit has programmatic reporting responsibilities to the City, but not financial ones i.e. the City examines what impact, results, community engagement, etc. were produced by the funding but not the minute details of how funds were spent.

If City funding moves toward a system where agencies are tracking amounts going out the door based on clear and concise contracts with set funding amounts (on the front end) and engaging with qualitative and quantitative grantee reports, site visits, and holistic understanding of funding impact (on the back end), that could reduce administrative burden substantially and increase agencies' ability to work collaboratively with nonprofits to improve community outcomes.

This approach does not negate the importance of sound budget and operations management – rather, it empowers nonprofits to manage their own budgets and hopefully take advantage of the many capacity-building resources offered through MONS, additional public resources like the MOCJ/ISLG Justice Training Institute, and the City's sterling capacity building community. The City also potentially gains more fiscal certainty in such a system because the amount of funding going out the door to nonprofits is clear from the start of a contract, and City agencies' responsibilities shift primarily toward assessing what levels of funding to what organizations have resulted in positive community changes, and then making future funding recommendations based on that info. City government would maintain a crucial overall planning, vision, and oversight role for this funding, but the task of managing budgets and making decisions about what type of spending within a given budget best advances programmatic goals would sit squarely with the community-based organizations themselves.

However, this would be a significant shift from the way most City social infrastructure funding is currently administered – in my view, it would be a welcome shift towards a greater focus on the actual work on the ground, but there are likely several changes in City procurement policies needed in order for the City to move in this direction, and many layers of policy soil tending (as Jen Pahlka coins it) that need to happen. To begin that soil tending, I suggest building on existing pilots, grants, and performance/deliverable-based contracts already in place, including performance based contracts, deliverables based contracts, and more. There are many opportunities for innovative agencies to demonstrate the power of a funding approach grounded in the community change produced by spending, rather than the details of the spending itself.

Conclusion

I appreciate and admire the work of so many public servants in the public and nonprofit sector who are doing critical work every day to build our civic and social infrastructure, and I have seen the value of this work every day during my 18-year career in and around government. These recommendations are all made in the spirit of supporting this work and removing barriers to community flourishing. COGE has an opportunity to recommend charter

changes that will help move the City in a positive direction and I hope my comments can serve as helpful guideposts for COGE as you finalize your recommendations.

Attachment(s)



Patrick Hart COGE Public Comment.pdf

Date Submitted: July 10, 2026

Topic: Procurement Reform, Unnecessary Bureaucracy, Budget Issues, Reporting Requirements

Charter Related: Yes

Topic Simplified: Procurement

Subtopic: Improve and speed up payments to nonprofits

Show 4 hidden fields

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This is a very promising development, but as of now, it is limited to discretionary awards of less than $25,000 from a select number of City agencies. The City should increase the funding amount threshold for these grants, increase the number of City agencies that issue these grants, and shift additional baselined/non-discretionary funding agreements to grant agreements.

Move Away from Traditional Reimbursement-Based Invoicing

Some common threads running through my comments above is focus on flexibility, participation, trust, getting funding out the door quickly, and having a holistic view of community impact. One way to move towards these goals is for public funding agencies to spend less time asking "exactly how was every dollar spent?" and asking "how did this funding make a difference on the ground and how can we continue making community impact with these funds?"

This reframing has potentially profound impacts, and impacts that could potentially save City dollars in the long run. One way to actualize this approach is for more grants and contracts to move away from traditional reimbursement-based invoicing (i.e. nonprofits document costs and then the City reimburses those costs) and towards a system where there is a clear grant amount agreed-on upfront between the City and the nonprofit grantee, that amount is paid up-front (or in set installments triggered by reports/deliverables) and the nonprofit has programmatic reporting responsibilities to the City, but not financial ones – i.e. the City examines what impact, results, community engagement, etc. were produced by the funding but not the minute details of how funds were spent.

If City funding moves toward a system where agencies are tracking amounts going out the door based on clear and concise contracts with set funding amounts (on the front end) and engaging with qualitative and quantitative grantee reports, site visits, and holistic understanding of funding impact (on the back end), that could reduce administrative burden substantially and increase agencies' ability to work collaboratively with nonprofits to improve community outcomes.

This approach does not negate the importance of sound budget and operations management – rather, it empowers nonprofits to manage their own budgets and hopefully take advantage of the many capacity-building resources offered through MONS, additional public resources like the MOCJ/ISLG Justice Training Institute, and the City's sterling capacity-building community. The City also potentially gains more fiscal certainty in such a system because the amount of funding going out the door to nonprofits is clear from the start of a contract, and City agencies' responsibilities shift primarily toward assessing what levels of funding to what organizations have resulted in positive community changes, and then making future funding recommendations based on that info. City government would maintain a crucial overall planning, vision, and oversight role for this funding, but the task of managing budgets and making decisions about what type of spending within a given budget best advances programmatic goals would sit squarely with the community-based organizations themselves.

However, this would be a significant shift from the way most City social infrastructure funding is currently administered – in my view, it would be a welcome shift towards a greater focus on the actual work on the ground, but there are likely several changes in City procurement policies needed in order for the City to move in this direction, and many layers of policy soil tending (as Jen Pahlka coins it) that need to happen. To begin that soil tending, I suggest building on existing pilots, grants, and performance/deliverable-based contracts already in place, including performance-based contracts, deliverables-based contracts, and more. There are many opportunities for innovative agencies to demonstrate the power of a funding approach grounded in the community change produced by spending, rather than the details of the spending itself.

Conclusion

I appreciate and admire the work of so many public servants in the public and nonprofit sector who are doing critical work every day to build our civic and social infrastructure, and I have seen the value of this work every day during my 18-year career in and around government. These recommendations are all made in the spirit of supporting this work and removing barriers to community flourishing. COGE has an opportunity to recommend charter changes that will help move the City in a positive direction and I hope my comments can serve as helpful guideposts for COGE as you finalize your recommendations.

Name

Rebecca Heywood

Email

[redacted]

Public Comment

My name is Rebecca Heywood, Founder and Principal of Civic Works Studio. I welcome the opportunity to submit written comment following my review of the Commission's preliminary report. I provided testimony in person on Thursday, June 11, 2026, and shared written comment on June 24, 2026.

While I am encouraged by the overall diagnosis provided in the preliminary report, it is not enough to only address technology procurement without consideration of what improvements can be made to ensure the City has the technology workforce necessary to deliver services digitally in an effective and efficient manner. The report does not fully take into consideration opportunities to use the Charter to improve how technology is built, bought and managed.

There are two areas I would encourage the Commission to consider:
- Structure and management of technology functions
- Transparent and easy to understand civil service and hiring processes

My attached documents reference opportunities to make this change, as well as an inventory of other potential reform ideas for the Commission to consider outside of solely charter amendments. I am happy to share more about any of these ideas if desired.

Attachment(s)



COGE Written Public Comment Heywo...



NYC Government Operations Reform ...

Date Submitted	July 11, 2026
Topic	Technology ✕ Procurement Reform ✕ Unnecessary Bureaucracy ✕
Charter Related	Yes
Topic Simplified	Technology
Subtopic	Technology workforce

Show 4 hidden fields

This is a draft working list of reform ideas for New York City government operations, compiled by Rebecca He
NYC public servant, her work leading the 2020 Citywide Hiring Assessment at DCAS, and her ongoing engager

It also incorporates ideas drawn from publicly available writing, testimony, and recommendations by practiti
constitute endorsement by Rebecca or by any of the authors whose work is referenced.

This is a working list of ideas, not a policy platform or a ranked agenda. If you have ideas to add or sources to

Last updated: July 10, 2026

Rebecca Heywood — [redacted]
Founder & Principal, Civic Works Studio (www.civicworkstudio.com)

eywood of Civic Works Studio. It draws on her experience as a former
ment with the civic tech field nationally.

oners, researchers, and advocates across the field. Inclusion does not

) suggest, reach out.

To: New York City Commission on Government Efficiency (COGE), a Charter Revision Commission
From: Rebecca Heywood, Founder & Principal, Civic Works Studio

Re: Written public comment for Modernizing Government and Streamlining Government Technology

Friday, July 10, 2026

To Chair Gaspard, Executive Director Cheng, and commissioners,

My name is Rebecca Heywood, Founder and Principal of Civic Works Studio. I welcome the opportunity to submit written comment following my review of the Commission's preliminary report. I provided testimony in-person on Thursday, June 11, 2026, and shared written comment on June 24, 2026.

While I am encouraged by the overall diagnosis provided in the preliminary report, it is not enough to only address technology procurement without consideration of what improvements can be made to ensure the City has the technology workforce necessary to deliver services digitally in an effective and efficient manner. The report does not fully take into consideration opportunities to use the Charter to improve how technology is built, bought and managed.

There are two areas I would encourage the Commission to consider:
- Structure and management of technology functions
- Transparent and easy-to-understand civil service and hiring processes

Structure and management of technology functions

The Office of Technology and Innovation exists in its current form because of an Executive Order[1]. While the EO brought all of the technology functions previously in the mayor's office together with DOITT, it is not a permanent part of City infrastructure. There is also no requirement that OTI work in a modern way, follow the accepted best practices in software development or for how they should work with agencies beyond agencies being directed to "cooperate with the Office of Technology and Innovation as the Chief Technology Officer promulgates and implements policies and guidance".

The Commission should put forth a ballot measure that proposes a new structure of the centralized technology functions in New York City to replace the existing disparate and outdated references to DOITT and other offices that were brought together haphazardly to form OTI. This structure should be built around the use of modern development and management practices, looking to other jurisdictions across the country who have formalized their IT organizations around a product-based operating model led by outcomes and customer value instead of a

[1] https://www.nyc.gov/assets/home/downloads/pdf/executive-orders/2022/eo-3.pdf

project-based model led by time, scope and budget, and who have rethought how technology is meant to serve their residents.

These examples include Colorado's recent restructuring of their Office of Information Technology, and New Jersey's newly incorporated Innovation Authority.

Colorado Office of Information Technology

Colorado recently restructured their Office of Information Technology (OIT) after recognition that the prior structure was not delivering well on their responsibility to deliver technology that powers services for Coloradans[2].

The entire agency will now operate under a human-centered digital product model previously only used by Colorado Digital Service (CDS), a team within OIT created by Governor Polis in October 2019. In their public Strategic Reset document, they acknowledged that "despite hard work, OIT is not delivering at the level Coloradans and agency partners need — our legislative oversight entities and agency feedback have all said so directly." It is clear that the issue was not the level of effort being put in, but that the structure of the agency did not allow them to serve agencies at the highest level. The symptoms they shared should sound familiar:

- Manual effort does the work that tools should.
- Cost-recovery funds paper-pushing, not delivery.
- Agencies route around OIT.
- Governance built to prevent yesterday's failures now prevents today's delivery.
- Skilled agency teams are treated as a problem, not an asset.

In order to achieve this, they publicly announced the restructuring, effective immediately, ultimately needing to lay off about 15% of their workforce, "target[ing] management layers and internal coordination functions that accumulated over time to support a complex bureaucratic structure — not the technical and delivery work on which state agencies and Coloradans rely. The result is an organization with fewer people managing processes and more people doing the important work of improving online services that support Colorado families, such as the Universal Preschool Application and the Colorado PEAK state benefits platform."

Sarah Tuneberg, the former Head of Colorado Digital Service and current CIO stated to the Colorado Sun, "One of the things that's important and left out of that traditional IT — I'll get you a laptop, I'll get you internet access, I'll secure your data — is that every single program that the state of Colorado delivers, every benefit, every service from a driver's license to SNAP to getting a birth certificate has a digital service delivery component. Coloradans interact with the state of Colorado online digitally so we have to support agencies in delivering that service in an excellent way."[3]

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[2] https://oit.colorado.gov/about-us
[3] https://coloradosun.com/2026/05/27/colorado-overhauls-state-it-office-lays-off-employees/

Colorado has shared their operating model publicly and has long been a leader in using modern software development and management practices to serve their residents through CDS. They have also brought this model into other agencies through a hub and spoke model, including the Colorado Behavioral Health Agency and the Colorado Benefits Eligibility and Enrollment Systems.

Some examples of successful projects include:

- **myColorado app**: CDS helped build Colorado's official digital ID app. It lets residents store driver's licenses, auto registrations, and vaccine records on their phones.
- **State payroll modernization**: CDS embedded specialists to guide the overhaul of the state's payroll system, ensuring the new software works well for employees and state agencies.
- **Family & Medical Leave (FAMLI)**: CDS helped the Department of Labor and Employment research user needs and build systems to manage paid leave claims.
- **Benefits Management:** CDS works with health and human services to make it easier for Coloradans to apply for food, medical, and cash assistance.

Some additional references to learn more about the Colorado model include:

- Organize to Deliver: OIT's Operating Model
- OIT 2026 Strategic Reset - North Star
- Colorado Said the Quiet Part Out Loud by Rebecca Heywood of #PublicSectorJobBoard (the newsletter associated with Civic Works Studio)
- The Digital Service Was Never the Point by Jennifer Pahlka of Eating Policy

New Jersey Innovation Authority

Governor Murphy established the New Jersey Office of Innovation in 2018, led by a cabinet-level Chief Innovation Officer, to modernize government services using data-driven, human-centered, and agile processes[4].

After six successful years, several state lawmakers pushed to create the New Jersey Innovation Authority as an independent authority housed within the Department of Treasury. It was signed into law[5] in January 2026 and is led by the Chief Innovation Officer, initially appointed by the Governor and later by the authority, who serves as the chief executive officer and oversees daily operations. The New Jersey authority is the first of its kind in the nation. The CIO has broad discretion to hire legal, technical, and administrative staff outside of civil service requirements. The authority serves as the state's central hub for technology innovation, advising the executive branch and supporting digital product implementation across agencies.

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[4] https://www.governing.com/management-and-administration/new-jersey-becomes-first-state-to-put-a-digital-innovation-office-into-law

[5] https://nj.gov/governor_murphy/news/news/562025/approved/20260105b.shtml

The Innovation Authority is continuing to build on the success of the Office of Innovation. To date, the team has successfully completed dozens of projects[6], ranging from the NJ AI Assistant, an AI platform that provides a secure way for New Jersey State employees to leverage AI in their work, to redesigning the unemployment insurance application, reducing time to complete from 3 hours and 50 minutes on average to under 25 minutes[7], to modernizing 14 call centers, cutting costs in half while increasing the number of callers who speak to an agent by 15%[8], to transparency for programs like Temporary Disability or Family Leave Benefits, reducing the 50% of calls to the call center seeking clarification of their application status. The team has worked in close partnership with agencies across the state to help address critical bottlenecks, stand-up new programs, and grow confidence in the impact of emerging technologies.

In collaboration with the current Chief Technology Officer, agency digital teams and outside experts, the Commission should propose the permanent creation of a technology office that is charged with not just providing policy and guidance, but with serving as the leaders in technology innovation, and supporting digital product implementation and support on emerging technologies, across agencies.

Transparent and easy-to-understand civil service and hiring processes

While the report acknowledges that “Hiring delays severely impair the City’s ability to secure top tech talent” and that many who testified “raised civil service laws as a potential barrier.”, the only potential solution put forth is that the City study the barriers that inhibit efforts to develop and in-house roster of technologists. While it is true that many improvements may ultimately need to be made in administrative practices or state laws, there are many opportunities for the Charter to support the work.

From 2019-2020, while I was at DCAS, I ran the Citywide Hiring Assessment[9], a discovery phase project looking at how to improve the city’s approach to hiring as DCAS Human Capital wrapped up the fourth provisional reduction plan. Dawn Pinnock served as the executive sponsor for the work.

Our team used human-centered design practices to learn from the experiences of City employees and prospective applicants, guided by a task force of HR leaders from a diverse set of City agencies. Over the course of the project the team heard from over 10,000 New Yorkers - current and prospective employees - through workshops, 1:1 interviews, surveys and more. There were dozens of recommendations of changes DCAS or other city entities could make to improve the efficiency and effectiveness of civil service for all users while building a system that continued to serve the principles of merit and fitness.

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[6] https://innovation.nj.gov/projects/
[7] https://innovation.nj.gov/projects/ui-application-redesign/
[8] https://innovation.nj.gov/projects/call-center-modernization/
[9] The discovery phase of this project wrapped up in February 2020, and pilot projects were set to launch in March 2020, but the majority were put on pause due to COVID-19 response and were never fully implemented.

While the project was put on pause due to COVID-19 response, many of the recommendations continue to hold true today. I would be happy to walk the Commission through other recommendations that came out of this work at another time.

There are two areas that were uncovered during the course of the Citywide Hiring Assessment that could be improved through Charter amendments: using data for transparency, and the use of plain language in all communications and guidance, internal and external, about civil service and hiring processes.

Using civil service and hiring data for transparency

DCAS has access to significant amounts of data from NYCAPS and other sources that it currently does not use for ongoing management and improvement of civil service rules, regulations and procedures. This includes information on areas such as time-to-hire (application to offer) and time-to-start (offer to start date) by title, agency, field and stage; exam pass rates by candidate type (employee vs. external; competitive vs. non-competitive/exempt) to surface equity and access barriers; list utilization and fall-off rates; provisional appointment concentration by title and agency as a proxy for where the system may not be meeting hiring needs; selective certification usage and effectiveness, and more.

There is also currently little information available at the agency level for commissioners and HR leads to see their own vacancy rates, pipeline status by title, time-to-fill, title utilization, provisional appointment rates, and peer benchmarks across agencies.

The Charter could require that DCAS regularly analyze and publish its own operational data to identify bottlenecks, track improvement and prioritize modernization, focused on whether civil service is meeting the operational needs of agencies. This could be incorporated as a new part of the Mayor's Management Report or as standalone data.

Requiring plain language for all civil service communications and guidance

The civil service system is complex, but much of that complexity also comes because the language and terminology used to talk about it is highly specialized and not known by the average New Yorker. For those not familiar with the process or system, reading civil service documentation can lead to even more confusion and questions. There is no current requirement for civil service documentation to be written in plain language, or to utilize best practices in information architecture and user experience to help New Yorkers and city employees navigate the system.

The Charter includes a couple of references to language already, but they do not cover access to services in English:

- In Chapter 1, Section 15, there is an operational mandate for language services and language access. §15(c) establishes the Office of the Language Services Coordinator within the Office of Operations with eight enumerated powers and duties: working with agencies on implementation plans, collecting annual reports, conducting outreach, making recommendations, submitting annual reports to the Council with detailed data requirements, providing technical assistance, monitoring performance, maintaining a library of translated materials, and establishing additional standards. It's a

comprehensive operational mandate for the city to provide materials in languages other than English.

- There is only one reference to plain language in Section 15, requiring the Mayor's Office of Operations to develop a Business Owner's Bill of Rights "in the form of a written document, drafted in plain language."
- Chapter 78, §3401(d)(7) gives the Office of Racial Equity a mandate to "Develop a citywide access design program to increase equitable access and reduce barriers to in-person and digital city programs and services, including, but not limited to, incorporating civic service design, plain language, language justice, and disability-related access into every agency's work". It is one of their 9 enumerated duties, but it does not designate an agency-level owner, has no measurable standard, no compliance cycle, and no consequence for non-compliance.
- §3400 defines three interconnected terms that work together:
    - **Plain language**: "using writing, scripting, or other communicating in a way that the reader or listener can understand easily and completely, including using clear and common words, organizing ideas to be easy to follow, and choosing words that would be easy to translate into and understand in a person's preferred language."
    - **Language justice** — "a policy of designing interactions, public dialogue, and content, and providing services so that all users likely to benefit from them can interact in the language they feel most comfortable using, in order to reduce barriers that disproportionately exclude people with limited English proficiency from equal access and participation in decision-making."
    - **Access design** — "incorporating language justice, plain language, physical accessibility, civic service design, and other principles into communications, policies, and interactions, to reduce barriers to quality service and meaningful participation."

Outside of the Charter, §23-1102(b)(7) (Local Law 30), the language access law of 2017, was developed to improve access to city services for limited English proficiency and references plain language "where possible" as one of twelve considerations, but has no requirement.

Plain language is not only an equity issue, but also an operational issue. It can lead to fewer user errors, less confusion among all stakeholders, including existing City staff, lower call volume and easier translation. It is the requisite for language justice - translating confusing English produces confusing text in ten languages.

The Commission can recommend a few ways to strengthen the use of plain language in civil service and other city communications:

1. **Add an explicit plain language requirement to Chapter 35 (DCAS / civil service) of the Charter.** Civil service materials including exam notices, call letters, eligible list canvassing letters, DCAS guidance to all users (candidates, employees, hiring managers and HR staff), and job specifications are gatekeeping documents that determine who can enter public service. Comprehensibility is a merit and equity issue,

not just a service delivery issue. If the civil service system is meant to be fair, its communications must be understandable to the people it's meant to serve and not impede access to city jobs or timely hiring processes.

2. **Frame plain language as an operational standard, not just an equity issue.** Because the §3401(d)(7) mandate it lives in the Racial Equity chapter, it gets framed as a DEI initiative rather than an operational standard. This makes plain language politically vulnerable and it obscures the operational case. Plain language reduces errors, reduces call volume, reduces staff time spent explaining, reduces litigation, reduces processing time for benefits and permits, and reduces the cost of translation. The operational argument is scattered across §1043 (rulemaking) and §15(f)(1) in the Charter, and has a passing reference in Local Law 30.
3. **Introduce a plain language function and coordinator alongside the Languages Services coordinator.** Language access is included in the Charter as an operational mandate introduced in Section 15, and bolstered by Local Law 30. Plain language needs the same. While not specific to civil service, providing additional resources and capacity for plain language helps to ensure that agencies can meet the mandate.
4. **Consider requiring content specialists alongside coordinators.** Plain language is also a content design issue. While every employee who produces documents should be aware of the basic principles and how to apply them, agencies should also have access to content strategists and content designers, specialist roles whose job it is to make sure written communications are clear. Typically agency communications offices review public-facing reports or press releases, but are not involved in the day-to-day communications programs used to communicate with their users.
5. **Require Citywide plain language training for all employees who produce public-facing documents or internal-facing guidance.** There is a precedent in the Charter for including required training. §815.1 (anti-sexual harassment training) and §815.2 (age discrimination training) show the model: mandatory, recurring, reported. The Commission can recommend a plain language training requirement for all staff who produce public-facing communications, administered through the existing DCAS training infrastructure, to reach individuals across the city who create public- and internal-facing guidance documents.

Name

Geoff Brown

Email [redacted]

Public Comment

Attached will be my spoken testimony for Monday's session of COGE. Thank you.

Attachment(s)



COGE Geoff Brown Spoken Testimony J...

Date Submitted July 11, 2026

Topic Miscellaneous

Charter Related No

Topic Simplified Technology

Subtopic Cybersecurity

Show 4 hidden fields

SPOKEN TESTIMONY

NYC Charter Revision Commission (Commission on Government Efficiency)

Good evening, Chair Gaspard, Vice-Chair Wolfe, Secretary Kang, and commissioners.

My name is Geoff Brown. From 2016 to 2022 I was Chief Information Security Officer for the City of New York, and the founding head of New York City Cyber Command. I am here tonight as the person who helped build this city's cyber defense, and to ask you to protect it.

In 2017, New York did something the rest of the world was still figuring out. We built NYC Cyber Command with real authority and a direct line to the City's most senior leaders. The official who owns cyber risk must be able to say "no". The official needs to mandate fixes, to slow a project down, to escalate over any objection when the city's safety is at stake. You cannot do that job from underneath the people you are meant to be holding to account.

New York even wrote the office into the Charter in 2020. But the Charter *only requires that the office exist*. It says *nothing* to stop that office from being buried inside another department, or to guarantee the City's cybersecurity chief has a direct line to the top.

So in 2022, the office was moved inside the technology department, and the City's cybersecurity chief was told to report to the technology chief. The safeguard was placed under the very operation it exists to check. The Charter did not prevent that.

I know this Commission's job is efficiency, so let me meet you there. Cybersecurity is not an IT service. It is an enterprise risk, and is as serious as the city's financial or physical safety. And in the moment that decides everything, such as a live attack that could halt city services, the most expensive thing you can have is confusion about who is in charge. Independence of authority is not inefficiency.

My ask is concrete, and it needs no new agency. The office is already in the Charter. Strengthen the language to protect what matters: name a commissioner-level, commissioner-titled official to own cyber risk; guarantee that official a reporting line independent of IT delivery; and require public, auditable reporting on the city's cyber posture.

New York led the world on this once. Other municipalities and states recognized New York City's leadership. Governments abroad studied what we built. I would ask you not to let New York quietly

dismantle the very model that others copied. Secure NYC's cybersecurity agency's independence in the Charter, where it belongs.

Thank you.

Name

Andy Kleiman

Email [redacted]

Public Comment

Hello, I am a SEIT (Special Education Itinerant Teacher) and I have noticed a lot of government waste in my field and have a solution on how to fix it. I am a related service provider similar to a Speech, Occupational, and Physical Therapist. I have been a SEIT for 7 years and notice that a lot of students are mandated to receive SEIT services, but ultimately do not get them. This is partly because there aren't enough SEITs, but also because the way SEITs get assigned takes an unnecessary step that prevents SEITs from getting matched with students. I think there is a way to fix this, get more SEITs matched with students, reduce government waste, save money, and hire more SEITs.

First step is to get rid of SEIT agencies. Currently what happens is SEIT agencies have contracts with the DOE, the DOE pays the agencies, the agencies take a cut and give the rest to the SEITs. In a lot of instances, the agencies take a percentage that is outsized for their role. An agency I used to work for got paid $150/hr, while I got $70/hr. Meanwhile, once my agency assigns me a case, I rarely interact with them. My responsibilities include having sessions with the students, writing session notes, quarterly and annual progress reports, talking with the parents, the teachers, and other related service providers, attending annual IEP meetings, and writing and amending IEP goals. I hear from my agency when my quarterly and annual reports are due and to schedule my once a year supervision, and that didn't even happen with previous agencies. One estimate says there are anywhere from 100 120 SEIT agencies, eliminating them would save a lot of money, which could be used to increase pay for SEITs, which would attract more people to the profession, which would allow more students to get their mandates met. A 2022 23 report found that in an audit of just 10 agencies, they found over $7 million in misused funds (see attached, SEIT Annual Report 2022-23, page 3). I looked at the audits for three specific agencies that I have worked for in the past and they all had over $700,000 in misused funds, with one (Hebrew Academy for Special Children) had over $2 million (see attached, HASC, E&D, and NY Therapy).

The second step would be to make SEITs direct employees of the DOE like Speech, Occupational, and Physical Therapists, then it would be easier to match a SEIT with a student. Currently, when the Committee on Preschool Special Education (CPSE) gets a SEIT case they give it to a random SEIT agency and that agency will send out an email blast to see if any SEITs are available to take this case, but because there are so many agencies, the odds that that particular agency will have a SEIT that can take that case are slim and many cases go unfilled. If all of the SEITs were in a centralized database, a wider net could be cast. Hypothetically, an email blast could be sent to every SEIT that lives or works in a certain area, not just ones that work for a certain agency. Or the DOE could establish zones and SEITs would be assigned to a zone. When my son was in CPSE, he was assigned an Occupational Therapist, it was the one that was in his "zone". This means the DOE will set parameters, hypothetically zone 1 is from 100th St to 120th St and 1st Ave to 4th Ave, so any child in zone 1 will be assigned an OT who works in zone 1. This allowed the OT to see more students, in fact, she saw every student at my son's daycare that needed OT, so rather than having four OTs for four student, one

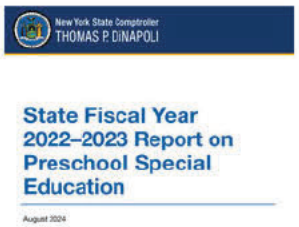
OT saw all four, but because of SEIT agencies, this is not how it works for SEITs.

I only work at one school and have been for the last two years, yet I have a full caseload. Because of this, I provided more service hours in the last two years than ever before even when I had the same amount of students. This is more students getting more support, making more progress, and achieving more of their goals, all without costing any more, and even saving wasteful government spending. By eliminating agencies and bringing SEITs into the DOE, this could be the reality.

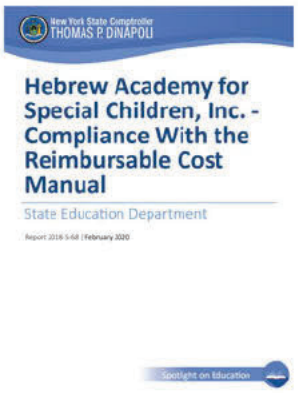
Thank you for your time and considering this.

Andy Kleiman

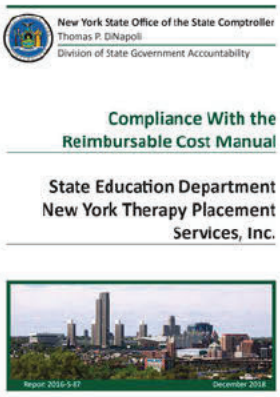
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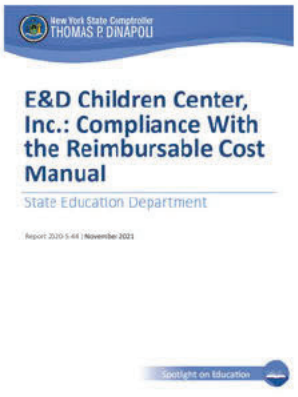
SEIT Annual Report 2022 23.pdf



HASC.pdf



NY Therapy.pdf



E&D.pdf

Date Submitted: July 11, 2026

Topic: Unnecessary Bureaucracy ✕ | Budget Issues ✕ | Procurement Reform ✕ | Reporting Requirements ✕

Charter Related	No
Topic Simplified	Government Operations
Subtopic	DOE & SEIT workers

Show 4 hidden fields

New York State Comptroller
THOMAS P. DiNAPOLI

Hebrew Academy for Special Children, Inc. - Compliance With the Reimbursable Cost Manual

State Education Department

Report 2018-S-68 | February 2020

Spotlight on Education

Audit Highlights

Objective

To determine whether the costs reported by the Hebrew Academy for Special Children, Inc. (Hebrew Academy) on its Consolidated Fiscal Reports (CFRs) were reasonable, necessary, directly related to the special education programs, and sufficiently documented pursuant to the State Education Department's (SED) Reimbursable Cost Manual (RCM). The audit focused primarily on expenses claimed on Hebrew Academy's CFR for the fiscal year ended June 30, 2017 and included certain expenses claimed on its CFRs for the two fiscal years ended June 30, 2016.

About the Program

Hebrew Academy is a New York City-based not-for-profit organization authorized by SED to provide preschool Special Education Itinerant Teacher (SEIT), full- and half-day Special Class (SC), and full- and half-day Special Class in an Integrated Setting (SCIS) programs to children with disabilities who are between the ages of three and five years. For purposes of this report, the SC and SCIS programs for the three years ended June 30, 2017 and the SEIT program for the year ended June 30, 2015 are collectively referred to as the SED preschool cost-based programs. Hebrew Academy also operated three other SED-approved preschool special education programs: Evaluations, Related Services, and 1:1 Aides. However, payments for services under these programs and under the SEIT program effective in the 2015-16 fiscal year are based on fixed fees. Hebrew Academy operated several other programs, including SED-approved school-age programs, an Early Intervention program administered by the Department of Health, programs funded through the Office for People With Developmental Disabilities, a camp, and a day care program.

During the 2016-17 school year, Hebrew Academy served approximately 539 students in its SED preschool cost-based programs. The New York City Department of Education (DOE) refers students to Hebrew Academy and pays for its services using rates established by SED. The rates are based on the financial information Hebrew Academy reports to SED on its annual CFRs. The State reimburses DOE 59.5 percent of the statutory rate it pays to Hebrew Academy. For the three fiscal years ended June 30, 2017, Hebrew Academy reported approximately $52 million in reimbursable costs for its SED preschool cost-based programs.

Key Findings

For the three fiscal years ended June 30, 2017, we identified $2,873,898 in reported costs that did not comply with the requirements in the RCM and the Consolidated Fiscal Reporting and Claiming Manual (CFR Manual), including:

- $792,672 in compensation for 174 (145 1:1 aides and 29 agency administrative) employees whose services were incorrectly allocated to the SED preschool cost-based programs;
- $766,955 in fringe benefit costs not directly related to the SED preschool cost-based programs;

- $479,596 in property costs incorrectly allocated to the SED preschool cost-based programs;
- $488,450 in other than personal service costs, including $329,448 in related-party costs incorrectly charged to the SED preschool cost-based programs and $159,002 in non-Program costs;
- $121,769 in inappropriate depreciation costs;
- $113,552 in excess executive compensation;
- $76,793 in unsupported other than personal service costs; and
- $34,111 in unsupported personal service costs.

Key Recommendations

To SED:

- Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on Hebrew Academy's CFRs and tuition reimbursement rates.
- Work with Hebrew Academy officials to help ensure their compliance with the provisions of the RCM and the CFR Manual.

To Hebrew Academy:

- Ensure that costs reported on annual CFRs fully comply with SED's requirements, and communicate with SED to obtain clarification as needed.

Office of the State Comptroller
Division of State Government Accountability

February 4, 2020

Ms. Shannon Tahoe
Interim Commissioner
State Education Department
[redacted]

Mr. Bernard Kahn
Chief Executive Officer
Hebrew Academy for Special Children, Inc.
[redacted]

Dear Ms. Tahoe and Mr. Kahn:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage government resources efficiently and, by so doing, providing accountability for tax dollars spent to support government-funded services and operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report, entitled *Compliance With the Reimbursable Cost Manual*, of our audit of the expenses submitted by Hebrew Academy for Special Children, Inc. to the State Education Department for the purposes of establishing tuition reimbursement rates. The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution; Article II, Section 8 of the State Finance Law; and Section 4410-c of the State Education Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Division of State Government Accountability

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Glossary of Terms

Term	Description	Identifier
CFR	Consolidated Fiscal Report	*Key Term*
CFR Manual	Consolidated Fiscal Reporting and Claiming Manual	*Policy*
Commissioner	Commissioner of Education	*Key Term*
DOE	New York City Department of Education	*Agency*
Hebrew Academy	Hebrew Academy for Special Children, Inc.	*Service Provider*
OTPS	Other than personal services	*Key Term*
RCM	Reimbursable Cost Manual	*Policy*
Regulations	Regulations of the Commissioner of Education	*Law*
SC	Special Class	*Key Term*
SCIS	Special Class in an Integrated Setting	*Key Term*
SED	State Education Department	*Auditee*
SEIT	Special Education Itinerant Teacher	*Key Term*

Background

Hebrew Academy for Special Children, Inc. (Hebrew Academy) is a New York City-based not-for-profit organization approved by the State Education Department (SED) to provide preschool Special Education Itinerant Teacher (SEIT), full- and half-day Special Class (SC), and full- and half-day Special Class in an Integrated Setting (SCIS) programs to children with disabilities between the ages of three and five years. For purposes of this report, the SC and SCIS programs for the three years ended June 30, 2017 and the SEIT program for the year ended June 30, 2015 are collectively referred to as the SED preschool cost-based programs. During the 2016-17 school year, Hebrew Academy served approximately 539 students at four sites: two in Brooklyn (Kings County), one in Woodmere (Nassau County), and one in Spring Valley (Rockland County).

In addition to the SED preschool cost-based programs, Hebrew Academy operated three other SED-approved preschool special education programs: Evaluations, Related Services, and 1:1 Aides. However, payments for services under these programs are based on fixed fees. Effective in the 2015-16 fiscal year, the SEIT program changed from a cost-based to a fixed-fee program. Hebrew Academy also operated an SED-approved school-age program, an Early Intervention program administered by the Department of Health, programs funded through the Office for People With Developmental Disabilities, and other programs such as camp and day care.

The New York City Department of Education (DOE) refers students to Hebrew Academy based on clinical evaluations and pays for its services using rates established by SED. These rates are based on the financial information Hebrew Academy reports to SED on its annual Consolidated Fiscal Reports (CFRs). To qualify for reimbursement, Hebrew Academy's expenses must comply with the criteria set forth in SED's Reimbursable Cost Manual (RCM) and the Consolidated Fiscal Reporting and Claiming Manual (CFR Manual), which provide guidance to special education providers on the eligibility of reimbursable costs, the documentation necessary to support these costs, and cost allocation requirements for expenses related to multiple programs and entities. The State reimburses DOE 59.5 percent of the statutory rate it pays to Hebrew Academy.

For the three fiscal years ended June 30, 2017, Hebrew Academy reported approximately $52 million in reimbursable costs for the SED preschool cost-based programs. This audit focused primarily on expenses claimed on Hebrew Academy's CFR for the fiscal year ended June 30, 2017 and included certain expenses claimed on its CFRs for the two fiscal years ended June 30, 2016.

Audit Findings and Recommendations

According to the RCM, costs will be considered for reimbursement provided they are reasonable, necessary, directly related to the special education program, and sufficiently documented. For the three fiscal years ended June 30, 2017, we identified $2,873,898 in reported costs that did not comply with SED's requirements for reimbursement. These ineligible costs included $1,707,290 in personal service costs and $1,166,608 in other than personal service (OTPS) costs (see Exhibit at the end of the report).

Strong internal controls are critical to the overall health of an organization. These controls help to safeguard assets and ensure reliable financial reporting and compliance with regulatory requirements. We attributed the significant number of disallowances detailed in this report to weaknesses in Hebrew Academy's internal controls over its compliance with SED's guidelines. Officials advised that Hebrew Academy had experienced management changes in the past, including certain employees involved in Hebrew Academy's fiscal operations. As a result, certain documents could not be found and the reasons for certain prior actions could not be explained.

Personal Service Costs

Personal service costs, which include all salaries and fringe benefits paid or accrued to employees on the service provider's payroll, must be reported on the CFR as either direct care costs (e.g., teachers' salaries) or non-direct care costs (e.g., administrators' salaries). For the three fiscal years ended June 30, 2017, Hebrew Academy reported approximately $39.4 million in personal service costs for the SED preschool cost-based programs. We identified $1,707,290 in personal service costs that did not comply with the reimbursement guidelines in the RCM and the CFR Manual. SED, pursuant to a desk review, previously disallowed some of these costs.

1:1 Aides

According to the RCM, salaries of employees who perform tasks for more than one program must be allocated among all programs for which they work. Entities must maintain appropriate documentation reflecting the hours used in this allocation. In addition, according to the CFR Manual, all 1:1 aide costs (salaries, fringe benefits of the aide, and allocated direct and indirect costs) should be reported in a separate cost center on the provider's financial reports.

For the three fiscal years ended June 30, 2017, Hebrew Academy claimed $4,622,889 ($3,981,536 in salaries and $641,353 in fringe benefits) in compensation costs for 394 employees who were reported as teacher aide, teacher assistant, and teacher aide/assistant substitute SED preschool

cost-based program expenses on its CFRs. However, Hebrew Academy's accounting records indicated many of these employees also worked as 1:1 aides. Hebrew Academy did not provide adequate documentation to support its allocation of the compensation costs for 145 of the 394 employees to the SED preschool cost-based programs.

To determine whether Hebrew Academy appropriately reported compensation costs, we interviewed officials and reviewed accounting and other supporting program records indicating how individual employees' salaries were allocated among its programs. However, Hebrew Academy officials could not provide evidence to adequately support their allocations.

We recommend that SED disallow $646,926 in compensation costs ($520,873 in salaries and $126,053 in fringe benefits) that were incorrectly charged to the SED preschool cost-based programs.

Non-Mandated Fringe Benefit Costs

For the three fiscal years ended June 30, 2017, Hebrew Academy reported $5,616,412 ($1,851,175 in fiscal year 2017, $1,750,619 in fiscal year 2016, and $2,014,618 in fiscal year 2015) in non-mandated fringe benefit costs (e.g., health and life insurance, pension contributions) for its SED preschool cost-based programs. We found that Hebrew Academy incorrectly allocated $766,955 in non-mandated fringe benefit costs to the SED preschool cost-based programs for certain employees (SEIT teachers, teacher assistants, teacher aides, and office workers) because it did not actually provide these fringe benefits, including health insurance and a pension benefit, to these employees. (These costs should have been charged to other Hebrew Academy programs.)

We recommend that SED disallow $766,955 in non-mandated fringe benefits that did not comply with the requirements in the RCM.

Non-Program Personal Service Costs

According to the RCM, costs will be considered for reimbursement provided such costs are reasonable, necessary, directly related to the special education program, and sufficiently documented. In addition, entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner of Education's (Commissioner) fiscal representatives.

In the three fiscal years ended June 30, 2017, Hebrew Academy reported $5,454,460 in personal service agency administrative costs. We found that Hebrew Academy included on its CFRs personal service costs of $294,766 for services it incurred on behalf of its wholly-owned subsidiary, MKSA.

Hebrew Academy officials stated that 29 agency administrative employees provided only incidental work for MKSA. However, we recommend that SED disallow $145,746, the portion of MKSA personal service costs included in the CFRs attributable to the SED preschool cost-based programs, as these costs were not shown to be necessary for the preschool programs and/or were not allocated using a fair and reasonable methodology, as required.

Excess Executive Compensation

According to the RCM, compensation (i.e., salaries plus fringe benefits) for an entity's staff whose function is that of Executive Director and Assistant Executive Director will be directly compared with the regional median compensation for comparable administration job titles of public school districts. Reimbursement shall not exceed the median compensation paid to comparable personnel in public schools for similar work and hours of employment in the region in which the entity is located.

For the three fiscal years ended June 30, 2017, compensation costs for the Executive Director and Assistant Executive Director exceeded the regional median limit by $240,709. Of this amount, $113,552 was allocated to the SED preschool cost-based programs, as follows:

- $112,007 in compensation costs for the Executive Director. Hebrew Academy officials reported $1,088,431 ($356,334 in 2014-15, $415,086 in 2015-16 and $317,011 in 2016-17) in compensation for the Executive Director position. The total regional median reimbursement limit for the three years for an Executive Director with comparable employment hours was $851,210. Thus, the total compensation exceeded the regional median limit by $237,221 ($1,088,431 - $851,210). Of the $237,221 in excess compensation, Hebrew Academy allocated $112,007 to the SED preschool cost-based programs.

- $1,545 in compensation costs for the Assistant Executive Director. For 2015-16, Hebrew Academy officials reported $204,942 in compensation costs for its 0.832 full-time equivalent Assistant Executive Director position. The total regional median reimbursement limit for that year for an Assistant Executive Director with comparable employment hours was $201,453. Thus, compensation costs exceeded the regional median limit by $3,489 ($204,942 - $201,453). Of the $3,489 in excess compensation, Hebrew Academy allocated $1,545 to the SED preschool cost-based programs.

We recommend that SED disallow $113,552, the excess executive compensation allocated to SED preschool cost-based programs.

Undocumented Personal Service Costs

According to the RCM, costs will not be reimbursable on field audit without appropriate written documentation of costs. Moreover, compensation costs must be based on approved documented payrolls that are supported by employee time records prepared during, not after, the time period for which the employee was paid.

Hebrew Academy officials could not provide documentation to support $36,042 in compensation costs recorded on the CFRs. We recommend that SED disallow $34,111, the amount charged to the SED preschool cost-based programs for the three fiscal years ended June 30, 2017.

Other Than Personal Service Costs

According to the RCM, costs must be reasonable, necessary, directly related to the special education program, and sufficiently documented. For the three fiscal years ended June 30, 2017, Hebrew Academy reported approximately $12.5 million in OTPS expenses for its SED preschool cost-based programs. We identified $1,166,608 of these expenses that did not comply with SED's reimbursement requirements.

Incorrectly Allocated Property Costs

The RCM states that borrowing transactions shall be evaluated on an overall level of reasonableness as they relate to interest costs and fees paid for professional services.

In 2013, Hebrew Academy consolidated its outstanding $5.8 million debt by refinancing it with a ten-year, $9.6 million loan at an annual interest rate of 4.75 percent. The refinanced debt included only $1.2 million of principal related to the SED preschool cost-based programs.

During the three fiscal years ended June 30, 2017, Hebrew Academy reported $1,297,635 in interest costs on its CFRs. However, we determined that $1,132,319 was incorrectly reported as agency administration costs rather than program costs. We determined that $425,819 of that amount was not interest on debt used to finance building space for the SED preschool cost-based programs and, therefore, should be disallowed.

During these same fiscal years, Hebrew Academy reported $132,601 in mortgage-related costs, such as closing and loan origination fees, legal fees, and title insurance. However, we found that $104,081 was incorrectly reported under agency administration costs. Of that amount, $53,777 should not have been charged to the SED preschool cost-based programs.

We recommend that SED disallow $479,596 ($425,819 + $53,777) in costs not directly related to the SED preschool cost-based programs.

Insufficiently Documented Related-Party Costs

The RCM states that costs will be considered for reimbursement provided such costs are reasonable, necessary, directly related to the special education program, and sufficiently documented.

For the fiscal year ended June 30, 2015, Hebrew Academy included on its CFR $329,448 in costs incurred by its wholly-owned subsidiary, MKSA. According to Hebrew Academy officials, these OTPS costs were incurred by MKSA employees performing services on behalf of Hebrew Academy. We requested detailed records identifying the specific functions the MKSA employees performed for Hebrew Academy; however, Hebrew Academy officials could not provide adequate records to support these costs.

We recommend that SED disallow $329,448 in insufficiently documented costs.

Non-Program Costs

According to the RCM, entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives.

For the three fiscal years ended June 30, 2017, Hebrew Academy reported $5,872,884 in OTPS agency administrative costs. We found that Hebrew Academy included on its CFRs OTPS costs of $330,018 incurred on behalf of its wholly-owned subsidiary, MKSA.

Hebrew Academy officials stated that the administrative employees who incurred those costs only performed incidental work for MKSA. However, we recommend that SED disallow $159,002, the portion of MKSA's OTPS costs included in the CFRs attributable to the SED preschool cost-based programs, as these costs were not shown to be necessary for the preschool programs and/or were not allocated using a fair and reasonable methodology.

Depreciation Expense

According to the RCM, information relating to the acquisition of fixed assets, equipment, land or building improvements, and any related financing arrangements and grants must be retained as long as the facility is used by any education program the provider operates if this period exceeds seven years. Entities operating programs must use allocation methods that are fair

and reasonable, as determined by the Commissioner's fiscal representatives.

For the three years ended June 30, 2017, we identified $121,769 in inappropriate depreciation costs on the CFRs, as follows:

- Hebrew Academy reported $858,657 in equipment, building, and land improvement depreciation for the SED preschool cost-based programs. However, it could not provide sufficient documentation (i.e., invoices) for depreciation transactions totaling $86,627.
- At some of its locations, program space is shared between the SED preschool cost-based programs and other Hebrew Academy programs. We visited these locations, measured space, examined provider schedules, and interviewed program personnel. We concluded that the SED preschool cost-based programs' allocated building depreciation expense was not fair and reasonable. We determined that $35,142 in excessive building depreciation was allocated to the SED preschool cost-based programs.

We recommend that SED disallow $121,769, the amount of depreciation costs inappropriately charged to the SED preschool cost-based programs.

Undocumented and/or Inadequately Documented OTPS Costs

Section 200.9(d) of the Regulations of the Commissioner of Education (Regulations) requires entities operating approved programs to retain all pertinent accounting, allocation, and enrollment/attendance records supporting reported data directly or indirectly related to the establishment of tuition rates for seven years following the end of each reporting year. Further, the RCM states costs will not be reimbursable on field audit without appropriate written documentation.

For the three fiscal years ended June 30, 2017, we identified $92,294 in OTPS costs that did not comply with RCM requirements because Hebrew Academy did not have adequate supporting documentation, as follows:

- $34,266 for the rental of a building for which Hebrew Academy could not explain how it was a necessary preschool special education cost;
- $34,210 in unsupported fiscal consultant costs that were not allowable and/or were for another entity;
- $22,658 in miscellaneous journal entries for which Hebrew Academy did not provide support; and

- $1,160 for miscellaneous unsupported OTPS costs.

We recommend that SED disallow $76,793, the amount of undocumented OTPS costs charged to the SED preschool cost-based programs.

Recommendations

To SED:

1. Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on Hebrew Academy's CFRs and tuition reimbursement rates.

2. Work with Hebrew Academy officials to help ensure their compliance with the provisions of the RCM and the CFR Manual.

To Hebrew Academy:

3. Ensure that costs reported on annual CFRs fully comply with SED's requirements, and communicate with SED to obtain clarification as needed.

Audit Scope, Objective, and Methodology

The objective of our audit was to determine whether the costs reported by Hebrew Academy on its CFRs were reasonable, necessary, directly related to the SED preschool cost-based programs, and sufficiently documented pursuant to SED guidelines. The audit focused primarily on expenses claimed on Hebrew Academy's CFR for the fiscal year ended June 30, 2017 and included certain expenses claimed on its CFRs for the two fiscal years ended June 30, 2016.

To accomplish our objective, we reviewed the RCM, the CFR Manual, the Regulations, Hebrew Academy's CFRs, and relevant financial and program records for the audited period. In addition, we evaluated the internal controls over the costs claimed on, and the schedules prepared in support of, the CFRs submitted to SED. We also interviewed Hebrew Academy officials and staff to obtain an understanding of Hebrew Academy's financial and business practices. In addition, we selected a judgmental sample of reported costs to determine whether they were supported, program related, and reimbursable. Specifically, we reviewed costs that were considered high risk and reimbursable in limited circumstances, based on prior audit report findings, such as salaries and fringe benefit expenses, rent expenses, and OTPS expenses. Our samples were based on the relative materiality of the various categories of costs reported and their associated levels of risk. Our samples were not designed to be projected to the entire population of reported costs.

Statutory Requirements

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution; Article II, Section 8 of the State Finance Law; and Section 4410-c of the State Education Law.

We conducted our performance audit in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained during our audit provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these management functions do not affect our ability to conduct independent audits of program performance.

Reporting Requirements

We provided draft copies of this report to SED and Hebrew Academy officials for their review and formal comment. Their comments were considered in preparing this final report and are included at the end of it.

In their response, SED officials agreed with our recommendations and indicated that they will take steps to address them. In Hebrew Academy's response, officials disagreed with most of our proposed disallowances. Our responses to certain comments are embedded within Hebrew Academy's response. Hebrew Academy officials also included a lengthy set of attachments with their response. Those attachments are not included in this report. However, they have been retained on file at the Office of the State Comptroller.

Within 180 days of the final release of this report, as required by Section 170 of the Executive Law, the Commissioner of Education shall report to the Governor, the State Comptroller, and the leaders of the Legislature

and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where the recommendations were not implemented, the reasons why.

Exhibit

Hebrew Academy for Special Children, Inc.
Summary of Submitted and Disallowed Program Costs for the 2014-15, 2015-16, and 2016-17 Fiscal Years

Program Costs	Amount Claimed on CFR	Amount Disallowed	Amount Remaining	Notes to Exhibit
Personal Services				
Direct Care	$36,614,943	$1,442,907	$35,172,036	A, B, D-I
Agency Administration	2,792,840	264,383*	2,528,457	
Total Personal Services	$39,407,783	$1,707,290	$37,700,493	
Other Than Personal Services				
Direct Care	$9,562,179	$501,240	$9,060,939	A, C, D, H
Agency Administration	2,983,045	665,368	2,317,677	
Total Other Than Personal Services	$12,545,224	$1,166,608	$11,378,616	
Total Program Costs	$51,953,007	$2,873,898*	$49,079,109	

*SED, pursuant to a desk review, previously disallowed some of these costs.

Notes to Exhibit

The following Notes refer to specific sections of SED's RCM and the CFR Manual used to develop our recommended disallowances. We summarized the applicable sections to explain the basis for each disallowance. We provided the details supporting our recommended disallowances to SED and Hebrew Academy officials during the course of our audit.

A. RCM Section II – Costs will be considered for reimbursement provided such costs are reasonable, necessary, directly related to the special education program, and sufficiently documented.

B. RCM Section II.13.A.4.(a) – Compensation (i.e., salaries plus fringe benefits) for an entity's staff whose function is that of Executive Director, Assistant Executive Director, or Chief Financial Officer will be directly compared to the regional median compensation for comparable administration job titles of public school districts. Reimbursement of employee compensation for Executive Director, Assistant Executive Director, or Chief Financial Officer shall not exceed the median compensation paid to comparable personnel in public schools for similar work and hours of employment in the region in which the entity is located.

C. RCM Section II.28 – Borrowing transactions shall be evaluated on an overall level of reasonableness as they relate to interest costs and fees paid for professional services.

D. RCM Section III.1 – Section 200.9(d) of the Commissioner's Regulations requires entities operating approved programs to retain all pertinent accounting, allocation, and enrollment/attendance records supporting reported data directly or indirectly related to the establishment of tuition rates for seven years following the end of each reporting year. Information relating to the acquisition of fixed assets, equipment, land or building improvements and any related financing arrangements and grants must be retained as long as the facility is used by any education program the provider operates if this period exceeds seven years. Costs will not be reimbursable on field audit without appropriate written documentation.

E. RCM Section III.1.A – Compensation costs must be based on approved, documented payrolls. Payrolls must be supported by employee time records prepared during, not after, the time period for which the employee was paid.

F. RCM Section III.1.B – Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies.

G. RCM Section III.1.M.1.(i) – Salaries of employees who perform tasks for more than one program must be allocated among all programs for which they work.

H. RCM Section III.1.M.2 – Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives.

l. CFR Manual Section 8.0 – Expenses and revenues and FTE enrollment for approved 1:1 teacher aides (preschool and school age) must be reported as a separate column (Program Code 9230).

Agency Comments - State Education Department

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER
Office of Performance Improvement and Management Services
O: 518.473-4706
F: 518.474-5392

December 26, 2019

Mr. Kenrick Sifontes
Audit Director
Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane - 21st Floor
New York, NY 10038

Dear Mr. Sifontes:

The following is the New York State Education Department's (SED) response to the draft audit report, 2018-S-68, Hebrew Academy for Special Children, Inc. (Hebrew Academy) - Compliance With the Reimbursable Cost Manual.

Recommendation 1:

"Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on Hebrew Academy's CFRs and tuition reimbursement rates."

We agree with this recommendation. SED will review the recommended disallowances as noted in the report and make adjustments to the reported costs to recover any overpayments, as appropriate, by recalculating tuition rates.

Recommendation 2:

"Work with Hebrew Academy officials to help ensure their compliance with the provisions of the RCM and the CFR Manual."

We agree with this recommendation. SED will continue to provide technical assistance whenever requested and will strongly recommend the Hebrew Academy officials avail themselves of our assistance to help them better understand the rules for cost reporting and criteria for cost reimbursement as presented in the CFR, Regulation and the Reimbursable Cost Manual (RCM). Furthermore, SED will alert Hebrew Academy of online CFR training that is available on SED's webpage. SED recommends that all individuals

signing the CFR certification statements, namely the Executive Director and Certified Public Accountant, complete this training. This training is a requirement for preschool special education providers upon approval and reapproval.

If you have any questions regarding this response, please contact Brian Zawistowski, Assistant Director of the Rate Setting Unit, at [redacted]

Sincerely,

Sharon Cates-Williams

Deputy Commissioner

Sharon Cates-Williams

c: Phyllis Morris
Christopher Suriano
Suzanne Bolling
Traci Coleman
Brian Zawistowski
James Kampf



December 30, 2019

Kenrick Sifontes
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, NY 12236-0001

Re: Response to Final Draft Audit Report 2018-S-68, Compliance with the Reimbursable Cost Manual, Hebrew Academy for Special Children, Inc.

Dear Mr. Sifontes:

On behalf of Hebrew Academy for Special Children, Inc. ("HASC"), the following is the agency's response to the OSC final draft audit report with respect to the three fiscal school years ended June 30, 2017.

Background

HASC is a New York based not-for-profit organization approved by the New York State Education Department ("SED") to provide full-day and half-day Special Class ("SC") preschool programs, full-day and half-day Special Class in an Integrated Setting ("SCIS"), preschool special education itinerant teacher ("SEIT") services, preschool evaluation, preschool related services, one-to-one aide services and Early Intervention services to children with disabilities ages birth to five. In addition, NYSED approved HASC to operate school-age special classes, and as a result, various salaried and hourly employees worked in multiple programs performing direct and non-direct care staffing activities.

During school year 2016-17, HASC served approximately 355 preschool children in its center/cost-based programs, approximately 191 children in its SEIT program and 32 preschool children in its one-to-one aide programs at four sites in Brooklyn, Woodmere, Spring Valley, and Parksville in school years 2014-15 and 2015-16.

HASC firmly believes that the OSC must revise the "Background" section of its report to include the fact that Parksville also operated its preschool program during school years 2014-15 and 2015-16, particularly given its relevancy with respect to the OSC's "Incorrectly Allocated Property Costs" finding.

Executive Offices: [redacted]

State Comptroller Comment – The draft report indicated the four locations at which Hebrew Academy operated SED preschool cost-based programs during the 2016-17 school year. Hebrew Academy did not operate an SED preschool cost-based program at Parksville in 2016-17.

Audit Findings and Responses

1:1 Aides Response

RCM Criteria:

Compensation
Salaries of employees who perform tasks for more than one program must be allocated among all programs for which they work.

Staffing Ratios
Staff-to-student ratios are defined in Part 200 of the Commissioner's Regulations. A specific approved program's student-to-staff ratio is also defined in that program's programmatic approval letter from Office of Special Education. Direct care personnel in excess of, or not prescribed by such ratios, are not reimbursable, unless supported by the student's IEP requirements and the program generated summary data relating to those IEPs. A Department programmatic review and approval of variations from these ratios is required for costs of additional staff to be reimbursable.

New York State Consolidated Fiscal Reporting Claiming Manual:

Subject: Appendix H – SED Program Types, Section: 41.0 Page: 41.6

9230 – Special Education 1:1 Aides
This cost column should include the additional revenue and expenses for child specific teacher aides/assistants for school age and preschool students recommended by the CSE/CPSE and included as part of the *student's Individualized Education Program.*

Full-Time Equivalent (FTE) Enrollment Section 175.6 of the Commissioner's Regulations provides the framework for calculating student enrollment for approved programs. The following specific standards apply to the calculation:

For preschool special class and special class in an integrated setting programs that operated for more than five hours per day, full-time equivalent enrollment shall not be prorated for the hours over five hours per day. For preschool special class and special class in integrated setting programs that operate for less than five hours per day, full-time equivalent enrollment shall be prorated as follows. For the following examples, assume a total non-prorated FTE enrollment for the program of 50.000 as calculated consistent with the previous subsections 7 A.- D. 2.5 hr. program: 50.000 x 2.5 hr. / 5.0 hr. = 25.000 prorated FTE 3.0 hr. program: 50.000 x 3.0 hr. / 5.0 hr. = 30.000 prorated FTE

According to the OSC draft audit report, HASC did not provide adequate documentation to support its reporting of the compensation costs for 151 of the 394 employees to the SED cost-based programs. HASC disagrees. HASC's Fiscal Department provided the OSC with the following, as appropriate:

- One-to-one aide monthly reporting forms, including the names of the students receiving the one-to-one aide service and the staffing assigned;
- A Department of Education ("DOE") monthly attendance log, including the educational staffing (Teacher and Teacher Assistants), the program cost center, the classroom, the classroom ratio and site; and
- HASC's hiring approval form, which indicates among other items, the staff position, how the position would be utilized and how staff would be paid (hourly or salaried).

State Comptroller Comment – Hebrew Academy had not yet provided monthly attendance logs, 1:1 Aide monthly reporting forms, and hiring approval forms for the 2014-15 school year. Moreover, the documentation provided for 2015-16 and 2016-17 was insufficient as it pertained to some, not all, of the 394 shared employees.

In addition, HASC reviewed the OSC's supporting documentation regarding its decision to reclassify employees' hours and costs from HASC's cost-based program to the one-to-one aide program and found multiple reporting issues with these adjustments.

State Comptroller Comment – This statement is incorrect. According to the CFR Manual, expenses for the fixed-fee (fee for service) 1:1 Aide program must be reported in a separate cost center on the CFR. Consequently, such costs would be duplicative if reported in the SED preschool cost-based programs. Furthermore, we did not reclassify employee hours and costs. We disallowed costs that were unrelated to the SED preschool cost-based programs.

First, the OSC incorrectly utilized HASC's payroll register to calculate its finding rather than actual salaries reconciling to the Trial Balance and CFR. That method is inaccurate since it does not take into account the accruals. Attachment A demonstrates that the OSC's worksheet failed to include accruals for fiscal reporting period 2017, including the retroactive accrual, for four employees selected by the OSC who worked in the one-to-one aide and center-based program cost center **(see Attachments C, A and B).**

For example, the final annual salary reported on the position control for DA (a Teacher Assistant reported in PTC 232) amounted to $20,088.43, while the OSC's calculation for that employee's annual salary totaled $18,493 because due to the fact that the OSC based the salary on the payroll registry and failed to include the accruals. This error resulted in an underreporting of $1,595 of salary costs and an erroneous finding of $1,745 for that *one* employee on the OSC's spreadsheet **(see Attachment C).** Once the accruals are applied correctly to that employee, the OSC's disallowance reduces to $150.

State Comptroller Comment – At the time the draft report was being prepared, documentation to support the accruals had not yet been provided by Hebrew Academy.

Subsequently, we received and reviewed documentation, including accruals, and modified the recommended disallowances for the final audit report.

Second, the OSC's worksheets indicate that the OSC incorrectly adjusted an employee's staffing time and costs. Specifically, the OSC arbitrarily decided to halve the staffing time and costs of JV during the ten-month school session, a one-to-one aide in the summer session and a teacher assistant in the classroom during the ten-month session in a 6:1:2 center/cost-based classroom (Program 9101) because two additional employees (KB and JS) were included on the DOE monthly attendance log during the ten-month school session **(see Attachment D).** By arbitrarily removing the reporting of JV from the remaining group of employees *who were all staffed to maintain program compliance,* and *not* calculating the hours for *all* of the employees included on the attendance log, the OSC failed to calculate the total hours collectively for these same employees, which amounted to 3,595 **(see Attachment E)**.

For example, JV's reported teacher aide salary amounted to $15,254, instead of $15,337, not including an accrual adjustment error of $80. In addition, the OSC's incorrect halving calculation results in JV's salary amounting to $6,587 to the center-based program for the ten-month school session, and this is just one employee out of 185 employees. The OSC's mistake totaled $6,670 overreporting of salary to the one-to-one program cost center **(see Attachment C),** which is part of the recommended disallowance totaling $916,091.

State Comptroller Comment – These statements are misleading. We did not incorrectly adjust employees' staff times, nor did we arbitrarily decide to halve staff times and costs. Instead, in the absence of time studies and other allocation methodologies, we reviewed the attendance logs, 1:1 Aide monthly reporting forms, and other records provided by Hebrew Academy and calculated the appropriate costs that should have been reported to the SED preschool cost-based programs.

In addition, and contrary to the draft audit report, Educational (Special Education Teachers and Teacher Aides/Assistants) staffing during the three audited school years was in compliance with all staff to student teacher ratios in each of the preschool cost-based programs. HASC deployed its salaried and hourly employees efficiently and reported the appropriate number of teachers and teacher assistants in each of its aforementioned preschool programs based on the number of classes and types of classroom ratios approved in its program approval letter.

State Comptroller Comment – Our draft report did not opine on Hebrew Academy's compliance with staff-to-student ratios and whether Hebrew Academy deployed its salaried and hourly employees efficiently.

Moreover, the number of teacher aide/assistant/assistant sub staffing reported in its one-to-one program cost center complied with each student's Individualized Education Program ("IEP"), and also corresponded with the number of student FTE's reported on schedule SED-1 during each school session. That statistical information is significant because the OSC states that HASC "employees services were incorrectly allocated to the cost-based programs." Since the factual data reported on HASC'S CFR's proves differently, HASC disagrees with the OSC.

State Comptroller Comment – We audited Hebrew Academy's compliance with the requirements in the RCM and the CFR Manual as they pertain to the SED preschool cost-

based programs. We stand by our conclusion that these costs were incorrectly allocated to the SED preschool cost-based programs.

Further, not aggregating the actual staffing hours with the actual school days in session led the OSC to make inaccurate reclassifications to a non-cost-based program which resulted in an inaccurate finding.

State Comptroller Comment – This statement is incorrect. We did not reclassify costs to the "non-cost-based program." Moreover, aggregating actual staffing hours and comparing them with actual school days in session in one non-cost-based program, as Hebrew Academy suggests, would not have provided evidence that excess hours were provided to the SED preschool cost-based programs. As we state in the audit report, Hebrew Academy offers many other non-cost-based programs. Therefore, an overage of teaching hours in one program does not mean those extra hours should be applied to the SED preschool cost-based programs.

After finding these accounting errors and arbitrary reclassifications on the OSC's documents, HASC prepared a staffing measurement table of the staffing hours of all employees who were hired to provide one-to-one aide services to the preschool and school-age population, and used that data to arrive at a reasonable outcome which includes the following:

- Total care days reported on schedule SED-1;
- Required hours to meet the IEP for the student FTE's reported on schedule SED-1 for the three years ending June 30, 2017 according to Section 175.6 of the Commissioner's Regulations, which provides the framework for calculating student enrollment (refer to RCM criteria included above in the one-to-one aide section); and
- The total amount of staffing hours reported on schedule CFR-4 in position title code 228 (Teacher Aides), 230 (Teacher Aides/assistant Sub) and 232 (Teacher Assistant). **(see Attachment F).**

Based on the foregoing, HASC's staffing measurement efficiency in meeting the IEP requirements for students receiving one-to-one service totaled 101% for the three years ending June 30, 2017. As a result, that measurement outcome demonstrates that HASC's supporting documentation adequately supports its allocations for the staffing reported in the one-to-one aide cost center. HASC employs many hourly employees on an as needed basis in its one-to-one aide program, and was able to utilize them efficiently in order to maintain program compliance.

Finally, according to the OSC's disallowance recommendation totaling $916,091, that amount of staffing costs increases the annual preschool staffing hours by 67,174 for the three years ending June 30, 2017, which would then bring the staffing efficiency measurement to 133% (1.18 in SY 16-17, 1.29 in SY 15-16 and 1.50 in SY 14-15) or 1.3 staff for every one child **(see Attachment F)**. That type of reclassification cannot be mathematically correct when the New York State Consolidated Fiscal Reporting and Claiming Manual, Section 8.0, provides that the maximum staffing ratio cannot exceed 1:1. Accepting the OSC's calculation would compromise Part 200

Regulations of the Commissioner of Education and the Regional Weighted Average Per Diem 1:1 Aide Tuition Rates approved by the NYSED Division of Budget and Rate Setting Unit Departments.

State Comptroller Comment – We disagree; our calculations did not compromise Part 200 Regulations of the Commissioner of Education and the Regional Weighted Average Per Diem 1:1 Aide Tuition Rate approved by SED and the Division of the Budget. Moreover, Hebrew Academy's staffing measurement table is flawed, as it pertains only to the fixed-fee 1:1 Aide program and does not support the cost Hebrew Academy reported for SED preschool cost-based programs. Further, as previously stated, we did not reclassify employee hours and costs.

Prior to the draft audit report being issued on November 27, 2019, and even during the final exit conference, HASC asked the OSC audit team how 185 employees employed at HASC, who were providing a sufficient amount of one-to-one aide staffing time to only 90 children, did not meet the staffing criteria during the three audited school years. According to the OSC's supporting documents, it was apparently because many of the one-to-one aide employees also worked in the center-based and one-to-one aide cost centers. Rather than the OSC reaching this conclusion, the one-to-one aide program should have been examined more carefully in terms of the amount of staffing hours reported on HASC's CFR's prior to the OSC's sample selection request for supporting documentation on 185 employees serving only 90 children.

State Comptroller Comment – Hebrew Academy employees worked in various programs, including the SED preschool cost-based and fixed-fee 1:1 Aide programs. We requested and reviewed documentation to support the cost allocated to the SED preschool cost-based programs and found that Hebrew Academy incorrectly allocated certain costs that should have been reported in the fixed-fee 1:1 Aide program cost center.

HASC firmly believes that the measurement of data reported by HASC in multiple program cost centers was fair and reasonable and most importantly, in accordance with each student's IEP. Instead, the OSC arbitrarily reclassified more staffing hours from the preschool center-based operation into the one-to-one aide program, which essentially forces HASC to be out of compliance in its cost-based program by understaffing its center-based programs and overstaffing the one-to-one aide program. The end result is an inaccurate finding.

State Comptroller Comment – The measurement of data reported by Hebrew Academy was not accurate. The cost reported under the SED preschool cost-based programs should have been reported to the fixed-fee 1:1 Aide program.

For the foregoing reasons, HASC disagrees with the OSC's recommended disallowance totaling $916,091.

State Comptroller Comment – Based on the review of additional documentation provided by Hebrew Academy, we reduced the disallowance from $916,091 to $646,926.

Non-Program Personal Service Costs Response

RCM Criteria
Charges from Parent or Related Organizations Charges to programs receiving administrative services, insurance, supplies, technical consultants, etc. from a parent or related organization are reimbursable provided they are not duplicative in nature, provide a direct benefit to subsidiary charged and based on actual direct and indirect costs, allocated to all programs on a consistent basis and defined as reimbursable in the Regulations of the Commissioner of Education, the CFR Manual or this Manual.

HASC disagrees with the OSC's analysis regarding the $145,796 disallowance resulting from a portion of HASC agency administrative services which were deemed not necessary to HASC's preschool cost-based programs. HASC disagrees that *all* 29 agency administrative employees should have been charged to MKSA because there were only 12 agency administrative employees who were actually providing non-duplicative agency administrative services to MKSA during the audited school years.

HASC provided agency administrative services to its affiliate, MKSA, which operated independently as an approved provider of Early Intervention and SEIT services prior to its affiliation with HASC in school year 2014-15. When HASC and MKSA became affiliated, MKSA still maintained the majority of its agency and program administrative staff it had employed while operating independently in previous years; therefore, only a portion of HASC's executive team oversaw that site's operation in order to avoid duplicating services and to make effective management decisions relative to the agency's fiscal viability.

In fact, at the final exit conference, HASC communicated to the OSC that MKSA operated as a separate site, provided primarily Early Intervention and SEIT home-based services and were managed by its own agency administrative staff, including 12 of HASC's non-duplicative employees. HASC provided the OSC with several supporting documents, which demonstrated how MKSA operated independently with many of its staff to avoid duplication. MKSA maintained relatively the same number of agency and program administrative staffing with the exception of removing its Executive Director. MKSA operated differently compared with other HASC programmatic sites by employing an accountant, bookkeepers, billing clerks, billing supervisors, insurance claim billers, director of services who provided business management services, a program director who provided compliance services and an office worker who assisted with technology support. HASC did not employ any of these types of positions at any of its programmatic sites as supported by the data on HASC's position control and on the CFR's in schedule CFR-4 in its 500 position title codes which included only Program Directors, Assistant Program Directors, Supervisors of Social Services, Education Department Coordinators and Receptionists.

HASC agency administrative employees provided many of these duties for *all* HASC sites but did not provide those same services for MKSA to avoid duplication. For additional supporting evidence, HASC has prepared Attachment F, which demonstrates the job positions and agency administrative duties provided by both HASC and MKSA for each employee **(see Attachment G);** that attachment fully explains the infrastructure and supports HASC's claim that the $145,796 added by the OSC to MKSA are duplicative.

For the foregoing reasons, HASC disagrees with the OSC's recommended disallowance totaling $145,796.

State Comptroller Comment – The recommended disallowance remains. Based on our review of the management service agreement between Hebrew Academy and MKSA and other documentation and interviews with Hebrew Academy's agency administration employees, we determined that Hebrew Academy's employees provided services to MKSA. Therefore, the $145,796 should have been allocated to MKSA rather than to the SED preschool cost-based programs.

Non-Mandated Fringe Benefit Costs Response

HASC Employee Handbook
HASC utilized the criteria in its Employee Handbook, which was given to the auditors during HASC's audit, to reasonably allocate non-mandated fringe benefit costs across the various programs according to the employee's status (salaried or hourly) during the two ending school years June 30, 2017. The following includes the relevant criteria:

Salaried Regular Full-Time Employee:
You are considered a salaried full-time employee if your work schedule is 30 hours per week or more (27.5 paid hours or more per week) and, as per your most recent employee hire or status change form, you have been notified that you are considered a salaried employee. *Salaried regular full-time employees are generally eligible for all of HASC's benefit programs subject to the terms and conditions of the applicable plans.*

Salaried Regular Part-Time Employee:
You are considered a salaried part-time employee if your work schedule is at least 20 but less than 30 hours per week (at least 17.5 but less than 27.5 hours paid hours per week) and, as per your most recent employee hire or status change form, you have been notified that you are considered a salaried employee. Salaried regular part-time employees whose regularly work schedule is at least 20 hours per week (17.5 paid hours) are generally eligible for all of the HASC's benefit programs subject to the terms and conditions of the applicable plans. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), salaried regular part-time employees who regularly work less than 20 hours per week (17.5 paid hours) are generally ineligible for all of HASC's other benefits programs unless otherwise noted in this handbook.

Health Insurance:
HASC offers eligible salaried regular full-time (30+ hours) and salaried regular part-time (20+ hours) employees the opportunity to enroll in the group medical, dental, and life insurance programs after 90 days of employment. In order to participate in these plans an employee must be continuously employed in a salaried regular full-time (30+ hours) or salaried regular part-time (20+ hours) position for 90 days or have a change of status to salaried regular full-time or part-time and have worked daily for the past 90 days. Upon becoming eligible to participate in these plans, you will receive SPDs describing the benefits in greater detail. If an employee does not

enroll when initially eligible, enrollment is not possible until the next open enrollment (except under certain circumstances).

All hourly employees who work 30 hours or more per week (or 130 hours per month over a 12-month period) are eligible for medical benefits only.

Defined Contribution Plan:
HASC offers a retirement plan to all employees as long as you meet the plans' requirements. You are eligible to participate in the plan on either January 1st or July 1st following your completion of 1 year of service in which you have been paid for at least 1000 hours of work and have attained age 21. Hours of paid time include hours you actually worked, paid vacation time used, paid sick time used, paid personal time used, paid holidays and paid school breaks. Lunch time is not paid time.

Earned benefit depends on a number of factors and is fully funded by HASC. *After 2 plan years (July 1 – June 30) during which you have been paid for at least 1000 hours you are 20% vested.* For each additional plan year that you are paid for at least 1000 hours you will earn an additional 20% vesting to a maximum of 100%.

Hourly Regular Employee:
You are considered an hourly employee if, as per your most recent employee hire or status change form, you have been notified that you are considered an hourly employee. An hourly regular employee may be full-time or part-time. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), *hourly regular employees are generally ineligible for most of HASC's other benefits programs.* Hourly employees work on an as needed basis only and, therefore, are ineligible to accrue personal, holiday and vacation time.

RCM Criteria

Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives.

New York State Consolidated Fiscal Reporting and Claiming Manua1

New York State Subject: CFR-1 – Program/Site Data Section: 13.0 Page: 13.6 Consolidated Fiscal Reporting and Claiming Manual Reporting Period: July 1, 2014 to June 30, 2015 and 2015 Issued: 05/15 Section B: Expenses Personal Services)

New York State Subject: CFR-1 – Program/Site Data Section: 13.0 Page: 13.6 Consolidated Fiscal Reporting and Claiming Manual Reporting Period: July 1, 2015 to June 30, 2016 Issued: 05/16 Section B: Expenses Personal Services)

New York State Subject: CFR-1 – Program/Site Data Section: 13.0 Page: 13.6 Consolidated Fiscal Reporting and Claiming Manual Reporting Period: July 1, 2016 to June 30, 2017 Issued: 07/17 Section B: Expenses Personal Services)

Service providers may use actual fringe benefits or a fringe benefit percentage derived from actual costs on an agency wide or program specific basis.

Appendix J – Allocating Expenses for Shared Programs/Site Section 43.0 Page 43.4:
If the recommended allocation method is not reasonable, the Agency Provider may determine a more reasonable method of allocation.

To begin, HASC communicated to the OSC audit team that HASC used two fringe allocation methodologies in the three audited school years ending June 30, 2017; one allocation methodology which was used by HASC in previous fiscal reporting periods and which remained in effect through school year 2014-15; the other methodology was developed because the NYSED Rate Setting Unit and Division of Budget approved a new rate methodology for the SEIT program beginning in school year 2015-16. Consequently, HASC's new methodology was developed in order to comply with RCM criteria included in Section I marked "Fiscal Viability."

According to the RCM, "[t]o be considered fiscally viable, the provider's balance sheet should show a positive fund balance or net assets, an acceptable current ratio (current assets divided by current liabilities) of 1:1 or greater and sufficient working capital (current assets minus current liabilities) to demonstrate solvency." HASC complied with that criteria and modified its fringe methodology based upon generally eligible and ineligible non-mandated benefits for two groups of employees, salaried and hourly, in accordance with its Employee Handbook.

HASC disagrees with the OSC's disallowance of $766,955 for the following reasons:

First, the fringe methodology utilized by HASC in school year 2014-15 is similar to what other providers located in various regions across New York State reported on their CFR's, who were previously audited by the OSC, and whose methodology was accepted by the OSC. HASC has included supporting attachments of five agencies who were previously audited by the OSC, that applied a similar methodology as HASC did in school year 2014-15 **(see Attachment H)**. The OSC did not recommend a disallowance based on the fringe methodology for any of these agencies and, more importantly, no revision was made to the methodology used by these five agencies. Moreover, four of these agencies operated SEIT and used salaried and hourly employees, which is also similar with how HASC conducted in its operations. In addition, we included the actual data reported by each of these agencies from past CFR schedules (CFR-1 and CFR-4) to demonstrate how the fringe percentage for each of these agencies, including HASC distributed costs equitably across each program cost center.

State Comptroller Comment – It is incorrect to state that we treated other providers differently. In each audit, our decisions are based on applying SED's requirements to our review of documentation. Hebrew Academy's methodology for calculating non-mandated fringe benefits was flawed, as it included employees who did not receive non-mandated

fringe benefits. Our recommended disallowance was based on a fair and reasonable allocation of cost to the SED preschool cost-based programs for those employees who received non-mandated fringe benefits.

Second, the OSC arbitrarily decided to apply HASC's updated fringe allocation methodology, which was developed for school years 2015-16 and 2016-17, to a prior school year (2014-15), when the methodology applied during that school year was reasonable and acceptable and only changed because of NYSED's rate methodology change to the SEIT program effective school year 2015-16.

Third, for school years 2015-16 and 2016-17, the OSC disregarded HASC's new and reasonable allocation methodology which was based on the information contained in HASC's Employee Handbook and created its own methodology. HASC believes its methodology should be applied. The Consolidated Fiscal Reporting and Claiming Manual provides that "[e]ntities operating programs must use allocation methods that are fair and reasonable" and "[s]ervice providers may use actual fringe benefits or a fringe benefit percentage derived from actual costs on an agency wide or program specific basis." And HASC did that.

State Comptroller Comment – We did not disregard Hebrew Academy's methodology, nor did we arbitrarily apply the 2015-16 and 2016-17 fringe benefit allocation methodology to the 2014-15 school year. For the three years, we determined that Hebrew Academy did not provide non-mandated fringe benefits to certain employees. Those employees were excluded from the calculation of non-mandated fringe benefits, resulting in a lower non-mandated fringe benefit cost for the SED preschool cost-based programs.

HASC's allocation methodology includes two significant components for eligible employees: health insurance and a defined contribution plan.

According to HASC's Employee Handbook an employee is "*eligible* to participate in the [Defined Contribution Plan] plan on either January 1st or July 1st following...*completion of 1 year of service* in which [the employee has] been paid for at least *1000* hours of work and [has] attained age 21." Therefore, it is evident that *hourly employees are generally ineligible for most of HASC's other benefits programs.* Moreover, according to the supporting attachments used by HASC in its allocation methodology, approximately 70% of hourly employees worked in the SEIT and one-to-one aide program, 15% of worked in the camp and fee for service programs and only approximately 15% worked in the cost-based programs **(see Attachment I).**

Therefore, in order to apply a fair and reasonable allocation method, HASC removed ineligible hourly employees who did not receive a pension, and allocated eligible employees pension costs back to their respective programs. In addition, HASC equitably allocated eligible salaried employees' medical costs back to the program cost center in which they worked and any excess medical costs were proportionately redistributed back to the eligible preschool and school-age programs to arrive at the final non-mandated fringe benefit reporting. Based on the foregoing, the disallowance should amount to $3,926 in school year 2016-17 **(see Attachment I)**.

State Comptroller Comment – Hebrew Academy's Employee Handbook simply established eligibility for receiving fringe benefits. It was not used to fairly, reasonably, and

consistently allocate non-mandated fringe benefit costs in 2014-15 and was only partially applied in 2015-16 and 2016-17. This resulted in overallocating non-mandated fringe benefit costs to the SED preschool cost-based programs.

Finally, according to the fringe recalculation spreadsheet prepared by the OSC, HASC found a serious flaw in the OSC's revised allocation methodology. For example, we found that *zero* adjustments were made for employees who didn't receive healthcare or pension benefits in the school-age cost-based programs but found that adjustments were made to the preschool cost-based programs in its 2017 supporting document. Specifically, HASC knows that there were approximately $549,605.55 in ineligible salary expenses for employees who did *not* receive a pension in the school age program and also knows that there were no adjustments made for several ineligible employees who did not receive medical benefits **(see Attachment J).** Based on the foregoing, the OSC did *not* use fair and reasonable allocation methods. Therefore, the allocation methodology was not distributed correctly to the preschool education programs.

State Comptroller Comment – OSC's methodology was not flawed. We requested and reviewed Hebrew Academy's allocation methodologies and their basis, applied them to the preschool costs reported on the CFRs, and disallowed excess costs. Because we only audited Hebrew Academy's SED preschool cost-based programs, we did not opine on ineligible salary expenses and adjustments for the school-age programs.

For the foregoing reasons, HASC disagrees with the OSC's disallowance.

State Comptroller Comment – We stand by our recommended disallowance.

Incorrectly Allocated Property Costs Response

RCM Criteria
Mortgage interest expense will be reimbursed, as part of occupancy costs effective with the actual date of occupancy in the new location. Occupancy refers to the site where the students are physically located and receiving services as prescribed on their IEPs. Occupancy costs of the prior location are reimbursable up to the actual date of occupancy in the new location.

HASC reviewed the interest on debt reported on its CFR's during the three years ending June 30, 2017, and found that the agency provided records of checks disbursed at the closing, which demonstrate that the refinancing related to HASC's Woodmere, Remsen, Parksville and 14th Avenue building locations **(see Attachment K)**. *All* of these sites were approved to operate cost-based preschool and school-age programs. However, 14th avenue only operated school-age.

According to the OSC supporting documents, the OSC claims that the Parksville and Remsen sites should be considered non-allowable because the building space was not utilized by HASC for its preschool cost-based programs. That statement is false.

State Comptroller Comment – We did not claim that the Parksville and Remsen sites had no SED preschool cost-based programs. We requested documentation to support the costs of the preschool summer class at the Parksville location. We recommended that these costs be disallowed because Hebrew Academy could not provide the documentation.

HASC has included in Attachment K the following supporting documents, which serve as justification that the interest on debt was used to finance building space for both its preschool and school-age cost-based programs at all of its sites:

- Program Approval Letter, which includes preschool program codes, preschool student to teacher ratio, the number of preschool classes and children approved to receive special education programs at all approved sites, *including Parksville;*
- A detailed listing of the debt and properties associated with the majority of the $9,577,000 debt refinancing in note 4 in school years 2012 and 2013 financial statements by all of the approved sites; and
- School year's 2015 financial statements and notes, which detail how a portion of the mortgage proceeds ($861,000) were used to purchase a new building in Rockland (Spring Valley, NY).

State Comptroller Comment – We reviewed the documentation and found it was insufficient to support the interest cost reported for the SED preschool cost-based programs.

The OSC mistakenly reported the existing mortgage totaling $1,576,403 to the Remsen site, when in fact that mortgage was for Woodmere. The payee information marked Stewart Title Insurance Company totaling $2 million was related to the Remsen site. HASC has attached supporting documentation **(see Attachment K).**

State Comptroller Comment – Initially, Hebrew Academy advised that the mortgage was for the Remsen site. However, in a November 12, 2019 email, officials acknowledged they had made a mistake and the mortgage was for the Woodmere site.

The program approval letter issued by the NYSED proves that the interest on debt was used to finance building space for HASC's cost-based programs in the following counties:

- Kings (Brooklyn);
- Nassau (Long Island);
- Rockland; and
- Sullivan (Parksville).

State Comptroller Comment – The approval letter issued by SED makes no reference to mortgage documents, property costs, and associated interest on debt.

HASC has included a revised breakdown by site of how the proceeds were allocated to each of the buildings utilizing space for the preschool and school-age cost-based programs for the three ending school years June 30, 2017 **(see Attachment L**).

With respect to the data being reported incorrectly as agency administration costs rather than program costs, HASC believes that the costs distributed to each program cost center was fair and reasonable given that all of the sites enrolled preschool and school-age students with the exception of two: the 14th Avenue site, which enrolled *only* school-age students and Rockland, which enrolled *only* preschool children. However, given that the mortgage amounts totaled

$719,022 for 14th Avenue and $861,000 for Rockland, the 14th Avenue mortgage costs should also be distributed to all programs in order to be fair and reasonable since the OSC had no issue with accepting the ratio value cost distribution from Rockland, which serves only preschool. Moreover, since the school-age students only accounted for 15% of the population in Woodmere and 25% in Remsen, and the total operating costs for all of the school-age and Parksville cost center/sites amounted to 30%, the cost allocation overall is fair and reasonable **(see Attachment M)**.

State Comptroller Comment – Hebrew Academy asserts that reporting interest cost as agency administration cost rather than as direct program cost is fair and reasonable. We disagree. The interest cost in question should, according to the RCM, be reported as direct program cost on the CFR-1. It was not. In addition, a population ratio is not synonymous with ratio value.

For the foregoing reasons, HASC disagrees with the OSC's disallowance.

State Comptroller Comment – We reviewed additional documentation provided by Hebrew Academy and reduced the recommended disallowance for incorrectly allocated property costs to $479,596.

Insufficiently Documented Related Party Costs Response

HASC has already provided supporting documentation, including the data for the allocation methodology, employee hiring approval forms, job descriptions and time and payroll records for school year 2014-15 as support for the SEIT program for which MKSA staff provided services. *In fact, the OSC already approved similar costs for the same group of employees reported in school year 2015-16 totaling $292,975.*

For the foregoing reasons, HASC disagrees with the OSC's disallowance of $329,488 of the $488,450 disallowance.

State Comptroller Comment – The disallowance remains. We reviewed the documentation for the MKSA employees whose costs were reported to Hebrew Academy's SED preschool cost-based programs and determined it was insufficient to show that these employees provided services to Hebrew Academy. Moreover, we did not approve $292,975 in related-party costs allocated to Hebrew Academy for the same employees in 2015-16.

Other Item of Note

Our official response to the OSC was due on Friday, December 27. We requested a one-week extension in order to respond completely and appropriately due to the holiday season and staffing issues in addition to filing the 2018-19 CFR, which needed to be transmitted to the NYSEDRSU prior to December 31st. The OSC extended the deadline by only one hour to Monday December 30 at 10AM. Therefore, our aforementioned responses do not include all of our responses to all of the findings with which we do not agree.

State Comptroller Comment – According to the RCM, Hebrew Academy is required to retain documents for at least seven years. Despite repeated requests throughout the audit,

Hebrew Academy officials had difficulty providing documentation to support some of the expenses claimed on the CFRs they filed with SED and often asked OSC for more time to provide the requested documentation. In fact, in an email dated April 2, 2019, Hebrew Academy's controller stated there were only "scanty" work documents for the 2014-15 and 2015-16 fiscal years and part of 2016-17, "many of which are not clear, and some contradict each other." Further, on September 5 and September 23, 2019, Hebrew Academy's executive director requested additional time to respond to preliminary audit findings. In addition, the response to OSC's draft report was due on December 26, 2019. It seems disingenuous that, more than 12 months after the beginning of the audit, Hebrew Academy officials claim that they did not have enough time to provide all appropriate documentation and to respond to our audit findings.

Thank you for your consideration of our responses.

Respectfully submitted,

Bernard Kahn,
Chief Executive Officer

c.c. Ms. Shannon Tahoe, Acting Commissioner
Gene Berenson, Audit Manager
Sheila Jones, Audit Supervisor
Traci Coleman, Director New York State Education Department (RSU)
Brian Zawistowski, Assistant Director New York State Education Department (RSU)

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New York State Office of the State Comptroller
Thomas P. DiNapoli

Division of State Government Accountability

Compliance With the Reimbursable Cost Manual

State Education Department New York Therapy Placement Services, Inc.



Report 2016-S-87 December 2018

Executive Summary

Purpose

To determine whether the costs reported by New York Therapy Placement Services, Inc. (NYTPS) on its Consolidated Fiscal Reports (CFRs) were properly calculated, adequately documented, and allowable under the State Education Department's (SED) guidelines, including the Reimbursable Cost Manual (RCM). The audit covered expenses reported on NYTPS' CFR for the fiscal year ended June 30, 2014 and certain expenses reported on NYTPS' CFRs for the two fiscal years ended June 30, 2013.

Background

NYTPS is an SED-approved, for-profit organization that provides preschool special education services to children with disabilities who are between three and five years of age. NYTPS is reimbursed for these services through rates set by SED. The reimbursement rates are based on financial information, including costs, that NYTPS reports to SED on its annual CFR. To be eligible for reimbursement, reported costs must comply with the RCM's requirements. For the three fiscal years ended June 30, 2014, NYTPS reported $23.5 million in reimbursable costs on its CFRs for its rate-based preschool special education program.

Key Findings

For the three fiscal years ended June 30, 2014, we identified $841,392 in reported costs that did not comply with SED's requirements, including $483,136 in personal service costs and $358,256 in non-personal service costs, as follows:

- $420,281 in employee salaries that lacked sufficient documentation to support the amount allocated to the preschool special education program;
- $308,761 in agency administration costs that were inappropriately allocated and overcharged to the preschool special education program;
- $62,855 in executive compensation that exceeded median salaries for comparable administrative job titles of public school districts in the region; and
- $49,495 in ineligible non-personal service costs, including $31,560 in non-program-related costs; $11,331 in costs for a different reporting period; $6,047 in non-reimbursable expenses such as non-audit services, bank fees, and food for staff; and $557 in expenses that lacked required supporting documentation.

Key Recommendations

To SED:

- Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on NYTPS' CFRs and to NYTPS' tuition reimbursement rates.
- Remind NYTPS officials of the pertinent SED requirements that relate to the deficiencies we identified.

To NYTPS:

- Ensure that costs reported on annual CFRs fully comply with SED's requirements, and communicate with SED to obtain clarification as needed.

Other Related Audits/Reports of Interest

Adirondack Helping Hands, Inc.: Compliance With the Reimbursable Cost Manual (2016-S-88)
Building Blocks Developmental Preschool, Inc.: Compliance With the Reimbursable Cost Manual (2017-S-1)

State Of New York
Office of the State Comptroller

Division of State Government Accountability

December 31, 2018

Ms. MaryEllen Elia
Commissioner
State Education Department
State Education Building
89 Washington Avenue
Albany, NY 12234

Ms. Barbara Johnston
Executive Director
Ms. Joanne Lynn
Assistant Executive Director
New York Therapy Placement Services, Inc.
299 Hallock Avenue
Port Jefferson Station, NY 11776

Dear Ms. Elia, Ms. Johnston, and Ms. Lynn:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage government resources efficiently and effectively and, by so doing, providing accountability for tax dollars spent to support government-funded services and operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. The fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report, entitled *Compliance With the Reimbursable Cost Manual*, of our audit of the costs submitted by New York Therapy Placement Services, Inc. to the State Education Department for purposes of establishing preschool special education tuition reimbursement rates. This audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution; Article II, Section 8 of the State Finance Law; and Section 4410-c of the State Education Law.

The audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Office of the State Comptroller
Division of State Government Accountability

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State Government Accountability Contact Information:
Audit Director: Andrea Inman
Phone: [redacted]
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This report is also available on our website at: www.osc.state.ny.us

Background

New York Therapy Placement Services, Inc. (NYTPS), a for-profit organization that provides special education services from locations in Farmingdale and Port Jefferson Station, New York, is authorized by the State Education Department (SED) to provide, among other programs, preschool special education services to children with disabilities who are between three and five years of age. During our audit period, NYTPS operated one rate-based preschool special education program, Preschool Special Education Itinerant Teacher Services (SEIT Program). During the fiscal year ended June 30, 2014, the SEIT Program served 638 preschool children with special education needs from New York City as well as from Nassau and Suffolk counties.

The counties that use NYTPS' preschool special education services pay tuition to NYTPS using reimbursement rates set by SED. The State, in turn, reimburses the counties 59.5 percent of the tuition that the counties pay. SED sets the special education tuition rates based on financial information, including costs, reported by NYTPS on its annual Consolidated Fiscal Report (CFR) that it submits to SED. Costs reported on the CFR must comply fully with the guidelines in SED's Reimbursable Cost Manual (RCM) regarding the eligibility of costs and documentation requirements, and must meet the reporting requirements prescribed in the Consolidated Fiscal Reporting and Claiming Manual (CFR Manual). For the three fiscal years ended June 30, 2014, NYTPS reported over $23 million in reimbursable costs for the SEIT Program on its CFRs.

Audit Findings and Recommendations

According to the RCM, costs reported on the CFR are considered for reimbursement if they are reasonable, necessary, directly related to the special education program, and adequately documented. For the three years ended June 30, 2014, we identified a total of $841,392 in reported costs that did not comply with SED's requirements for reimbursement. The ineligible costs included $483,136 in personal service costs and $358,256 in non-personal service costs.

Personal Service Costs

Personal service costs, including all taxable and non-taxable salaries paid or accrued to employees on the provider's payroll as well as fringe benefits, are reported on the CFR as either direct care costs (e.g., teachers' salaries) or non-direct care costs (e.g., administrators' salaries). For the three-year period ended June 30, 2014, NYTPS reported total direct care and non-direct care personal service costs of $15.1 million on its CFRs. We identified $483,136 in personal service costs that did not comply with the requirements in the RCM and the CFR Manual. NYTPS did not have sufficient documentation to support the allocation of personal service costs reported on its CFRs. Further, we determined NYTPS' executive compensation exceeded the median salary limitations set by the RCM.

Excessive Allocation of Personal Service Costs

According to the CFR Manual, providers with personnel working in more than one program should allocate salaries and fringe benefits among the programs based on actual time and attendance records. Otherwise, the provider must complete a time study for each employee who works in more than one program. The CFR Manual provides specific criteria for an acceptable time study, including that it must encompass at least two weeks per quarter of the cost-reporting period.

NYTPS provided original time studies to support the personal service costs reported on the 2013-14 CFR for its Port Jefferson Station location. However, NYTPS did not have time and attendance records that indicated actual hours worked among different programs or sufficient time studies to support the personal service costs reported on its 2013-14 CFR for its Farmingdale location. NYTPS did not have any time studies for some employees, while for others the time studies NYTPS provided were for only one or two quarters, not all four quarters as required by the CFR Manual. Additionally, NYTPS did not have sufficient time and attendance records or time studies to support the personal service costs reported on its 2011-12 and 2012-13 CFRs for either location.

Because NYTPS did not have adequate documentation to support the allocation of personal service costs charged to the SEIT Program, we assessed the costs using the following allocation methods:

- For direct care staff, we reallocated each employee's salary based on the percentage of total operating costs charged to the SEIT Program compared to the total operating costs charged to all programs the employee was charged to.

- For certain non-direct care administrative staff, NYTPS allocated a portion of their personal service costs across all programs and a portion to specific programs. However, NYTPS did not maintain sufficient documentation to support the basis of the amounts allocated to specific programs (to support the percentage of time individuals dedicated to each program). Therefore, we reallocated their entire personal service costs across all programs, using the ratio value method, the SED-required allocation methodology for agency administrative costs. For other non-direct care administrative staff, NYTPS allocated their personal service costs only to specific programs. Similarly, NYTPS did not maintain sufficient documentation to support the basis of the amounts allocated to each program. We, therefore, reallocated their personal service costs to those specific programs based on the operating costs of those programs. In response to our preliminary audit findings, NYTPS proposed an alternative allocation methodology based on job descriptions and available time studies. However, the job descriptions did not include the percentage of time dedicated to each program. Further, certain job descriptions stated that all job duties were not listed and were subject to change. Therefore, these could not be used to identify specific programs an employee worked on. In addition, the time studies did not meet SED's requirements for sufficient time studies, per the CFR Manual.

On its 2013-14 CFR for the Farmingdale office, NYTPS allocated $319,363 in salary costs to the SEIT Program. The audit-calculated allocations totaled $270,968, a difference of $48,395; and the corresponding excess fringe benefit allocations totaled $8,325. Using the same methodology, we also found NYTPS over-allocated personal service costs for both Farmingdale and Port Jefferson Station personnel who worked on more than one program during 2011-12 and 2012-13. This resulted in an over-allocation of $282,589 and $80,972 in salary and fringe benefits for 2011-12 and 2012-13, respectively.

We discussed our findings with SED officials, and they agreed with our methodologies and conclusions.

Excessive Executive Compensation

The RCM requires that compensation (salaries plus fringe benefits) reported on the CFR for an Executive Director, Assistant Executive Director, and Chief Financial Officer not exceed the regional median salary compensation for comparable administrative job titles of public school districts, as determined and published annually by SED. Compensation for an Executive Director may not exceed the median salary for a "Superintendent," and compensation for an Assistant Executive Director and Chief Financial Officer may not exceed the median salary for an "Assistant Superintendent."

NYTPS has two owners; one was reported as the Director of Division (equated to an Assistant Executive Director by SED). The reported compensation for the Director of Division was not limited to the median salary restrictions. We compared the compensation reported for this title to the median salary for an Assistant Superintendent and found that, for 2013-14, it exceeded the limitation by $20,863, of which $5,887 was charged to the SEIT Program under the ratio value methodology. We note, during its 2013-14 rate-setting process, SED reclassified the owner's title

from Director of Division to Assistant Executive Director and made the same adjustment. We also found that the reported compensation for the Executive Director and Chief Financial Officer exceeded the median salary compensation levels in 2013-14.

For our three-year audit period, we compared the salaries of the Executive Director, Assistant Executive Director, and Chief Financial Officer to the median salaries for Superintendents and Assistant Superintendents in the region. We found their compensation exceeded the median salaries for comparable positions in the region by a total of $177,703, which resulted in adjustments to the SEIT Program of $62,855, as shown in Table 1.

Table 1

Job Title	2011-12	2012-13	2013-14	Total
Executive Director	$2,721	$0	$625	$3,346
Assistant Executive Director	26,522	20,160	5,887	52,569
Chief Financial Officer	0	0	6,940	6,940
Totals	**$29,243**	**$20,160**	**$13,452**	**$62,855**

We discussed these findings with SED officials, and they agreed with our methodologies and conclusions.

Non-Personal Service Costs

According to the RCM, non-personal service costs must be reasonable, necessary, program-related, and sufficiently documented. Any expenditure that cannot be charged directly to a specific program must be allocated across all programs that benefited from the expenditure. Providers must use allocation methods that are fair and reasonable. Allocation percentages should also be reviewed on an annual basis and adjusted as necessary. For the three fiscal years ended June 30, 2014, NYTPS reported $8.4 million in non-personal service costs on its CFRs. We identified $358,256 in such costs that did not meet SED's requirements for reimbursement, including $308,761 that was over-allocated to the SEIT Program and $49,495 that was not allowable due to various reasons, such as costs that were not related to the SEIT Program and costs that were for a different reporting period.

Excessive Allocation of Non-Personal Service Costs

NYTPS based its allocation of certain non-personal service costs on the percentage of salary expenses and the number of full-time equivalents (FTEs) assigned to each program. However, its FTE calculations only included personnel classified as employees, and excluded contracted personnel who were generally utilized by the other programs. As a result, NYTPS' methodology unfairly skewed allocated costs to the SEIT Program, which did not utilize contracted personnel.

We reallocated non-personal service costs by including contracted service personnel in the FTEs used to allocate costs to each program. We found that NYTPS over-allocated a significant share of

non-personal service costs to the SEIT Program. For example, in 2012-13, NYTPS allocated $271,760 (67.53 percent) of $402,429 in costs for Repairs/Maintenance, Utilities, Supplies/Materials, Telephone, Equipment Depreciation, and Other to the SEIT Program. If NYTPS had included contracted service personnel in its allocation methodology, only $104,511 (25.97 percent) would have been allocated to the SEIT Program. Therefore, NYTPS over-allocated $167,249 ($271,760 - $104,511) to the SEIT Program.

For the three fiscal years in our audit period, we calculated that NYTPS over-allocated $308,761 in non-personal service costs to the SEIT Program, as shown in Table 2.

Table 2

Fiscal Year	Percent of NPS Allocated to SEIT	Amount of NPS Allocated to SEIT	Recalculated Percent of NPS Allocated to SEIT	Recalculated Amount of NPS Allocated to SEIT	Amount of NPS Over-Allocated to SEIT
2013-14	53.57%	$171,501	17.68%	$52,394	$119,107
2012-13	67.53%	271,760	25.97%	104,511	167,249
2011-12	41.83%	162,994	36.08%	140,589	22,405
Totals		**$606,255**		**$297,494**	**$308,761**

NPS = non-personal service costs; SEIT = Preschool Special Education Itinerant Teacher Services Program.

Non-Program-Related Costs

According to the RCM, costs are reimbursable if they are directly related to the program. For the three-year period ended June 30, 2014, we identified $97,378 in costs that were not directly related to the SEIT Program, of which $31,560 was incorrectly allocated to the SEIT Program. The non-program-related costs charged to the SEIT Program included: professional and legal fees of $29,947; purchases of $831; $440 in fundraising; $282 in therapy services; and $60 for cable television.

Costs Reported for a Different Reporting Period

The CFR Manual states that only expenses and revenues for the proper CFR reporting period should be included on the CFR, and that CFRs submitted with costs for a different reporting period will not be accepted. NYTPS reported a total of $21,472 in costs from other reporting periods on its 2013-14 CFR. Of this amount, $11,331 was incorrectly allocated to the SEIT Program.

Non-Audit Services

The RCM states that non-audit services provided by a registered public accounting firm, or any person associated with that firm, during or within 365 days of required audit work (prior to the beginning of the fiscal period being audited or after the date of the audit report issued for the

audit period) are not reimbursable. On its 2012-13 and 2013-14 CFRs, NYTPS reported a total of $15,882 in non-audit services for the accounting firm that audited its financial statements. Of this amount, $5,557 was incorrectly allocated to the SEIT Program.

Additional Non-Personal Service Costs

Other non-reimbursable costs, according to the RCM, include food provided to staff and costs resulting from violations of or failure to comply with federal, State, or local laws and regulations. Further, all purchases must have adequate supporting documentation, including invoices and canceled checks. We identified $2,458 in additional ineligible non-personal service costs, of which $1,047 was incorrectly allocated to the SEIT Program. These costs included $557 in insufficiently documented purchases, $362 for food provided to staff, and $128 in unnecessary bank fees and late charges.

We discussed our findings related to non-personal service costs with SED officials. They agreed with our methodologies and conclusions.

Recommendations

To SED:

1. Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on NYTPS' CFRs and to NYTPS' tuition reimbursement rates.

2. Remind NYTPS officials of the pertinent SED requirements that relate to the deficiencies we identified.

To NYTPS:

3. Ensure that costs reported on annual CFRs fully comply with SED's requirements, and communicate with SED to obtain clarification as needed.

Audit Scope, Objective, and Methodology

We audited the costs NYTPS reported on its CFR for the fiscal year ended June 30, 2014 and certain costs reported on its CFRs for the two fiscal years ended June 30, 2013. The objective of our audit was to determine whether the reported costs were properly calculated, adequately documented, and allowable under SED's guidelines.

To accomplish our objective and assess internal controls related to our objective, we reviewed the RCM as well as the CFR Manual and its related appendices. We also evaluated the internal controls over the costs claimed on, and the schedules prepared in support of, the CFRs submitted to SED. We interviewed NYTPS officials and personnel to gain an understanding of their financial and business practices. We reviewed NYTPS' CFRs for the three fiscal years ended June 30, 2014. We

selected a judgmental sample of reported costs that were considered high risk and reimbursable in limited circumstances (such as salary allocations) and obtained accounting records and supporting information to assess whether the costs were properly calculated, adequately documented, and allowable.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for the purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution; Article II, Section 8 of the State Finance Law; and Section 4410-c of the State Education Law.

Reporting Requirements

We provided draft copies of this report to SED and NYTPS officials for their review and formal comment. Their comments were considered in preparing this final report and are included at the end of it. In SED's response, officials agreed with our recommendations and indicated they will take steps to address them. In NYTPS' response, officials disagreed with most of our proposed disallowances. Our responses to certain comments are embedded within NYTPS' response.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Commissioner of Education shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

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Vision

A team of accountability experts respected for providing information that decision makers value.

Mission

To improve government operations by conducting independent audits, reviews, and evaluations of New York State and New York City taxpayer-financed programs.

Exhibit

New York Therapy Placement Services, Inc.
Schedule of Submitted and Disallowed Program Costs
for the Three Fiscal Years Ended June 30, 2014

Program Costs	Amount per CFR	Amount Disallowed	Amount Remaining	Notes to Exhibit
Personal Services				
Direct Care	$13,899,527	$420,281	$13,479,246	
Agency Administration	1,243,718	62,855	1,180,863	
Total Personal Services	**$15,143,245**	**$483,136**	**$14,660,109**	A, B, G, I, J, L
Non-Personal Services				
Direct Care	$7,865,850	$321,519	$7,544,331	
Agency Administration	518,471	36,737	481,734	
Total Non-Personal Services	**$8,384,321**	**$358,256**	**$8,026,065**	A, C-F, H-K
Total Program Costs	**$23,527,566**	**$841,392**	**$22,686,174**	

Notes to Exhibit

The following Notes refer to specific sections of the RCM and the CFR Manual used to develop our recommended disallowances. We summarized the applicable sections to explain the basis for each disallowance. We provided the details supporting our recommended disallowances to SED and NYTPS officials during the course of our audit.

A. RCM Section II: Cost Principles – Generally, costs will be considered for reimbursement provided such costs are reasonable, necessary, directly related to the special education program, and sufficiently documented. Such reimbursable costs will be included in the calculation of tuition rates up to any limits or cost parameters approved annually in the rate setting methodology.

B. RCM Section II.13.A(4).a – Compensation (i.e., salaries plus fringe benefits) for an entity's staff whose function is that of Executive Director, Assistant Executive Director, or Chief Financial Officer will be directly compared to the regional median compensation for comparable administration job titles of public school districts, as determined and published annually by SED's Basic Educational Data Systems (BEDS). Reimbursement of employee compensation for these job titles shall not exceed the median compensation paid to comparable personnel in public schools for similar work and hours of employment in the region in which the entity is located. Compensation for an Executive Director providing services to an Article 81 and/or Article 89 funded program will be compared to the median "Superintendent-Independent" compensation for the region in which the entity is located and compensation for an Assistant Executive Director and Chief Financial Officer will be compared to the median compensation for "Assistant Superintendent."

C. RCM Section II.14.F – Costs associated with non-audit services provided by a registered public accounting firm, or any person associated with that firm, during or within 365 days of required audit work (prior to the beginning of the fiscal period being audited or after the date of the audit report issued for the audit period) are not reimbursable. Such non-audit services include:
   - Bookkeeping or other services related to the accounting records or financial statements of the audit client;
   - Financial information systems design and implementation;
   - Appraisal or valuation services, fairness opinions or contribution-in-kinds reports;
   - Actuarial services;
   - Internal audit outsourcing services;
   - Management functions or human resources;
   - Broker or dealer, investment advisor or investment banking services;
   - Legal services and expert services unrelated to the audit; and
   - Any other service that the Board of the provider does not approve, or that SED or other governing State agency does not approve as reasonable and necessary, consistent with applicable requirements and the RCM.

D. RCM Section II.21 – Costs resulting from violations of or failure by the entity to comply with federal, State and/or local laws and regulations are not reimbursable.

E. RCM Section II.22.C – Costs of food provided to any staff including lunchroom monitors

are not reimbursable.

F. RCM Section II.23 – Costs or organized fundraising (i.e., financial campaigns, endowment drives or solicitation of gifts and bequests) to raise capital, or to obtain contributions are not reimbursable.

G. RCM Section III.1.B – Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies. If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized. Documentation for all allocation methods (bases and percentages) must be retained for a minimum of seven years. Guidelines for acceptable time studies for CFR filers are provide in Appendix L - "Acceptable Time Studies" - of the CFR Manual.

H. RCM Section III.1.D – All purchases must be supported with invoices listing items purchased and indicating date of purchase and date of payment, as well as canceled checks.

I. RCM Section III.1.M(1) – Any expenditure that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure. For example:
   - Salaries of employees who perform tasks for more than one program and/or entity must be allocated among all programs and/or entities for which they work.
   - The cost of supplies that are purchased for distribution among multiple programs must be allocated among these programs if direct charges are not possible. Adequate documentation of the allocation methodology should be maintained.

J. RCM Section III.1.M(2) – Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives. Such allocation methods, as well as the statistical basis used to calculate allocation percentages, must be documented and retained for each fiscal year for review upon audit for a minimum of seven (7) years. Allocation percentages should be reviewed on an annual basis and adjusted as necessary.

K. CFR Manual Section 3.0 – Only expenses and revenues for the proper CFR reporting period should be included in the CFR. CFRs submitted with expenses and revenues for a different reporting period will not be accepted.

L. CFR Manual Appendix L – Providers with personnel who work in more than one program should allocate their salary to the proper cost center during the normal accounting cycle based on actual time and attendance records. If this does not occur, the service provider must complete a time study for each employee who works in more than one program. Following are criteria for an acceptable time study. These criteria are the minimum standards. If necessary, a service provider can expand the length of the time study.
   - A minimally acceptable time study must encompass at least two weeks per quarter of the cost reporting period.
   - Each week selected must be a full week (Monday to Friday, Monday to Saturday, or Sunday to Saturday).
   - The weeks selected must be equally distributed among the months of the cost reporting period, e.g., week 3 and 4 in March, week 2 and 3 in June, week 3 and 4 in September, and week 1 and 2 in December.

- No two consecutive quarters may use the same weeks for the study, e.g., week 1 and 2 in March and June.
- The time study must be contemporaneous with the costs to be allocated. Thus, a time study conducted in the current cost reporting year may not be used to allocate the costs of prior or subsequent cost reporting years.
- The time study must be provider specific.

Agency Comments - State Education Department

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER
Office of Performance Improvement and Management Services
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May 29, 2018

Ms. Andrea Inman
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, NY 12236

Dear Ms. Inman:

The following is the New York State Education Department's (SED) response to the draft audit report, 2016-S-87, Compliance with the Reimbursable Cost Manual: New York Therapy Placement Services, Inc. (NYTPS).

Recommendation 1: Review the disallowances identified by our audit and, if warranted, make the necessary adjustments to the costs reported on NYTPS' CFRs and to NYTPS' tuition reimbursement rates.

We agree with this recommendation. SED will review the recommended disallowances as noted in the report and make adjustments to the reported costs to recover any overpayments, as appropriate, by recalculating tuition rates.

Recommendation 2:

Remind NYTPS officials of the pertinent SED requirements that relate to the deficiencies we identified.

We agree with this recommendation. SED will continue to provide technical assistance whenever requested and will strongly recommend the NYTPS officials take advantage of our availability to help them better understand the standards for reimbursement as presented in Regulation and the Reimbursable Cost Manual (RCM). Furthermore, CFR training is available online on SED's webpage. SED recommends that all individuals signing the CFR certification statements, namely Executive Directors and Certified Public Accountants, complete this training. This training is a requirement for preschool special education providers upon approval and reapproval.

If you have any questions regarding this response, please contact Suzanne Bolling, Director of Special Education Fiscal Policy at 518/474-3227.

Sincerely,

Sharon Cates-Williams

Sharon Cates-Williams

c: Christopher Suriano
Hal Matott
Suzanne Bolling

Agency Comments - New York Therapy Placement Services, Inc. and State Comptroller's Comments

[redacted]

NYTPS NEW YORK THERAPY PLACEMENT SERVICES, INC.

Occupational • Physical • Speech Therapy
Psychology • Special Education
Applied Behavioral Analysts (ABA)

[redacted]

June 11, 2018

VIA ELECTRONIC EMAIL

Ms. Andrea Inman
Audit Director
Office of the State Comptroller
[redacted]

Dear Ms. Inman,

Re: New York Therapy Placement Services- Report 2016-S-87

State Comptroller's Comment 1: Throughout this audit, we worked to accommodate NYTPS' concerns, minimize disruptions to NYTPS' staff and operations, and afford ample opportunities for NYTPS to provide sufficient support for the costs reported on its CFRs.

In response to our draft audit report, NYTPS disputed several of our findings and conclusions. We maintain that our findings and conclusions are correct and supported by sufficient, appropriate audit evidence. We conduct our audits in accordance with generally accepted government auditing standards, which require us to obtain sufficient, appropriate evidence to support our findings and conclusions. To ensure compliance with those standards, our audits undergo an internal quality assurance review. In addition, we undergo regular external peer reviews established by the National State Auditors Association. Lastly, we discussed our audit results with SED officials and they agreed with our methodologies and conclusions.

Our responses to each of NYTPS' concerns with the audit findings are presented throughout this response in the applicable sections, beginning after the NYTPS Executive Summary.

This letter is in response to the Draft Audit Report issued to New York Therapy Placement Services, Inc. ("NYTPS") dated April 2018 and is submitted by Barbara Johnston, Executive Director and 50% shareholder of NYTPS. We wish to extend our appreciation for the time and consideration in reviewing the preliminary findings in order that the audit report contain an accurate representation of audit findings that are supported by the relevant regulations and guidance.

Over the span of the OSC audit, NYTPS appreciates the six teleconferences with the Office of the State Comptroller ("OSC"), extension of time to respond and also the opportunity to provide detailed clarifying information and supporting documentation with the purpose and intent to remove prior incorrect preliminary findings.

We adamantly object, however, that some items that remain in the Draft Audit Report are based on inaccurate utilization of guidance not in effect for the audit years, inconsistent, arbitrary and capricious

1

determinations, subjective interpretations of the available methodology and creation of an unpublished and unsupported methodology. In addition, NYTPS objects to a standard being applied in the audit that is not measurable, published nor available to agencies prospectively and is based on an unreasonable subjective determination.

NYTPS is a large, highly respected provider of educational and clinical services, including Special Education Itinerant Teacher ("SEIT") services for over 30 years serving over 8,000 infants, children and adults on an annual basis. NYTPS prides itself on an excellent well-respected partnership with all governmental agencies, especially the New York State Education Department ("NYSED").

As a result of NYTPS consistent self-reporting, the certified tuition rates approved by NYSED and the Division of the Budget have decreased from $41 in 2009-10 to $39.00 in 2011-12. The $39.00 rate remained until the regional rate was established.

Upon review of the NYSED reconciliation rates found at nysed.gov for each of the OSC audit years 11/12, 12/13 and 13/14, the NYTPS SEIT rate of $39.00 is in the lowest 25% quartile when New York, Nassau and Suffolk counties are combined. The decrease to $39.00, as mentioned earlier, is due to NYTPS reasonable and consistent reporting, not due to NYSED desk audit disallowances.

NYTPS has achieved excellence in service delivery as demonstrated by its history of exemplary audits by state regulators. This service excellence has been achieved by having respect and adherence for our government partners by adhering to regulations and guidance issued by each agency and ensuring our internal control systems are adequate to protect its funds against fraud, waste and abuse.

Therefore, NYTPS takes great exception to the OSC findings and conclusions, especially where NYTPS takes extensive measures to cite numerous regulatory guidance, government directives and legal opinions in support of our fair, consistent and reasonable reporting.

The OSC audit spanned over a year with several months on site at NYTPS which placed a tremendous burden upon our resources and staffing. NYTPS provided all information requested on a timely basis. Despite being available to provide information, NYTPS was not made aware of the OSC's major findings until the preliminary audit report and was not asked to provide additional information to support our position during the onsite fieldwork. In addition, with other OSC findings, OSC did not request or review supporting documentation to obtain sufficient, appropriate evidence.

For the OSC finding **"Excessive Allocation of Personal Service Costs"** OSC neglected to review available information and created hybrid methodologies treating reliance on NYTPS documentation inconsistently. NYTPS strongly objects to the OSC reallocation methodologies that discriminate against the SEIT program and allocates employees in direct violation to regulatory guidance which results in placing employees in programs not worked, despite available job descriptions for OSC (indicating programs worked) and/or time and attendance records. NYTPS also contends that the OSC did not request and/or consider sufficient, appropriate evidence in accordance with Government Auditing Standards ("GAS") Yellow Book 6.56 before conclusion of a finding.

For the OSC finding **"Excessive Allocation of Non-Personal Service Costs"** OSC recommended that NYTPS directly consult with NYSED on a finding. NYTPS, as requested, presented support to NYSED through regulatory guidance, government directives and an expert legal opinion and also requested a meeting. After NYSED provided email communication to NYTPS, NYSED denied a meeting to speak directly to NYTPS, despite recommendation by OSC. NYTPS contends the NYSED response lacks regulatory support and is an arbitrary, capricious and subjective determination that our method was not reasonable. The questions posed by NYTPS to NYSED included reasonable questions such as; What are

the standard measurements to support the conclusion? Is there a protocol, maximum % allocation or directives for allocations not published in the manual that define reasonable? Did OSC share the procedures and sufficient, appropriate evidence to conclude the finding as *"Unfairly skewed allocated costs to the SEIT Program"?*

NYSED stated the following position in an email to NYTPS on 6-1-18: *"The standard used to disallow some of your expenses was that your method for allocating certain costs between your programs was not reasonable. It was deemed not reasonable because it directed more costs to the SEIT program and less cost to your other program and there was not a justification to support this "skew" - I feel like I have answered all the questions on this matter."* See Exhibit G

We are extremely concerned with the denial of rights afforded to our agency in terms of obtaining supporting information from NYSED that supports a fair, reasonable measurable protocol or standard that is published and used consistently for all agencies. We also question the role of the NYSED in "directing" the OSC, as OSC stated in a meeting 2-6-18: *"that as the final administrator of this program, SED will make the final determination"* when the OSC is the one performing an audit of NYTPS pursuant to Article V, Section 1 of the State Constitution and Section 4410-c of the Education Law. Upon review and research of the OSC cited references in the engagement letter, NYTPS does not find the authority for NYSED.

NYTPS indicated citation of six regulatory guidelines from the Reimbursable Cost Manual ("RCM") and Consolidated Fiscal Reporting Manual ("CFRM") as well as government directives and an expert legal opinion to support our methodology. NYTPS questions when specific published information does not exist from OSC or SED, how an audit body can make a subjective determination resulting in a disallowance without a protocol for our agency to follow?

NYTPS provided extensive support and justification which is the very published guidance approved by the Consolidated Fiscal Reporting System Interagency Committee and by The University of the State of New York, New York State Education Department, Rate Setting Unit. NYTPS objects to non-consideration of published guidance available for NYTPS to follow. NYTPS objects to a "standard" that is used in an audit that is not measurable or available for review and measure prior to reporting expenditures on a CFR report.

In this response, NYTPS will further explain how the OSC created and NYSED supported an unpublished hybrid allocation methodology that does not exist and also violates published guidance and is not in accordance with Generally Accepted Accounting Principles ("GAAP"), RCM, CFRM, Department of Labor ("DOL") and Internal Revenue Service ("IRS") directives. In addition, the unpublished hybrid methodology is in direct conflict with an expert legal opinion submitted by NYTPS. NYTPS was not provided, from either OSC as the State's chief fiscal officer or NYSED as the final administrator (as referred to by OSC), an adequate response based on facts and regulatory guidance.

NYTPS takes great exception to the OSC headings: "Excessive Allocation of Personal Costs", "Excessive Executive Compensation" and "Excessive Allocation of Non-Personal Service Costs" which have the impact of discrediting our CFR submissions for three years. The CFR reports were certified by an independent certified public accountant who followed the CFR Manual Audit AA Guidelines to conclude that *"the schedules are, in all material respects, in conformity with the applicable instructions relating to the preparation of the Consolidated Fiscal Report."*

The Draft Audit Report findings by your office represent an aberration in NYTPS' otherwise impeccable audit history. Accordingly, we request that the OSC and the NYSED give careful consideration to our objections which are based on a comprehensive accounting and legal examination. NYTPS looks forward

to a fair and equitable examination of the contested disallowances and elimination from the final audit report.

Sincerely,

Barbara L. Johnston
Executive Director

Enc.

Ms. Tina Kim, OSC
Ms. MaryEllen Elia, NYSED

NYTPS Executive Summary to OSC Audit 2016-S-87

The Engagement Letter dated October 20, 2016 states: *"This payment audit will focus on whether the costs and other required data submitted by New York Therapy Placement Services to the State Education Department on its Consolidated Fiscal Reports for purposes of rate-setting and State reimbursement were properly calculated, adequately documented and allowable under the State Education Department's guidelines, including the Reimbursable Cost Manual."*

The following report will explain and support each of the key points for each finding and will document arbitrary and capricious determinations, usage of incorrect guidance for the audit years, standards used that are not measurable and based on subjective opinion and departures from procedures prescribed in the GAS Yellow Book. (not all inclusive).

For all the above reasons, NYTPS states the audit should be deemed to be null and void and the findings based on the below should be removed.

OSC Finding: Personal Service Costs: Excessive Allocation of Personal Service Costs

OSC Utilized Incorrect References in Support of Reallocations of NYTPS Staff and Regulatory Guidance Not in Effect for the Audit Years

The OSC Draft Audit Report Includes False and Inaccurate Statements

NYTPS Provides Clarifying Information to OSC

OSC Incorrectly Identifies OSC Audit Procedures for Non-Direct Care Staff Reallocations

OSC Inconsistently Relies on NYTPS Program Identification Time and Attendance Records for Selected NYTPS Staff

OSC Cites an Invalid Reason for Reallocation of Non-Direct Care Staff Based on Subjective Determinations

OSC Discriminates Against SEIT Program with Non-Direct Care (PTC 500/600) Allocation Methodology

OSC Incorrectly Interprets the Ratio-Value Method, Incorrectly Calls Program Administration Staff "Agency Administration Staff" and Disregards NYTPS Program Identification for CFR 1 & CFR 2 Staff in Violation of CFRM Appendix I Guidance

OSC Improperly Assigns Non-Direct Care (Program Administration) Employees to Programs in Which the Employees Did Not Work Which Is in Direct Violation of RCM III 1. M.

NYTPS Contends OSC Did Not Perform Due Diligence and Gather Sufficient, Appropriate Evidence in Violation of Government Audit Standards ("GAS")

NYTPS Supporting Documentation and Regulatory Guidance in Support of the Fair, Reasonable, Consistent Allocations

NYTPS Summary Statement in Objection to OSC Finding Excessive Allocation of Personal Service Costs

OSC Finding: Personal Service Costs: Excessive Executive Compensation

OSC's Reassignment of One of NYTPS' Owners Was Erroneous

OSC Finding: Non-Personal Service Costs: Excessive Allocation of Non-Personal Service Costs

OSC Dismantles A Consistent & Reasonable Methodology Which Incorporates NYSED Mandates

OSC and NYSED Conclusions Lack Regulatory Support in the Definition of "Unfairly Skewed" or Measurement of Reasonable

NYTPS Allocation Methodology Supports the RCM Definition of Reasonable Cost

OSC Created Hybrid Methodology That Is Unsupported by Regulatory Guidance and Government Directives

OSC Disregards Expert Legal Opinion Obtained By NYTPS

OSC Hybrid Methodology Allocate Costs in Violation of CFRM Appendix J- Usage

NYTPS Documents Usage and Applicability of Costs to SEIT Employees vs Independent Contractors Ignored by OSC and NYSED

OSC Hybrid Methodology Allocates Costs in Violation of RCM III 1. Recordkeeping M. (1) Allocations

OSC Reallocation Was Not Discussed Until Almost 3.5 Months After OSC On-Site Fieldwork Concluded

NYTPS Consults with NYSED at Recommendation of OSC

NYTPS Supports the Consistent, Reasonable Allocation Methodology with the Following Regulatory Guidance, Government Directives and Legal Opinion

NYTPS Summary Statement in Objection to OSC Finding Excessive Allocation of Non-Personal Service Costs

OSC Finding: Personal Service Costs: Excessive Allocation of Personal Service Costs

NYTPS is not in agreement with the OSC's interpretation of the regulatory guidance that is being cited for the proposed disallowance of staff. NYTPS contends adherence to the RCM and CFRM standards applicable for the audit years 11/12, 12/13 and 13/14. NYTPS will explain, the OSC's inconsistent treatment of direct care and non-direct care administrative staff and how it results in allocation of employees to programs not worked in direct violation of RCM and CFRM guidance.

In addition, the descriptions and OSC reallocations referenced in the draft audit report are incorrect.

OSC Utilized Incorrect References in Support of Reallocations of NYTPS Staff and Regulatory Guidance Not in Effect for the Audit Years

The OSC stated: *"According to the RCM, providers working in more than one program should allocate salaries and fringe benefits among the programs based on actual time and attendance records. Otherwise, the provider must complete a time study for each employee who works in more than one program. ".*

The above OSC statement and reference to the passage in the RCM is incorrect. The OSC has cited the RCM which is an incorrect reference for the statement. That statement is not contained in the RCM.

State Comptroller's Comment 2: As acknowledged below in NYTPS' response, the RCM also states actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. We modified our report to clarify the reference.

The RCM, in reference to guidance on salary allocations for the audit years is as follows:

The RCM Section III General Requirements 1. Recordkeeping B. Time Distribution: (11/12, 12/13, 13/14) "Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies. ***If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized."*** See Exhibit A

The regulations, per the RCM for the audit years, allowed NYTPS to utilize an alternative method in conformity with generally accepted accounting principles. In performing an audit to determine allowable costs, the State Education Department's guidelines, including the Reimbursable Cost Manual, that is in effect for each audit year, must be utilized.

OSC fails to recognize that the RCM expressly allowed agencies to utilize an alternative method in accordance with generally accepted accounting principles. The OSC conclusion: *"NYTPS did not have sufficient time and attendance records or time studies to support the personal service costs reported on its 2013-14 CFR for its Farmingdale location"* is a subjective conclusion.

State Comptroller's Comment 3: NYTPS' response references, "If … a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized." We acknowledge that the RCM allows for alternative

methods that are equitable and conform to generally accepted accounting principles. However, NYTPS used time studies as an allocation methodology to report personal service costs on its CFR. Yet, as stated in our report, the time studies did not meet minimum standards required by SED per Appendix L of the CFR Manual. NYTPS also used job descriptions/responsibilities as a basis to allocate costs. Yet, as also stated in our report, the job descriptions did not indicate the percentage of time dedicated to each program, and stated that all job duties were not listed and were subject to change. NYTPS did not have sufficient documentation to support the allocation of personal service costs reported on the CFRs. Absent sufficient supporting documentation from NYTPS to determine if the methodology and resulting cost allocations were fair and reasonable, we reallocated the costs using allocation methods that SED agreed with. Based on the recalculations, we maintain that personal service costs were over-allocated to the SEIT Program.

OSC referenced an incorrect requirement, for the audit years 11/12, 12/13 and 13/14, that a provider must utilize time studies and criteria as outlined in the CFR Manual. This basis is inaccurate and must be dismissed and removed due to the RCM Section III General Requirements 1. Recordkeeping B. Time Distribution cited above which was the regulatory guidance for each of the audit years.

See State Comptroller's Comment 3.

OSC used a subjective determination, without support from a regulatory basis, when they cited: *"NYTPS did not have sufficient time and attendance records."* In fact, NYTPS provided time and attendance records, for applicable employees for two quarters which were signed by both employee and supervisor with the significance that it represents a fair representation of time for the year. The signatures, assuring a fair representation of actual time and detailed job description by program worked, add a greater level of assurance of evidence. CFR Manual Appendix L- Time Studies does not require signatures. NYTPS also had available job descriptions indicating programs worked which were not all requested and/or reviewed by OSC.

State Comptroller's Comment 4: Time and attendance records provided by NYTPS did not indicate the hours worked on each program. Further, as stated in our report, NYTPS did not have any time studies for some employees, while for other employees, the time studies NYTPS provided were for one or two quarters, not all four quarters as required by Appendix L of the CFR Manual.

The RCM or CFRM does not define or use the term "time and attendance records". The RCM Section 111 General Requirements 1. Recordkeeping: *Payroll Compensation costs must be based on approved, documented payrolls. Payroll must be supported by employee time records prepared during, not after, the time period for which the employee was paid. Employee time sheets must be signed by the employee and a supervisor and must be completed at least monthly*. OSC performed an extensive audit of payroll records, timesheets, payroll files and job descriptions for the 13/14 year. NYTPS is not aware of any exceptions in the payroll recordkeeping or departure from the prescribed guidance indicated above in the RCM from OSC.

State Comptroller's Comment 5: The payroll records provided by NYTPS supported its aggregate payrolls costs. However, these records were not sufficient to support NYTPS' allocation of payroll costs for employees who worked on multiple programs. See State Comptroller's Comment 4.

The OSC Draft Audit Report Includes False and Inaccurate Statements

OSC: "For non-direct care administrative staff, we reallocated personal service costs using the ratio value method, the SED-required allocation methodology for agency administrative costs."

This statement is not accurate. The OSC did not allocate all non-direct care administrative staff using the ratio value method. Inconsistent methodologies were utilized by OSC depending upon CFR reporting by NYTPS. CFRM Appendix I defines both agency administration and program administration and provides definitive guidance on CFR reporting which is violated by the OSC.

State Comptroller's Comment 6: For certain non-direct care administrative staff, NYTPS allocated a portion of their personal service costs across all programs (indicating they worked across all programs) and a portion to specific programs. However, NYTPS did not maintain sufficient documentation to support their allocations to specific programs. Therefore, we reallocated their entire personal service costs across all programs, using the SED-required ratio value allocation methodology for agency administrative costs. For other non-direct care administrative staff, NYTPS allocated their personal service costs only to specific programs. Yet again, NYTPS did not maintain sufficient documentation to support these allocations. Therefore, we reallocated their personal service costs to those specific programs based on the operating costs of those programs. As stated in our report, SED officials agreed with our methodologies and conclusions. We modified our report to further clarify our reallocation methodologies.

OSC: "As previously stated, NYTPS could not provide sufficient documentation to support its allocations of administrative staff salaries to specific programs."

The above statement is inaccurate for several reasons. The OSC did not previously state in the draft audit report that NYTPS could not provide sufficient documentation to support its allocations of administrative staff salaries to specific programs. In addition, the OSC is making a subjective determination of the term sufficient using a basis that was not in effect for the audit years.

State Comptroller's Comment 7: As stated on page 6 of our report, NYTPS did not have sufficient time and attendance records or time studies to support personal service costs reported on its CFRs. Our statement is applicable to both program and administrative staff. Our determination of "sufficient documentation" is based on the provisions in the RCM and CFR Manual. RCM Section III.1.B and CFR Manual Appendix L specify the documentation required to support allocations of personal service costs for staff who work on multiple programs. These provisions were in effect throughout our audit scope. In addition, as stated in our report, SED agreed with our conclusions.

OSC: "Therefore, in response to our preliminary audit findings, NYTPS proposed an alternative allocation methodology based on job descriptions and available time studies".

This statement is completely false and inaccurate. Subsequent to the preliminary audit report, NYTPS and OSC had calls to review inaccuracies, errors in worksheet calculations and OSC reallocation methodology misapplications. NYTPS did not, at any time, propose an alternative method to OSC in agreement that the method utilized on the certified CFR report was incorrect.

State Comptroller's Comment 8: Subsequent to our preliminary audit findings report, in an April 3, 2018 letter, NYTPS proposed an alternative allocation methodology using a weighted ratio value to allocate personal service costs to specific programs based on job descriptions. However, as noted in State Comptroller's Comment 3, job descriptions did not indicate the percentage of time dedicated to each program and stated that all job duties were not listed and subject to change.

OSC: "However, the job descriptions did not include the percentage of time dedicated to each program. Further, certain job descriptions stated that all job duties were not listed and were subject to change. Therefore, these could not be used to identify specific programs an employee worked on".
The OSC is inconsistent and arbitrary when reliance was placed and utilized in decisions on the reallocations and placements of other employees. All job descriptions for OSC reallocated employees for 13/14 indicated the same disclaimer. All the job descriptions that OSC reviewed in the 13/14 audit year indicated applicability for the 13/14 fiscal year.

Discussed below, NYTPS can support through documented emails and records that OSC did not review all job descriptions for 13/14 and did not review the 2012/13 and 2011/12 job descriptions. See Exhibit E

State Comptroller's Comment 9: Reviewing a sample of records is a standard audit practice. We reviewed a sample of job descriptions and conducted 22 interviews with selected employees. As previously noted in State Comptroller's Comments 3 and 8, for employees who worked on multiple programs, we could not rely on job descriptions to determine the programs or amount of time worked on each program.

OSC: "In addition, the time studies did not meet SED's requirements for sufficient time studies, per the CFR Manual."

This statement is false and failed to include the RCM citation despite being listed in the OSC Draft Report Exhibit.

See State Comptroller's Comment 4.

The RCM Section III General Requirement 1. Recordkeeping B. Time Distribution: (11/12, 12/13, 13/14) "Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies. ***If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized."*** See Exhibit A

See State Comptroller's Comment 3.

NYTPS Provides Clarifying Information to OSC

NYTPS Clarifying Information OSC Audit 2016-S-87 Submitted 1-8-18 (Pages 24)
Thank you for the opportunity for allowing New York Therapy Placement Services ("NYTPS") to submit clarifying information to the Office of the State Comptroller ("OSC") regarding the audit 2016-S-87. As we stated in our Response to Preliminary Audit Findings dated September 15, 2017, and also during the conference call on 11/20/17, we are not in agreement with the departures from standard practices under

the Consolidated Fiscal Report ("CFR") Manual and Reimbursable Cost Manual ("RCM") utilized by OSC. As stated in the Response to Preliminary Audit Findings and also on the conference call, NYTPS had found significant errors and inconsistencies on the OSC methodologies utilized and applied. These OSC methodologies served as a basis for the computation of the proposed OSC disallowances.

NYTPS also appreciates the OSC suggestion to schedule another call so that all parties understand the information contained in this report.

This report contains the following information which resulted from OSC questions during the call, suggestions by NYTPS to provide clarifying information and also additional information requested in an email by OSC on 12/6/17.

With this information and report, NYTPS continues to contend that our responses to the OSC preliminary findings warrant removal of the OSC's finding prior to the preparation of the OSC's Draft Audit Report. This submission is supplementary and does not replace the Response to Preliminary Audit Findings filed or denote that we are in agreement with any items not contained in this report.

Thank you very much. We appreciate your cooperation and willingness to review and to consider amendment of your proposed disallowances in order to prepare the OSC draft report. We are available, at your convenience to review further and look forward to our call.

NYTPS Clarifying Information OSC Audit 2016-S-87 Submitted 4-3-18 (Pages 59)
Thank you for the opportunity for allowing New York Therapy Placement Services ("NYTPS") to submit clarifying information to the Office of the State Comptroller ("OSC") regarding the audit 2016-S-87.

With this packet we are including schedules and comments on the OSC Worksheets received prior to the call on April 3, 2018. The following is attached:

1) Reallocation % for Ratio Value using a weighted ratio value to correctly identify employees to programs that are evidenced by job descriptions.
2) Clarification in reference to the OSC utilization of independent contractors and OTPS reallocation.
3) OSC OTPS Reallocation

With this information and report, NYTPS continues to contend that our responses to the OSC preliminary findings warrant removal of the OSC's finding prior to the preparation of the OSC's Draft Audit Report. This submission is supplementary and does not replace the Response to Preliminary Audit Findings filed or denote that we are in agreement with any items not contained in this report.

Thank you very much. We appreciate your cooperation and willingness to review and to consider amendment of your proposed disallowances in order to prepare the OSC draft report.

State Comptroller's Comment 10: We acknowledge NYTPS provided clarifying information in response to our preliminary audit findings. We reviewed the information and adjusted our findings as appropriate.

OSC Incorrectly Identifies OSC Audit Procedures for Non-Direct Care Staff Reallocations

The OSC draft audit report's description of OSC audit procedures and actual calculations performed are incorrectly stated for the Non-Direct Care staff.

OSC Finding: *"For non-direct care administrative staff, we reallocated personal service costs using the ratio value method, the SED-required allocation methodology for agency administrative costs. As previously stated, NYTPS could not provide sufficient documentation to support its allocations of administrative staff salaries to specific programs."*

The OSC conclusion and statement is not correct. The OSC did perform reallocation for administrative staff based on operating cost utilizing and relying on NYTPS program identification for PTC 500 Codes who worked in and were reported only in CFR 1 or CFR 2.

For the OSC reallocated employees reported with any time in CFR 3, the OSC chose not to rely on the NYTPS program administration program identification for those non-direct care staff for programs reported on CFR 1 and CFR 2 but chose to rely only on the CFR 3 NYTPS reporting. The significant and subjective departure rests in the OSC determination to ignore the CFR 1 & CFR 2 NYTPS program administration program identification and reallocate to all programs, disregarding actual programs worked in the OSC utilization of "Ratio Value".

State Comptroller's Comment 11: Our reallocation methodology is explained in our report and State Comptroller's Comment 6. Our reallocation methodology did not disregard actual programs worked. We reallocated personal service costs only among the programs NYTPS initially charged those costs to.

The OSC performed multiple reallocations, based on varying methodologies, based upon NYTPS program identification. The OSC states that *"NYTPS could not provide sufficient documentation to support its allocations of administrative staff salaries to specific programs"* but OSC is utilizing the same NYTPS documentation and support used for the Direct Care, 100% to Program Administration, 100% to SEIT or other Non-SEIT programs including CFR 3 reporting.

State Comptroller's Comment 12: To verify whether employees worked 100 percent on the SEIT Program, we conducted interviews with a sample of those employees. We did not reallocate the personal service costs of staff who NYTPS charged to a single program.

OSC Inconsistently Relies on NYTPS Program Identification Time and Attendance Records for Selected NYTPS Staff

OSC: "For direct care staff, we reallocated each employee's salary based on the percentage of total operating costs charged to the SEIT Program compared to the total operating costs charged to all programs the employee was charged to."

In order to reach the reallocation decisions stated in the report for Direct Care and 100% to Program Administration, as stated above, the OSC must have relied on the employee's job description and/or time and attendance record (signed by the employee and supervisor for two quarters). In addition, OSC must have determined those employees reported 100% to SEIT or other Non-SEIT programs as being valid based on employee's job description and/or time and attendance record.

Notwithstanding the fact that the OSC is incorrectly applying the requirements for the necessity of time studies to the incorrect years, the OSC has stated four quarters were necessary. The OSC, nonetheless credited one or two quarters of time and attendance records to validate the program identification reporting by NYTPS of employees charged as Direct Care, 100% to Program Administration, 100% to SEIT or other Non-SEIT programs including CFR 3 reporting. OSC selectively utilized NYTPS job

description and/or time and attendance records for reliance and disregarded the same program identification information for others.

See State Comptroller's Comment 12.

State Comptroller's Comment 13: As noted in State Comptroller's Comment 7, the requirements for sufficient documentation to support allocations of personal service costs for staff who work on multiple programs were in effect throughout our audit scope.

OSC Cites an Invalid Reason for Reallocation of Non-Direct Care Staff Based on Subjective Determinations

OSC Finding: *"Further, certain job descriptions stated that all job duties were not listed and were subject to change. Therefore, these could not be used to identify specific programs an employee worked on."*

As stated previously, the OSC is inconsistent and arbitrary when reliance was placed and utilized in decisions on the reallocations and placements of other employees. All job descriptions for OSC reallocated employees for 13/14 indicated the same disclaimer. All the job descriptions that OSC reviewed in the 13/14 audit year indicated applicability for the 13/14 fiscal year.

Discussed below, NYTPS can support through documented emails and records that OSC did not review all job descriptions for 13/14 and did not review the 2012/13 and 2011/12 job descriptions. See Exhibit E

See State Comptroller's Comment 9.

The job descriptions requested and reviewed by the OSC were clearly labeled for the 13/14 year. The job descriptions, which had the same notations, must have been utilized by OSC for programs identification for other Direct Care and Non-Direct Care reallocations. The notation on the job description does not discredit the validity or accuracy.

State Comptroller's Comment 14: We did not rely on job descriptions to identify the programs staff worked on. See State Comptroller's Comment 9.

OSC Discriminates Against SEIT Program with Non-Direct Care (PTC 500/600) Allocation Methodology

As indicated above the OSC targeted only the SEIT employees for ratio value reallocation amongst all programs despite whether the employee worked in the program. If a Non-Direct Care (PTC 500/600) employee did not work in the SEIT program, and therefore was not reported in the SEIT program on CFR 1, but worked in other multiple programs as both program administration and CFR 3, this was not factored in the pool of reallocation by OSC. The SEIT program only received the downside of the OSC allocation using ratio value. Therefore, only reallocating the entire cost of the employee providing SEIT services to other programs, in which the employee did not work or have job descriptions, distorts and discriminates against the SEIT Program.

State Comptroller's Comment 15: We audited the costs NYTPS reported on its CFRs for the SEIT Program. Accordingly, we did not review documentation to support personal service costs for staff NYTPS did not charge to the SEIT Program.

OSC Incorrectly Interprets the Ratio-Value Method, Incorrectly Calls Program Administration Staff "Agency Administration Staff" and Disregards NYTPS Program Identification for CFR 1 & CFR 2 Staff in Violation of CFRM Appendix I Guidance

In the OSC section for non-direct care administrative staff, OSC states: *"we reallocated personal service costs using the ratio value method, the SED-required allocation methodology for agency administrative costs"*

As discussed previously, the OSC incorrectly classified, only SEIT employees, as "agency administrative costs". The above OSC reference to the SED-required allocation methodology is only correct if the employee is 100% agency administrative and meets the definition and guidelines in CFRM Appendix I. The OSC discriminately selected and targeted PTC 500/600 SEIT employees in the SEIT program only.

Therefore, OSC utilized an incorrect reference to justify and support the reallocation of SEIT staff and disallowances. The OSC statement implies that all dual SEIT employees such as PTC 500 Program Administration /PTC 600 Agency Administration codes are 100% agency administrative costs, only for the SEIT employees who were also reported in CFR 3. The OSC ratio value method pooled the entire salary paid to the SEIT employee and reclassed to CFR 3, utilized ratio value and allocated to all programs even those not worked.

See State Comptroller's Comment 6.

As indicated in the previous section, OSC relied upon the NYTPS documentation for program identification in order to reach the decisions stated in the report for Direct Care, 100% to Program Administration, 100% to SEIT or other non-SEIT programs, including CFR 3 reporting, but ignored the CFR 1 and CFR 2 program identification for the SEIT PTC 500/600 employees, choosing to place their entire salary to CFR 3 and reallocate using ratio value. The result is the incorrect allocation of staff to programs not worked.

See State Comptroller's Comments 11 and 14.

The CFRM Appendix I Guidance states and defines "Agency Administration" as follows in direct contradiction to the OSC actions and conclusions. See Exhibit B

Agency Administration Defined

Agency administration costs include all the administrative costs **that are not directly related to specific programs/sites** but are attributable to the overall operation of the agency such as:
•Costs for the overall direction of the organization;
•Costs for general record keeping, budget and fiscal management;
•Costs for governing board activities;
•Costs for public relations (excluding fund raising and special events); and
•Costs for parent agency expenses.

Agency administration costs do not **include program/site specific costs or program administration costs**. Program/site costs are costs directly associated with the provision of services and are included on the appropriate line of expense on Schedules CFR-1 (lines 16 through 63).

Program administration costs are administrative costs which are directly attributable to a specific program/site (i.e., personal services and fringe benefits of Billing Personnel, Program Director, Program

Coordinator, etc.) and **are to be included on the appropriate line of expense on CFR-1** (lines 16 through 63).

The CFRM Appendix I Guidance states and defines "Ratio Value": Allocation of Total Agency Administration Costs to Program/Sites

To **ensure equity of distribution** and to provide uniformity in allocation of **agency administration**, OASAS, OMH, OPWDD, and SED require the ratio value (R/V) method of allocation to be used on the core CFR schedules (CFR-1 through CFR-6).

The ratio value method uses operating costs as the basis for allocating agency administration expenses. Agency administration expenses must be allocated to programs operated by OASAS, OMH, OPWDD and SED as well as shared programs and "Other Programs" (includes fundraising, special events, management services contracts provided to other entities, all programs funded by non-CFRS participating State agencies, etc.) based upon the ratio of agency administration costs to the service provider's total operating costs. Please refer to Section 8.0 (FAQ) for further information.

The deeming of all dual (PTC 500/600) staff, for SEIT employees only, as 100% agency administration or ratio value eligible is an arbitrary procedure based on an arbitrary, discriminatory and inaccurate OSC assumption, in direct violation to CFRM guidance and grossly misstates and misreports the time according to program identified job descriptions, signed time and attendance records and actual job responsibilities placing staff in programs not worked or without any job responsibilities.

State Comptroller's Comment 16: In accordance with Appendix I of the CFR Manual, program administrative costs which are directly attributable to a specific program should be directly charged to that specific program. However, these costs must be allocated among the specific programs in accordance with, and meet the documentation requirements of, both the RCM and the CFR Manual. As previously stated, NYTPS' job descriptions and time and attendance records did not meet SED's documentation requirements. These records were not sufficient to support NYTPS' personal service cost allocations to specific programs. As such, we reallocated their personal service costs using the methodology explained in State Comptroller's Comment 6.

OSC Improperly Assigns Non-Direct Care (Program Administration) Employees to Programs in Which the Employees Did Not Work Which Is in Direct Violation of RCM III 1. M.

As discussed, the non-direct care (PTC 500/600) OSC reallocation for SEIT employees only, pooled together all PTC 500/600 employees who had any time recorded in CFR 3 and reallocated them to all CFR programs, using an agency administration ratio value % for each reported program that was reported on the certified CFR report. This is contrary to the employee program identification job description and available signed time and attendance records. The OSC action resulted in an inaccurate and misrepresentation of employees' job descriptions with the result of employees allocated and recorded to programs not worked in direct violation to RCM III 1. M (1). See Exhibit C

RCM III 1. M. Salaries of employees who perform tasks for more than one program and/or entity must be allocated among all program and/or entities for which they work.

See State Comptroller's Comment 11.

NYTPS Contends OSC Did Not Perform Due Diligence and Gather Sufficient, Appropriate Evidence in Violation of Government Audit Standards ("GAS")

OSC Expanded the Audit but Never Reviewed and/or Requested 2011/12 and 2012/13 Documentation NYTPS contends that OSC did not obtain sufficient, appropriate evidence per GAS Section 6.56 Obtaining Sufficient, Appropriate Evidence- See Exhibit D to base their conclusion. For the 11/12 and 12/13 years, OSC requested generic job descriptions for which NYTPS responded that "For those codes, we do provide employees with individual job descriptions based on employees' responsibilities." OSC never requested further information and did not review any 11/12 or 12/13 job descriptions. See Exhibit E

State Comptroller's Comment 17: As noted in State Comptroller's Comment 9, we reviewed a sample of job descriptions and concluded we could not rely on them to determine which programs employees worked on or the amount of time worked on each program. Therefore, we did not review additional job descriptions.

OSC Did Not Review Programs at Each Location Regarding Employee Reallocations
NYTPS had furnished OSC with the detail of the revenue and costs for each of the office locations for the SEIT Program. Despite being on site for over 4 months and visiting the two offices, OSC never requested detail of the costs as they pertain to the two offices. In this case employees were reallocated to programs that did not exist at the locations that they worked.

See State Comptroller's Comment 11.

NYTPS Supporting Documentation and Regulatory Guidance in Support of the Fair, Reasonable, Consistent Allocations

1. RCM Section III.1. B See Exhibit A
   If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized.

2. RCM III 1. M (1) See Exhibit C
   Salaries of employees who perform tasks for more than one program and/or entity must be allocated among all program and/or entities for which they work.

3. CFR Appendix I: See Exhibit B
   Agency administration costs do not include program/site specific costs or program administration costs. Service Providers should note that all attempts should be made to directly charge an expense to the appropriate cost center (agency administration or program/site and program administration).

4. Generally Accepted Accounting Principles: GAAP AU Section 420 Consistency of Application of Generally Accepted Accounting Principles. See Exhibit F

NYTPS Summary Statement in Objection to OSC Finding Excessive Allocation of Personal Service Costs

NYTPS objects to the OSC caption: "Excessive Allocation of Personal Service Costs" and the OSC comments that NYTPS did not have sufficient documentation. NYTPS takes great exception to the dismantling of the NYTPS certified CFR 4 Personal Service Costs when the OSC is basing findings on

inaccurate regulatory guidance for the audit years, incorrect and discriminatory interpretations of published guidance, inconsistent treatments based on the same NYTPS documentation and the OSC failure to obtain sufficient, appropriate evidence before making an audit conclusion.

In contrast, NYTPS has provided sufficient documentation, the correct regulatory adherence to the published guidance for the audit years and sufficient support for the submission of CFR 4 for each audit year.

Based on a very careful and detailed review of the OSC audit conclusions and calculations throughout the audit, NYTPS is confident in contending that subjective and arbitrary actions were taken in order to potentially recoup funding from the SEIT program. This section of the OSC draft report should be deemed null and void.

See State Comptroller's Comment 1.

OSC Finding: Personal Services: Excessive Executive Compensation

NYTPS is not in agreement with the OSC conclusions and basis that is being cited for the proposed additional median offset of salary costs for NYTPS.

OSC's Reassignment of One of NYTPS' Owners Was Erroneous

This section of the report contains numerous inaccuracies and misstatements. The OSC states: *"NYTPS has two owners; one was reported as the Director of Division (equated to an Assistant Executive Director by SED)"*

This is an inaccurate statement as the OSC was provided with a full job description during field audit. The other owner is not an Assistant Executive Director. The OSC also did not mention that NYSED internally altered a certified CFR report to perform this reclassification without notification to NYTPS.

This section also fails to mention that the review of the compensation reported for PTC 601, 602 and 603 on the CFR reports is contained in the methodology and adjusted each year by NYSED. In fact, the TRATE for each provider already includes an offset for reported applicable positions.

State Comptroller's Comment 18: Our statement is accurate. NYTPS reported one owner as Executive Director and the other owner as Director of Division for all three years of our audit scope. SED reclassified the Director of Division to an Assistant Executive Director on the 2013-14 CFR and applied the median salary threshold. Further, SED is authorized by the Education Commissioner's Regulations to make adjustments to costs reported on the CFR.

OSC Finding: Non-Personal Service Costs: Excessive Allocation of Non-Personal Service Costs

NYTPS adamantly objects to the OSC finding that does not cite a basis other than *"Providers must use allocation methods that are fair and reasonable"* In addition OSC uses a terminology *"unfairly skewed"* which is a subjective and arbitrary determination as it does not exist in any regulations and therefore is not measurable.

State Comptroller's Comment 19: The RCM requires providers to use allocation methods that are fair and reasonable. We concluded NYTPS' allocation methodology was neither fair nor reasonable because it unfairly skewed non-personal service costs to the SEIT Program.

OSC Dismantles A Consistent & Reasonable Methodology Which Incorporates NYSED Mandates

NYTPS has utilized an allocation method consistently of Staff FTE Methodology, in accordance with regulatory guidance, for certain applicable OTPS, excluding CFR 4A independent contractors, that could not be charged directly to a program. It must be noted that the audit years were 11/12, 12/13 and 13/14.

The SEIT employees were first included in Staff FTE Methodology in the 12/13 year as it was the first year following an NYSED mandate, of SEIT Conversion from independent contractor to W2 Employee, With the conversion, the SEIT employees are now employees, supervised and belong in the Staff FTE Methodology calculation in accordance with the NYTPS consistent and reasonable methodology.

OSC and NYSED Conclusions Lack Regulatory Support in the Definition of "Unfairly Skewed" or Measurement of Reasonable

The only explanation in the Draft Audit Report from OSC to justify the OTPS reallocation is that the *"NYTPS' methodology unfairly skewed allocated costs to the SEIT program, which did not contain contracted personnel."*

As mentioned, the terminology "unfairly skewed" is a purely subjective conclusion not published in any guidance or regulation.

As NYTPS indicated in the cover letter, OSC recommended that we speak directly to NYSED which was denied. NYTPS was afforded email communications.

NYTPS requested, among other information, the details of the reimbursement standard and the standard measurements to support the conclusion that would render a fair, reasonable, consistent methodology in accordance with six published regulatory guidelines, to include an expert legal opinion, that would support the OSC and NYSED conclusion that the NYTPS allocation methodology as not fair and reasonable.

NYTPS did receive a final communication which is attached from NYSED: See Exhibit G
"The standard used to disallow some of your expenses was that your method for allocating certain costs between your programs was not reasonable. It was deemed not reasonable because it directed more costs to the SEIT program and less cost to your other program and there was not a justification to support this "skew" – I feel like I have answered all the questions on this matter."

NYTPS, after reaching out to NYSED, at the direction of OSC, was not provided support in terms of requested regulatory guidance or measurement to support this finding and therefore, concludes the finding to be an arbitrary, capricious and subjective conclusion.

State Comptroller's Comment 20: As stated on page 8 of our report, NYTPS based its allocation of certain non-personal service costs on the number of FTEs assigned to each program. NYTPS excluded contracted personnel – who are generally utilized by non-SEIT programs – from their FTE calculations. NYTPS provides administrative billing and collection services for independent contractors, and processes their invoices. Also, while NYTPS argued contracted personnel do not use facility space, we determined contracted personnel use a similar service delivery model as SEIT personnel and neither provide services at NYTPS' facilities. Because NYTPS excluded contracted personnel from the allocation methodology, NYTPS' allocation was not reasonable and it allocated a disproportionate share of non-personal service costs to the SEIT Program. In 2012-13, NYTPS allocated nearly 70 percent of non-personal service costs to the SEIT Program.

NYTPS Allocation Methodology Supports the RCM Definition of Reasonable Cost See Exhibit H

RCM Section 1 Definitions: Reasonable Cost: A. Ordinary and Necessary; E. NYTPS did not significantly deviate from established practices of the entity or similar entities to unjustifiably increase the cost. The same methodology was used since inception and incorporated NYSED mandates.

State Comptroller's Comment 21: Converting SEIT staff from independent contractors to employees had a material impact on NYTPS' allocation methodology. In 2011-12, the last year SEIT staff were classified as independent contractors, NYTPS allocated 41.83 percent of non-personal service costs to the SEIT Program. In contrast, in 2012-13, the first year SEIT staff were classified as employees, NYTPS allocated 67.53 percent of non-personal service costs to the SEIT Program.

OSC Created Hybrid Methodology That Is Unsupported by Regulatory Guidance and Government Directives

The OSC hybrid methodology to include independent contractors serves to undermine the consistent and reasonable NYTPS methodology which has been utilized since inception of the SEIT Program and contradicts regulatory RCM and CFR guidance, Internal Revenue Service, Department of Labor and an expert legal opinion.

See State Comptroller's Comment 21.

The inclusion of CFR 4A and CFR 2 therapists (independent contractors) by OSC in the NYTPS Staff Allocation Methodology contradicts the very nature and contractual relationship NYTPS has with their independent contractors. The OSC inclusion is contradictory to guidance published in the RCM, CFR and guidance dictated by the Department of Labor and the Internal Revenue Service.

By the OSC including the therapists in the NYTPS Staff FTE Methodology calculation (for which there is no guidance in the CFR Manual or RCM for inclusion), OSC is classifying them as an employee and falsely allocated costs, that are not related to the independent contractors based on usage and NYTPS contracts to programs.

See State Comptroller's Comment 20.

The Draft Audit Report does not explain how the OSC calculated and included the CFR 4A Independent Contractors in the Staff FTE Methodology Calculation. OSC calculated an average rate of other CFR 1

therapists to calculate an hourly rate for a total amount of CFR 2 contractors and created a standard work week which did not exist. The CFR 4 A & CFR 2 independent contractors do not have a standard work week. The CFR regulatory guidance clearly indicates how to calculate an FTE for employees only with standard work weeks.

State Comptroller's Comment 22: To allocate costs among all workers and not just those who were employees, it was necessary to recognize everyone on the same basis. Consequently, we calculated FTEs for independent contractors by taking reported hours paid and dividing it by the total number of hours in the year based on the standard work week (40 hours per week x 52 weeks per year). We used the same standard work week reported by NYTPS for employees to convert NYTPS independent contractors to an FTE. Using the same standard work week allowed for a fair and reasonable distribution of costs.

OSC Disregards Expert Legal Opinion Obtained By NYTPS

As suggested in the CFR Manual CFR 4A, NYTPS sought the opinion from a legal expert to review the OSC proposed reallocation. The report was provided to OSC on 4-3-18 which concluded:

"This, pursuant to the clear language in the Consolidated Fiscal Report and Claiming Manual, the determination by the Internal Revenue Service that the Therapists contracting with NYTPS are independent contractors is binding on OSC. Therefore, it is not proper to include the independent contractors in an allocation base of costs for which NYTPS does not reimburse or provide facilities and therefore the independent contractors cannot be included in a Staff FTE Allocation" See Exhibit I

State Comptroller's Comment 23: We are not questioning IRS determinations that NYTPS therapists are independent contractors. As stated in State Comptroller's Comment 20, we concluded both employees and independent contractors should be included in the FTE calculations used to allocate non-personal service costs.

OSC Hybrid Methodology Allocate Costs in Violation of CFRM Appendix J-Usage

The result of the OSC reallocation is that expenses are not allocated to programs based on usage. OSC created a hybrid methodology that does not exist and results in a departure from all the standards included in the NYTPS response, especially the CFR Appendix J which indicates costs should be allocated on usage. The RCM, among other provisions, also states allocations should be allocated across all programs and/or entities benefited by the expenditure. The OSC hybrid methodology directly violates those regulatory directives. See Exhibit J

State Comptroller's Comment 24: The RCM requires providers to use allocation methods that are fair and reasonable. NYTPS' initial allocation of these costs was based on FTEs, as was our reallocation of these costs. As previously explained in State Comptroller's Comment 20, we concluded NYTPS' calculation of FTEs used in their allocation methodology resulted in a disproportionate share of non-personal service costs allocated to the SEIT Program.

NYTPS Documents Usage and Applicability of Costs to SEIT Employees vs Independent Contractors Ignored by OSC and NYSED

NYTPS provided and documented the following information which serves to support the NYSED mandated employee status of the SEIT teachers and their correct inclusion in the 12/13 Staff FTE Methodology and forward allocation base.

Direct Employee SEIT Teacher Supplies: The SEIT Teachers, as a W2 employee, were **provided direct supplies** to be used in the service to the students. Supplies are not afforded to independent contractors.

Direct Employee SEIT Teacher Related Supplies & Costs: As an employee, NYTPS pays the mandated fringe benefits and also the nonmandated health and pension (based on hour qualification). A separate SEIT Employee Policy handbook was created. This process includes **processing paperwork, eligibility, communication to payroll company, insurance companies, pension, etc. requires supplies, telephone, internet, staff time, among other expenses** due to taxes and benefits over that not afforded to 1099.

In addition, Employee SEIT Teachers are also subject to the NYC Earned Safe and Sick Time Act which requires **additional paperwork, supplies, recordkeeping, internet, equipment, telephone among other expenses.**

Direct Employee SEIT Mandatory Orientation Costs: Beginning 2012, the first year of conversion to W2, all SEIT Teachers, as employees, were required to undergo orientations. In 2012 and 2013, two of the orientation sessions were held on-site. All sessions required **supplies and materials, staff time, telephone communications, rental costs, furniture, computers & internet time, among other expenses to coordinate.**

Direct Employee SEIT Training Costs: NYTPS held SEIT trainings at various locations throughout the 2012/13 and 2013/14 year for the SEIT Teachers who are employees. All training sessions required **supplies, telephone, computers & internet among other expenses**.

Meetings and orientations and handouts include among other materials: Workshop on FBA and BIP, New school year mandatory orientation meetings, SEIT policy manual, SEIT employee manual.

Direct Employee SEIT Related Telephone Costs: Employees were **assigned cellphones** that were reviewed during OSC audit that applied to the SEIT Program.

Computer & Internet Expenses: NYTPS is required to keep and maintain an additional level of detail for the SEIT program per mandates. In addition, Employee SEIT Teachers are required to submit their schedules electronically to the office.

Insurance Costs: Employee SEIT Teachers **are not required to have their own insurance policies**, unlike the independent contractors and **are covered under the NYTPS policy** and are factored into the total cost of the policy.

Supervisory Teacher/IEP Coordinator Expenses: The SEIT Teachers, requiring supervision, have time spent interacting with and conversing with PTC 215 and PTC 238. **Supplies and materials** would include **office supplies, telephone, computers** in review and further of their responsibilities

See State Comptroller's Comment 20.

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OSC Hybrid Methodology Allocates Costs in Violation of RCM III 1. Recordkeeping M. (1) Allocations- See Exhibit C

Any expenditures that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure.

State Comptroller's Comment 25: Our allocation methodology did not violate RCM III. (1). We reallocated non-personal service costs among the programs NYTPS initially allocated these costs to.

OSC Reallocation Was Not Discussed Until Almost 3.5 Months After OSC On-Site Fieldwork Concluded

The OTPS reallocation proposed by the OSC was not discussed as a concern nor questioned during the on-site fieldwork phase by OSC. The OSC left the site on March 31, 2017 where the OSC clearly expressed the audit was in the final phase. On 5-31-17 OSC requested information on the NYTPS allocations. It was not until 7-12-17 on a call that NYTPS was informed of the OSC intention to reallocate the OTPS, On August 2, 2017 NYTPS was sent the OSC worksheets and the Preliminary Report.

State Comptroller's Comment 26: To accommodate NYTPS, we completed our on-site work on March 31, 2017 and continued our audit fieldwork from our office in Albany, NY. Our initial audit information request, dated October 20, 2016, included NYTPS' allocation methodology for the period July 1, 2013 through June 30, 2014.

NYTPS Consults with NYSED at Recommendation of OSC

Upon OSC suggestion, NYTPS reached out to NYSED for an opinion and was denied a meeting and was afforded email communications.

NYSED, among other items, asked for explanations on usage of the expenses OSC reallocated and their applicability to the SEIT Program, namely usage. NYTPS provided information, clearly providing support for inclusion in the NYTPS consistent methodology, as to additional expenses which are afforded to employees based on usage and relevance over that of an independent contractor.

The following are excerpts from communications with NYSED:

NYSED upon review of the requested material sent from NYTPS stated: *"I am not able to re-create the in-depth review that is taken as a part of an audit engagement and therefore cannot validate the information as accurate.*

When NYTPS questioned NYSED further states: *"We did consider the relevant information, and I am reading the facts in the audit and the standard applied in the audit - the facts in the audit, as applied to the standard for reimbursement are proper."*

NYSED Position in an email communication on 6-1-18: See Exhibit G
The standard used to disallow some of your expenses was that your method for allocating certain costs between your programs was not reasonable. It was deemed not reasonable because it directed more costs to the SEIT program and less cost to your other program and there was not a justification to support this "skew" - I feel like I have answered all the questions on this matter. "

NYTPS Supports the Consistent, Reasonable Allocation Methodology with the Following Regulatory Guidance, Government Directives and Legal Opinion

NYTPS was able to cite and support that a reasonable and consistent allocation method was followed as provided below:
RCM Section 1 Definitions: Reasonable Cost: A. Ordinary and Necessary; E. NYTPS did not significantly deviate from established practices of the entity or similar entities to unjustifiably increase the cost. The same methodology was used since inception and incorporated NYSED mandates. See Exhibit H

See State Comptroller's Comment 21.

CFR Appendix J: If the recommended allocation method does not apply, the provider should determine a more reasonable method of allocation. Example: A service provider needs to allocate supplies and materials costs to several program/sites. The recommended allocation method noted above is units of service. However, all the program/sites do not report units of service. In this case, a more reasonable method of allocating supplies and materials would be to allocate the cost based on usage. (The IC contractors do not use the expenses and therefore should not be a driver) See Exhibit J

See State Comptroller's Comment 20.

CFR - CFR 4 Personal Services Calculation of an FTE: CFR Manual Section 16 explains and provides a directive for CFR 4 Employees Only, OSC calculated a weighted average rate from CFR 4A programs and made up a standard work week which does not exist for Independent Contractors but for only employees. See Exhibit K

See State Comptroller's Comment 22.

CFR 4A does not provide guidance for calculation of standard work weeks CFR Manual Section 17 speaks to reporting hours. An important guidance which the agency followed is: Questions regarding whether or not an individual is a contractor or an employee should be directed to the IRS, the service provider's accountant and/or tax attorney. Individuals receiving W-2 tax forms from the service provider are considered to be employees of the service provider and should be reported on Schedule CFR-4. See Exhibit L

See State Comptroller's Comment 23.

RCM III 1. M Allocations: Any expenditures that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure. The cost of supplies that are purchased for distribution among multiple programs must be allocated among these programs if direct charges are not possible. See Exhibit C

Internal Revenue Service, Department of Labor Directives: NYTPS has been deemed in compliance in past audits where it categorized the Independent Contractors as Independent Contractors in accordance with all our information submitted.

See State Comptroller's Comment 23.

Opinion from Legal Expert on Classification of Independent Contractors: In accordance with the CFR directive in CFR 4A Section 17, NYTPS consulted an attorney and obtained a legal opinion which we sent in 4/3/18 which is a 26- page report with attachments. Exhibit I

See State Comptroller's Comment 23.

NYTPS Summary Statement in Objection to OSC Finding Excessive Allocation of Non-Personal Service Costs

NYTPS strongly disagrees with the joint decision by NYSED and OSC that the OSC hybrid methodology, a methodology that does not exist and is not supported in regulatory guidance, is relevant and valid to be used in an audit. A "standard" that is used in an audit must be available for review and measure prior to reporting expenditures on a CFR report. If a standard such as the OSC "unfairly skewed" is used, the definition, measurement and guidelines of what constitutes *"unfairly"* and *"skewed"* must be published and made available prior to reporting of CFR expenditures.

See State Comptroller's Comment 19.

This constitutes a total lack of transparency, both on the part of OSC and NYSED. This decision, without appropriate evidence and information available to NYTPS, is arbitrary and capricious on the part of both OSC and NYSED and should be null and void.

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Non-Program-Related Costs; Costs Reported for a Different Reporting Periods; Non-Audit Services; Additional Non-Personal Service Costs

The total expenditures for the NYTPS program audited for the three years 11/12, 12/13 and 13/14 were **$8,727,005, $7,981,074 and $6,819,487 respectively for a total of $23,527, 566**. The disallowances total $31,560, $11, 331, $5,557 and $1,047 respectively for a total of $49,495. This amounts to a .21 % of our total in the programs.

NYTPS is not challenging the above findings in this category. NYTPS will take greater care in the recording of items. NYTPS is pleased that the only other findings, other than those detailed and objected to in this response that are subjective, arbitrary, capricious and lacking regulatory support, are less than .21% of operations. The OSC has concluded the extensive review of our invoices of OTPS expenses with minimal findings due to our strong internal control systems and adherence to published regulatory guidance.

Exhibits to
New York Therapy Placement Services, Inc.'s
Response to
Office of the State Comptroller's
Draft Audit Report, Audit 2016-S-87

Dated: June 11, 2018

EXHIBITS

RCM Section III General Requirements 1. Recordkeeping B. Time Distribution for 13/14, 12/13 11/12 ..... EXHIBIT A

CFRM Excerpts Appendix I for 13/14, 12/13 11/12 ..... EXHIBIT B

RCM Section III General Requirements 1. Recordkeeping M. (1) Allocations for 13/14, 12/13 11/12 ..... EXHIBIT C

Government Auditing Standards Section 6.56 ..... EXHIBIT D

Email Between OSC and NYTPS Expanding Audit ..... EXHIBIT E

GAAP AU Section 420 Consistency of Application of Generally Accepted Accounting Principles ..... EXHIBIT F

NYSED Email Communication to NYTPS ..... EXHIBIT G

RCM Section I Definitions 10. Reasonable Cost for 13/14, 12/13 11/12 ..... EXHIBIT H

Expert Legal Opinion Excerpts Page 1 & 25 ..... EXHIBIT I

CFRM Excerpts Appendix J for 13/14, 12/13 11/12 ..... EXHIBIT J

CFRM Excerpts CFR 4- Personal Services Regarding FTE Calculations for 13/14, 12/13 11/12 ..... EXHIBIT K

CFRM Excerpts CFR 4A- Contracted Direct Care and Clinical Services for 13/14, 12/13 11/12 ..... EXHIBIT L

Exhibit A

The University of the State of New York
New York State Education Department
Rate Setting Unit
Albany, New York 12234

Reimbursable Cost Manual for Programs Receiving Funding Under Article 81 and/or Article 89 of the Education Law to Educate Students with Disabilities

This Manual applies to the July 2013 to June 2014 Tuition Rates and defines Reimbursable Costs for the July 2013 to June 2014 period.

Effective as of January 13, 2014

July 2013 Edition

SECTION III
GENERAL REQUIREMENTS

1. Recordkeeping

Section 200.9 (d) of the Commissioner's Regulations requires entities operating approved programs to retain all pertinent accounting, allocation and enrollment/attendance records supporting reported data directly or indirectly related to the establishment of tuition rates for seven years following the end of each reporting year. Information relating to the acquisition of fixed assets, equipment, land or building improvements and any related financing arrangements and grants must be retained as long as the facility is used by any education program the provider operates if this period exceeds seven years.

Costs will not be reimbursable on field audit without appropriate written documentation of costs. Documentation includes but is not limited to:

A. Payroll

Compensation costs must be based on approved, documented payrolls. Payroll must be supported by employee time records prepared during, not after, the time period for which the employee was paid. Employee time sheets must be signed by the employee and a supervisor, and must be completed at least monthly.

B. Time Distribution

Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies. If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized. Documentation for all allocation methods (bases and percentages) must be retained for a minimum of seven years. Guidelines for acceptable time studies for CFR filers are provided in Appendix I - "Acceptable Time Studies" of the CFR Manual.

C. Consultants

(1) The Department will use government publications including the IRS Publication 15-A Employer's Supplemental Tax Guide and the Handbook for Employers published by the New York State Unemployment Insurance Division as a guide to determine when individuals employed by the program are independent contractors or consultants and when individuals are employees. Teachers who provide core (IEP mandated) special education instructional services in approved special education programs must be supervised and therefore should always be treated as employees.

(2) Adequate documentation includes, but is not limited to, the consultant's resume, a written contract which includes the nature of the services to be provided, the charge per day and service dates. All payments must be supported by itemized invoices which indicate the specific services actually provided; and for each service, the date(s), number of hours provided, the fee per hour; and the total amount charged. In addition, when direct care

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New York State Education Department
Rate Setting Unit
Albany, New York 12234

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This Manual applies to the July 2012 to June 2013 Tuition Rates and defines Reimbursable Costs for the July 2012 to June 2013 period.

July 2012 Edition

SECTION III
GENERAL REQUIREMENTS

1. **Recordkeeping**

Section 200.9 (d) of the Commissioner's Regulations requires entities operating approved programs to retain all pertinent accounting, allocation and enrollment/attendance records supporting reported data directly or indirectly related to the establishment of tuition rates for seven years following the end of each reporting year. Information relating to the acquisition of fixed assets, equipment, land or building improvements and any related financing arrangements and grants must be retained as long as the facility is used by any education program the provider operates if this period exceeds seven years.

Costs will not be reimbursable on field audit without appropriate written documentation of costs. Documentation includes but is not limited to:

A. Payroll

Compensation costs must be based on approved, documented payrolls. Payroll must be supported by employee time records prepared during, not after, the time period for which the employee was paid. Employee time sheets must be signed by the employee and a supervisor, and must be completed at least monthly.

B. Time Distribution

Actual hours of service are the preferred statistical basis upon which to allocate salaries and fringe benefits for shared staff who work on multiple programs. Entities must maintain appropriate documentation reflecting the hours used in this allocation. Acceptable documentation may include payroll records or time studies. If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized. Documentation for all allocation methods (bases and percentages) must be retained for a minimum of seven years. Guidelines for acceptable time studies for CFR filers are provided in Appendix L - "Acceptable Time Studies" of the CFR Manual.

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(2) Adequate documentation includes, but is not limited to, the consultant's resume, a written contract which includes the nature of the services to be provided, the charge per day and service dates. All payments must be supported by itemized invoices which indicate the specific services actually provided; and for each service, the date(s), number of hours provided, the fee per hour; and the total amount charged. In addition, when direct care services are provided, the documentation must indicate the names of students served, the actual dates of service and the number of hours of service to each child on each date.

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Exhibit B

Agency Administration Defined

Agency administration costs include all the administrative costs that are not directly related to specific programs/sites but are attributable to the overall operation of the agency such as:

- Costs for the overall direction of the organization;
- Costs for general record keeping, budget and fiscal management;
- Costs for governing board activities;
- Costs for public relations (**excluding fund raising and special events**); and
- Costs for parent agency expenses.

Which may include but are not limited to the following:

- Personal service costs of agency administrative staff (i.e., Executive Director, Comptroller, Personnel Director, etc.)
- Leave accruals and fringe benefits corresponding to the personal services listed above
- Other than personal services costs (OTPS) costs associated with agency administration activities (i.e., telephone, repairs and maintenance, utilities)
- Agency-wide auditing costs for independent licensed or certified public accountants. (Note that agency-wide auditing costs cannot be directly charged as program costs on CFR-1.)
- Depreciation and/or lease costs associated with vehicles and equipment used by agency administration staff.
- Depreciation and/or lease costs associated with space occupied by agency administrative offices.

Agency administration costs do not include fundraising costs, special events costs and management services contracts provided to other entities. Costs of fundraising, special events and management services contracts are reported on Schedule 2 in Column 7 under "Other Programs".

Agency administration costs <u>do not</u> include program/site specific costs or program administration costs. Program/site costs are costs directly associated with the provision of services and are included on the appropriate line of expense on Schedules CFR-1 (lines 16 through 63), DMH-1 (lines 6 through 11) and DMH-2 (lines 5 through 10). **Program administration costs** are administrative costs which are directly attributable to a specific program/site (i.e., personal services and fringe benefits of Billing Personnel, Program Director, Program Coordinator, etc.) and are to be included on the appropriate line of expense on CFR-1 (lines 16 through 63), DMH-1 (lines 6 through 11) and DMH-2 (lines 5 through 10). The program administration level of administration may not be applicable to all service providers. However, all service providers must report agency administration.

County operated service providers should note that Local Governmental Unit (LGU) Administration costs are reported as a shared program using Program Code 0890 on the applicable Schedules CFR-1 through CFR-6 and DMH-1. (Refer to Appendix K.)

Service Providers should note that all **attempts should be made to directly charge an expense** to the appropriate cost center (agency administration or program/site and program administration). If you are unable to direct charge expenses to agency administration or program/site(s) and program administration, the following includes examples of recommended allocation methods:

Expense Item	Recommended Allocation Method
Repairs and Maintenance and Janitorial and Housekeeping Staff	Square Footage
Utilities	Square Footage
Staff Travel	Full-Time-Equivalents
Telephone	Number of Lines
Building Depreciation	Square Footage
Building Lease Costs	Square Footage
Mortgage Interest	Square Footage
Cafeteria Staff	Meals Served

Property Costs Relating to Agency Administrative Offices

If agency administrative offices and program offices are located in the same building, property related costs must be allocated using square footage as the statistical basis. These costs include expenses such as utilities, repairs and maintenance, depreciation, leases or mortgage interest. Square footage cost allocations must be calculated using the following procedure (square footage should be the interior square footage):

1. Determine the number of square feet which is used exclusively by agency administrative offices and each program or program/site, not shared in common.
2. Determine the number of square feet which is shared in common, i.e., lobby, restrooms, conference areas, etc.
3. Calculate an allocation ratio by dividing each exclusive square footage amount by the total amount less the commonly shared amount.
4. Multiply each respective cost by the allocation ratios to determine the allocated dollar amount.

Example: Program A and Agency Administrative Offices occupy the same building. Utility expenses of $5,000 must be allocated to Program A and to the Agency Administrative Offices as follows:

Step 1 - Exclusive square feet - Program A = 500 sq. ft.
Exclusive square feet - Agency Administrative Offices = 300 sq. ft.

Step 2 - Common square feet - 1,000 sq. ft.
Total square feet - 1,800 sq. ft.

Step 3 - Program A = 500/(1,800-1,000) = .625
Agency Administrative Offices = 300/(1,800-1,000) = .375

Step 4 - Utility expenses for this particular building total $5,000

Utility expenses allocated to Program A = $5,000 X .625 = $3,125
Utility expenses allocated to Agency Admin. Offices = $5,000 X .375 = $1,875

Property related expenses and revenues that do **NOT** pertain to your agency's DMH programs, SED programs and agency administration must be reported in the "Other Programs" Column (Column 7) of Schedule CFR-2.

Agency Administration Defined

Agency administration costs include all the administrative costs that are not directly related to specific programs/sites but are attributable to the overall operation of the agency such as:

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Exhibit C

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Effective as of January 13, 2014

July 2013 Edition

(1) Long-term payables (e.g., mortgages and loans) must be supported with amortization schedules, the signed and dated mortgage/loan agreements and evidence of payments made. The acquired assets related to each loan must be identified as well as the program(s) utilizing each of these assets.

(2) Working capital loans and lines of credit borrowings must be supported with the written agreement, loan dates and amounts of borrowings and repayments, applicable interest rates for each borrowing and documentation (i.e. Board meeting minutes) supporting the necessity for the loan and the borrowed amount.

I. Equipment and Furniture

Inventory records, including the invoice, must be kept for all items purchased by the entity or donated to the entity for the benefit of approved programs. These records should list: the invoice number; a description of the item; the make; model; or serial number of the item; cost; date of purchase; date retired; if applicable, the program(s) using the asset; and the location. For donated items, inventory records should identify the item as donated, listing the date of donation and the fair market value of the item at the time of donation.

J. Vehicles

(1) Records must include date purchased, cost, make, model, vehicle ID # and year of the vehicle. If vehicles were rented or leased, a copy of the rental agreements or leases should be retained.

(2) Vehicle use must be documented with individual vehicle logs that include at a minimum: the date, time of travel, to and from destinations, mileage between each, purpose of travel and name of traveler. If the vehicle was assigned to an employee, also list the name of the employee to whom it was assigned. The annual mileage for program purposes and repairs and maintenance costs for each vehicle should be summarized and maintained.

K. Buildings

Records for buildings and land owned by the entity and used by the program must describe the buildings and land owned. Records must include a copy of the purchase agreement, deed, any mortgages and the amortization schedule for such mortgages. Records must include the allocable portion of space in each building used by or for the benefit of each program (education and non-education) and for the purposes of program administration and agency administration. All related information must be retained as long as the facility is used by an approved education program even if this period exceeds seven years.

L. Building Improvements

Records must include the date work was completed, a description of the improvement, including location (i.e. floor, rooms), the cost, the program(s) that benefited, the share of costs allocable to each program and the basis for allocation. Detailed bills from the person or business doing the work are acceptable records.

M. Allocations

(1) Any expenditures that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure. For example:

(i) Salaries of employees who perform tasks for more than one program and/or entity must be allocated among all programs and/or entities for which they work. See also Section_II. 13. Compensation for Personal Services for additional allocation requirements.

(ii) The cost of supplies that are purchased for distribution among multiple programs must be allocated among these programs if direct charges are not possible. Adequate documentation of the allocation methodology should be maintained.

(iii) General maintenance and overhead expenses must be allocated among all programs and entities.

(2) Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives. Such allocation methods, as well as the statistical basis used to calculate allocation percentages, must be documented and retained for each fiscal year for review upon audit for a minimum of seven (7) years. Allocation percentages should be reviewed on an annual basis and adjusted as necessary.

(3) For CFR filers (except Office of Children and Family Services Residential Facilities), agency administration costs shall be allocated to all programs operated by the entity based on the Ratio Value Method of allocation. Agency administration costs allocated to grant cost centers shall be the lower of actual costs allowable based on the Ratio Value Method (CFR Manual, Section 15.6) or the maximum amount that can be charged based on grantor requirements.

N. Classification (Direct Care/Non-Direct Care)

Entities operating programs may be required upon audit to support the classification of costs as direct care. For example, the classification of conference costs as direct care would be supported by copies of brochures or other literature that explains the purpose of the conference.

2. *Accounting Requirements*

A. Entities operating programs must maintain accounts in accordance with generally accepted accounting principles and Section 200.9 (d) of the Commissioner's Regulations.

B. The accrual basis of accounting is required for all programs receiving Article 81 and/or Article 89 funds.

C. Accounting books of original entry shall include asset, liability and fund balance or equity accounts, as well as expenditure and revenue accounts. Subsidiary revenue and expenditure accounts shall be maintained for, but not limited to, each approved program requiring a tuition rate, for preschool evaluation costs and for each government grant administered by the Commissioner.

D. As established in Section 200.9(e)(ii)(a) of the Commissioner's Regulations, the financial statements must be certified by a licensed or certified public accountant independent of the program. The certified public accountant or lead and reviewing audit partner of a CPA firm are encouraged to be rotated after five consecutive years on an engagement. In instances where a

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(2) Working capital loans and lines of credit borrowings must be supported with the written agreement, loan dates and amounts of borrowings and repayments, applicable interest rates for each borrowing and documentation (i.e. Board meeting minutes) supporting the necessity for the loan and the borrowed amount.

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(2) Vehicle use must be documented with individual vehicle logs that include at a minimum: the date, time of travel, to and from destinations, mileage between each, purpose of travel and name of traveler. If the vehicle was assigned to an employee, also list the name of the employee to whom it was assigned. The annual mileage for program purposes and repairs and maintenance costs for each vehicle should be summarized and maintained.

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(1) Any expenditures that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure. For example:

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(ii) The cost of supplies that are purchased for distribution among multiple programs must be allocated among these programs if direct charges are not possible. Adequate documentation of the allocation methodology should be maintained.

(iii) General maintenance and overhead expenses must be allocated among all programs and entities.

(2) Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives. Such allocation methods, as well as the statistical basis used to calculate allocation percentages, must be documented and retained for each fiscal year for review upon audit for a minimum of seven (7) years. Allocation percentages should be reviewed on an annual basis and adjusted as necessary.

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D. As established in Section 200.9(e)(ii)(a) of the Commissioner's Regulations, the financial statements must be certified by a licensed or certified public accountant independent of the program. The certified public accountant or lead and reviewing audit partner of a CPA firm are encouraged to be rotated after five consecutive years on an engagement. In instances where a program retains a licensed or certified public accountant or accounting entity to certify the programs' financial statements and the CPA also provides other non-audit services such as

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K. Buildings

Records for buildings and land owned by the entity and used by the program must describe the buildings and land owned. Records must include a copy of the purchase agreement, deed, any mortgages and the amortization schedule for such mortgages. Records must include the allocable portion of space in each building used by or for the benefit of each program (education and non-education) and for the purposes of program administration and agency administration. All related information must be retained as long as the facility is used by an approved education program even if this period exceeds seven years.

L. Building Improvements

Records must include the date work was completed, a description of the improvement, including location (i.e. floor, rooms), the cost, the program(s) that benefited, the share of costs allocable to each program and the basis for allocation. Detailed bills from the person or business doing the work are acceptable records.

M. Allocations

(1) Any expenditures that cannot be charged directly to a specific program must be allocated across all programs and/or entities benefited by the expenditure. For example:

(i) Salaries of employees who perform tasks for more than one program and/or entity must be allocated among all programs and/or entities for which they work. See also Section II. 14. Compensation for Personal Services for additional allocation requirements.

(ii) The cost of supplies that are purchased for distribution among multiple programs must be allocated among these programs if direct charges are not possible. Adequate documentation of the allocation methodology should be maintained.

(iii) General maintenance and overhead expenses must be allocated among all programs and entities.

(2) Entities operating programs must use allocation methods that are fair and reasonable, as determined by the Commissioner's fiscal representatives. Such allocation methods, as well as the statistical basis used to calculate allocation percentages, must be documented and retained for each fiscal year for review upon audit for a minimum of seven (7) years. Allocation percentages should be reviewed on an annual basis and adjusted as necessary.

(3) For CFR filers (except Office of Children and Family Services Residential Facilities), agency administration costs shall be allocated to all programs operated by the entity based on the Ratio Value Method of allocation. Agency administration costs allocated to grant cost centers shall be the lower of actual costs allowable based on the Ratio Value Method (CFR Manual, Section 15.6) or the maximum amount that can be charged based on grantor requirements.

N. Classification (Direct Care/Non-Direct Care)

Entities operating programs may be required upon audit to support the classification of costs as direct care. For example, the classification of conference costs as direct care would be supported by copies of brochures or other literature that explains the purpose of the conference.

2. Accounting Requirements

A. Entities operating programs must maintain accounts in accordance with generally accepted accounting principles and Section 200.9 (d) of the Commissioner's Regulations.

B. The accrual basis of accounting is required for all programs receiving Article 81 and/or Article 89 funds.

C. Accounting books of original entry shall include asset, liability and fund balance or equity accounts, as well as expenditure and revenue accounts. Subsidiary revenue and expenditure accounts shall be maintained for, but not limited to, each approved program requiring a tuition rate, for preschool evaluation costs and for each government grant administered by the Commissioner.

D. As established in Section 200.9(e)(ii)(a) of the Commissioner's Regulations, the financial statements must be certified by a licensed or certified public accountant independent of the program. The certified public accountant or lead and reviewing audit partner of a CPA firm must

Exhibit D

United States Government Accountability Office

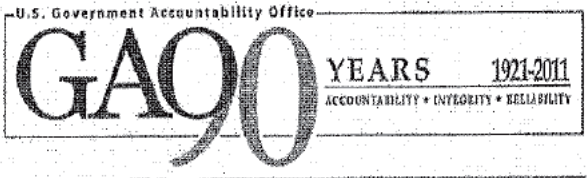
GAO

By the Comptroller General of the United States

December 2011

Government Auditing Standards

2011 Revision



GAO-12-331G

6.54 Audit supervision involves providing sufficient guidance and direction to staff assigned to the audit to address the audit objectives and follow applicable requirements, while staying informed about significant problems encountered, reviewing the work performed, and providing effective on-the-job training.[147]

6.55 The nature and extent of the supervision of staff and the review of audit work may vary depending on a number of factors, such as the size of the audit organization, the significance of the work, and the experience of the staff.

Obtaining Sufficient, Appropriate Evidence

6.56 Auditors must obtain sufficient, appropriate evidence to provide a reasonable basis for their findings and conclusions.

6.57 The concept of sufficient, appropriate evidence is integral to an audit. Appropriateness is the measure of the quality of evidence that encompasses its relevance, validity, and reliability in providing support for findings and conclusions related to the audit objectives.[148] In assessing the overall appropriateness of evidence, auditors should assess whether the evidence is relevant, valid, and reliable. Sufficiency is a measure of the quantity of evidence used to support the findings and conclusions related to the audit objectives. In assessing the sufficiency of evidence, auditors should determine whether enough evidence has been obtained to persuade a knowledgeable person that the findings are reasonable.

[147]See paragraph 6.83c for the documentation requirement related to supervision.

[148]See paragraph A6.05 for additional discussion of the appropriateness of evidence.

Exhibit E

From: D[redacted] S[redacted]
Sent: Friday, May 5, 2017 3:12 PM
To: [redacted]
Cc: J[redacted] L[redacted] [redacted]
Subject: RE: Job Descriptions
Attachments: PTC CODE 215.docx

Hi K[redacted]

Please see the attached generic job description for Supervising Teacher code 215. Aside from PTC Code 215, we do not have a generic job description for Office Worker Program Administration code 505, Coordinator/Education Department Head code 516, and Accountant Program Administration/Accountant Agency Administration code 506/606. For those codes, we do provide employees with individual job descriptions based upon each employee's responsibilities. While they may be coded to a similar PTC Code (and in accordance with Appendix R definitions), they may have different functions depending on program and job function.

All the job descriptions were provided on site in the employee folders during OSC field work. We are not aware that any are missing and believe all were furnished. Please clarify to us what you would like to review and which descriptions you are missing.

Kind Regards,

D[redacted] S[redacted]
Managing Director
[redacted]
New York Therapy Placement Services, Inc.
500 Bi-County Blvd., Suite 450
Farmingdale, NY 11735
[redacted]
[redacted]
[redacted]
WWW.NYTPS.COM

The information contained in this electronic e-mail transmission and any attachments are intended only for the use of the individual or entity to whom or to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, copying or disclosure of this communication and any attachment is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone and electronic mail, and delete the original communication and any attachment from any computer, server or other electronic recording or storage device or medium. Receipt by anyone other than the intended recipient is not a waiver of any privilege. Thank you.

From: [redacted]
Sent: Thursday, May 4, 2017 3:37 PM
To: D[redacted]

1

Cc: J[redacted] L[redacted]
Subject: Job Descriptions

Hi D[redacted]

We reviewed the job descriptions that were already sent to us and found we are missing some. If you could provide these ahead of the other information we requested, it would be appreciated. Please just send the generic job descriptions without any identifying information of the individual working in the position. That way you can just send them through email and we won't have to worry about confidentiality issues. We need the job descriptions for Supervising Teacher- code 215, Office Worker Program Administration code 605, Coordinator/Education Department Head code 516, and Accountant Program Administration/Accountant Agency Administration code 606/606.

Thank you.

K[redacted] H[redacted]
State Program Examiner 2
Division of State Government Accountability
110 State Street
Albany, NY 12236-0001
[redacted]

Notice: This communication, including any attachments, is intended solely for the use of the individual or entity to which it is addressed. This communication may contain information that is protected from disclosure under State and/or Federal law. Please notify the sender immediately if you have received this communication in error and delete this email from your system. If you are not the intended recipient, you are requested not to disclose, copy, distribute or take any action in reliance on the contents of this information. The information contained in this electronic e-mail transmission and any attachments are intended only for the use of the individual or entity to whom or to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, copying or disclosure of this communication and any attachment is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone and electronic mail, and delete the original communication and any attachment from any computer, server or other electronic recording or storage device or medium. Receipt by anyone other than the intended recipient is not a waiver of any privilege. Thank you.

From: [redacted]
Sent: Friday, June 9, 2017 10:10:49 AM
To: [redacted]
Cc: [redacted]
Subject: Allocations

Good Morning [redacted]

I am just verifying that you did not complete time studies for 2011-12 or 2012-13. Also, in a previous email, you indicated the allocations were reasonable. Do you have any documentation to support how you determined the reasonableness of the allocations for these two years?

[redacted]
State Program Examiner 2
Division of State Government Accountability
110 State Street
Albany, NY 12236-0001
[redacted]

Notice: This communication, including any attachments, is intended solely for the use of the individual or entity to which it is addressed. This communication may contain information that is protected from disclosure under State and/or Federal law. Please notify the sender immediately if you have received this communication in error and delete this email from your system. If you are not the intended recipient, you are requested not to disclose, copy, distribute or take any action in reliance on the contents of this information. The information contained in this electronic e-mail transmission and any attachments are intended only for the use of the individual or entity to whom or to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, copying or disclosure of this communication and any attachment is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone and electronic mail, and delete the original communication and any attachment from any computer, server or other electronic recording or storage device or medium. Receipt by anyone other than the intended recipient is not a waiver of any privilege. Thank you.

From: [redacted]
Sent: Thursday, June 15, 2017 1:29 PM
To: [redacted]
Cc: [redacted]
Subject: Final OSC Requested Information - NYTPS

Dear K[redacted] and A[redacted]

Please find below the responses to your separate emails below:

Per K[redacted] H[redacted]

OSC Request: Good Morning J[redacted]
I am just verifying that you did not complete time studies for 2011-12 or 2012-13.

NYTPS Response: That is true. We followed the guidance in the **RCM Manual Section III: General Requirements 1. Recordkeeping B. Time Distribution If hours of service cannot be calculated or a time study cannot be completed, then alternative methods that are equitable and conform to generally accepted accounting principles may be utilized.**

OSC Request: Also, in a previous email, you indicated the allocations were reasonable. Do you have any documentation to support how you determined the reasonableness of the allocations for these two years?

NYTPS Response: Yes we have documentation.

Per A[redacted] T[redacted]

OSC Request: In line with going back 2 years we found that the crosswalks you provided for 2011/2012 and 2012/2013 did not include the 'Allocation Methodology' Tab that was included in the 2013/2014 crosswalk. Can you please provide these? Can you also provide the detailed Staff FTE/Square Footage calculation spreadsheets for 2011/2012 and 2012/2013 that was provided to us for 2013/2014?

NYTPS Response: Please see the attached files for the 2011/12 and 2012/13 as requested.

We trust that this will complete the request of items for the audit. Thank you.

Best Regards,

[redacted]

New York Therapy Placement Services, Inc.

[redacted]

[redacted]

[redacted]

The information contained in this electronic e-mail transmission and any attachments are intended only for the use of the individual or entity to whom or to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution, copying or disclosure of this communication and any attachment is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by telephone and electronic mail, and delete the original communication and any attachment from any computer, server or other electronic recording or storage device or medium. Receipt by anyone other than the intended recipient is not a waiver of any privilege. Thank you.

Exhibit F

AU Section 420

Consistency of Application of Generally Accepted Accounting Principles*

Source: SAS No. 1, section 420; SAS No. 43; SAS No. 88.

See section 9420 for interpretations of this section.

Issue date, unless otherwise indicated: November, 1972.

.01 The second standard of reporting (referred to herein as the consistency standard) is:

> The auditor must identify in the auditor's report those circumstances in which such principles have not been consistently observed in the current period in relation to the preceding period.

[Revised, November 2006, to reflect conforming changes necessary due to the issuance of Statement on Auditing Standards No. 113.]

.02 The objective of the consistency standard is to ensure that if comparability of financial statements between periods has been materially affected by changes in accounting principles, there will be appropriate reporting by the independent auditor regarding such changes.[1] It is also implicit in the objective that such principles have been consistently observed within each period. The auditor's standard report implies that the auditor is satisfied that the comparability of financial statements between periods has not been materially affected by changes in accounting principles and that such principles have been consistently applied between or among periods because either (a) no change in accounting principles has occurred, or (b) there has been a change in accounting principles or in the method of their application, but the effect of the change on the comparability of the financial statements is not material. In these cases, the auditor would not refer to consistency in his report.

.03 Proper application of the consistency standard by the independent auditor requires an understanding of the relationship of consistency to

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* This section has not been updated to reflect the issuance of Financial Accounting Standards Board (FASB) Statement No. 154, Accounting Changes and Error Corrections—a replacement of APB Opinion No. 20 and FASB Statement No. 3, which supersedes Accounting Principles Board Opinion No. 20, Accounting Changes. It is expected to be updated when this section is clarified in accordance with the AICPA Auditing Standards Board's (ASB) Clarity Project. The clarity project is a significant effort that the ASB has undertaken to make U.S. generally accepted auditing standards easier to read, understand, and apply by utilizing established clarity drafting conventions. Once finalized, the effective date of all clarified standards is expected to apply to audits of financial statements for periods beginning on or after December 15, 2010. This date is provisional, but will not be earlier.

In July 2009, FASB approved FASB Accounting Standards Codification (ASC), effectively superseding FASB Statement No. 162, The Hierarchy of Generally Accepted Accounting Principles, because all of the FASB ASC content carries the same level of authority. FASB ASC is now the source of authoritative U.S. accounting and reporting standards for nongovernmental entities, in addition to guidance issued by the Securities and Exchange Commission (SEC). As of July 1, 2009, all other nongrandfathered, non-SEC accounting literature not included in FASB ASC became nonauthoritative.

As a result of these developments, this section has not been conformed to reflect FASB ASC.

[1] The appropriate form of reporting on a lack of consistency is discussed in section 508, Reports on Audited Financial Statements, paragraphs .16–.18. [Footnote added to reflect the conforming changes necessary due to the issuance of Statement on Auditing Standards Nos. 53–62.]

Exhibit G

[redacted]

From: [redacted]
Sent:
To:
Subject:

[redacted]

Begin forwarded message:

From: [redacted]@nysed.gov>
Date: June 1, 2018 at 4:14:42 PM EDT
To: [redacted]@nytps.com>
Subject: RE: NYTPS

The standard used to disallow some of your expenses was that your method for allocating certain costs between your programs was not reasonable. It was deemed not reasonable because it directed more costs to the SEIT program and less cost to your other program and there was not a justification to support this "skew" – I feel like I have answered all the questions on this matter.

From: [redacted]@nytps.com>
Sent: Friday, June 01, 2018 1:34 PM
To: [redacted]@nysed.gov>
Subject: NYTPS

Dear [redacted]

[redacted] communicated to us that SED does not feel it necessary to meet and/or discuss with NYTPS the OSC findings so that we can fully air all the facts and circumstances. NYTPS is disappointed and requires clarification, especially with the latest email forwarded to us regarding our request for NYSED to review a New York State Office of State Comptroller ("OSC") Audit Finding in Report 2016-S-87.

NYTPS places a great importance to adherence to regulations and is confident that ALL of the available regulations and guidelines in existence during the audit years have been followed. We have not been afforded the opportunity to have a meeting or speak to SED in order to obtain the **facts in the audit** that are referenced despite being referred by the OSC to do so. Each one

1

of our points was extensively discussed and defended with OSC during calls and information submitted to OSC.

Numerous times, OSC indicated discussions with SED, and reported that SED agreed with them which implies that all information was shared with SED. In fact, on 2-6-18, OSC stated "that as the final administrator of this program, SED will make the final determination." On 5-3-18, OSC recommended that we have a conversation with SED because SED is actually interpreting.

On May 25th, you wrote: "The challenge is that the agency is providing to me their description of facts that were not included in the audit and therefore I cannot determine reliability after the fact. Meaning, I am not able to re-create the in-depth review that is taken as part of an audit engagement and therefore cannot validate the information as accurate"

NYTPS description of the facts were included throughout communications and documents since NYTPS became aware of the finding on a call 7-12-17 and from reading the preliminary report issuance on August 2, 2017. As we indicated in our 5-24-18 correspondence to you, this finding was not raised during the nearly 4 months of on-site fieldwork or at the fieldwork closing discussion meeting on 3-31-17 in The Farmingdale office.

Information provided to you last week was discussed with the OSC and/or provided and available to OSC. NYTPS had calls with OSC on 11-20-17, 2-6-18, 4-3-18 and 5-3-18 and submitted additional clarifying information on 1-8-18 and 4-3-18.

NYTPS is questioning, if SED is the final administrator, did OSC share the procedures and sufficient, appropriate evidence to conclude the finding to render the NYTPS allocation method as *"Unfairly skewed allocated costs to the SEIT Program"*?

NYTPS is concerned that all our conversations and documents may not have been shared with SED despite OSC informing us of discussions with SED. If SED is making the final determination, what role did SED play throughout the audit and what information is OSC required to provide SED?

On May 25th, you wrote: "However, the facts as reflected in the draft audit applied to the reimbursement standard used to support the OSC disallowance is correct."

We did not see any facts in the Draft Audit Report, only that *"NYTPS' methodology unfairly skewed allocated costs to the SEIT program."* On each call with OSC, NYTPS asked for the regulatory citation. On a call with OSC on 2-6-18, OSC stated that the only standard was that any allocations must be reasonable per the RCM.

Due to the fact we were directed by OSC to contact SED for clarification, we are requesting the details of the reimbursement standard you are referring to in the above statement. NYTPS has cited 6 regulatory guidelines from the RCM and CFR as well as government directives and an expert legal opinion that we followed to support our methodology.

What are the standard measurements that support the conclusion? We are not aware of another reimbursement standard, as you indicated, that would prohibit NYTPS from using a reasonable, consistent allocation that incorporates SED mandates and usage. Is there a

protocol, maximum % allocation or directives for allocations not contained in the manuals that is published that defines reasonable?

In all our CFR's submitted, SED never questioned our expense reporting as not reasonable.

When specific published information does not exist from OSC or SED, how can an audit body make a subjective determination resulting in a disallowance without a protocol for our agency to follow?

We are respectfully requesting to be provided the above information. Thank you very much.

[redacted]

[redacted]

Exhibit H

The University of the State of New York
New York State Education Department
Rate Setting Unit
Albany, New York 12234

Reimbursable Cost Manual for Programs Receiving Funding Under Article 81 and/or Article 89 of the Education Law to Educate Students with Disabilities

This Manual applies to the July 2013 to June 2014 Tuition Rates and defines Reimbursable Costs for the July 2013 to June 2014 period.

Effective as of January 13, 2014

July 2013 Edition

(3) Approved programs are authorized to bill for scheduled SEIT services when the student is enrolled and present to receive the service and the SEIT teacher is absent. However, programs are encouraged to use substitute SEIT teachers in such instances. The cost of substitute SEIT teachers is reimbursable.

(4) A SEIT student's FTE enrollment is counted for reporting purposes only as a 1.0 FTE when the student is enrolled for the entire 10 month program or 1.0 when enrolled for the entire July –August program. The FTE is prorated for both the 10 month and 2 month programs if the student is enrolled for less than the full 10 month instructional school calendar or less than the full July-August instructional calendar.

8. Close Down

Close down, as defined in Section 200.7 (e) and 200.9 (g) of the Commissioner's Regulations, is the period during which an entity operating an approved program plans to cease operation, transfer ownership, voluntarily or non-voluntarily terminate its status as an approved private residential or non-residential program for students with disabilities that receives public funds pursuant to Article 81 and/or Article 89 of the Education Law. The close-down period means the period of time beginning with the date of the Commissioner's receipt of notice and ending on the date of the program's cessation of operations, transfer of ownership, voluntary or non-voluntary termination of its status as an approved program. Reimbursement shall be determined in accordance with the provisions set forth in Section 200.9 (g) of the Commissioner's Regulations and this Manual. Financial reports and financial statements as required pursuant to Section 200.9 (e) of the Commissioner's Regulations must be submitted to the Commissioner no later than 90 days following close down. The entity is required to transfer student records back to the public school district of origin's Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE). Financial and other records must be maintained by the entity for seven years. The entity must provide the Department with the name, address and phone number of the contact person for these records. See Section IV. 3. Close-Down Policy and Procedures.

9. Agency Administration

Agency administration is defined as those expenses which are not directly related to a specific program but are attributable to the overall operation of the agency. These costs include: costs for the overall direction of the organization; costs for general recordkeeping, budget and fiscal management; costs for public relations (non-fundraising); and costs for parent agency expenditures.

10. Reasonable Cost

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration shall be given to:

A. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the approved special education program. Public special education funding shall be used in accordance with Article 89 of Education Law Section 4401 and Section 4410 10.(e.)

B. The restraints or requirements imposed by such factors as: sound business practices; arm's length bargaining; Federal, State or local laws and regulations.

C. Prices for comparable goods or services determined by reviewing similar entities.

D. Whether the individuals concerned acted with prudence given their responsibilities to the entity's Board of Directors, its employees, the public at large and the State government.

E. Significant deviations from the established practices of the entity or similar entities which may unjustifiably increase the cost of the approved program.

The University of the State of New York
New York State Education Department
Rate Setting Unit
Albany, New York 12234

Reimbursable Cost Manual for Programs Receiving Funding Under Article 81 and/or Article 89 of the Education Law to Educate Students with Disabilities

This Manual applies to the July 2012 to June 2013 Tuition Rates and defines Reimbursable Costs for the July 2012 to June 2013 period.

July 2012 Edition

9. Agency Administration

Agency administration is defined as those expenses which are not directly related to a specific program but are attributable to the overall operation of the agency. These costs include: costs for the overall direction of the organization; costs for general recordkeeping, budget and fiscal management; costs for public relations (non-fundraising); and costs for parent agency expenditures.

10. Reasonable Cost

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration shall be given to:

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B. The restraints or requirements imposed by such factors as: sound business practices; arm's length bargaining; Federal, State or local laws and regulations.

C. Prices for comparable goods or services determined by reviewing similar entities.

D. Whether the individuals concerned acted with prudence given their responsibilities to the entity's Board of Directors, its employees, the public at large and the State government.

E. Significant deviations from the established practices of the entity or similar entities which may unjustifiably increase the cost of the approved program.

The University of the State of New York
New York State Education Department
Rate Setting Unit
Albany, New York 12234

Reimbursable Cost Manual for Programs Receiving Funding Under Article 81 and/or Article 89 of the Education Law to Educate Students with Disabilities

This Manual applies to the July 2011 to June 2012 Tuition Rates and defines Reimbursable Costs for the July 2011 to June 2012 period.

July 2011 Edition

10. Reasonable Cost

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration shall be given to:

A. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the approved special education program. Public special education funding shall_be used in accordance with Article 89 of Education Law Section 4401 and Section 4410 10.(e.)

B. The restraints or requirements imposed by such factors as: sound business practices; arm's length bargaining; Federal, State or local laws and regulations.

C. Prices for comparable goods or services determined by reviewing similar entities.

D. Whether the individuals concerned acted with prudence given their responsibilities to the entity's Board of Directors, its employees, the public at large and the State government.

E. Significant deviations from the established practices of the entity or similar entities which may unjustifiably increase the cost of the approved program.

Exhibit I

ARCHER
ATTORNEYS AT LAW

Barry H. Frank

bfrank@archerlaw.com
215-246-3103 (Ext. 5103) Direct
215-963-9999 Direct Fax

Archer & Greiner, P.C.
Three Logan Square
1717 Arch Street, Suite 3500
Philadelphia, PA 19103
(215) 963-3300 Main
(215) 963-9999 Fax
www.archerlaw.com

April 3, 2018

[redacted]
New York Therapy Placement Services, Inc.
299 Hallock Avenue
Port Jefferson Station, NY 11776

Re: New York State OSC Audit and Preliminary Report

Dear [redacted]

You have sought my opinion regarding the proposed reclassification of the independent contractors that contract with New York Therapy Placement Services, Inc. ("NYTPS") for the fiscal years 2011/2012, 2012/2013 and 2013/2014. As I understand, NYTPS is currently being audited by the Office of the New York State Comptroller ("OSC"). In that audit, there is a proposed calculation which seeks to include the service of the independent contractors with those of the employees of NYTPS. This would have the impact of utilizing the independent contractors to allocate expenses to include supplies, facility usage and other expenses which per your contracts are not afforded to the independent contractors.

[redacted]
New York Therapy Placement Services, Inc.
April 3, 2018
Page 25

Thus, pursuant to the clear language in the Consolidated Fiscal Report and Claiming Manual, the determination by the Internal Revenue Service that the Therapists contracting with NYTPS are independent contractors is binding on OSC. Therefore, it is not proper to include the independent contractors in an allocation base of costs for which NYTPS does not provide, reimburse or provide facilities and therefore the independent contractors cannot be included in a Staff FTE allocation.

Sincerely,

Barry H Frank

BARRY H. FRANK

Exhibit J

General Operating Expense

Expenses such as food, transportation, supplies and material, staff travel and training, etc. which cannot be directly charged to a specific program or State Agency must be allocated across all such entities deriving benefits. If you are unable to direct charge expenses to agency administration or program/site(s), you may use the following recommended allocation methods for each specific OTPS item:

OTPS Item	Recommended Allocation Method
Food	Meals Served
Repairs and Maintenance	Square Feet
Utilities	Square Feet
Transportation Related	Number of Trips or Mileage
Staff Travel	Full-Time-Equivalents
Participant Incidentals	Direct Charge Only
Expensed Equipment	Units of Service if the item is shared by more than one State Agency or program site.
Subcontract Raw Materials	Units of Service Only
Participant Wages	Units of Service Only
Staff Development	Full-Time-Equivalents
Supplies and Materials	Units of Service
Telephone	Number of Lines
Insurance-General	Ratio Value
Other	Units of Service

If the recommended allocation method does not apply, the provider should determine a more reasonable method of allocation. Example: A service provider needs to allocate supplies and materials costs to several program/sites. The recommended allocation method noted above is units of service. However, all the program/sites do not report units of service. In this case, a more reasonable method of allocating supplies and materials would be to allocate the cost based on usage.

General Operating Expense

Expenses such as food, transportation, supplies and material, staff travel and training, etc. which cannot be directly charged to a specific program or State Agency must be allocated across all such entities deriving benefits. If you are unable to direct charge expenses to agency administration or program/site(s), you may use the following recommended allocation methods for each specific OTPS item:

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Participant Incidentals	Direct Charge Only
Expensed Equipment	Units of Service if the item is shared by more than one State Agency or program site.
Subcontract Raw Materials	Units of Service Only
Participant Wages	Units of Service Only
Staff Development	Full-Time-Equivalents
Supplies and Materials	Units of Service
Telephone	Number of Lines
Insurance-General	Ratio Value
Other	Units of Service

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Repairs and Maintenance	Square Feet
Utilities	Square Feet
Transportation Related	Number of Trips or Mileage
Staff Travel	Full-Time-Equivalents
Participant Incidentals	Direct Charge Only
Expensed Equipment	Units of Service if the item is shared by more than one State Agency or program site.
Subcontract Raw Materials	Units of Service Only
Participant Wages	Units of Service Only
Staff Development	Full-Time-Equivalents
Supplies and Materials	Units of Service
Telephone	Number of Lines
Insurance-General	Ratio Value
Other	Units of Service

If the recommended allocation method does not apply, the provider should determine a more reasonable method of allocation. Example: A service provider needs to allocate supplies and materials costs to several program/sites. The recommended allocation method noted above is units of service. However, all the program/sites do not report units of service. In this case, a more reasonable method of allocating supplies and materials would be to allocate the cost based on usage.

Exhibit K

Hours Paid: The actual number of hours paid to all employees in the position title for the same standard work week for the reporting period. Hours paid should include hours worked and vacation, personal, sick leave and holidays paid. This total must include all overtime. All overtime hours must be reported as straight time hours. For example, 10 additional hours paid at time and one half should be reported as 10 hours, not 15 hours.

Note: **If an employee works at multiple program/sites, allocate the hours paid to each program/site. Refer to Appendices J and L.**

SED: Service providers should include hours spent on extracurricular activities (e.g., stipends for coaching) by direct care personnel in the hours paid column of position title "Other Direct Care Staff" (code 290).

For example, if a teacher, aide, related service provider, etc. is paid to work 35 hours per week for 40 weeks over the school year and 6 weeks over the summer, it is expected that 1,610 hours are reported (35 hours * 46 weeks = 1,610 hours). If the agency permits staff to elect to be paid over a 52 week period rather than 46 weeks, the total reported for the staff in this example should still be 1,610 hours. For payroll purposes **only**, the hours paid may need to be amended to 30.96 per week (30.96 * 52 weeks = 1,610 hours). The standard work week for CFR4 purposes would remain at 35 hours.

FTE (Full Time Equivalent): The FTE for each position title code is calculated to three decimal places. Calculate the FTE by dividing the number of hours paid by the product of the standard full-time work week times 52 weeks per year.

EXAMPLE 1: A social worker has a standard work week of 35 hours and worked 25 hours a week for 40 weeks during the reporting period. Total hours paid for the social worker is 25 hours x 40 weeks or 1,000 hours. The FTE calculation is:

$$\frac{\text{Hours paid}}{\text{Standard Work Week x 52}} = \frac{1000}{1820} = .549 \text{ FTE}$$

EXAMPLE 2: A psychologist has a standard work week of 37.5 hours and worked 37.5 hours a week for 52 weeks during the reporting period. Total hours paid for the social worker is 37.5 hours x 52 weeks or 1,950 hours. The FTE calculation is:

$$\frac{\text{Hours paid}}{\text{Standard Work Week x 52}} = \frac{1950}{1950} = 1.000 \text{ FTE}$$

Amount Paid: The amount paid to all employees in the position title for the reporting period. The amount must be reported in whole dollars. Cash paid as a cafeteria plan option is to be included here as salary.

Note: **Include all overtime, bonuses, and cafeteria or split dollar benefits. If an employee works at multiple program/sites, allocate the amount paid to each program/site. Refer to Appendices J and L.**

SED: Providers should include amounts paid for extracurricular activities (e.g., stipends for coaching) by direct care personnel in the amount paid column of position title "Other Direct Care Staff" (position title code 290).

Hours Paid: The actual number of hours paid to all employees in the position title for the same standard work week for the reporting period. Hours paid should include hours worked and vacation, personal, and sick leave paid. This total must include all overtime. All overtime hours must be reported as straight time hours. For example, 10 additional hours paid at time and one half should be reported as 10 hours, not 15 hours.

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Total Hours Paid: The total hours paid for each program/site.

Total FTE: The total FTEs for each program/site.

Total Amount Paid: The total amount paid for each program/site.

Exhibit L

New York State Consolidated Fiscal Reporting and Claiming Manual	Subject: CFR-4A – Contracted Direct Care and Clinical Personal Services	Section: 17.0	Page: 17.1
	Reporting Period: July 1, 2013 to June 30, 2014		Issued: 05/14

The CFR-4A schedule *MAY* be required for submission with Full CFRs (see below for requirements).

The CFR-4A schedule *IS NOT* required for submission with Abbreviated, Article 28 Abbreviated or Mini-Abbreviated CFRs.

This schedule is used to report the amount paid to individuals/organizations that have contracted with the service provider to provide direct care and/or clinical personal services. All other contracted services must be reported on the appropriate expense line of Schedule CFR-1 or Schedule CFR-3. **Questions regarding whether or not an individual is a contractor or an employee should be directed to the IRS, the service provider's accountant and/or tax attorney.** Individuals receiving W-2 tax forms from the service provider are considered to be employees of the service provider, and should be reported on Schedule CFR-4.

Complete a separate Schedule CFR-4A for each State Agency or shared program.

Note: If a contractor works at multiple program/sites, allocate the hours paid and amount paid to each program/site. Refer to Appendices J and L.

SED providers should use the data compiled on Schedule CFR-4A to report SED-4 information for direct care related service staff.

NYS CFRS Software Note

- *No data can be entered into this schedule prior to defining your agency and your agency's program/sites in the software.*
- *In the Submission Definition screen, specify all of the agencies that fund/certify your programs. Failure to do so will prohibit the completion of some schedules.*
- *Data in grayed-out fields has previously been entered into other CFR schedules and has been carried forward. If any of the carry-forward information is incorrect, it will need to be changed in the source schedule.*
- *Please refer to Getting Started with NYS CFRS Software in Section 9 for more details.*

Header Section

State Agency: The agency(ies) that fund(s)/certify(ies) the program/site(s) reported on this page.

Agency Name: The name of the organization (service provider).

Agency Code: The five-digit code assigned to the organization (service provider).

School Code (SED Only): The twelve-digit code assigned to your organization (service provider).

Column Number: CFRS Software automatically assigns column numbers within each of the funding state agency schedules. The columns are arranged in ascending order based on a hierarchy of program code, program code index and program/site identification number.

Program Code: The four digit number associated with the reported program. See the program type listings in Appendices E through H.

New York State Consolidated Fiscal Reporting and Claiming Manual	Subject: CFR-4A – Contracted Direct Care and Clinical Personal Services	Section: 17.0	Page: 17.1
	Reporting Period: July 1, 2012 to June 30, 2013		Issued: 05/13

The CFR-4A schedule *MAY* be required for submission with Full CFRs (see below for requirements).

The CFR-4A schedule *IS NOT* required for submission with Abbreviated, Article 28 Abbreviated or Mini-Abbreviated CFRs.

This schedule is used to report the amount paid to individuals/organizations that have contracted with the service provider to provide direct care and/or clinical personal services. All other contracted services must be reported on the appropriate expense line of Schedule CFR-1 or Schedule CFR-3. Complete a separate schedule for each State Agency or shared program.

Note: If a contractor works at multiple program/sites, allocate the hours paid and amount paid to each program/site. Refer to Appendices J and L.

Questions regarding whether or not an individual is a contractor or an employee should be directed to the IRS, the service provider's accountant and/or tax attorney.

SED providers should use the data compiled on Schedule SED-4 to report CFR-4A information for direct care related service staff.

NYS CFRS Software Note

- *No data can be entered into this schedule prior to defining your agency and your agency's program/sites in the software.*
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New York State Consolidated Fiscal Reporting and Claiming Manual	Subject: CFR-4A – Contracted Direct Care and Clinical Personal Services	Section: 17.0	Page: 17.1
	Reporting Period: July 1, 2011 to June 30, 2012		Issued: 05/12

The CFR-4A schedule *MAY* be required for submission with Full CFRs (see below for requirements).

The CFR-4A schedule *IS NOT* required for submission with Abbreviated, Article 28 Abbreviated or Mini-Abbreviated CFRs.

This schedule is used to report the amount paid to individuals/organizations that have contracted with the service provider to provide direct care and/or clinical personal services. All other contracted services must be reported on the appropriate expense line of Schedule CFR-1 or Schedule CFR-3. Complete a separate schedule for each State Agency or shared program.

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Program Code: The four digit number associated with the reported program. See the program type listings in Appendices E through H.

Name

Lisa Dombrow

Email [redacted]

Public Comment

I was born and raised in New York City. I am an artist and educator living in Brooklyn and I have been an independent for many years. I became an independent because I don't think any political party fully represents my views. More importantly, I have come to see both major parties as prioritizing gaining and retaining power, rather than trying to fix any of the serious problems we face in this city, state, country, and world. I should not have to belong to such a party in order to participate in the political process. No one should.

I am a voter. I have voted in almost every election that I could since I was 18 years old. I was once a member of a party, but I felt out of my convictions that I had to declare my independence. Now I am locked out of the most important elections in the city, the primaries. Some say I can vote in the primaries. All I have to do is re-register as a Democrat (or Republican). But I cannot do that. It would negate who I am and what I believe politically. It is disrespectful to ask anyone to do that.

Furthermore, as a taxpayer, I help fund these elections in which I am not allowed to participate. This is unfair and undemocratic. More than 1 million New Yorkers are in the same position as I am, many of them younger voters and voters of color. We need to be encouraging more people to vote, not putting impediments in their way or shutting them out entirely.

I very much appreciate your consideration of this issue and I urge you to do something about it!

Attachment(s) Drop files here or click to browse

Date Submitted July 12, 2026

Topic Open Primaries

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open Primaries

Show 4 hidden fields

Name

Mary Fridley

Email [redacted]

Public Comment

Hi, my name is Mary Fridley, I attended the Manhattan hearing on July 8th, but was not given the opportunity to testify.
These are the remarks i would have shared, that I am glad to submit for your consideration.

Thank you for giving me and other New Yorkers the opportunity to help shape the future of a city I've proudly called home for the past 50 years.

By profession, I'm a nonprofit fundraising consultant. I'm also a longtime community organizer, dementia rights activist, member of the LGBTQ community, and a lifelong independent voter.

I appreciate that the Commission is examining government inefficiency. I agree that city government can, and must, work better. But I would argue that one of the greatest inefficiencies in our system is that 1.1 million independent New Yorkers are shut out of the only elections that truly determine who governs this city: the primaries.

If we're serious about improving government, we have to improve democracy. Excluding nearly one in five registered voters from meaningful participation doesn't produce better government. It produces less accountability, fewer ideas, less competition, little creativity and limited access to anyone who isn't willing to settle for what is essentially a one-party town.

At a recent hearing, Chairman Gaspard spoke about the need to "upend the status quo." I couldn't agree more. Opening New York City's primaries to independent voters would do exactly that. It would invite new voices into the process, encourage broader coalitions, new kinds of solutions and reward candidates who appeal to more than a narrow base, and create the kind of healthy competition that drives innovation in every other part of society.

I've worked on this issue long enough to know that ordinary New Yorkers understand what's at stake. They know fairness when they see it.

I hope this Commission has the courage to recommend a simple but transformative reform: open New York City's primaries to every voter. If we truly want a government that is more effective, more accountable, and more representative, we must first build an electoral system that is more open, more fair, and more democratic.

Thank you.

Mary Fridley



Attachment(s)

Drop files here or click to browse

Date Submitted: July 12, 2026

Topic: Open Primaries, Unnecessary Bureaucracy

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open Primaries

Show 4 hidden fields

Name

Robert Avaltroni

Email [redacted]

Public Comment

To: Chairman Patrick Gaspard & Members of the Commission on Government Efficiency
Re: July 8, 2026 Hearing on Streamlining and Permitting

It was a distinct privilege to testify before this distinguished Commission. During my testimony, I highlighted how Streamlining the Permitting Process will promote public/worker safety while expediting the Permitting Process at DEP and DOB. The 2009 revised Construction , Demolition and Abatement Process resulted in Local Law 38. A Permitting Process that achieved Review and Approval resulted in safely expediting permits with a time frame of approximately three (3) weeks. Unfortunately, that inherited Permitting Process now sees three to six (3-6) months of repetitive dialogue before abatement work can begin at any site containing Asbestos and requiring abatement.

The premise that the SPEED Initiative, set forth by Mayor Mamdani, does not promote Safety while expediting the Permitting Process is mistaken. In fact, Safety and Expediency have no competing interest, and act to protect Public and Worker Safety. The Environmental Contractor's Association, with me as Special Advisor, has and will continue to work with the Administration with respect to the Mayor's Housing Initiatives and all Projects that impact growth, fairness and Economic Development for ALL.

The City is now at a watershed moment as we partner with all Agencies to ensure that Contractors adhere to the Rules and Regulations. In essence, this Partnership will result in having the most qualified Remediation Contractors who use Union Contractors (the most highly trained experts in the Industry). By achieving this objective, unscrupulous Contractors who bypass Safety and Adherence to Permit Filing/Rules and Regulations will no longer have what can be described as a Black Market hiding from those City Agencies that have Safety and Expediency as the cornerstone of their efforts.

In concluding, I commented and even mentioned former First Deputy Mayor and OMB Director, Marc Shaw who ensured the investment in resources allocated were utilized in the intended areas to realize Key Objectives. I feel confident the Mayor's Office and Agency Commissioners will continue to work with the Environmental Contractor's Association and other key Industry Leaders to ensure the people of our great City are protected and find enhanced Quality of Life.

I/We look forward to continuing our working partnership now and in the future.

Respectfully yours,
Robert (Bob) Avaltroni, on behalf of the Environmental Contractors Association and the City of New York

Attachment(s)



COGE Streamling the Asbestos Review ...

Date Submitted: July 12, 2026

Topic: Department of Buildings (DOB) Issues; Unnecessary Bureaucracy; Enforcement; Real Estate and Development

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Streamlining asbestos reviews

Show 4 hidden fields

7/10/26
Discussion Points to streamline the Asbestos Review Process for the Commission on Government Efficiency (COGE)

Purpose: To reduce review time for asbestos technical review submissions while maintaining regulatory compliance, safety and clear communication with the filing community.

Summary: The recommendations focus on reducing review delays by increasing review capacity, simplifying documentation requirements, expanding flexibility for complex and multi-phased projects, standardize review practices and improve communication with the filing community.

1) **Increase staffing for asbestos technical reviews-** Additional review staff would help address submission volume, reduce review queues, and support a more efficient review process. (Speed report recommended action 3D)
2) **Extend the procedural variance (ACP9) timeframe-** Extend the time limit from six months to twelve months to align with the Asbestos Project Notification (ACP7). This change would reduce repeated variance reviews and help avoid interruptions to contractor work schedules. DEP has agreed to this modification by asbestos rule change. However, an interpretative memorandum would allow implementation immediately. Minor coding changes within the Asbestos Reporting and Tracking System (ARTS), which is the paperless electronic filing system, would also be required prior to implementation. (Speed report recommended action 3E)
3) **Evaluate self-certification for Workplace Safety Plans (WPSP)-** Review the feasibility of having self-certification by a registered design professional (RDP) for the WPSP associated with the ATRU permit application. The goal for a self-certification protocol is to reduce review timelines while maintaining regulatory compliance and professional accountability. Coding changes within ARTS would be required.
4) **Additional amendments (ACP8) for complex and or multi-phase projects-** Currently two amendments are permitted for an ACP7. This limitation almost always requires additional ACP7 filings, which disrupts project schedules and triggers repeated full reviews of the same project. Coding changes within ARTS would be required.
5) **Clarify required documents for standard ACP7 filing-** An ACP7 is a notification to DEP for proposed asbestos abatement and includes affirmation and acknowledgement from the abatement contractor, air monitor and building owner as part of the filing's self-certification. For an ACP7 filing that does not involve an ACP9, ATRU permit or 1-22(b) variance, the DEP should reconsider requiring photographs of asbestos containing material (ACM) and other supporting documents. These additional requirements create unnecessary burden, delay notification and approval and provide limited value for standard filings.
6) **Incorporate common variances and attachments into future rule revisions-** Simple and frequently used variances along with commonly required attachments should be

considered for inclusion in future asbestos rule revisions. DEP could also use an interpretative memorandum to implement appropriate changes sooner, helping to reduce review workloads and improve consistency.

7) **Communicate process or document changes clearly-** Any new document requirement or procedural change should be shared with the filing community through an interpretative memorandum. Then later incorporated into the next asbestos rule revision. Changes should not be implemented without notice, as this has previously caused additional filing objections and approval delays.
8) **Issue all objections at one time-** Variance and ATRU submissions should be reviewed in their entirety with all observed objections issued together whenever possible.
9) **Standardize reviewer procedures-** Reviewer procedures for variance submissions should be standardized to reduce inconsistent interpretations by reviewers and improve predictability for applicants.
10) **Improve communication with the assigned reviewer/supervisor-** Applicants should be able to identify the reviewer/supervisor assigned to each project and have a clearer method for submitting project-specific questions or clarification requests within ARTS. Direct, documented communication with the assigned reviewer or supervisor would help resolve minor issues earlier, reduce unnecessary objections, avoid repeated resubmissions and improve overall transparency in the review process.
11) **Reconsider RDP letter requirement for interior plaster abatement-** DEP should rescind the current requirement for an RDP letter when plaster is located on vertical interior partitions and does not encapsulate or protect structural elements such as beams, columns or floor decking. These projects should be allowed to proceed under standard protocols for interior plaster surfaces.
12) **Simultaneous DEP and DOB review-** As permitted within ARTS, remind DOB reviewer and supervisor to proceed independently rather than waiting for DEP to complete their review before proceeding with theirs. Coordinated parallel review would reduce overall approval timelines, identify conflicts earlier and improve predictability for applicants while preserving each agency's independent review authority.
13) **Continue virtual stakeholder meetings-** Continue using virtual meetings to discuss general topics, clarify questions and maintain open communication with the filing community.

Name

Arthur Steuer

Email [redacted]

Public Comment

NYC urgently needs a new way to manage the waterfront to support maritime of all types.
Maritime activity is diverse and occurs on sites managed by private property owners, managed by the NYC EDC for the City, on Parks Department property (mostly cultural and educational maritime) and within new major waterfront parks managed by authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island). There are other new waterfront parks that are NYS-run and not covered here. A City maritime agency would be a source of expertise for these parks which have lacked maritime people in senior positions. Here are some maritime failures from those parks.
Some of these new parks fail maritime by not centering it in their plans (so there is a lack of maritime activity), by not building piers for boats at all, by taking piers out of maritime use that had been in use as Port Authority piers (Brooklyn Bridge Park), or by building piers badly for boats (pier 25 in Hudson River Park).
The permitting process to use piers in Hudson River Park and Brooklyn Bridge Park is so complex that it is a shock to vessels visiting from other places, domestic and international, and can be a deterrent to the piers being used. Hudson River Park has then cited the lack of visiting vessels to say there is no market demand to build the two additional historic ship piers that are part of their charter.
In 2007, Governors Island (while still NYS controlled) bought the ferry MV Islander ferry from the Massachusetts Steamship Authority even though the ferry was being sold for scrap. Governors Island ended up not using the ferry and selling it on eBay, wasting $922,645. Despite being a former Coast Guard base, Governors Island (now City controlled) has made no maritime use of its waterfront for public programs until the recent SailGP races where the shoreline holds the audience during one summer weekend. They are letting to piers in the Buttermilk Channel rot away.
The failed maritime projects described above cost NYC more than the money expended, the cost includes the lost business, cultural, and educational activity that did not occur, plus (in the case of the EDC) lower revenue from the site which leads to lower payments to the City via the “maritime contract.”
Problems with the NYC EDC
The NYC EDC has an annual “maritime contract” with the City, specifically with the Department of Small Business Services. The list of problems with EDC management is long.
Bad, self-interested financial management of the EDC
The EDC is supposed to manage City property to generate revenue and economic development for the City, however, the EDC is often acting more in their own interest. Because the EDC is not a City agency, it is a quasi govenrmental nonprofit, the City Council does not vote on its budget as part of the annual City budget process. Problems are thus not prevented but found after the fact when City Comptrollers conduct audits. There is a pattern to problems found by multiple Comptrollers: The EDC covers up projects that are not benefitting the City as promised and diverts revenue from City property it manages (money that would go to the City budget where the Council has an oversight role) and used it to subsidize preferred projects or to

hide failures of their own. In this way, the EDC hid how, during the depths of the pandemic, they used revenue from Times Square properties to subsidize the NYC Ferry. That followed the EDC's hiding about a year before, the ridership survey for the NYC Ferry that showed that the ferry was not addressing transit desert problems in low income communities as promised; the ferry was used overwhelmingly by wealthy white residents and tourists. During a very angry April 2019, Council hearing, Councilmember discussed the creation of an Office of the Waterfront and taking ferry management away from the EDC. No action ended up being taken, but the fury speaks to the problem.

The EDC planned a second homeport for the NYC Ferry in Atlantic Basin, Red Hook (since sometime 2024, called The Brooklyn Marine Terminal or BMT). Construction occurred in 2023, but the facility remains unused. Credible, prior EDC employees say that the pilings between the ferry berths have shifted. The EDC themselves created a presentation for the BMT Task Force 2024.10.15_Task Force Meeting #2 Pre-Read.pdf, that on page 8 said in a text box "Assuming Home Port 2 is fixed. When asked about that text box, the EDC denied that there is any problem, but the facility remains unused since the 10/15/24 date of that presentation. More related to this ferry homeport below.

The EDC is an Abusive Landlord

Mayor Zohran Mamdani has made addressing abusive residential landlords a priority. It must be understood that NYC's largest landlord, the NYC EDC, managing by their own description managing "65 million square feet of space, 225 managed properties, and 170 projects" is often abusive. The situations below create instability, stunt growth, reduce business profitability and revenue paid to the city. Such practices also damage nonprofit renting space from or in contracts with the EDC.

Examples of how the EDC damages tenants

Some examples from Atlantic Basin, Red Hook, Brooklyn, part of BMT:

In 2017, the EDC introduced the Formula E car race into the marine industrial park of Atlantic Basin (now called BMT) which was deeply disruptive to tenants for5 7 weeks every summer during every year the race occurred. This caused many tenants to leave including the Master Subtenant Phoenix Beverage.

DockNYC berth permits for Pier 11 say the EDC can displace boat tenants on 30 days' notice with no reason given. September 2023, the EDC evicted 4 companies and multiple ships on 4 days' notice from to build the NYC Ferry Homeport 2. Below, see what happened to them in Sunset Park the next year. This also means hundreds of feet of pier have been taken out of economic use.

DutchX moved into the Pier 11 warehouse in August 2025. In late 2025, the EDC touted their blue highway service moving Sephora cosmetics to Pier 79 on Manhattan's west side. By 12/31/25, the electrical problems in the warehouse (low voltage and fluctuating power) prompted DutchX to rent a generator to charge their EV vans, and by June, they had moved out due to the electrical issues. All extant tenants knew that the building was historically underpowered. This story also shows that DutchX had a significant last mile operation on land and was not just a blue highway operator.

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Hook's Pier 11, moving Sephora cosmetics to Pier 79 on Manhattan westside. DutchX moved in August 2025 and moved out June 2026 as there was insufficient electricity to charge their EV vans in the Pier 11 warehouse in Red Hook. This also means their operation was more land-based (vans) than revealed by the EDC who only talked about DutchX as a blue highway operation.

The nonprofit PortSide NewYork was one of two winners of a 2007 EDC RFP. As a result, from 2008 into 2011, the EDC promised PortSide a permanent home to create a maritime hub in Atlantic Basin and did not deliver after three years of making the group do "interim programs" and an architect's building code review. In late May 2015, PortSide returned to the site thanks to the EDC's needing Councilmember Carlos Menchaca's approval for a long-term lease at SBMT. Since then, PortSide has tried to get more space as originally promised, even doing a new business plan in 2018 at the EDC's request. Since 2019, PortSide has only received one-year permits. Since 2021, their dockmaster has usually sent the annual permit well after the year started, and the EDC changed the permit terms most of those years, making unreasonable demands (such as insure their 172' coastal oil tanker as if she were a small cruise ship with overnight accommodations for 50+ sailing from US ports) and said PortSide could not run programs until they agree to those terms. PortSide's annual permit is not sufficient to cover programs; the EDC requires an additional permit for each event. .

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The EDC's unfair and extractive RFEI and RFP processes

Mayor Mamdani has created the new position of Deputy Mayor for Economic Justice and appointed Julie Su to create ways for NYC's economy to work more for workers (not only for major corporations) and to reform the EDC as part of that work.

A basic principle of economic justice is to be fairly paid for your work. The EDC often violates that.

The often uses Request for Expressions of Interest (RFEI)s and Request for Proposal (RFP)s to "test the market" as they themselves have said, and then they often use ideas harvested this way without awarding the contract to whoever created the ideas. This is extractive, unpaid, unfair use. By now, many NYC maritime companies will NOT respond to EDC RFEIs and RFP which means that this EDC practice is also not really testing the market.

Even if the EDC does award an RFP, these often contain unrealistic demands and limitations which then prevent the facilities from being used and subject RFP applicants to prolonged negotiations (and time is money).

From 2002 through 2023, the EDC ran seven planning processes for the Atlantic Basin in Red Hook, netting zero long term tenants. Meanwhile, businesses, especially maritime ones, are always seeking space, and all forms

of maritime activity in the port of NY have been straining to grow for decades. See https://portsidenewyork.org/edc_plans for more info on the following:
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The EDC plays favorites and the game is often rigged
May's Shipyard had the first contract to build NYC Ferry docks. For years, they received ongoing work to build new docks as the routes expanded via "change orders" instead of the EDC's releasing a new RFP for dock construction.
The way the EDC ran the RFP process that created the NYC Ferry system suggests an evasion of fair process. The RFP description did not include providing a homeport or building boats. Two of the ferry respondents told PortSide they would have responded differently if those options were on the table in the RFP description. Those two options, however, were offered to Hornblower, a company headquartered out of NY, which won the RFP, leading to the demise of two ferry companies in this harbor, the East River Ferry and the New York Water Taxi.
On 9/24/18, Dwayne Braithwaite filed a Notice of Claim to sue the EDC for $15 million dollars for collusion with Hornblower to control the NYC charter boat market. They settled.
The EDC often does not fulfill promises to communities
Contrary to an economic justice model sought by the Mamdani administration, the EDC approach is extractive, often making profits for the EDC without engaging in real economic or community development (though that is promised) for the neighborhood where the EDC is working and making the promises. The EDC's performance in Red Hook, Brooklyn merits special consideration give the plans for the City to take over the property (it is still Port Authority property) and the EDC's planning process for what's now called the Brooklyn Marine Terminal. The EDC has a high failure rate for the 20 years they have managed the Atlantic Basin and have inspired a lot of community rage.
The EDC makes money in Red Hook but has not shared the revenue via investment or donations with the neighborhood. Compare this to the 20% of

the MCT rent that the EDC pays to Hudson River Park. Red Hook has received no share of the revenue from BCT, Atlantic Basin, or the Formula E car race that occurred there for several years

The benefits promised by the EDC often don't occur (especially job counts). Worse, in many cases, the EDC makes no effort to fulfill the promises. For example, since 2005, when the EDC rented Red Hook's Atlantic Basin from the Port , this has meant:

No permanent home for the award-winning, maritime nonprofit PortSide NewYork

A permanent job count at the Brooklyn Cruise Terminal (BCT) much lower than the 290 permanent jobs promised in a 2006 press release. Only 8-10 permanent jobs were created as of a 2007 Observer article. The EDC never publishes job fairs to the Red Hook community. ILA work depends on ship calls, and the number of ships a year has varied hugely.

BCT's promised benefits to local retail did not occur, and the EDC installed no Red Hook promotional info in BCT until 2023. The EDC did not allow PortSide to install such info despite their years of asking to do so.

The promised conference overflow from the Manhattan Cruise Terminal (MCT) that was supposed to be a boon to the Red Hook economy did not occur.

Special events at BCT were not advertised to local businesses, so they couldn't prepare for potential business upticks or market specials to event participants.

EDC Operational Cluelessness

The EDC has not had staff members with maritime experience in the president's office where decisions are made nor on its board of directors. This lack of operational knowledge at senior levels leads to wasted public funds on projects that fail, RFP's that lead to no activity, sites that remain unused or under-used thus reducing City revenue, and can actively harm businesses who are struggling with an uninformed landlord (such as DutchX who moved out due to the lack of electrical capacity). As a result, frustrating and time wasting situations are created for EDC tenants and contractors when you are forced to try and explain things that you consider to be obvious or standard operating procedure. This cluelessness can also lead to dangerous conditions:

There was no working fire suppression system in Pier 11 Shed (a warehouse 3 blocks long) for over 10 years in Atlantic Basin, Red Hook. A lumber yard moved in as a tenant in September 2023. Repairs were being made to the fire suppression system in 2025 2026.

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Cruise terminal issues

The EDC did not renovate the Manhattan Cruise Terminal (MCT) after the cruise industry submitted a report in 1991 calling for that investment. The chronic lack of maintenance has driven cruise lines away from 2003 until now.

EDC began removing MCT Piers 92/94 from primary cruise activity in favor of events in 1998 as larger cruise ships began calling on NYC. Post 9/11, the NYC cruise industry grew even stronger with Royal Caribbean (RCCL) lobbying EDC to develop Piers 92/94. EDC leased piers 92/94 to Vornado. As a result, Bayonne built a new cruise terminal, and RCCL moved there in 2004 and carries almost one million passengers annually now. In response, the EDC built

the new Brooklyn Cruise Terminal (BCT) and invested in MCT piers 88 and 90. Eventually, Vornado gave 92 back to EDC and developed 94 into a movie studio; but events and movie studios are not water-dependent. More recently, in 2018, Pier 92 was condemned. As of 2026, Pier 90 has been removed from service and is facing a similar fate as 92 due to the lack of substructure maintenance by EDC. BCT has had significant substructural issues due to lack of maintenance; the EDC is currently starting to address those. The result is cruise lines are experiencing significant market losses and losing confidence in homeporting in NYC. MSC left the city in 2026 after just three years operating at BCT. Norwegian Cruise Line is deploying to other homeports such as Boston and Philadelphia.

In 2023, EDC committed to improve MCT's Pier 90 and provide shorepower after passage of a City Council bill mandating the latter. However, the EDC delayed electrification and announced a multi billion dollar rebuild of MCT that will remove Pier 90 and extend Piers 88 and 92 further into the river without having applied for the federal authorization to extend the piers – so it is a plan that may not be approved while the mandated shorepower is delayed.

Circa 2016, the wrong jib/crane was bought for BCT shorepower as the EDC admitted to the Red Hook community spring of 2019 after years of silence about what was wrong. April 2021, Brooklyn Borough President Eric Adams announced that Borough Hall would contribute $750,000 to fix the shorepower. That allocation means that more NYC funds were spent to compensate for an EDC error; AND those funds were not invested at BCT. The jib was not fixed until early 2026.

In late 2022, the EDC made a deal with MSC to sail out of NYC. The EDC expected them to use MCT, not realizing they had not capacity there; so the EDC moved them to BCT without doing any study as to whether a ship of that huge size and with that passenger profile (passengers coming in individual cars not bundled in buses from Manhattan) could fit through Red Hook's small streets. They did not. Councilmember Alexa Aviles ran weekly working group meetings with the EDC and Red Hook community members for 2.5 months to identify problems and solutions. This also prompted the bill Intro 4, co authored by her and CM Eric Bottcher which passed unanimously in the City Council and mandated that the EDC create traffic mitigation plans and install shorepower in both terminals. The MSC experience was bad for the community, the passengers, and the company; and MSC decided to leave NYC completely by late 2025, after less than three years of operating at BCT.

Problems with other EDC maritime projects

Late 2022, the Coney Island NYC Ferry dock in Coney Island Creek was removed under the cover of darkness. It had been installed by the EDC despite community protests. The installation had also generated fines for environmental damage.

By 2026, the EDC is managing all of what is now called the Brooklyn Marine Terminal, which means they are managing a container port for the first time. The EDC bought a crane for BMT Pier 10 without assessing the load bearing capacity of the pier. The crane is too heavy and the pier needs to be reinforced. Similarly, the land under where the NYC Ferry homeport above would go was not assessed for load bearing limits, and it needs to be reinforced too.

Sunset Park's South Brooklyn Marine Terminal (SBMT) was a succession of failures:
The AXIS car importing by barge never got off the ground
SBMT as a staging area for New York Wheel failed when the whole project on Staten Island failed.
The 2015 SBMT RFP that led to plans for an offshore wind facility moved so slowly that, 11 years later, the facility was not completely built out which made it vulnerable to President Trump's attacks on offshore wind.
EDC failures with other major waterfront real estate developments
Staten Island north shore: the New York Wheel Ferris wheel project was never completed, and Empire Outlets Mall did not garner the tourism that was promised.
The EDC built a $60MM garage to serve the New York Wheel. Once that failed, the EDC tried to get parking revenue for the garage by using the mall (then that failed, the Ferry Hawks ballpark, and Staten Island ferry riders. All that failed. It's now used by the NYPD.
In addition to wasting public funds, these EDC sagas also waste the time of community members, community boards, and elected officials, a negative impact to be considered. An assessment of the level of rage at the EDC around the city indicates that change is needed.
These problems are hard to rectify due to EDC institutional culture.
The EDC evades accountability. The EDC operates with a culture of dishonesty. Sometimes that is telling a direct lie; sometimes, it is a non-answer or partial answer; sometimes, it is manipulating appearances. The EDC often won't answer reasonable questions, uses spin to obfuscate, and sometimes outright lies. When FOILed, the EDC often still does not answer, delays answering, and/or provides partial answers.
In 2012, the NYS AG determined that the EDC had engaged in illegal lobbying by astroturfing (faking community support) in Willets Point and Coney Island.
The EDC institutional culture makes it hard to improve things as they are resistant to input and tend to approach the world as if the EDC is always right.
There is high staff turnover in the departments dealing with Asset Management and maritime. Staff often work on planning and capital projects for too short a time to see them completed.
All decisions are made in the president's office, so staff dealing with tenants and contractors, even if they are SVPs, are not decision makers and cannot inject operational knowledge into the system to improve it. It's a top down, self-interested culture.
Many believe that EDC staffers often choose inaction because the cost of doing the wrong thing is high for them personally inside the EDC whose institutional culture seems to accept inaction regarding the world outside the EDC. It is safer for the staffer to do nothing than to do the wrong thing. All this leads to lots of process (studies and RFPs) with too little action. The EDC has talked about the blue highway for years.
Someone should study EDC staff turnover, staff experience for the projects they are assigned, and how projects are internally managed. Staff often leave after 2-4 years whether they are low-ranking project managers, VPs and SVPs or even the President/CEO. This means many EDC staff do not have long experience with any site they manage or with the EDC itself. There is generally

greater stability of staff at City agencies.
The background of many staff is mismatched to maritime operations; they often have educational and work backgrounds in planning, real estate development, and business school rather than maritime. They are rarely COOs or site managers.
The EDC deals with this lack of content expertise by soliciting expertise via many RFEIs and RFPs or by getting grants to do studies. However, this means that people who don't know the content are making decisions about which consultant to select and then reviewing their work. This is how you get a BCT shorepower jib that is the wrong kind, or Pier 11 Red Hook shorepower cords lying in the driveway, or a Pier 11 shed fire suppression system that does not work.
All this negatively affects tenants, contractors, RFP respondents and communities where the EDC works as described in the case histories above.NYC urgently needs a new way to manage the waterfront to support maritime of all types.
Maritime activity is diverse and occurs on sites managed by private property owners, managed by the NYC EDC for the City, on Parks Department property (mostly cultural and educational maritime) and within new major waterfront parks managed by authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island). There are other new waterfront parks that are NYS run and not covered here. A City maritime agency would be a source of expertise for these parks which have lacked maritime people in senior positions. Here are some maritime failures from those parks.
Some of these new parks fail maritime by not centering it in their plans (so there is a lack of maritime activity), by not building piers for boats at all, by taking piers out of maritime use that had been in use as Port Authority piers (Brooklyn Bridge Park), or by building piers badly for boats (pier 25 in Hudson River Park).
The permitting process to use piers in Hudson River Park and Brooklyn Bridge Park is so complex that it is a shock to vessels visiting from other places, domestic and international, and can be a deterrent to the piers being used. Hudson River Park has then cited the lack of visiting vessels to say there is no market demand to build the two additional historic ship piers that are part of their charter.
In 2007, Governors Island (while still NYS-controlled) bought the ferry MV Islander ferry from the Massachusetts Steamship Authority even though the ferry was being sold for scrap. Governors Island ended up not using the ferry and selling it on eBay, wasting $922,645. Despite being a former Coast Guard base, Governors Island (now City controlled) has made no maritime use of its waterfront for public programs until the recent SailGP races where the shoreline holds the audience during one summer weekend. They are letting to piers in the Buttermilk Channel rot away.
The failed maritime projects described above cost NYC more than the money expended, the cost includes the lost business, cultural, and educational activity that did not occur, plus (in the case of the EDC) lower revenue from the site which leads to lower payments to the City via the "maritime contract."
Problems with the NYC EDC
The NYC EDC has an annual "maritime contract" with the City, specifically with

the Department of Small Business Services. The list of problems with EDC management is long.

Bad, self-interested financial management of the EDC

The EDC is supposed to manage City property to generate revenue and economic development for the City, however, the EDC is often acting more in their own interest. Because the EDC is not a City agency, it is a quasi govenrmental nonprofit, the City Council does not vote on its budget as part of the annual City budget process. Problems are thus not prevented but found after the fact when City Comptrollers conduct audits. There is a pattern to problems found by multiple Comptrollers: The EDC covers up projects that are not benefitting the City as promised and diverts revenue from City property it manages (money that would go to the City budget where the Council has an oversight role) and used it to subsidize preferred projects or to hide failures of their own. In this way, the EDC hid how, during the depths of the pandemic, they used revenue from Times Square properties to subsidize the NYC Ferry. That followed the EDC's hiding about a year before, the ridership survey for the NYC Ferry that showed that the ferry was not addressing transit desert problems in low income communities as promised; the ferry was used overwhelmingly by wealthy white residents and tourists. During a very angry April 2019, Council hearing, Councilmember discussed the creation of an Office of the Waterfront and taking ferry management away from the EDC. No action ended up being taken, but the fury speaks to the problem.

The EDC planned a second homeport for the NYC Ferry in Atlantic Basin, Red Hook (since sometime 2024, called The Brooklyn Marine Terminal or BMT). Construction occurred in 2023, but the facility remains unused. Credible, prior EDC employees say that the pilings between the ferry berths have shifted. The EDC themselves created a presentation for the BMT Task Force 2024.10.15 Task Force Meeting #2 Pre Read.pdf, that on page 8 said in a text box "Assuming Home Port 2 is fixed. When asked about that text box, the EDC denied that there is any problem, but the facility remains unused since the 10/15/24 date of that presentation. More related to this ferry homeport below.

The EDC is an Abusive Landlord

Mayor Zohran Mamdani has made addressing abusive residential landlords a priority. It must be understood that NYC's largest landlord, the NYC EDC, managing by their own description managing "65 million square feet of space, 225 managed properties, and 170 projects" is often abusive. The situations below create instability, stunt growth, reduce business profitability and revenue paid to the city. Such practices also damage nonprofit renting space from or in contracts with the EDC.

Examples of how the EDC damages tenants

Some examples from Atlantic Basin, Red Hook, Brooklyn, part of BMT:

In 2017, the EDC introduced the Formula E car race into the marine industrial park of Atlantic Basin (now called BMT) which was deeply disruptive to tenants for5 7 weeks every summer during every year the race occurred. This caused many tenants to leave including the Master Subtenant Phoenix Beverage.

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companies and multiple ships on 4 days' notice from to build the NYC Ferry Homeport 2. Below, see what happened to them in Sunset Park the next year. This also means hundreds of feet of pier have been taken out of economic use.

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In 2023, EDC committed to improve MCT's Pier 90 and provide shorepower after passage of a City Council bill mandating the latter. However, the EDC delayed electrification and announced a multi-billion dollar rebuild of MCT that will remove Pier 90 and extend Piers 88 and 92 further into the river without having applied for the federal authorization to extend the piers so it is a plan that may not be approved while the mandated shorepower is delayed.

Circa 2016, the wrong jib/crane was bought for BCT shorepower as the EDC admitted to the Red Hook community spring of 2019 after years of silence about what was wrong. April 2021, Brooklyn Borough President Eric Adams announced that Borough Hall would contribute $750,000 to fix the shorepower. That allocation means that more NYC funds were spent to compensate for an EDC error; AND those funds were not invested at BCT. The jib was not fixed until early 2026.

In late 2022, the EDC made a deal with MSC to sail out of NYC. The EDC expected them to use MCT, not realizing they had not capacity there; so the EDC moved them to BCT without doing any study as to whether a ship of that huge size and with that passenger profile (passengers coming in individual cars not bundled in buses from Manhattan) could fit through Red Hook's small streets. They did not. Councilmember Alexa Aviles ran weekly working group meetings with the EDC and Red Hook community members for 2.5 months to identify problems and solutions. This also prompted the bill Intro 4, co-authored by her and CM Eric Bottcher which passed unanimously in the City Council and mandated that the EDC create traffic mitigation plans and install shorepower in both terminals. The MSC experience was bad for the community, the passengers, and the company; and MSC decided to leave NYC

completely by late 2025, after less than three years of operating at BCT.
Problems with other EDC maritime projects
Late 2022, the Coney Island NYC Ferry dock in Coney Island Creek was removed under the cover of darkness. It had been installed by the EDC despite community protests. The installation had also generated fines for environmental damage.
By 2026, the EDC is managing all of what is now called the Brooklyn Marine Terminal, which means they are managing a container port for the first time.
The EDC bought a crane for BMT Pier 10 without assessing the load bearing capacity of the pier. The crane is too heavy and the pier needs to be reinforced. Similarly, the land under where the NYC Ferry homeport above would go was not assessed for load-bearing limits, and it needs to be reinforced too.
Sunset Park's South Brooklyn Marine Terminal (SBMT) was a succession of failures:
The AXIS car importing by barge never got off the ground
SBMT as a staging area for New York Wheel failed when the whole project on Staten Island failed.
The 2015 SBMT RFP that led to plans for an offshore wind facility moved so slowly that, 11 years later, the facility was not completely built out which made it vulnerable to President Trump's attacks on offshore wind.
EDC failures with other major waterfront real estate developments
Staten Island north shore: the New York Wheel Ferris wheel project was never completed, and Empire Outlets Mall did not garner the tourism that was promised.
The EDC built a $60MM garage to serve the New York Wheel. Once that failed, the EDC tried to get parking revenue for the garage by using the mall (then that failed, the Ferry Hawks ballpark, and Staten Island ferry riders. All that failed. It's now used by the NYPD.
In addition to wasting public funds, these EDC sagas also waste the time of community members, community boards, and elected officials, a negative impact to be considered. An assessment of the level of rage at the EDC around the city indicates that change is needed.
These problems are hard to rectify due to EDC institutional culture.
The EDC evades accountability. The EDC operates with a culture of dishonesty. Sometimes that is telling a direct lie; sometimes, it is a non-answer or partial answer; sometimes, it is manipulating appearances. The EDC often won't answer reasonable questions, uses spin to obfuscate, and sometimes outright lies. When FOILed, the EDC often still does not answer, delays answering, and/or provides partial answers.
In 2012, the NYS AG determined that the EDC had engaged in illegal lobbying by astroturfing (faking community support) in Willets Point and Coney Island.
The EDC institutional culture makes it hard to improve things as they are resistant to input and tend to approach the world as if the EDC is always right.
There is high staff turnover in the departments dealing with Asset Management and maritime. Staff often work on planning and capital projects for too short a time to see them completed.
All decisions are made in the president's office, so staff dealing with tenants and contractors, even if they are SVPs, are not decision makers and cannot

inject operational knowledge into the system to improve it. It's a top down, self interested culture.
Many believe that EDC staffers often choose inaction because the cost of doing the wrong thing is high for them personally inside the EDC whose institutional culture seems to accept inaction regarding the world outside the EDC. It is safer for the staffer to do nothing than to do the wrong thing. All this leads to lots of process (studies and RFPs) with too little action. The EDC has talked about the blue highway for years.
Someone should study EDC staff turnover, staff experience for the projects they are assigned, and how projects are internally managed. Staff often leave after 2-4 years whether they are low-ranking project managers, VPs and SVPs or even the President/CEO. This means many EDC staff do not have long experience with any site they manage or with the EDC itself. There is generally greater stability of staff at City agencies.
The background of many staff is mismatched to maritime operations; they often have educational and work backgrounds in planning, real estate development, and business school rather than maritime. They are rarely COOs or site managers.
The EDC deals with this lack of content expertise by soliciting expertise via many RFEIs and RFPs or by getting grants to do studies. However, this means that people who don't know the content are making decisions about which consultant to select and then reviewing their work. This is how you get a BCT shorepower jib that is the wrong kind, or Pier 11 Red Hook shorepower cords lying in the driveway, or a Pier 11 shed fire suppression system that does not work.
All this negatively affects tenants, contractors, RFP respondents and communities where the EDC works as described in the case histories above.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 12, 2026

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Tenant Protection ✕ | Procurement Reform ✕ | Budget Issues ✕ | Reporting Requirements ✕

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic	Maritime

Show 4 hidden fields

Name

Winnie Zwick

Email [redacted]

Public Comment

I am writing to urge the Commission to amend the City Charter to establish a permanent, fully funded, stand alone Department of Community Safety dedicated to a public health approach to mental health crises and substance use stabilization—with no corresponding increase in NYPD headcount. True safety requires a specialized agency that treats health crises with healthcare professionals and connects people to the resources they need to stabilize.

I speak from my experience as a sister and caregiver who has spent over a decade navigating emergency response systems as my brother has faced cyclical acute psychosis. When my brother's symptoms begin to escalate quickly, he needs immediate, streamlined access to rapid outpatient medication adjustments and psychiatric support. Catching these symptoms early in an outpatient setting can often prevent a full blown crisis entirely. Yet, under our current system, we lack systematic access to this kind of rapid preventative infrastructure, and calling for emergency help means inviting armed law enforcement into a medical emergency. The terror of knowing that a call for medical help could result in my brother being criminalized or harmed is a burden thousands of New York families carry daily. Caregivers are routinely forced to act as untrained clinical case managers and safety guards because the city lacks a sufficiently resourced agency that can coordinate and connect people to the resources they need.

Our struggle is backed by city-wide data. While New York City has made incremental steps through the B-HEARD pilot program, rigid 911 routing means B HEARD teams are only able to respond to roughly 30% of mental health calls overall. Yet, the data proves these health first teams can be effective when deployed: 57% of B-HEARD responses result in individuals being safely connected to emergency or urgent psychiatric care via EMS ambulance transport, proving that acute medical crises can be managed without relying on a police presence. Meanwhile, accessing alternative mobile crisis teams through 988 creates a fragmented system that is also underresourced to respond in a timely manner and similarly is unable to ensure people are reliably connecting with the resources they need.

Leaving crisis care distributed across fractured offices is an unstable stopgap. This shift does not require expanding the NYPD headcount; rather, it relieves police officers of medical and social work burdens they are not trained to carry. For my brother, my family, and millions of New Yorkers, I urge this Commission to put a Charter amendment on the ballot to establish a permanent, independent Department of Community Safety.

Attachment(s)

Drop files here or click to browse

Date Submitted

July 12, 2026

Topic	Policing × Enforcement × Miscellaneous ×
Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Permanent Department of Community Safety

Show 4 hidden fields

Name

Margot Jacqz

Email [redacted]

Public Comment

July 13, 2026
Dear COGE Commissioners:
I am writing to support a pro-growth maritime policy "a waterfront that works for all" and the creation of a new city agency for maritime, a Department of Maritime.
I am a lifelong New Yorker, living near the water, sailboater for twenty five plus years in the harbor, and volunteer on historic schooner taking visitors to experience our city from its heart.
It has been saddening to watch the fading away of the working harbor without truly safe water access for the public designed and run by maritime professionals. Personally I have been disappointed by delayed, poorly planned renovations at 79th street and proposals for the South Street Seaport reducing safe mooring for active ships.
Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.
This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer.
The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:
● Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
● Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
● Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
● Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
● Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
● Expand transportation by water of people and freight, maybe combining

the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
• Help grow maritime emergency response facilities and protocols.
• Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).
• Support offshore wind developments.
• Work with maritime training academies and non-profits to grow a stronger marine career pipeline.
A waterfront that works for all policy will thus:
• Increase government efficiency and reduce waste.
• Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
• Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
• Unlock recreational opportunities in an inclusive manner, making boats accessible to low income communities as they commonly once were.
NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.
I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.
Thanks for your consideration.
Sincerely,
Margot Jacqz
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 12, 2026

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Department of Buildings (DOB) Issues ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

Brighid O'Dea

Email [redacted]

Public Comment

Re: Charter revision to create a New York City agency for maritime
Submitted July 12, 2026

I urge the Commission to use charter revision to create a City maritime agency. NYC needs a pro growth maritime policy and a waterfront that works for all, but the current management structure cannot deliver them.

Maritime activity in NYC is scattered across private property, EDC-managed City property, Parks Department sites, and waterfront parks run by authorities. None of those parks has maritime people in senior positions, and it shows. Brooklyn Bridge Park took working Port Authority piers out of maritime use. Hudson River Park built Pier 25 poorly for boats, maintains a permitting process so complex that it deters visiting vessels, and then cites low visitation as proof that there is no demand for the two historic ship piers in its own charter. Governors Island bought the ferry MV Islander in 2007, never used it, and sold it on eBay, wasting $922,645. A City maritime agency would provide the expertise these parks have never had.

The deeper problem is the EDC. It is a quasi-governmental nonprofit, not a City agency, so the Council never votes on its budget. Problems are not prevented; they are discovered after the fact by Comptroller audits. That is how the public learned the EDC diverted Times Square property revenue to subsidize the NYC Ferry during the pandemic, a year after hiding a ridership survey showing the ferry served wealthy residents and tourists rather than the transit deserts it promised to reach.

The EDC is also NYC's largest landlord, managing by its own description 65 million square feet across 225 properties, and it is often an abusive one. In September 2023, it evicted four companies and multiple ships from Red Hook's Pier 11 on four days' notice. The next year, some of those same boats, docked at Brooklyn Army Terminal Pier 4, were barred from picking up passengers during EDC commercial events, a change imposed after they signed annual contracts and on the summer weekends when they do most of their business. DutchX, touted as the launch of the blue highway, moved into the Pier 11 warehouse in August 2025 and moved out by June 2026 because the building lacked sufficient electrical capacity to charge its EV vans. PortSide NewYork won an EDC RFP in 2007, was promised a permanent home, and nearly two decades later still operates on one year permits with terms that change year to year.

The EDC's process is extractive. It ran seven planning processes for Atlantic Basin between 2002 and 2023 and netted zero long term tenants, while maritime businesses in this port have been straining to grow for decades. It uses RFEIs and RFPs to harvest ideas without awarding contracts, and many maritime companies now refuse to respond at all. Vane Line Bunkering won a 2011 RFP and spent roughly four years negotiating to end up with no berth. In 2012, the State Attorney General found the EDC engaged in illegal astroturfing in Willets Point and Coney Island.

These failures cost NYC real industry. There is no maritime experience in the EDC president's office, where all decisions are made, or on its board. The result: a Red Hook ferry homeport built in 2023 that has never been used, a crane bought for a pier that cannot bear its weight, a shorepower jib of the wrong type that took nearly a decade to fix, and a three block warehouse without working fire suppression for over ten years. Decades of deferred maintenance at the Manhattan Cruise Terminal pushed Royal Caribbean to Bayonne, where the terminal now carries almost one million passengers a year. MSC left NYC in 2026 after three years. Norwegian is deploying to Boston and Philadelphia. That is business, jobs, and revenue leaving a natural harbor city.

Even under mandate, the EDC delays. After the Council passed legislation requiring shorepower at both cruise terminals, the EDC put off electrification and instead announced a multi-billion-dollar rebuild of the Manhattan Cruise Terminal that depends on federal pier-extension authorization it has not applied for, while the mandated shorepower waits.

Mayor Mamdani has made EDC reform part of his economic justice agenda. The Council discussed an Office of the Waterfront as far back as 2019, and nothing happened. This Commission can act. Amend the charter to create a City maritime agency: maritime expertise where decisions are made, waterfront assets under real budget oversight, and a waterfront that finally works for all.

Regards,

Brighid O'Dea

[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted

July 12, 2026

Topic

Procurement Reform ✕ Real Estate and Development ✕ Reporting Requirements ✕ Unnecessary Bureaucracy ✕ Enforcement ✕ Budget Issues ✕ Support Oversight Agencies ✕

Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

Kristen Leigh

Email [redacted]

Public Comment

July 13, 2026

Dear COGE Commissioners:

I testify to support a pro growth maritime policy "a waterfront that works for all" and the creation of a new city agency for maritime, a Department of Maritime.

Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- Help grow maritime emergency response facilities and protocols.

- Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).
- Support offshore wind developments.
- Work with maritime training academies and non profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.
I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.
Thanks for your consideration. If you have follow up questions, I can be reached at [redacted] or [redacted].

Sincerely,

Kristen Leigh
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Department of Buildings (DOB) Issues ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

Amy berkman

Email [redacted]

Public Comment

I support the creation of a Department of Maritime to oversee the BMT project to best support a waterfront that works for all of us and preserves our historic ports.
Please consider doing the right thing and not selling out to big corporations..

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Real Estate and Development ✕ Franchises & Concessions ✕ Enforcement ✕

Charter Related No

Topic Simplified Government Operations

Subtopic Maritime

Show 4 hidden fields

Name

Christine Van Lenten

Email [redacted]

Public Comment

Thank you for inviting comments! I strongly urge that NYC create a desperately needed, permanent Maritime Agency.

CRUCIAL: That it be staffed with personnel DEEPLY knowledgeable about matters that significantly affect environmental, economic, and social conditions on our immensely valuable waterfront.

EDC has clearly demonstrated that expecting it to be able to marshal and deploy the depth of expertise, insight, and vision needed to optimize our waterfront is simply unrealistic.

Among the many examples of EDC's shortfall: That Portside NewYork an invaluable, much-loved, nonprofit, community resource -- is STILL seeking a permanent home after years of struggle!

Here's PortSide's worthy mission:

". . . to create a model for NYC's waterfront future via advocacy and direct service. We demonstrate how the harbor can provide jobs, green freight movement, education, culture, and recreation and how to center maritime in NYC waterfront development. Our long-standing goal is to create a maritime campus that serves the public and the working waterfront, a place larger than our historic ship MARY A. WHALEN."

But don't await creation of a vital Maritime Agency to embrace and permanently anchor PortSide NewYork. Do it right now!

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic	Real Estate and Development ✕ Unnecessary Bureaucracy ✕ Miscellaneous ✕
Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

Marine Diving Service

Email [redacted]

Public Comment

DOT enables free dumping of boats without consequences. No check on vessel status at registration renewal, no Insurance required. (why not make it same as for cars?)
Tax payers pay (me) for removal and making ego driven headlines such as NY Parks how they clean and recover sunken boats (it is misuse of tax money say the least)
DOT-enables pollution-people dump boats they can not afford all the time.
USCG,DEC,Dep,-when I report no one is interested to prevent or to investigate
When I speak to USCG head of prevention team in person there is absolutely no interest on people sinking boats, inspections, reported oil sheen, reported sunken wreck 20 ft from navigational channel, -just absolutely nothing just blank steering right in to my face...
I had mentioned one vessel in at USCG meeting and no response from USCG or DEP or DEC.
Other vessels we are repairing and are used for public events and are totally unstable and unsafe how the USCG does their job with inspections??? Putting people in harms way!
Salvaged and decommissioned vessels with grant for artificial reef- where is the final oversight before installing such vessel.? I see people engaging in this kind of business and not sure if it is all done correctly vessel being free of pollutants...
I can go on on -just on my experience and common sense.
NY has great publicity to make everything look perfect with many agencies - but when stuff needs to be done everyone looks the other way.
It become personally/ ego driven enterprise when posts and recognition is the ultimate goal-sad thing is that people life are in stake and our waters are getting polluted.
There is a need for oversight to bring all those agencies under one place to be responsible to . It seems to me that each agency is hiding behind another agency.
That needs to change . I see common denominator - protect life, protect environment of our country, protect our tax money from misuse.
Can we become true to the land we live ?

Attachment(s)

Drop files here or click to browse

Date Submitted

July 13, 2026

Topic	Enforcement × Support Oversight Agencies × Unnecessary Bureaucracy × Reporting Requirements × Miscellaneous ×
Charter Related	No
Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

sandye renz

Email	[redacted]
Public Comment	I am calling for a pro-growth maritime policy “a waterfront that works for all” and the creation of a new City agency for maritime. NYC shut down the last one in 1991. Makes sense to have maritime people run maritime, right? Let's do it please.
Attachment(s)	Drop files here or click to browse
Date Submitted	July 13, 2026
Topic	Real Estate and Development × Miscellaneous ×
Charter Related	No
Topic Simplified	Government Operations
Subtopic	Maritime

Show 4 hidden fields

Name

Christina Fallon

Email [redacted]

Public Comment

Asking for the creation of a city agency to oversee maritime operations and development. New York needs a single agency to guide the efficient management of our maritime industries, waterways and recreational waterfront.

Attachment(s)



COGE testimony Maritime.PDF

Date Submitted July 13, 2026

Topic Support Oversight Agencies ✕ Real Estate and Development ✕

Charter Related Yes

Topic Simplified Government Operations

Subtopic Maritime

Show 4 hidden fields

Christina Fallon

[redacted]

[redacted]

July 13, 2026

Dear COGE Commissioners:

I am writing to urge the creation of a dedicated City agency for maritime to steward our waterfront as a modern, efficient, and inclusive asset. As a resident of the Brooklyn waterfront for over three decades—from [redacted] to [redacted], and for the past 20 years in [redacted]—I have witnessed the incredible potential of our harbor. To ensure our waterfront truly "works for all," we must move beyond fragmented management and establish a professional agency that oversees our maritime assets with the expertise they deserve.

The City has not had a dedicated maritime agency since 1991, when the Department of Ports and Trade was repealed. I urge you to support a plan that builds upon the community-driven expertise found in the Red Hook 197-a Plan and the City Club of New York's "Blue Highway Hub" framework. These models reimagine the BMT as a vibrant logistics gateway that expands commercial port activity while strengthening our community's resilience.

To achieve this, the new agency must be empowered to manage assets directly, rather than functioning as a liaison office that creates additional layers of bureaucracy. Staffed by professionals with training from maritime academies, the Coast Guard, or the Navy, this agency would consolidate expertise and drive efficiency through the following strategic areas:

Governance and Operations

Consolidate Asset Management: Take charge of all maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals, NYC Ferry, and the DockNYC portfolio.

Direct Oversight: Ensure that critical maritime infrastructure is managed directly by city agency staff, rather than being outsourced via contract.

Streamline Permitting: Reduce the complexity of permits required to dock vessels on NYC public property to encourage more vessels to visit or be based here.

Resilience and Infrastructure

Waterfront Design Authority: Shift waterfront design code creation away from the Department of Buildings, utilizing marine trade skills to advise on resiliency plans that account for rising sea levels.

Emergency Response: Grow maritime emergency response facilities and protocols.

Support Offshore Wind: Provide dedicated support for offshore wind development and related infrastructure.

Economic and Community Development

Job Creation: Focus on growing working-class union jobs in sectors facing acute crew shortages, helping connect residents to maritime career pipelines.

Inclusive Recreation: Unlock recreational opportunities that make boats accessible to low-income communities, as they once were.

Intermodal Transport: Expand the waterborne transportation of people and freight, combining both functions to grow the “Blue Highway” more rapidly than current structures allow.

Regulatory Advocacy: Actively advocate for NYC maritime interests before the NYS Department of Environmental Conservation (DEC) to remove the red tape currently hindering the construction and repair of maritime infrastructure.

A waterfront that works for all will increase government efficiency, reduce waste, and reconnect our communities with the water. NYC is an archipelago; it is time we have a City agency that acts like a maritime manager. I also strongly support the proposal from Save Our Seaport for the creation of a maritime community board to ensure that maritime voices have meaningful, grassroots representation in this process.

Thank you for your consideration. I am available to answer any follow-up questions you may have.

Sincerely,

Christina Fallon

Name

Grace Rauh

Email [redacted]

Public Comment

See attached document.

Attachment(s)



CITIZENS UNION OF THE CITY OF NEW YORK

Response to the Preliminary Report of the Commission on Government Efficiency

Public Hearing – Queens Borough Hall
July 13, 2026

Citizens Union Testimony CRC Interim ...

Date Submitted: July 13, 2026

Topic: Miscellaneous

Charter Related: Yes

Topic Simplified: Feedback

Subtopic: Prelim report feedback on Ethics, RABRC, etc.

Show 4 hidden fields

Response to the Preliminary Report of the Commission on Government Efficiency
Public Hearing – Queens Borough Hall
July 13, 2026

Chair Gaspard and members of the Commission:

Thank you for the opportunity to testify before you today. My name is Grace Rauh, and I am the Executive Director of Citizens Union, a nonpartisan good government group working for honest and accountable government and open and fair elections for nearly 130 years.

Citizens Union commends the Commission for a thoughtful Preliminary Report, especially for highlighting structural problems in our procurement system and offering ideas to ease burdens on small businesses. We thank the Commission and its staff for the depth of research reflected in the report and for the many hours of public testimony they solicited and reviewed across the five boroughs.

However, we believe the report misses key issues related to government reform, some of which were mentioned in several testimonies during the first hearing cycle. This testimony includes our feedback on the Commission's report.

Eliminating Outdated Reporting Requirements – Changes to the Report and Advisory Board Review Commission (RABRC)

We appreciate the Commission's focus on the excessive reporting requirements codified in the Charter and Administrative Code, which often serve limited, short-term functions, and support the goal of making mandated reporting more effective and useful.

While we agree that the RABRC has not led to a substantial number of requirements being waived, it is unclear whether that is the result of the RABRC's structure, power, or process, or simply the fact that it has been underutilized and deprioritized. To the extent that mayors believe agency reports have outlived their usefulness or impose operational burdens, they can already use the RABRC — which is chaired by a mayoral appointee and has majority mayoral appointments — to push for many more waivers. They have not done so.

The RABRC has not been convened since December 2024. In the years when the Mayor's Office of Operations actively pursued the RABRC process (2021 to 2024), the executive and legislative branches generally worked together to eliminate unnecessary requirements, proposing to waive 20 reports over four years. In 2012, the only other year the RABRC was active, it waived 7 reports and 8 advisory boards. These numbers are modest in absolute terms, but they demonstrate that the mechanism functions when the executive prioritizes it. It implies the low usage reflects a political choice rather than a structural limitation of the RABRC itself.

In other words, the current RABRC process can be used to propose scores of other reporting requirement waivers.

The reports flagged for RABRC review are selected by the agencies that produce them, which cuts both ways. It may mean the reports chosen are genuinely the ones most burdensome to professional staff, but it could equally mean agencies are proposing to shed the reports most inconvenient to them, regardless of their value to Council oversight or the public. This ambiguity is itself a reason for caution about expanding the RABRC's authority: a selection process driven by the agencies being overseen, housed in a body with a mayoral majority, is not a neutral filter suited to binding, final decision-making.

The proposal to make RABRC determinations binding and final ("A Stronger RABRC," report p. 58) would give the executive unilateral authority to override reporting legislation without a Council disapproval window, since the mayor holds a majority on that commission. This would constitute an unnecessary intrusion into the legislative branch's prerogatives.

Using the RABRC more effectively could allow city government to address the reporting requirements that are most ineffective or burdensome, and to relieve real choke points in agency operations. But it will not directly reduce the number of new reporting requirements the Council creates going forward. That growth is rooted in political dynamics, structural incentives, and a media environment that rewards introducing and passing reporting-requirement bills — a problem shared by many jurisdictions. [1]

To truly change this dynamic, other guardrails may need to be introduced at the point of legislation itself, and the automatic sunsets on new reporting requirements included in the Commission's report is one idea worth exploring. However, such a change would be a substantial departure from how legislation is currently enacted and how the City Council operates internally, given that the body would need to periodically consider re-approving the requirements. It should not be taken lightly, and any such proposal must incorporate input from the legislative body itself.

Ethics and Accountability: Strengthen Money-Saving Watchdog Agencies

Citizens Union continues to urge the Commission to guarantee minimum budgets for the Department of Investigation (DOI) and the Conflicts of Interest Board (COIB), as we proposed in our June testimony.

Years of ethical scandals at City Hall have left oversight agencies underfunded and anti-corruption work behind. Just last month, the DOI's Annual Anti-Corruption Report found serious problems with how city government conducts internal audits, with 30% of agencies lacking any audit staff, exposing weaknesses in the City's ability to identify signs of waste, fraud and abuse.[2]

Raising such crucial corruption risks is precisely why the work of DOI is essential for the well-being of New York City Government. But the agency cannot fulfill this mandate while constrained under years-long budget challenges, problems so acute they have led DOI Commissioner Nadia Shihata to took the rare step of testifying before this Commission to ask for budget protections.[3]

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[1] See for example, Congressional Research Service. Congressionally Mandated Reports: Overview and Considerations for Congress. https://www.congress.gov/crs-product/R46357

[2] New York City Department of Investigation 2025 Annual Anti-Corruption Report https://www.nyc.gov/assets/doi/reports/pdf/2026/13AnnualAntiCorrRpt.Release.06.17.2026.pdf

[3] Testimony Of Nadia Shihata Concerning Recommendations to Further Protect The Independence of the New York City Department Of Investigation https://www.nyc.gov/assets/doi/Testimony/2026/CharterRevisionTest_6.30.26_FINAL.pdf

This is not a new or untested idea. The Commission to Strengthen Local Democracy - the charter commission established by the City Council in 2025 - devoted extensive attention to this exact question and developed charter amendments, already vetted by the Law Department, that would set minimum funding levels of 0.06 percent of the city's total budget for DOI and 0.0035 percent for COIB.[4] That prior commission's research demonstrated that these agencies more than pay for themselves: DOI alone generated over $6 million in financial recoveries last year, and COIB's same-day legal advice helps prevent costly violations before they occur.[5] Underfunding these watchdogs is not fiscal discipline, and it costs the City more than it saves.

Given the extensive vetting this proposal has already received, adopting it would require little additional lift from this Commission. We respectfully ask the Commission to include minimum budget protections for DOI and COIB in its final report.

Modernizing Government Technology: In-House Capacity Over Procurement Reform Alone

We are encouraged that the Commission is exploring specialized procurement methods for government technology. However, while technology procurement should be addressed, it is not the end-all, be-all solution, and the Commission must continue to frame the City's technology issues as one that needs much more work. Reforming technology procurement is simply one piece of the puzzle.

Data from vendor-built applications is often siloed, and procurement streamlining will not deliver the data interoperability the City needs to run an efficient government. That capability comes from having technologists inside government. We are grateful that the Preliminary Report gave serious attention to further exploring in-house innovation and "digital sovereignty," citing the federal 18F model as a template for how New York City might build technology capacity directly rather than continuing to route it through vendors. This is the direction Citizens Union, alongside other civic technology advocates, urged in our testimony.[6]

Other states are already showing what this looks like in practice, and the Commission may find it useful to encourage the City to look beyond the 18F model to states building this capacity today:

- New Jersey's Office of Innovation, launched in 2018, was codified into permanent law in January 2026 as the New Jersey Innovation Authority, making it the first state in the nation to enshrine a digital delivery team in statute. Working in-house across nearly every state agency, it has helped tens of thousands of residents access services and benefits more efficiently, building durable technical capacity rather than one-off contracts.[7]

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[4] The NYC Commission to Strengthen Local Democracy Final Report, https://static1.squarespace.com/static/678ab684e1a2cb193dfc38af/t/6930a3eb72d92366241d0693/1764795371419/FINAL_Report_12.3.25_w_appendices.pdf.

[5] The New York City Department of Investigation, 2025 Annual Report; The New York City Conflicts of Interest Board, 2025 Annual Report.

[6] Citizens Union, *Recommendations to the New York City Commission on Government Efficiency* (New York: Citizens Union, June 2026), https://citizensunion.org/wp-content/uploads/2026/06/Citizens-Union-Recommendations-to-the-2026-NYC-Commission-on-Government-Efficiency.pdf; Jordan Shapiro, "Testimony to the Commission on Government Efficiency, COGE, a Charter Revision Commission," BetaNYC, June 11, 2026, https://www.beta.nyc/2026/06/11/coge-testimony/; Robert Gordon, "The Wrong Kind of Outlier," June 16, 2026, https://robertmgordon.substack.com/p/the-wrong-kind-ofoutlier.

[7] Matthew Fazelpoor, "Murphy Signs Law Creating New Jersey Innovation Authority," *NJBIZ*, January 5, 2026, https://njbiz.com/murphy-signs-new-jersey-innovation-authority-law/.

- Colorado's Governor's Office of Information Technology (OIT) has undertaken a public "strategic reset," moving to a pod-based delivery model and expanding the Colorado Digital Service, a team of in-house product managers, designers, engineers, and procurement specialists embedded directly with agencies to design, build, and buy technology as a coordinated, ongoing practice rather than a series of disconnected contracts.[8]

Both examples reflect models we encourage the Commission to recommend the city explore further as it considers how New York City can bring more of its technology capacity in-house.

Democracy and Elections: Address Massive Public Testimony on Primary Election Reform

Open primaries was one of, if not the most, discussed topics in testimony before the Commission. Our analysis found that it accounted for roughly 15 percent of all oral testimony. Yet, the Commission chose not to include any reference to this issue in its report – a break from past commissions, who have all acknowledged the public interest in the topic and offered their response.[9] That level of sustained public interest should not be ignored.

Citizens Union reiterates our recommendation that New York City open its primary elections to all voters, regardless of party enrollment, while retaining party designations on the ballot so that voters retain relevant context about candidates. We made this case in our June testimony, and it remains, in our view, one of the most consequential democracy reforms available and the most effective way to accurately capture New Yorkers' voices in government.

The public agrees.

More than 1 million New Yorkers are registered as unaffiliated or independent voters - now nearly 22 percent of the city's registered electorate, more than twice the number of registered Republicans - and every one of them is currently locked out of a primary that, in the vast majority of races, is the only election that matters. This falls hardest on younger voters, who identify as independent at higher rates than prior generations do, precisely when the City should be lowering barriers to civic participation rather than raising them.

Reforming the Charter Revision Process Itself

Finally, we want to speak directly to the Commission's own experience over these six weeks. We appreciate you and your staff's hours of hearings across all five boroughs, bringing together more than 650 attendees, 145 witnesses, 258 written submissions, and a Preliminary Report.[10]

But we would be doing a disservice if we did not say plainly that the circumstances under which the Commission was asked to do this work were unfair - to the Commissioners, and to the New Yorkers whose input deserved more time than this process allowed. This Commission, like the 2024 Charter

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[8] "OIT Announces Strategic Realignment to Better Serve Coloradans and Make State Government More Efficient," Colorado Governor's Office of Information Technology, May 27, 2026, https://oit.colorado.gov/press-release/oit-announces-strategic-realignment-to-better-serve-coloradans-and-make-state.

[9] See Preliminary Staff Report of the Commission to Strengthen Local Democracy, page 92-24; 2025 Charter Revision Commission Preliminary Report, page 60-64, 2024 Charter Revision Commission Preliminary Report pages 47-50.

[10] See more at Charter Reforms for Better New York City Government - Citizens Union report for the 2025 Charter Revision Commissions https://citizensunion.org/wp-content/uploads/2025/02/Charter-Reforms-for-Better-New-York-City-GovernmentCitizens-Union-Report-Feb-2025.pdf

Revision Commission before it, was compressed into roughly a two-month working period during the summer and election season, among the shortest charter revision timelines in the city's history. Public hearing cycles were held at record-breaking speed, with less than three weeks from their announcement to the culmination of the first cycle.

A commission tasked with reexamining fundamental questions of city governance should not be allowed to work for only eight or nine weeks. It is then constrained in a process that gives it too little runway, forces it to depend mostly on agency-based recommendations, and limits public debate.

That is why Citizens Union continues to call for structural reform of the charter revision process itself: minimum timeframes of at least 180 days between a commission's first meeting and the filing of ballot proposals, at least 30 days between a final report and ballot filing, and codified public hearing and transparency requirements. We have included more details in our earlier written testimony.[11]

Last month, a Buffalo Charter Revision Commission approved ballot proposals to regularize and reform the city's charter commission process.[12]

We urge the Commission to address the process reforms in its final report so that no future commission is asked to do this important work under such unfair constraints.

[11] Citizens Union, *Recommendations to the New York City Commission on Government Efficiency* (New York: Citizens Union, June 2026), https://citizensunion.org/wp-content/uploads/2026/06/Citizens-Union-Recommendations-to-the-2026-NYC-Commission-on-Government-Efficiency.pdf.

[12] Approved Proposals for Referendum," City of Buffalo Charter Revision Commission, City of Buffalo, NY, accessed July 9, 2026, https://www.buffalony.gov/1907/Approved-Proposals-for-Referendum.

Name

Prerana Reddy

Email [redacted]

Public Comment

Dear COGE Commissioners:

I testify to support a pro-growth maritime policy "a waterfront that works for all" and the creation of a new city agency for maritime, a Department of Maritime.
If you have maritime experience as a professional mariner and/or recreational boater in NYC state it here. If you have personal experience with the boat-unfriendly conditions in NYC and/or experience with more boat-friendly conditions elsewhere, state it here. Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.

- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly

than is happening under the current planning and management structure.

- Help grow maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).
- Support offshore wind developments.
- Work with maritime training academies and non-profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.

I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

Thanks for your consideration. If you have follow-up questions, I can be reached at [redacted]

Sincerely,
Prerana Reddy
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Technology ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic	Maritime

Show 4 hidden fields

Name

Shelley Keeling

Email [redacted]

Public Comment

I am Shelly Keeling , I am a proud product of public housing and public schools. I was senior clerk to two New York state supreme court Justices and have been athletic director and Spanish teacher in both New York City Independent schools and public schools.

I have lived through some of the best and worst social and economic eras that New York has had in the last seven decades. Through it all an overriding theme with respect to the safety, growth and development, and mental health of our children, is a structured and robust competitive athletic program.

I always stress competitive because in this life we compete for everything. We compete for housing, admission to schools, jobs, husbands or wives, and the right to strive, and live a dignified life. Under the leadership of Mayor Zohran Mamdani we have this opportunity.

The venue where our children learn emotional management, develop tools for their toolkit, learn to strategize and negotiate, is on the courts, whether tennis or basketball, on the fields whether football or track; here they learn to win with dignity and lose with grace. Anger and violence have no place in these safe spaces. Safer children translate to safer communities. Safer communities need less policing. We have seen that more policing is not the answer as we are at once the most overpoliced communities and the most underprotected.

I grew up in [redacted] in [redacted]. Momma moved us there in [redacted] when I was about to turn 4 years old. Don't stress I'll do the math. Back then there were certain stay at home parents who sat on the benches most of the day. That was all the policing we needed. Back then parents could discipline and even pop a kid who stepped out of line.

They were our unofficial referees for double dutch contest, line watches for lodies, referees for obstacle courses, and officials for for our self designed 100 m sprint, which was the distance between [redacted] and [redacted]

In [redacted] tragedy struck and one brother was murdered as a result of the violence of the drug culture of the seventies and eighties he was [redacted] and had served in the Navy. 2 years 8 months later my second brother who had just turned [redacted] was also murdered, he had served two tours in the army.

Again competitive Athletics would save my mother who was almost impossible to lift up after the murders of my two brothers. I started her running at 67 years old and at the age of 92 she accompanied me to compete in France where she set her first world record in the 100 m dash. She was the first woman over 100 to run the 100 m competitively. You probably know her, her name was Ida Keeling and she was no stranger to the media.

She went on to set seven more world records the last one at age 103. She left us at age 106 with her mind intact, her sense of humor, and her Hennessy in her hand. She used the lessons she learned to help other children stay

focused through track and field and to always remember what was important. While we cannot go backwards to regain those times we can go forward to take them again.

Attachment(s)



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Date Submitted: July 13, 2026

Topic: Content flagged by usage policies, edit input(s) and try again

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Competitive Sports

Show 4 hidden fields



Name

Wendy Brawer

Email [redacted]

Public Comment

Yes, we need a Maritime Agency that puts maritime people in charge of planning, designing, and managing NYC's maritime assets and ensuring that they influence waterfront design around the City.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Real Estate and Development × Miscellaneous ×

Charter Related No

Topic Simplified Government Operations

Subtopic Maritime

Show 4 hidden fields

Name

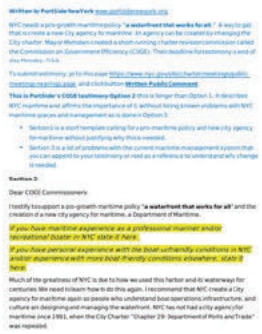
Deirdre Kloh

Email [redacted]

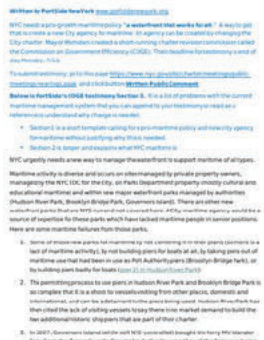
Public Comment

I am in support of the Mary Whalen proposal to make a NYC agency for maritime. Please review attached.

Attachment(s)



PortSide+COGE+testimony+agency+fo...



PortSide+COGE+testimony+agency+fo...

Date Submitted: July 13, 2026

Topic: Real Estate and Development, Miscellaneous

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Maritime

Show 4 hidden fields

Written by PortSide NewYork www.portsidenewyork.org

NYC needs a pro-growth maritime policy "**a waterfront that works for all.**" A way to get that is create a new City agency for maritime. An agency can be created by changing the City charter. Mayor Mamdani created a short-running charter revision commission called the Commission on Government Efficiency (COGE). Their deadline for testimony is end of day Monday, 7/13.

To submit testimony, go to this page https://www.nyc.gov/site/charter/meetings/public-meetings-hearings.page and click button **Written Public Comment**

This is PortSide's COGE testimony Option 2: this is longer than Option 1, It describes NYC maritime and affirms the importance of it, without listing known problems with NYC maritime spaces and management as is done in Option 3.

- Section1 is a short template calling for a pro-maritime policy and new city agency for maritime without justifying why this is needed.
- Section 3 is a list of problems with the current maritime management system that you can append to your testimony or read as a reference to understand why change is needed.

Section 2:

Dear COGE Commissioners:

I testify to support a pro-growth maritime policy "**a waterfront that works for all**" and the creation of a new city agency for maritime, a Department of Maritime.

If you have maritime experience as a professional mariner and/or recreational boater in NYC state it here.

If you have personal experience with the boat-unfriendly conditions in NYC and/or experience with more boat-friendly conditions elsewhere, state it here.

Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.

It's generally harder to do things with boats in NYC than other places on the eastern seaboard. For several decades, NYC's waterfront has been treated more as a view than a place of maritime activity (which can be industrial, commercial, cultural, recreational.)

NYC had a maritime agency under changing names from 1870 to 1991. NYC should create a new city agency for maritime to remove the impediments to maritime growth and reduce the confusing bureaucracy that has accumulated in the 35 years since NYC shut the agency Ports & Trade, the brief successor to Ports & Terminals, in 1991.

After that, maritime became a language NYC government forgot. Mariners speak it but are not in charge of designing or managing the City's waterfront and have struggled to be heard when offering advice.

One powerful exception was 9/11. That day, mariners evacuated 750,000 people from lower Manhattan in a spontaneous, civilian-initiated boat lift. They immediately started to supply Ground Zero, and then convinced the City to remove the rubble by water, reducing the time to remove the pile from 2 years to 8 months. That spared people exposure to toxic dust, reduced the wear and tear on roads and bridges, and sped up economic recovery downtown.

The 2009 "Miracle on the Hudson" rescue of the crew and passengers of US Airways Flight 1549 was another disaster that showed the fast-acting ingenuity of the maritime sector.

All maritime sectors in NYC have been trying to grow for decades, but piers have sat idle and fallen into the harbor due to site managers not understanding how to deploy them for maritime activity or even understanding the value of that activity.

About NYC maritime

After the decline of finger piers all around the city, local maritime became too invisible; but NYC is home to a large, diverse maritime ecosystem that includes two container ports; two cruise terminals; ferries; workboats of all types including many tugboat companies; boats in the tourism industry offering whale watching, fishing cruises, harbor tours and dinner/party boats; historic/cultural vessels; and recreational boating - plus, the companies that build and maintain the maritime infrastructure, dredge harbor channels and rescue ships (marine salvage) as well as shipyards that repair vessels of all sizes.

NYC is part of a bi-state cargo port that is one of the largest containerports in the USA, a port that imports cars, sand/stone, chemicals and orange juice, and is one of the largest petroleum through-ports in the country. Multiple companies distribute fuel out of here by tug and barge. Work boats move back and forth between both sides of this bi-state harbor.

NYC's own government has an extensive fleet for the FDNY, NYPD, DEP, DOT and the NYC Ferry. Ships are actually so essential to NYC's sewage system that the DEP has boats to move sewage between wastewater treatment plants.

Federal work boats of the Coast Guard and Army Corps also operate here. There is a major Coast Guard base in NYC.

To maximize the effectiveness of all this, our waterfront should again be managed by maritime experts to ensure the waterfront is built for maritime uses.

- Because it has not been that way, the "blue highway" initiative now needs to retrofit itself into spaces that should have been designed for it from the start – as many maritime voices recommended.
- Instead, from 2023 to 2025, the Department of Buildings created a comprehensive "Waterfront Code" (WFC) to standardize design, construction, permitting, and maintenance for structures including bulkheads, piers, docks, retaining structures, elevated platforms, and floating elements. They had to create a special maritime and technical committee. This is a pop-up committee, not the continuity of expertise that a city agency with long-term staff would offer.
- Similarly, the 4th of July parade of tall ships and navy vessels this year was challenged by a lack of piers for the big ships and a lack of town docks where dinghies and harbor launches could bring passengers out to boats that were at anchor due to the lack of pier where they could tie up. There were fewer spectator boats than at the 1976 OpSail, a sign of reduced recreational boating (despite the recent growth of that sector).

NYC deserves better, a waterfront planned, designed, built, and managed by maritime people to make **a waterfront that works for all.**

NYC closed its maritime department in 1991 when the City Charter "Chapter 29: Department of Ports and Trade" was repealed. I ask that this be revived, with modifications to cover new and additional uses of the waterways, as the Department of Maritime.

This change, this revival, would lead to greater management efficiency and greater transparency as maritime asset management would be in a City agency not outside it in the quasi-governmental nonprofit NYC Economic Development Corporation (EDC) which has an annual "maritime contract" with the Department of Small Business Services (SBS) - and with other maritime functions addressed in ad hoc ways.

This should be an agency actually managing the assets, not a Mayor's office with an advisory or liaison role. We need a change in management.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. Staff should have training/credentials related to waterborne transportation, through training at

maritime academies, Coast Guard, US Navy and/or direct industry experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
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- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
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- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have **a waterfront that works for all.**

I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

Thanks for your consideration. If you have follow-up questions, I can be reached at _____.

Sincerely,

[your name]

[your address]

[your email]

[your phone]

Written by PortSide NewYork www.portsidenewyork.org

NYC needs a pro-growth maritime policy "**a waterfront that works for all.**" A way to get that is create a new City agency for maritime. An agency can be created by changing the City charter. Mayor Mamdani created a short-running charter revision commission called the Commission on Government Efficiency (COGE). Their deadline for testimony is end of day Monday, 7/13.

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Below is PortSide's COGE testimony Section 3. It is a list of problems with the current maritime management system that you can append to your testimony or read as a reference to understand why change is needed.

- Section1 is a short template calling for a pro-maritime policy and new city agency for maritime without justifying why this is needed.
- Section 2 is longer and explains what NYC maritime is

NYC urgently needs a new way to manage the waterfront to support maritime of all types.

Maritime activity is diverse and occurs on sites managed by private property owners, managed by the NYC EDC for the City, on Parks Department property (mostly cultural and educational maritime) and within new major waterfront parks managed by authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island). There are other new waterfront parks that are NYS-run and not covered here. A City maritime agency would be a source of expertise for these parks which have lacked maritime people in senior positions. Here are some maritime failures from those parks.

1. Some of these new parks fail maritime by not centering it in their plans (so there is a lack of maritime activity), by not building piers for boats at all, by taking piers out of maritime use that had been in use as Port Authority piers (Brooklyn Bridge Park), or by building piers badly for boats (pier 25 in Hudson River Park).
2. The permitting process to use piers in Hudson River Park and Brooklyn Bridge Park is so complex that it is a shock to vessels visiting from other places, domestic and international, and can be a deterrent to the piers being used. Hudson River Park has then cited the lack of visiting vessels to say there is no market demand to build the two additional historic ship piers that are part of their charter.
3. In 2007, Governors Island (while still NYS-controlled) bought the ferry MV Islander ferry from the Massachusetts Steamship Authority even though the ferry was being

sold for scrap. Governors Island ended up not using the ferry and selling it on eBay, wasting $922,645. Despite being a former Coast Guard base, Governors Island (now City controlled) has made no maritime use of its waterfront for public programs until the recent SailGP races where the shoreline holds the audience during one summer weekend. They are letting to piers in the Buttermilk Channel rot away.

The failed maritime projects described above cost NYC more than the money expended, the cost includes the lost business, cultural, and educational activity that did not occur, plus (in the case of the EDC) lower revenue from the site which leads to lower payments to the City via the "maritime contract."

Problems with the NYC EDC

The NYC EDC has an annual "maritime contract" with the City, specifically with the Department of Small Business Services. The list of problems with EDC management is long.

Bad, self-interested financial management of the EDC

The EDC is supposed to manage City property to generate revenue and economic development for the City, however, the EDC is often acting more in their own interest. Because the EDC is not a City agency, it is a quasi-govenrmental nonprofit, the City Council does not vote on its budget as part of the annual City budget process. Problems are thus not prevented but found after the fact when City Comptrollers conduct audits. There is a pattern to problems found by multiple Comptrollers: The EDC covers up projects that are not benefitting the City as promised and diverts revenue from City property it manages (money that would go to the City budget where the Council has an oversight role) and used it to subsidize preferred projects or to hide failures of their own. In this way, the EDC hid how, during the depths of the pandemic, they used revenue from Times Square properties to subsidize the NYC Ferry. That followed the EDC's hiding about a year before, the ridership survey for the NYC Ferry that showed that the ferry was not addressing transit desert problems in low-income communities as promised; the ferry was used overwhelmingly by wealthy white residents and tourists. During a very angry April 2019, Council hearing, Councilmember discussed the creation of an Office of the Waterfront and taking ferry management away from the EDC. No action ended up being taken, but the fury speaks to the problem.

The EDC planned a second homeport for the NYC Ferry in Atlantic Basin, Red Hook (since sometime 2024, called The Brooklyn Marine Terminal or BMT). Construction occurred in 2023, but the facility remains unused. Credible, prior EDC employees say that the pilings between the ferry berths have shifted. The EDC themselves created a presentation for the

BMT Task Force *2024.10.15_Task Force Meeting #2 Pre-Read.pdf,* that on page 8 said in a text box "Assuming Home Port 2 is fixed. When asked about that text box, the EDC denied that there is any problem, but the facility remains unused since the 10/15/24 date of that presentation. More related to this ferry homeport below.

The EDC is an Abusive Landlord

Mayor Zohran Mamdani has made addressing abusive residential landlords a priority. It must be understood that NYC's largest landlord, the NYC EDC, managing by their own description managing "65 million square feet of space, 225 managed properties, and 170 projects" is often abusive. The situations below create instability, stunt growth, reduce business profitability and revenue paid to the city. Such practices also damage nonprofit renting space from or in contracts with the EDC.

Examples of how the EDC damages tenants

Some examples from Atlantic Basin, Red Hook, Brooklyn, part of BMT:

1. In 2017, the EDC introduced the Formula E car race into the marine industrial park of Atlantic Basin (now called BMT) which was deeply disruptive to tenants for5-7 weeks every summer during every year the race occurred. This caused many tenants to leave including the Master Subtenant Phoenix Beverage.
2. DockNYC berth permits for Pier 11 say the EDC can displace boat tenants on 30-days' notice with no reason given. September 2023, the EDC evicted 4 companies and multiple ships on 4-days' notice from to build the NYC Ferry Homeport 2. Below, see what happened to them in Sunset Park the next year. This also means hundreds of feet of pier have been taken out of economic use.
3. DutchX moved into the Pier 11 warehouse in August 2025. In late 2025, the EDC touted their blue highway service moving Sephora cosmetics to Pier 79 on Manhattan's west side. By 12/31/25, the electrical problems in the warehouse (low voltage and fluctuating power) prompted DutchX to rent a generator to charge their EV vans, and by June, they had moved out due to the electrical issues. All extant tenants knew that the building was historically underpowered. This story also shows that DutchX had a significant last mile operation on land and was not just a blue highway operator.
4. In late 2025, the EDC touted DutchX as the launch of Blue Highway at Red Hook's Pier 11, moving Sephora cosmetics to Pier 79 on Manhattan westside. DutchX moved in August 2025 and moved out June 2026 as there was insufficient electricity to charge their EV vans in the Pier 11 warehouse in Red Hook. This also means their

operation was more land-based (vans) than revealed by the EDC who only talked about DutchX as a blue highway operation.

5. The nonprofit PortSide NewYork was one of two winners of a 2007 EDC RFP. As a result, from 2008 into 2011, the EDC promised PortSide a permanent home to create a maritime hub in Atlantic Basin and did not deliver after three years of making the group do "interim programs" and an architect's building code review. In late May 2015, PortSide returned to the site thanks to the EDC's needing Councilmember Carlos Menchaca's approval for a long-term lease at SBMT. Since then, PortSide has tried to get more space as originally promised, even doing a new business plan in 2018 at the EDC's request. Since 2019, PortSide has only received one-year permits. Since 2021, their dockmaster has usually sent the annual permit well after the year started, and the EDC changed the permit terms most of those years, making unreasonable demands (such as insure their 172' coastal oil tanker as if she were a small cruise ship with overnight accommodations for 50+ sailing from US ports) and said PortSide could not run programs until they agree to those terms. PortSide's annual permit is not sufficient to cover programs; the EDC requires an additional permit for each event. .

In 2024, the EDC began regularly renting the Brooklyn Army Terminal (BAT) Pier 4 deck for major commercial events. The EDC told the dinner/party boats docked on the north side of the pier that they could not pick up and drop off passengers during such events (instead of providing an access corridor along the edge of the pier for passengers). This change was made after the boat tenants signed their annual contract, and these events occur on summer weekends when the boats do most of their business. Some of these boats were ones evicted from Red Hook's Pier 11 on 4-days' notice the year before to create the ferry homeport as in #1 above.

The EDC's unfair and extractive RFEI and RFP processes

Mayor Mamdani has created the new position of Deputy Mayor for Economic Justice and appointed Julie Su to create ways for NYC's economy to work more for workers (not only for major corporations) and to reform the EDC as part of that work.

A basic principle of economic justice is to be fairly paid for your work. The EDC often violates that.

The often uses Request for Expressions of Interest (RFEI)s and Request for Proposal (RFP)s to "test the market" as they themselves have said, and then they often use ideas harvested this way without awarding the contract to whoever created the ideas. This is extractive,

unpaid, unfair use. By now, many NYC maritime companies will NOT respond to EDC RFEIs and RFP which means that this EDC practice is also not really testing the market.

Even if the EDC does award an RFP, these often contain unrealistic demands and limitations which then prevent the facilities from being used and subject RFP applicants to prolonged negotiations (and time is money).

1. From 2002 through 2023, the EDC ran seven planning processes for the Atlantic Basin in Red Hook, netting zero long-term tenants. Meanwhile, businesses, especially maritime ones, are always seeking space, and all forms of maritime activity in the port of NY have been straining to grow for decades. See https://portsidenewyork.org/edc-plans for more info on the following:
    - 2002 Piers 6-12 study
    - 2006 Atlantic Basin RFEI
    - 2007 Atlantic Basin RFP. In 2008, the EDC said that PortSide would get a permanent home but did not. Phoenix Beverage got a long term lease from this RFP, but left in 2018, after a year of Formula E race disruptions.
    - 2011 Atlantic Basin wharfage RFP for tugboats. Vane Line Bunkering won this RFP but spent about 2 years negotiating with the EDC who said "we couldn't make the numbers work" suggesting they were asking too high a rent. After this, Vane spent another two years trying to get space from the EDC on the south side of Brooklyn Army Terminal Pier 4. In the end, Vane spent about four years working with the EDC to get no berth space at all.
    - 2012 Sublease for Atlantic Basin warehouse.
    - 2023 RFP for Atlantic Basin Master Subtenant. This was cancelled the day after the announcement of the BMT process below, so respondents wasted their time.
    - 2024, the Brooklyn Marine Terminal (BMT) planning process start. This problematic process merits a deep analysis of its own, which we don't have time for here.

The EDC plays favorites and the game is often rigged

1. May's Shipyard had the first contract to build NYC Ferry docks. For years, they received ongoing work to build new docks as the routes expanded via "change orders" instead of the EDC's releasing a new RFP for dock construction.

2. The way the EDC ran the RFP process that created the NYC Ferry system suggests an evasion of fair process. The RFP description did not include providing a homeport or building boats. Two of the ferry respondents told PortSide they would have responded differently if those options were on the table in the RFP description. Those two options, however, were offered to Hornblower, a company headquartered out of NY, which won the RFP, leading to the demise of two ferry companies in this harbor, the East River Ferry and the New York Water Taxi.
3. On 9/24/18, Dwayne Braithwaite filed a Notice of Claim to sue the EDC for $15 million dollars for collusion with Hornblower to control the NYC charter boat market. They settled.

The EDC often does not fulfill promises to communities

Contrary to an economic justice model sought by the Mamdani administration, the EDC approach is extractive, often making profits for the EDC without engaging in real economic or community development (though that is promised) for the neighborhood where the EDC is working and making the promises. The EDC's performance in Red Hook, Brooklyn merits special consideration give the plans for the City to take over the property (it is still Port Authority property) and the EDC's planning process for what's now called the Brooklyn Marine Terminal. The EDC has a high failure rate for the 20 years they have managed the Atlantic Basin and have inspired a lot of community rage.

The EDC makes money in Red Hook but has not shared the revenue via investment or donations with the neighborhood. Compare this to the 20% of the MCT rent that the EDC pays to Hudson River Park. Red Hook has received no share of the revenue from BCT, Atlantic Basin, or the Formula E car race that occurred there for several years

The benefits promised by the EDC often don't occur (especially job counts). Worse, in many cases, the EDC makes no effort to fulfill the promises. For example, since 2005, when the EDC rented Red Hook's Atlantic Basin from the Port , this has meant:

1. No permanent home for the award-winning, maritime nonprofit PortSide NewYork
2. A permanent job count at the Brooklyn Cruise Terminal (BCT) much lower than the 290 permanent jobs promised in a 2006 press release. Only 8-10 permanent jobs were created as of a 2007 Observer article. The EDC never publishes job fairs to the Red Hook community. ILA work depends on ship calls, and the number of ships a year has varied hugely.

3. BCT's promised benefits to local retail did not occur, and the EDC installed no Red Hook promotional info in BCT until 2023. The EDC did not allow PortSide to install such info despite their years of asking to do so.

4. The promised conference overflow from the Manhattan Cruise Terminal (MCT) that was supposed to be a boon to the Red Hook economy did not occur. Special events at BCT were not advertised to local businesses, so they couldn't prepare for potential business upticks or market specials to event participants.

EDC Operational Cluelessness

The EDC has not had staff members with maritime experience in the president's office where decisions are made nor on its board of directors. This lack of operational knowledge at senior levels leads to wasted public funds on projects that fail, RFP's that lead to no activity, sites that remain unused or under-used thus reducing City revenue, and can actively harm businesses who are struggling with an uninformed landlord (such as DutchX who moved out due to the lack of electrical capacity). As a result, frustrating and time-wasting situations are created for EDC tenants and contractors when you are forced to try and explain things that you consider to be obvious or standard operating procedure. This cluelessness can also lead to dangerous conditions:

1. There was no working fire suppression system in Pier 11 Shed (a warehouse 3 blocks long) for over 10 years in Atlantic Basin, Red Hook. A lumber yard moved in as a tenant in September 2023. Repairs were being made to the fire suppression system in 2025- 2026.

2. EDC installed shorepower for ships on Pier 11, leaving the cables lying in the roadway, in puddles with trucks driving over them. PortSide reported this to the Port Authority in 2017, and they trenched all the powercords.

Cruise terminal issues

The EDC did not renovate the Manhattan Cruise Terminal (MCT) after the cruise industry submitted a report in 1991 calling for that investment. The chronic lack of maintenance has driven cruise lines away from 2003 until now.

1. EDC began removing MCT Piers 92/94 from primary cruise activity in favor of events in 1998 as larger cruise ships began calling on NYC. Post 9/11, the NYC cruise industry grew even stronger with Royal Caribbean (RCCL) lobbying EDC to develop Piers 92/94. EDC leased piers 92/94 to Vornado. As a result, Bayonne built a new cruise terminal, and RCCL moved there in 2004 and carries almost one million passengers annually now. In response, the EDC built the new Brooklyn Cruise

Terminal (BCT) and invested in MCT piers 88 and 90. Eventually, Vornado gave 92 back to EDC and developed 94 into a movie studio; but events and movie studios are not water-dependent. More recently, in 2018, Pier 92 was condemned. As of 2026, Pier 90 has been removed from service and is facing a similar fate as 92 due to the lack of substructure maintenance by EDC. BCT has had significant substructural issues due to lack of maintenance; the EDC is currently starting to address those. The result is cruise lines are experiencing significant market losses and losing confidence in homeporting in NYC. MSC left the city in 2026 after just three years operating at BCT. Norwegian Cruise Line is deploying to other homeports such as Boston and Philadelphia.

2. In 2023, EDC committed to improve MCT's Pier 90 and provide shorepower after passage of a City Council bill mandating the latter. However, the EDC delayed electrification and announced a multi-billion dollar rebuild of MCT that will remove Pier 90 and extend Piers 88 and 92 further into the river without having applied for the federal authorization to extend the piers – so it is a plan that may not be approved – while the mandated shorepower is delayed.

3. Circa 2016, the wrong jib/crane was bought for BCT shorepower as the EDC admitted to the Red Hook community spring of 2019 after years of silence about what was wrong. April 2021, Brooklyn Borough President Eric Adams announced that Borough Hall would contribute $750,000 to fix the shorepower. That allocation means that more NYC funds were spent to compensate for an EDC error; AND those funds were not invested at BCT. The jib was not fixed until early 2026.

4. In late 2022, the EDC made a deal with MSC to sail out of NYC. The EDC expected them to use MCT, not realizing they had not capacity there; so the EDC moved them to BCT without doing any study as to whether a ship of that huge size and with that passenger profile (passengers coming in individual cars not bundled in buses from Manhattan) could fit through Red Hook's small streets. They did not. Councilmember Alexa Aviles ran weekly working group meetings with the EDC and Red Hook community members for 2.5 months to identify problems and solutions. This also prompted the bill Intro 4, co-authored by her and CM Eric Bottcher which passed unanimously in the City Council and mandated that the EDC create traffic mitigation plans and install shorepower in both terminals. The MSC experience was bad for the community, the passengers, and the company; and MSC decided to leave NYC completely by late 2025, after less than three years of operating at BCT.

Problems with other EDC maritime projects

1. Late 2022, the Coney Island NYC Ferry dock in Coney Island Creek was removed under the cover of darkness. It had been installed by the EDC despite community protests. The installation had also generated fines for environmental damage.

2. By 2026, the EDC is managing all of what is now called the Brooklyn Marine Terminal, which means they are managing a container port for the first time. The EDC bought a crane for BMT Pier 10 without assessing the load-bearing capacity of the pier. The crane is too heavy and the pier needs to be reinforced. Similarly, the land under where the NYC Ferry homeport above would go was not assessed for load-bearing limits, and it needs to be reinforced too.

3. Sunset Park's South Brooklyn Marine Terminal (SBMT) was a succession of failures:

a. The AXIS car importing by barge never got off the ground

b. SBMT as a staging area for New York Wheel failed when the whole project on Staten Island failed.

c. The 2015 SBMT RFP that led to plans for an offshore wind facility moved so slowly that, 11 years later, the facility was not completely built out which made it vulnerable to President Trump's attacks on offshore wind.

EDC failures with other major waterfront real estate developments

1. Staten Island north shore: the New York Wheel Ferris wheel project was never completed, and Empire Outlets Mall did not garner the tourism that was promised.

2. The EDC built a $60MM garage to serve the New York Wheel. Once that failed, the EDC tried to get parking revenue for the garage by using the mall (then that failed, the Ferry Hawks ballpark, and Staten Island ferry riders. All that failed. It's now used by the NYPD.

In addition to wasting public funds, these EDC sagas also waste the time of community members, community boards, and elected officials, a negative impact to be considered. An assessment of the level of rage at the EDC around the city indicates that change is needed.

These problems are hard to rectify due to EDC institutional culture.

The EDC evades accountability. The EDC operates with a culture of dishonesty. Sometimes that is telling a direct lie; sometimes, it is a non-answer or partial answer; sometimes, it is manipulating appearances. The EDC often won't answer reasonable

questions, uses spin to obfuscate, and sometimes outright lies. When FOILed, the EDC often still does not answer, delays answering, and/or provides partial answers.

In 2012, the NYS AG determined that the EDC had engaged in illegal lobbying by astroturfing (faking community support) in Willets Point and Coney Island.

The EDC institutional culture makes it hard to improve things as they are resistant to input and tend to approach the world as if the EDC is always right.

There is high staff turnover in the departments dealing with Asset Management and maritime. Staff often work on planning and capital projects for too short a time to see them completed.

All decisions are made in the president's office, so staff dealing with tenants and contractors, even if they are SVPs, are not decision-makers and cannot inject operational knowledge into the system to improve it. It's a top down, self-interested culture.

Many believe that EDC staffers often choose inaction because the cost of doing the wrong thing is high for them personally inside the EDC whose institutional culture seems to accept inaction regarding the world outside the EDC. It is safer for the staffer to do nothing than to do the wrong thing. All this leads to lots of process (studies and RFPs) with too little action. The EDC has talked about the blue highway for years.

Someone should study EDC staff turnover, staff experience for the projects they are assigned, and how projects are internally managed. Staff often leave after 2-4 years whether they are low-ranking project managers, VPs and SVPs or even the President/CEO. This means many EDC staff do not have long experience with any site they manage or with the EDC itself. There is generally greater stability of staff at City agencies.

The background of many staff is mismatched to maritime operations; they often have educational and work backgrounds in planning, real estate development, and business school rather than maritime. They are rarely COOs or site managers.

The EDC deals with this lack of content expertise by soliciting expertise via many RFEIs and RFPs or by getting grants to do studies. However, this means that people who don't know the content are making decisions about which consultant to select and then reviewing their work. This is how you get a BCT shorepower jib that is the wrong kind, or Pier 11 Red Hook shorepower cords lying in the driveway, or a Pier 11 shed fire suppression system that does not work.

All this negatively affects tenants, contractors, RFP respondents and communities where the EDC works as described in the case histories above.

Name

Caitlin Cahill

Email [redacted]

Public Comment

So much school funding is spent on professional development from outside consultants. The quality of these PD sessions are variable, some are extremely valuable while others are not. Much of what happens in these trainings could be achieved by giving in house staff more agency to create their own PD that better suits the school community and would allow for more time exploring the topics as a community. Currently, PD can feel like a one day only event, but by creating structures within the school for staff to lead it, there would be more buy in and deeper understanding of the professional learning and a real sense of a professional learning community.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Unnecessary Bureaucracy × Budget Issues ×

Charter Related No

Topic Simplified Government Operations

Subtopic DOE & Professional Development

Show 4 hidden fields

Name

James Bruffee

Email [redacted]

Public Comment

1. Complete overhaul of "ShopDOE." It is such an outdated and convoluted way for staff to purchase equipment, supplies, etc. Items go on there, and are taken off, seemingly at random. Items have no pictures or basic descriptions. Many items are not available. The result is that staff often buy the wrong thing, or too much / not enough of something, or a more expensive lower-quality version of something. And there are no returns/exchanges! So much waste...

2. Building construction. Right now, the way that contracts are given to construction firms, they have no incentive to work quickly/efficiently/do quality work. The result is that basic repairs take months/years to happen, and are often done poorly. Upgrades, room renovations, etc. take even longer. And at great cost.

3. School budgeting in general. In the name of "accountability" every piece of a school's budget can only be used for very specific things. There is no flexibility. And funds must be spent for certain thing within certain time frames, or they disappear. I understand that there must be some accountability in a system this large. But the current arrangement is much more wasteful than a more flexible system would be. And a more flexible budget would also allow spending to be more targeted and effective.

Attachment(s)

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Charter Related Yes

Topic Simplified	Government Operations
Subtopic	DOE

Show 4 hidden fields

Name

James Bruffee

Email [redacted]

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Charter Related Yes

Topic Simplified	Government Operations
Subtopic	DOE

Show 4 hidden fields

Name

James Bruffee

Email [redacted]

Public Comment

Two more...

4. High stakes testing. It's a complete waste of time and SO MUCH MONEY. It takes away so much instructional time and the data isn't even used for anything! It is a huge handout to testing companies at great cost to our students.

5. Overuse of technology. We do not need our elementary school kids to be reading on iPads and ChromeBooks. It is a net negative for their learning. And it is hugely expensive. Even the smartboards in the classroom -- they have not demonstrated their educational value over just a whiteboard and a projector. Back to basics. Books! Writing by hand! I am not an old timer. I see the value in technology in general. But we use it WAY TOO MUCH for dubious outcomes. And there are glaring downsides to its overuse. We could save so much money by getting a lot of that stuff out of the classroom. And we'd all be better off for it.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Unnecessary Bureaucracy × Technology × Budget Issues ×

Charter Related Yes

Topic Simplified Government Operations

Subtopic	DOE

Show 4 hidden fields

Name

Phil Wong

Email [redacted]

Public Comment

July 13, 2026

FOLLOW UP WRITTEN TESTIMONY OF COUNCIL MEMBER PHIL WONG
New York City Council, District 30 (Queens)
Before the Commission on Government Efficiency (COGE)
NYC Charter Revision Commission

My name is Phil Wong. I represent the 30th Council District in Queens, which includes all of Maspeth and Middle Village, and parts of Elmhurst, Ridgewood, Glendale, and Rego Park. I submitted formal written testimony to COGE in June laying out twelve common-sense Charter reforms on behalf of my constituents. I am submitting this supplemental testimony because the Commission's Preliminary Report, released July 2, 2026, raises new proposals that demand a direct response.

Let me be clear upfront: I came to this Commission as a supporter of its mission. Government efficiency is not a partisan issue. It is a basic obligation to the taxpayers who fund this city. I still support that mission. But efficiency is not the same thing as consolidating power in the Mayor's office. Several of the proposals in COGE's Preliminary Report would do exactly that, and some of them may be unconstitutional. I intend to say so plainly, because the residents of District 30 deserve a Council Member who reads the fine print.

I. Where I Agree, and Where COGE Should Go Further

There are proposals in the Preliminary Report that deserve genuine support. Maximizing the use of technology across city agencies, reducing paper filings, modernizing procurement, and speeding up inspections are common sense. I support these directions and urge the Commission to develop concrete, actionable proposals.

I also continue to stand by the twelve recommendations I submitted in June: honest multi-year budget baselines, school consolidation for campuses with fewer than 100 students, ending the hold harmless phantom funding policy, reforming homeless shelter spending to require cost effectiveness reviews and outcome benchmarks, ending the backdoor water bill tax, property tax equity for Queens homeowners, and putting sanctuary city law reform on the ballot for New Yorkers to decide. Those recommendations stand. This supplemental testimony addresses what the Preliminary Report got wrong.

II. DOB Permitting Reform Requires a Critical Distinction

The Preliminary Report identifies streamlining Department of Buildings permitting as a goal. I understand the frustration. Small businesses in Maspeth and Ridgewood wait months for permits that should take weeks. That backlog is real and it costs jobs and investment. I support targeted reforms to speed up routine commercial and residential permitting.

But streamlining must not become a shortcut that bypasses environmental and community protections for larger, higher-impact projects. My district is living through exactly what happens when that line is crossed.

NineDot Energy is constructing a lithium ion battery energy storage system at

[redacted] in [redacted], directly across the street from [redacted] next to a daycare, a preschool, and a residential neighborhood. The community received no notification when permits were being processed. There were no public meetings, no community board notification, no transparency from the company or city agencies. The project proceeded as of right under City of Yes for Carbon Neutrality zoning changes, which removed the community voice entirely.

Most critically, my office obtained the Phase 1 Environmental Site Assessment for the site. That report identified recognized environmental conditions at the location and recommended a Phase 2 assessment to sample soil and groundwater for hazardous substances. NineDot has not completed the Phase 2 assessment. On July 1, 2026, I formally demanded that DOB suspend all construction permits until the Phase 2 environmental review is complete. On that same morning, my office staff witnessed excavation underway at the site, and confirmed with DOB that no alteration permit had been issued authorizing that work. That is an illegal excavation at a site with unresolved environmental contamination, next to a school.

This is not a permitting efficiency problem. This is a DOB oversight failure. And it is exactly the kind of failure that gets worse, not better, if we reduce DOB's review obligations in the name of speed.

The Charter and any DOB reform must draw a clear and enforceable distinction between two categories of projects. The first is a small business opening, a routine renovation, or a standard residential project, where the city's goal should be to cut red tape aggressively and get permits processed in days, not months. The second is a large scale facility that poses potential environmental, safety, or community impact concerns, particularly those sited near schools, residential areas, or locations with prior environmental contamination. For those projects, the permitting process must include mandatory Phase 2 environmental review before any construction permit is issued when a Phase 1 has identified recognized environmental conditions. It must require advance community notification. It must allow elected officials and community boards a meaningful opportunity to raise concerns before the shovel goes in the ground.

Giving DOB a blanket mandate to process permits faster, without this distinction built in, will produce more NineDot situations, not fewer. I urge the Commission to be specific about what it is streamlining and for whom.

III. A Word About Process

Before getting to the remaining proposals, I have to address how this Commission has operated, because process matters when you are rewriting the rules of government.

COGE was convened at the end of May. Ballot questions must be submitted to the Board of Elections by August 3. That means the Commission is finalizing Charter changes affecting the structure of city government in fewer than four weeks, based on a preliminary report that uses the phrase "the Commission may consider" twenty four times without specifying what it will actually do. Half the transcripts from the Commission's 14 hours of public hearings still are not posted. Only one staff member is listed on the Commission's website. The prior Mayor Adams charter commissions, for all their faults, at least identified their staff so the public knew who was writing the reports. New

Yorkers deserve to know who is writing the ballot questions they will vote on in November.
I urge COGE to slow down, post its transcripts, identify its staff, and not rush constitutional questions onto the ballot without meaningful engagement with the communities most affected.

IV. Reporting Requirements — The Council Has Already Done This Work
COGE is considering two changes to agency reporting requirements: making the Report and Advisory Board Review Commission's recommendations binding, removing the Council's right to approve or reject them, and adding automatic sunset provisions to all reporting laws.
I understand the frustration with redundant reporting. But the solution is not to hand a Mayor controlled commission unilateral power to kill transparency laws. RABRC is chaired by the Mayor's Office of Operations and holds a majority of mayoral appointees. Under the current Charter it could have met and acted at any time. It failed to meet at all from 2013 to 2018 simply because mayors did not convene it. The problem was never the Council.
Here is what the Council has actually done: in 2022 and 2023, we completed a full review of the Administrative Code and City Charter on our own initiative and passed three local laws repealing 56 provisions, including 27 reports, 17 task forces and commissions, and several unconstitutional and outdated provisions. In one year, the Council repealed more reporting requirements than RABRC did in its entire history since 2010. Our Legislative Division is right now reaching out to every city agency to solicit feedback on burdensome or outdated reporting obligations.
Agency reports are frequently the only public source of data on critical city services. When an administration promises at a Council oversight hearing to follow up with information and never does, the reporting law is the only backstop. Removing the Council's approval authority and adding automatic sunsets would leave New Yorkers with less accountability over their government. That is the opposite of efficiency.

V. Sidewalk Cafes A Direct District 30 Quality of Life Issue
COGE is considering removing the Council's call up authority over sidewalk café approvals. Fewer than 1% of applications since 2024 have ever been called up by the Council. The bottleneck in the approval process has nothing to do with Council call ups. Restaurants report that the barriers are expense, DOT administration, and hearing requirements, none of which the Council created.
What the Council call-up authority does is give elected representatives a tool to intervene when a café crosses the line: blocked sidewalks, sidewalk creep beyond approved dimensions, rodents, loud music, large standing crowds spilling into residential streets. This matters enormously in my district. Maspeth, Middle Village, and Ridgewood are residential communities where sidewalk cafes are now permitted following zoning changes. The Council call up is the last safeguard ensuring a café cannot expand indefinitely into a residential block without any community check.
If a constituent calls my office to complain about a café blocking the path to their front door, I need to have a tool available to help them. This proposal would take that away, without solving any actual bottleneck.

VI. Major Transportation Projects Do Not Touch the Notice Requirement
COGE has flagged the local law requiring advance notice to community boards and elected officials before major transportation projects as a potential area for reform. Leave it alone.
This law has been in place since 2009. It has been amended four times, including once by the State Legislature, which found it so useful it was extended to cover State Senators and Assembly Members. It does not slow projects down. It prevents delays by surfacing stakeholder concerns before designs are finalized and money is committed.
For constituents in my district who live along Queens Boulevard, the BQE service road, and every local DOT redesign corridor, this notice requirement is often the first and only warning that their street is about to change.
Furthermore, this law lives in the Administrative Code, not the Charter. The administration has not attempted to amend it through the normal legislative process, which suggests it knows it would not pass on the merits. COGE is a Charter revision body. Amending an Administrative Code provision through Charter revision is not the appropriate mechanism.

VII. Council Office Lease Rejection Authority — Do Not Remove This Safeguard
COGE is considering removing the Council's authority to reject proposed city office leases. The stated rationale is streamlining. The actual effect is eliminating one of the few oversight tools that catches corruption in real estate transactions involving public money.
We do not need to look far for why this matters. Under Mayor Adams, a DCAS Deputy Commissioner steered a city office lease against his own staff's professional recommendation to a megadonor of Adams' legal defense fund. The Council's oversight authority existed for exactly that situation.
I am not opposed to reforming how lease reviews work. The current process routes initial review through the Department of City Planning, which COGE's own report correctly notes is an odd fit. The Council's own Charter Revision Commission has already recommended a sensible alternative: move initial review to the Comptroller, an independently elected official with genuine financial expertise, while preserving the Council's disapproval authority in cases of irregularity. That is a reform worth supporting. Eliminating Council oversight entirely is not.

VIII. Building Code Rulemaking Likely Unconstitutional, and Factually Wrong
COGE is considering allowing the Department of Buildings to amend the Building Code by administrative rule without Council approval. I have serious concerns about both the legality and the logic of this proposal.
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also be preempted by the NYS Municipal Home Rule Law and NYS Executive Law. A Charter amendment struck down in court the day after it passes serves no one.

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If DOB were to amend codes by rule, it would still be required under the Citywide Administrative Procedure Act to hold a public hearing, which routinely takes agencies months. There is no reason to believe this would be faster, and every reason to believe it would be less transparent. Council hearings are webcast, open to the press, and create a permanent public record. Rulemaking hearings are none of those things.

IX. Rainy Day Fund — Get the Structure Right

In my June testimony, I called for binding Charter level rules governing the Rainy Day Fund. I want to refine that position.

Rigid Charter mandates could backfire. If fiscal stress hit while the Charter required mandatory deposits, the city could be legally forced to make those deposits or barred from accessing reserves it urgently needs. Charter amendments cannot be adjusted quickly when circumstances change.

The better approach, and the one the Council's own Charter Revision Commission has recommended, is to require by Charter that the Mayor and City Council enact a binding local law establishing RDF deposit standards, withdrawal restrictions, and a target balance. That law would carry the force of obligation but the flexibility of legislation: it can be amended by the Council and Mayor working together if circumstances require, without waiting for another charter revision cycle. The goal is the same, a real rainy day fund with real rules. The mechanism simply protects against a rigidity that could harm the city at exactly the moment the fund is needed most.

Conclusion

I came to this Commission as a supporter and I remain one, for the parts of its work that represent genuine efficiency: faster permits for small businesses, modern technology in government, outcome-based management. My June testimony laid out twelve specific proposals on those fronts and I stand by every one.

But several proposals in the Preliminary Report go far beyond efficiency. They would give executive branch agencies the power to rewrite laws, remove community safeguards from permitting decisions, eliminate anti corruption oversight of government leases, and cut the Council out of the transparency tools that keep agencies accountable to the public. That is not efficiency. It is a structural shift of power away from elected officials and the communities they represent.

The residents of my district did not send me to the Council to stay quiet while

that happens. I am here to say, on their behalf, that genuine reform and democratic accountability are not in conflict. COGE can achieve both, if it has the will to distinguish between them.
Respectfully submitted,

Phil Wong
Council Member, District 30

Attachment(s)



CM Wong COGE Testimony June 13 202...

Date Submitted: July 13, 2026

Topic: Technology, Procurement Reform, Department of Buildings (DOB) Issues, Real Estate and Development, Reporting Requirements, Enforcement, Budget Issues, Unnecessary Bureaucracy, Miscellaneous

Charter Related: Yes

Topic Simplified: Building and Construction

Subtopic: Feedback on Preliminary Report

Show 4 hidden fields

[redacted]

THE COUNCIL OF
THE CITY OF NEW YORK
PHIL WONG
COUNCIL MEMBER, 30TH DISTRICT, QUEENS

COMMITTEES

FINANCE
EDUCATION
PUBLIC SAFETY
TRANSPORTATION AND INFRASTRUCTURE
FIRE AND EMERGENCY MANAGEMENT
VETERANS
WORKFORCE DEVELOPMENT

CO-CHAIR, COMMON SENSE CAUCUS
BLACK, LATINO AND ASIAN CAUCUS (BLAC)

July 13, 2026

FOLLOW UP WRITTEN TESTIMONY OF COUNCIL MEMBER PHIL WONG

New York City Council, District 30 (Queens)

Before the Commission on Government Efficiency (COGE)

NYC Charter Revision Commission

My name is Phil Wong. I represent the 30th Council District in Queens, which includes all of Maspeth and Middle Village, and parts of Elmhurst, Ridgewood, Glendale, and Rego Park. I submitted formal written testimony to COGE in June laying out twelve common-sense Charter reforms on behalf of my constituents. I am submitting this supplemental testimony because the Commission's Preliminary Report, released July 2, 2026, raises new proposals that demand a direct response.

Let me be clear upfront: I came to this Commission as a supporter of its mission. Government efficiency is not a partisan issue. It is a basic obligation to the taxpayers who fund this city. I still support that mission. But efficiency is not the same thing as consolidating power in the Mayor's office. Several of the proposals in COGE's Preliminary Report would do exactly that, and some of them may be unconstitutional. I intend to say so plainly, because the residents of District 30 deserve a Council Member who reads the fine print.

I. Where I Agree, and Where COGE Should Go Further

There are proposals in the Preliminary Report that deserve genuine support. Maximizing the use of technology across city agencies, reducing paper filings, modernizing procurement, and speeding up inspections are common sense. I support these directions and urge the Commission to develop concrete, actionable proposals.

I also continue to stand by the twelve recommendations I submitted in June: honest multi-year budget baselines, school consolidation for campuses with fewer than 100 students, ending the hold harmless phantom funding policy, reforming homeless shelter spending to require cost-effectiveness reviews and outcome benchmarks, ending the backdoor water bill tax, property tax equity for Queens homeowners, and putting sanctuary city law reform on the ballot for New Yorkers to decide. Those recommendations stand. This supplemental testimony addresses what the Preliminary Report got wrong.

II. DOB Permitting Reform Requires a Critical Distinction

The Preliminary Report identifies streamlining Department of Buildings permitting as a goal. I understand the frustration. Small businesses in Maspeth and Ridgewood wait months for permits that should take weeks. That backlog is real and it costs jobs and investment. I support targeted reforms to speed up routine commercial and residential permitting.

But streamlining must not become a shortcut that bypasses environmental and community protections for larger, higher-impact projects. My district is living through exactly what happens when that line is crossed.

NineDot Energy is constructing a lithium-ion battery energy storage system at 64-30 69th Place in Middle Village, directly across the street from PS/MS 128, next to a daycare, a preschool, and a residential neighborhood. The community received no notification when permits were being processed. There were no public meetings, no community board notification, no transparency from the company or city agencies.

The project proceeded as of right under City of Yes for Carbon Neutrality zoning changes, which removed the community voice entirely.

Most critically, my office obtained the Phase 1 Environmental Site Assessment for the site. That report identified recognized environmental conditions at the location and recommended a Phase 2 assessment to sample soil and groundwater for hazardous substances. NineDot has not completed the Phase 2 assessment. On July 1, 2026, I formally demanded that DOB suspend all construction permits until the Phase 2 environmental review is complete. On that same morning, my office staff witnessed excavation underway at the site, and confirmed with DOB that no alteration permit had been issued authorizing that work. That is an illegal excavation at a site with unresolved environmental contamination, next to a school.

This is not a permitting efficiency problem. This is a DOB oversight failure. And it is exactly the kind of failure that gets worse, not better, if we reduce DOB's review obligations in the name of speed.

The Charter and any DOB reform must draw a clear and enforceable distinction between two categories of projects. The first is a small business opening, a routine renovation, or a standard residential project, where the city's goal should be to cut red tape aggressively and get permits processed in days, not months. The second is a large-scale facility that poses potential environmental, safety, or community impact concerns, particularly those sited near schools, residential areas, or locations with prior environmental contamination. For those projects, the permitting process must include mandatory Phase 2 environmental review before any construction permit is issued when a Phase 1 has identified recognized environmental conditions. It must require advance community notification. It must allow elected officials and community boards a meaningful opportunity to raise concerns before the shovel goes in the ground.

Giving DOB a blanket mandate to process permits faster, without this distinction built in, will produce more NineDot situations, not fewer. I urge the Commission to be specific about what it is streamlining and for whom.

III. A Word About Process

Before getting to the remaining proposals, I have to address how this Commission has operated, because process matters when you are rewriting the rules of government.

COGE was convened at the end of May. Ballot questions must be submitted to the Board of Elections by August 3. That means the Commission is finalizing Charter changes affecting the structure of city government in fewer than four weeks, based on a preliminary report that uses the phrase "the Commission may consider" twenty-four times without specifying what it will actually do.

Half the transcripts from the Commission's 14 hours of public hearings still are not posted. Only one staff member is listed on the Commission's website. The prior Mayor Adams charter commissions, for all their faults, at least identified their staff so the public knew who was writing the reports. New Yorkers deserve to know who is writing the ballot questions they will vote on in November.

I urge COGE to slow down, post its transcripts, identify its staff, and not rush constitutional questions onto the ballot without meaningful engagement with the communities most affected.

IV. Reporting Requirements — The Council Has Already Done This Work

COGE is considering two changes to agency reporting requirements: making the Report and Advisory Board Review Commission's recommendations binding, removing the Council's right to approve or reject them, and adding automatic sunset provisions to all reporting laws.

I understand the frustration with redundant reporting. But the solution is not to hand a Mayor-controlled commission unilateral power to kill transparency laws. RABRC is chaired by the Mayor's Office of Operations and holds a majority of mayoral appointees. Under the current Charter it could have met and acted at any

time. It failed to meet at all from 2013 to 2018 simply because mayors did not convene it. The problem was never the Council.

Here is what the Council has actually done: in 2022 and 2023, we completed a full review of the Administrative Code and City Charter on our own initiative and passed three local laws repealing 56 provisions, including 27 reports, 17 task forces and commissions, and several unconstitutional and outdated provisions. In one year, the Council repealed more reporting requirements than RABRC did in its entire history since 2010. Our Legislative Division is right now reaching out to every city agency to solicit feedback on burdensome or outdated reporting obligations.

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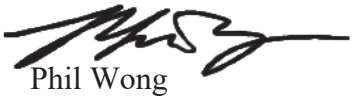
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Respectfully submitted,



Phil Wong
Council Member, District 30

Name

Sean Kershaw

Email [redacted]

Public Comment

See attached

Attachment(s)



PortSide+COGE+testimony+agency+fo...

Date Submitted

July 13, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Waterfront/Maritime policy

Show 4 hidden fields

Written by PortSide NewYork www.portsidenewyork.org

NYC needs a pro-growth maritime policy "**a waterfront that works for all.**" A way to get that is create a new City agency for maritime. An agency can be created by changing the City charter. Mayor Mamdani created a short-running charter revision commission called the Commission on Government Efficiency (COGE). Their deadline for testimony is end of day Monday, 7/13.

To submit testimony, go to this page https://www.nyc.gov/site/charter/meetings/public-meetings-hearings.page and click button **Written Public Comment**

This is PortSide's COGE testimony Section1: a short template calling for a pro-maritime policy and new city agency for maritime without justifying why this is needed.

- Section 2 is longer and explains what NYC maritime is
- Section 3 is a list of problems with the current maritime management system that you can append to your testimony or read as a reference to understand why change is needed.

July 13, 2026

Dear COGE Commissioners:

I testify to support a pro-growth maritime policy "**a waterfront that works for all**" and the creation of a new city agency for maritime, a Department of Maritime.

If you have maritime experience as a professional mariner and/or recreational boater in NYC state it here.

If you have personal experience with the boat-unfriendly conditions in NYC and/or experience with more boat-friendly conditions elsewhere, state it here.

Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to

waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.

- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- Help grow maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).
- Support offshore wind developments.
- Work with maritime training academies and non-profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.

- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have **a waterfront that works for all.**

I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

Thanks for your consideration. If you have follow-up questions, I can be reached at [redacted]

Sincerely,

Sean Kershaw

[redacted]

[redacted]

[redacted]

Name

Gene Torres

Email [redacted]

Public Comment

My name is Gene Torres. I am a professional musician and live in [redacted]. I have been an independent voter for over ten years. Being an independent is important to me, I am not a Democrat or a Republican. I am sorry to say that I think in many ways they act the same they put their party first!

I am not allowed to vote in primaries. Is it a terrible injustice and feels like it is a part of voter suppression, just because I don't want to pick one of your teams. The only thing that should matter is my right to vote and voting should not exclude any citizen. It is not right especially since these primaries are funded with our tax dollars. As soon as the parties take public money to fund these primaries, they should not be able to exclude any voter.

I am writing to urge the Commission to put the issue of opening the primaries on the ballot this November for the voters to consider.

Thank you for considering this issue.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open Primaries

Show 4 hidden fields

Name

Sante Scardillo

Email [redacted]

Public Comment

I oppose the current, inconclusive and unfocussed EDC plans for Brooklyn Waterfront "redevelopment". EDC itself is a murky entity created to deny the Public the accountability it deserves, letting corrupt politicians and their interested sponsors in charge of decision making that never keeps the public interest as a guiding light. The one thing all plans put forward so far by the EDC, which should simply be dismantled, is the waterfront itself and the Marine heritage of what used to be the largest, most active and prosperous Seaport in the entire world. The plan passed with the complicity of politicians that their outraged constituencies recently booted out of power, called for 6,000 "affordable" apartments on the Columbia - Red Hook waterfront, ironically of a size that immediately gives the lie to the entire purported scope of the plan: in today's New York City, the 1,000 sf predicated for each apartment, would by definition not be affordable. Add to that the patent inadequacies of public transport and other infrastructure to a recipe that would guarantee a multi generational urban disaster; not to say that the present situation is ideal, but to add 20,000 or so additional residents to an area ill equipped to even accommodate weekend tourism should never be considered. I support the enhancement of present waterfront activities, and marine trades education; the Brooklyn waterfront should not be transformed into another luxury park at public expense, destination residency for the wealthy; the waterfront should continue to be the multi-layered resource for the public it has been since pre-colonial times.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Real Estate and Development ✕ Unnecessary Bureaucracy ✕ Budget Issues ✕ Reporting Requirements ✕

Charter Related Yes

Topic Simplified	Government Operations
Subtopic	Waterfront/Maritime Policy

Show 4 hidden fields

Name

Dave Lutz

Email [redacted]

Public Comment

To the xxxxxx

Tourism is an important part of NYC's economy. It provides tax income with a minimum of expenditure.

"Prevention" is generally described as the underfunded link in our health system. Providing the infrastructure for active living prevents chronic illness and the very significant exprense of caring for "existing conditions".

The availability of "good" jobs at various skill levels aids in establishing self worth and happiness. A city of folks that know they are providing value through work is a place that has higher levels of mental health and personal comfort.

Planning and building a city that prioritizes providing an ample and quality public realm will build a happier, healthier, quieter, more livable and less costly to government city. Unfortunately that is not the track we are on.

I'm a resident of Red Hook, adjacent to Downtown Brooklyn. From here, my input will be about my home communities, but much of what I say can apply to any of the separate unique places that make up our city. The uniqueness of New York is being washed away in wave of featureless development that overcrowds our neighborhoods, and homogenizes their appearance to the detriment to the above stated goals. It doesn't have to be that way.

The lessons in the planned transformation of the huge Red Hook Container Terminal could provide progressive leaders with a road map to creating a special place within the city that serves to advance the above goals. That transformation could align with goals in the district's visionary 197a plan, put together with so much effort 30 years ago. Unfortunately, the track we are on will mostly leave our plan on the shelf to collect dust.

Here are some basic ideas that are being lost in a misguided effort by NYC EDC to bulldoze what is on our waterfront and build a duller extension of Manhattan.

1. Waterfront jobs, if they expand, cannot be located in Flatbush or Bensonhurst; housing can. Advocates say that "blue highway", tourism, and local quality of life can be improved by creating a working, visitable, waterfront and that Red Hook is uniquely positioned to serve those future needs. We don't know now if those advocates are correct but we do know that once the waterfront is used for high rise high rent residential construction the opportunity is over.

2. Much of NYC has less than half the parkland per person than the LEAST well served cities in America. Additionally, most New Yorkers tend not to have yards for recreation and regional sprawl (and auto free living) has put rural open space opportunities far away. The resulting crowding in our parks has made them less useful and more apt to see damage from overuse. Brooklyn is

particularly underserved and the areas around downtown Brooklyn have seen significant high rise development without significant provision of parkland. Parkland, public waterfront access, and resiliency infrastructure has been the major "ask" from local residents. EDC's designs will make the problem worse.

3. The urban village of Red Hook has the potential to provide a different kind of public realm, one that attracts visitors from all around New York and from other places. In Red Hook, "urban village" is in our DNA. It is happening now, organically. Look around.

Yet, our government seems to make land use decisions without considering what is on the ground. In recent years NYC has made process and charter changes that limit local input from the people who care the most. The result of executive myopia is windowless warehouses, glass residential boxes, traffic in a transit desert and not building on the urban village that already attracts folks to our place for a break from the place where they spend the most time.

What the commissioners can do:

1. Change course and develop charter amendments that amplify local input and the authority of local elected leaders.

2. Help the community boards meet their "little city hall' mission by the "election" of members rather than special interest based appointment.

3. Help prioritize local development that meets local desires especially on public land.

4. To better serve our City, the land around Erie Basin should be developed to make coming to the cruise ship part of the vacation instead of a windowless waiting room. NYC Ferry needs a "destination" at this place instead of a long boring walk. A green buffer, with resiliency infrastructure will save the city money in the future. All this is in the interest of municipal growth as well as local improvement. It is up to us to figure out how to make it work.

5. One way is to create truly open and receptive planning processes instead of performative charades. The result of really listening will be a more interesting, more active and healthier city.

Dave Lutz

My work for NYC includes:

Principle designer and advocate for the NYC greenways system.

Part of the team that has preserved NYC community gardens.

Retired Executive Director of the NYC Neighborhood Open Space Coalition

More...

Attachment(s)

Drop files here or click to browse

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July 13, 2026

Topic

Real Estate and Development ✕ Unnecessary Bureaucracy ✕ Street Redesigns ✕ Reporting Requirements ✕ Miscellaneous ✕

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Maritime/Waterfront policy

Show 4 hidden fields

Name

Kala Philo

Email [redacted]

Public Comment

As much of the testimony over the last few weeks has shown, NYC's technology infrastructure is under strain. A recent, painful example is the housing snafu that caused a cascade of incorrect Section 8 evictions and a lot of suffering for renters and city employees.

My purpose in being here is not rooted in criticism, but in a lot of compassion for everyone involved. I'm an independent writer, researcher, and publisher of babsNYC.news, the only newsletter with cross-sector coverage of blockchain activity in NYC.

To clarify, the blockchain I'm talking about tonight has nothing to do with Bitcoin, speculation, or crypto markets. I'm proposing that decentralized ledger technology, also known as blockchain, is a tool that deserves serious consideration for civic tech.

Recent headlines about deed fraud have also made waves. What we don't hear as much about is that NYC engaged in a blockchain proof of concept study in 2021 to address guess what deed fraud.

In 2021, the concerns were smart, valid, and practical - energy use, disruption of legacy systems, paying with tokens instead of dollars.

Since then, the tech has matured and moved past many blockers. For example, modern blockchain networks use 99% less electricity.

Another benefit is that it future proofs our tech to retain the citizen centric values championed by this Mayor's administration. Blockchain makes it more difficult to reverse efficiencies and citizen access to information as political tides shift.

AI has come up multiple times in hearing testimony. Blockchain can help add transparency to AI adoption and integration, avoiding AI's dreaded "black box" phenomenon.

But before diving further into solutions, is there any evidence of public demand for blockchain?

I conducted an AI assisted analysis of the YouTube videos of the first three public hearings (Manhattan, Bronx, Brooklyn) to help group the testimony into themes.

I found that of the 101 total testimonies, a conservative estimate is that 45% involve problems where blockchain tech would be a moderate to strong fit as an improvement or solution.

Why blockchain? The testimony describes the ways people are paying the price for the lack of shared, verifiable infrastructure where multiple stakeholders can independently write to and rely on the same record.

In a traditional database, someone still has to be 'the owner' of that record; that governance model creates the gaps that lead to problems for end users. Blockchain is built for when no single party can or should fully own the data, but everyone needs efficient access and a trusted record of transactions.

To conclude, I'm asking that the charter language require evaluation of decentralized architectures when considering tech improvements and upgrades, whether that's a new Office of Digital Transformation, as Andrew Rasiej proposed on June 11, or an expanded mandate for the city's existing Office of Technology and Innovation.

I've submitted written testimony that provides more detail on my comments and the data. I'm available for follow up, and I have a strong network of knowledgeable, compassionate colleagues that I can tap as well. Thank you for your time.

Attachment(s)



K_Philo_Written testimony for Queens ...

Date Submitted: July 13, 2026

Topic: Technology ✕ | Real Estate and Development ✕ | Tenant Protection ✕

Charter Related: No

Topic Simplified: Technology

Subtopic: Blockchain

Show 4 hidden fields

Kala Philo
Writer and Senior Editor
[redacted]

Written testimony for Queens COGE hearing July 13, 2026

Summary

Thank you all for holding space for these hearings. My name is Kala Philo, I live in [redacted]

As much of the testimony over the last few weeks has shown, NYC's technology infrastructure is under strain. A recent, painful example is the housing snafu that triggered a cascade of incorrect Section 8 evictions and a lot of suffering for renters and public servants.

My purpose here is not rooted in criticism, but in compassion for everyone involved. I'm an independent writer, researcher, and publisher of babsNYC.news, the only newsletter with cross-sector coverage of blockchain activity in NYC.

To clarify, the blockchain I'm talking about tonight has nothing to do with Bitcoin, speculation, or crypto markets. I'm referring to decentralized ledger technology, also known as blockchain, as a tool for civic tech.

Recent headlines about deed fraud have also made waves. What we don't hear as much about is that NYC engaged in a blockchain proof-of-concept study in 2021 to address - guess what - deed fraud.

In 2021, the concerns were smart, valid, and practical - energy use, disruption of legacy systems, paying with tokens instead of dollars.

Since then, blockchain tech has matured. Modern networks have reduced electricity use by over 99%, and blockchain can be integrated as a transaction layer without necessarily replacing the entire stack. Payments can be denominated and received in dollars. No token weirdness.

AI has come up multiple times in hearing testimony. Blockchain can help with AI adoption and integration by providing agencies with an immutable audit trail for training data, model updates, and AI decisions, enabling them to demonstrate how systems work rather than relying solely on AI's dreaded "black box" phenomenon.

But before diving into more solutions, is there any evidence of demand for this?

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I found that of the 101 total testimonies, a conservative estimate is that 45% involve problems where blockchain tech would be a moderate to strong fit as an improvement or solution.

Why blockchain?

The testimony shows how people are paying the price for the lack of shared, verifiable infrastructure in which multiple stakeholders can independently write to and rely on the same record.

In a traditional database, someone still has to be ‘the owner’ of that record; that governance model creates the gaps that lead to problems for end users. Blockchain is built for when no single party can or should fully own all the data, but everyone needs efficient access and a trusted record of transactions.

Recommendation

To conclude, whether it’s a new Office of Digital Transformation, as Andrew Rasiej proposed on June 11, or an expanded mandate for the city's existing Office of Technology and Innovation, the charter language should require evaluation of decentralized technology as a tool not only to serve New Yorkers efficiently but also to future-proof our tech to retain the citizen-centric values championed by this Mayor’s administration.

Confusion about blockchain

There is understandable confusion about blockchain, so let’s look at the basics.

Blockchain is a tamper-resistant digital ledger, a record of transactions that many participants can see and verify.

Governments and businesses use this ledger in two broad ways.

1. One is for **financial** activity, such as recording payments or balances. But finance is only one use case for blockchain.

2. The other is for **non-financial** activity, such as tracking goods through a supply chain or property, permits, or vehicle registration records.

These uses are not mutually exclusive: the same blockchain ledger can record both payments and non-financial events, or they can be kept separate.

Benefits of blockchain

The benefits of blockchain for civic tech infrastructure include:

- Reducing bureaucratic burden on city employees and public servants through more reliable data, clearer audit trails, facilitating appropriate data sharing, and automated workflows.

- Increase efficiency and reduce costs by automating transactions. It's no longer necessary to adopt a “token” for transactions that require payment. Payment can be denominated in US dollars.

- Increase resistance to corruption. Data and funds are verified by many participants rather than controlled by a single one.

- Future-proofing the Mamdani-era legacy of citizen-centric government: Blockchain makes it difficult to reverse efficiencies and citizen access to information as political tides shift.

- AI considerations: As our leaders tackle how best to integrate AI into city government, blockchain should be considered as a tool to a) provide insight into civic AI projects or b) facilitate AI agent-to-agent transactions, which require different tech than traditional transactions.

Blockchain adoption is accelerating, led by the financial sector

Blockchain adoption is accelerating globally, spurred by the NYC financial industry's large-scale adoption of blockchain ledgers to modernize financial “rails”.

This will have future implications for interoperability for all stakeholders interacting with financial institutions, including cities.

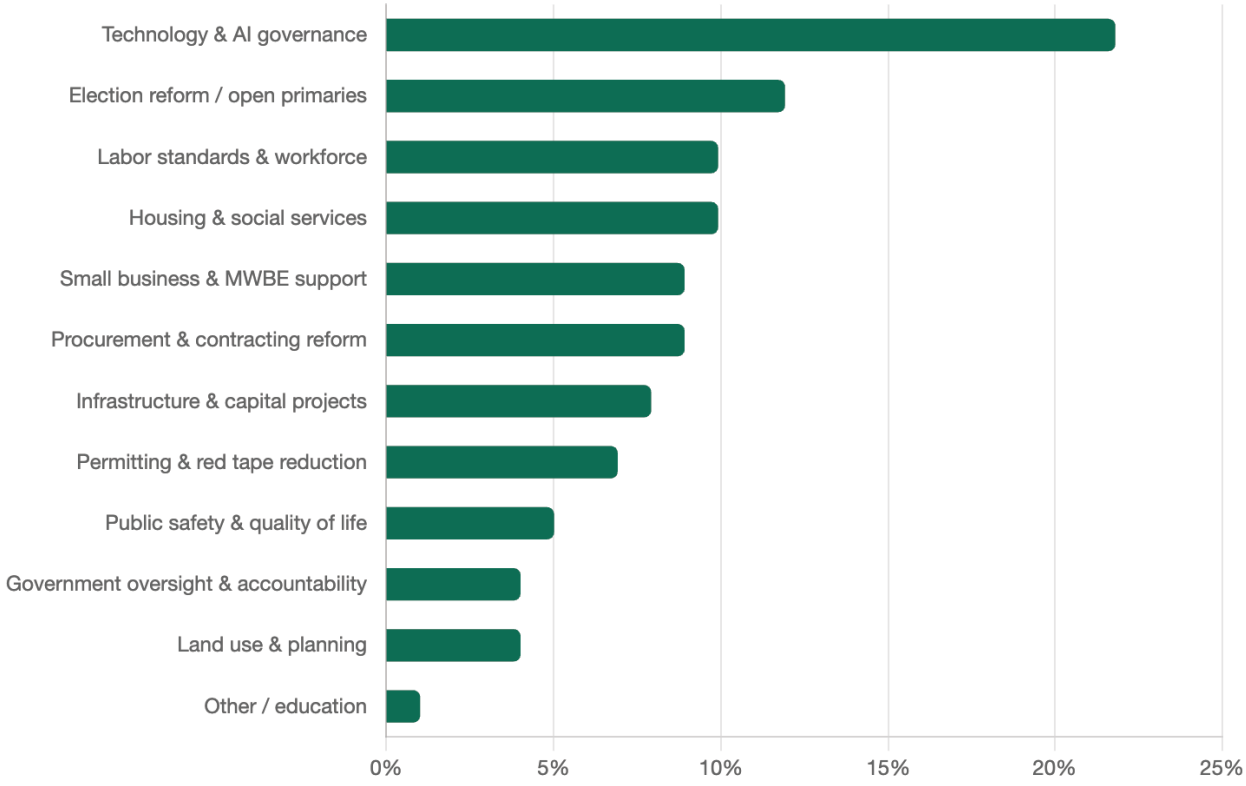
Is there demand for what blockchain provides?

Before we dive into solutions, is there any evidence of demand for this?

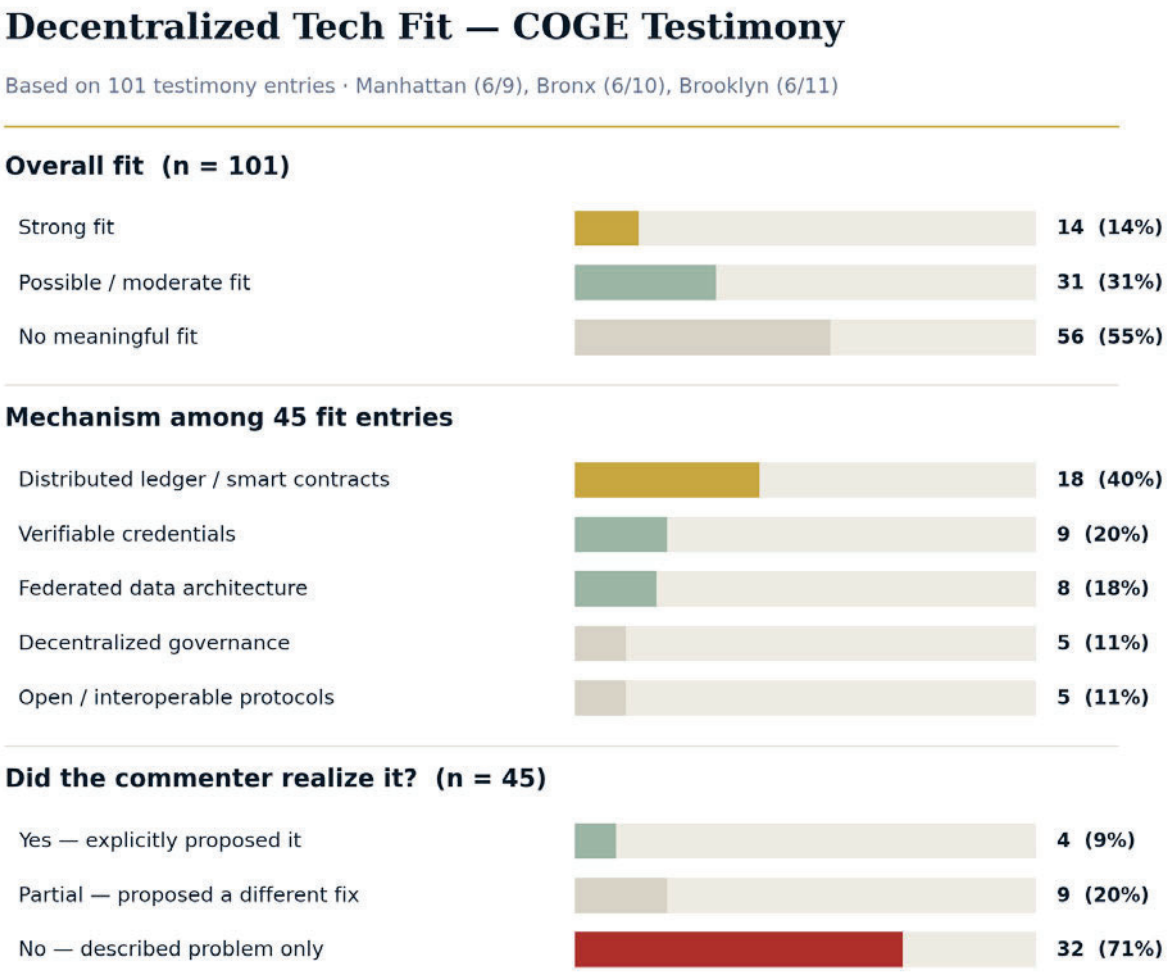
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Then, I used Claude Sonnet 4.6 to apply decentralized-tech fit classifications to the NotebookLM data. I found that of the 101 total testimonies, a conservative estimate is that 45% involve problems where blockchain tech would be a moderate to strong fit as an improvement or solution.



About the study:

This is a preliminary AI-assisted experiment, intended to surface hypotheses for further review, not to serve as a finalized technical study. I used NotebookLM to generate data from the testimony summaries and group testimony by theme tags. Claude Sonnet 4.6 then applied decentralized-tech fit classifications to the NotebookLM-data. I reviewed and spot-checked the results.

Name

Michelle Jackson

Email [redacted]

Public Comment

On behalf of the Human Services Council of New York (HSC), I would like to thank the
Commission for this opportunity to submit testimony. My name is Michelle Jackson, and I am
the Executive Director of HSC. HSC is a membership organization representing 180 human
services providers in New York. HSC serves our membership as a coordinating body, advocate,
and intermediary between the human services sector and government. We take on this work so
that our members can focus on running their organizations and providing critical direct support
to New Yorkers. These are the nonprofits that support our city's children, seniors, those
experiencing homelessness, people with disabilities, individuals who are incarcerated or
otherwise involved in the justice system, immigrants, and individuals coping with substance
abuse and other mental health and behavioral challenges. We strive to help our members better
serve their clients by addressing matters such as government procurement practices, disaster
preparedness and recovery, government funding, and public policies that impact the sector.

Introduction

Human services nonprofits are not vendors providing optional services. We are an extension of
government, delivering services that New Yorkers rely on every day, including homeless
services, early childhood education, workforce development, mental health services, domestic
violence programs, services for older adults, youth programs, and food assistance. These
programs are central to the City's efforts to make New York more affordable and equitable.
We appreciate the Commission's focus on improving government efficiency. If New York City is
serious about building a government that works better, spends taxpayer dollars wisely, and
advances the Administration's affordability agenda, then transforming the City's contracting and
procurement system must be a top priority to make this vision a reality.

For decades, nonprofit providers have been forced to operate under delayed contracts, late
payments, burdensome administrative requirements, and outdated procurement processes.

Organizations routinely begin delivering services months before contracts are registered and
often wait extended periods to receive payment for work already completed. To keep programs
running, nonprofits must draw on reserves, take out lines of credit, delay investments, and divert
resources away from direct services. This is not merely an administrative inconvenience. It
undermines the City's ability to achieve its policy goals.

The New York City Comptroller's Fiscal Year 2025 Annual Summary Contracts Report
demonstrates that much more needs to be done and quickly to improve the timeliness of
human services procurement. Although the City procures over $15 billion in human services,
81% of human services procurement contracts were registered late in Fiscal Year 2025.

Registration delays can be financially ruinous, as services are expected to begin on the first day
of a contract, even if the contract has not yet been registered by the relevant agency. Providers
cannot wait to begin services, like other contractors. A construction project could be delayed
until documents are in order, but a summer youth program must start in the summer, and parents
rely on a particular start date. For contract renewals, which are also delayed, providers cannot
close a program while waiting for renewal documents; closing a domestic violence shelter for 2-
3 months each year would be extremely problematic, and the fabric of social services would fall
apart. Even if the City provides quarterly advances, providers do not have access to the money
until the contract is registered. Thus, the City puts human services organizations in a position
where they continue to provide services before they are paid.

Nonprofits continue to incur substantial costs for service delivery before they have a legal right
to be paid and are often forced to borrow to meet payroll. This means providers take enormous
fiscal and legal risks by signing leases, hiring staff, and starting programs without a contract, or
continuing to operate services on the verbal agreement that things will get sorted out.

Retroactivity also creates cash flow issues for providers, who have to put off paying vendors,

take out lines of credit that they must pay interest on or utilize the loan fund, because providers
cannot get paid until the contract is registered. The City and its residents ultimately bear the
brunt of these problems, when highly qualified providers cannot afford to take on City contracts,
or when those providers must close programs or go out of business altogether because of the
financial strains imposed by the City's late payments. The result is that communities lose access
to cherished neighborhood institutions and essential services, and the City is unable to carry out
its human services programs.

The Charter

New York City's procurement options are defined in the first instance by state law. Within the
state framework, the Charter establishes the basic structure of the City's procurement process,
including the methods that agencies can use to make procurements. Under the Charter, the
Procurement Policy Board is responsible for promulgating rules to effectuate the Charter's
procurement requirements, and for periodically reviewing those rules to ensure that they are
achieving their intended purpose. The Charter gives the City Council an oversight role, too. It
requires essential procurement documents to be publicly available, so that the public can conduct
oversight as well.

The Charter Revision process presents an opportunity to tackle some of the issues human
services providers face in late contract registration, as well as with procurement overall. Below,
we have presented a set of recommendations to amend the City Charter.

Recommendation 1: Require Prompt Contracting Timeframes
It has been clear for years that most City contracts with nonprofit human services providers are
registered months or even years after the nonprofits have begun providing services. System
improvements, most notably PASSPort, have been put in place, but nonprofits still report
significant delays in the procurement process. Though Local Law 169 of 2023 required MOCS
to complete a study and issue a report with recommended timeframes for each step of the
1 (New York City Comptroller Brad Lander, 2025)

procurement process for human services contracts, the report did not fully address the issues
resulting in the delays and did not recommend timeframes that could prevent the backlogs.

The City Charter creates a timeframe for the Comptroller to register a contract (30 days) and we
believe that Chapter 13, Section 311 of the City Charter should be amended to require the
Procurement Policy Board (PPB) to set contracting timelines for each step of the procurement
process and regularly report on the compliance of the contracting agencies. There are many steps
from the announcement of the award to registration, and with the data acquired through
PASSPort, there must be mandated timeframes to hold the contracting agencies accountable for
the delayed procurement processes resulting in human services providers waiting months and
sometimes years to be paid for the services provided.

To implement this first recommendation, the Charter should also mandate a PPB rulemaking
prohibiting contracting agencies from asking any vendor to perform any services without a
registered contract. As mentioned above, late contracting issues put human services providers at
financial risk and operational uncertainty because payments are often made very late. Late
contracts and late payments increase costs for nonprofits because they must spend time and
money chasing the dollars they are owed and shifting resources to fill temporary gaps.

Recommendation 2: Interest on Late Payments
Building off recommendation one, there needs to be a mechanism to hold the City to a timeframe
for registration. The Comptroller has 30 days to approve a contract package, or the contract is
deemed registered, but an incomplete contract package from a City agency would be rejected by
the Comptroller and would not serve the public interest. For too long, nonprofits have incurred
substantial costs for service delivery before they have a legal right to be paid and are often forced
to borrow to meet payroll. Interest payments on such borrowings are not reimbursable, except in
rare cases, and must therefore be paid from reserves already stretched to the breaking point. And
that assumes that an organization can find a willing lender.

We also suggest amending the Charter so that nonprofits can actually collect interest when the
City pays late. While the goal is that no contracts should ever start before payments are made,
nonprofits should not bear the cost of any late payments. Current City policies around the
payment of interest simply do not work; providers are almost never granted interest for late
payments. Therefore, we recommend that Section 332 (payment procedure) includes a
requirement that the City is responsible for interest on late payments, including late payments
due to late contract registration. This could be implemented by requiring appropriations for
interest on late payments to be included in agency contract budgeting. If the agencies do not
spend the allocated reserves, the money could be spent to support other agency initiatives, for
instance in the case of PEGs, which would encourage agencies to pay invoices on time.

Recommendation 3: Transparency
Solving this late registration problem requires public access to information about which City
agencies have the longest contract delays, and which types of contracts are delayed the most.
Chapter 1, Section 12(b)(5) of the City Charter should be amended to require the Mayor to
include in the Mayor's Management Report a statement of the number and percentage of client
services contracts that are registered before the contract's start date, one day to three months
after the start date, three months and one day to six months after the start date, six months and
one day to nine months after the start date, nine months and one day to one year after the start
date, and more than a year after the start date.

In addition, the Charter should provide for the PPB and City Council to review this information
and seek remedies. Thus, chapter 2, section 30 of the Charter should be amended to add
timeliness of client services contract registration to the City procurement policies and procedures
that the City Council will periodically review. Similarly, chapter 13, section 311(c) and 311(g) of
the Charter should be amended to require the Procurement Policy Board to take such registration
delays into account in its annual review of compliance with its own rules,

policies, and
procedures, and in its recommendations to the Mayor and Council regarding the organization,
personnel structure, and management of the agency procurement function.

Recommendation 4: Procurement Policy Board
The Procurement Policy Board (PPB) is a critical regulatory body for contracting and ensuring
that regulations are relevant and effective. Yet there is no guidance on how often the PPB must
meet, or any mechanism for transparency of PPB decision making. Some of the issues HSC
presents to the City could be appropriately addressed by the PPB, but the Board does not
regularly meet in a way that the public can engage and address critical issues. Therefore, we
recommend amending Section 311 to include a requirement that the PPB meet four times per
year and hold public hearings.

Additionally, as detailed below, the underfunding of human services contracts is the most
pressing issue impacting the sector. The PPB should be the body to address this issue. Charter
section 311, sets out principles for the PPB and should be amended to include language requiring
that procurements reimburse providers for reasonable costs by adding language to Section 311.d
"(iv) rules requiring all agencies to reimburse nonprofit client services providers for at least the
reasonable cost of providing the contracted services."

Underfunding of the Sector
While the Charter is not a document structured to set rates, the nonprofit sector has struggled for
decades with how competitive procurements impact the systemic underfunding of programs, to
the detriment of the financial health of nonprofits. There are ways that the Charter could
structure procurements to better ensure equitable rates, and while this Commission has many
recommendations before it, there are real and insurmountable financial hurdles that the current
system has placed on providers. Nonprofits provide a myriad of services on behalf of the
government many of them mandated and the sector is able to leverage private and
philanthropic dollars and funding from the City, State, and federal government, to create
dynamic programs at a bargain. Providers are experts who are uniquely

qualified to create cost
effective and impactful programs directly catered to their communities. The City is not getting a
deal by chronically underfunding homeless shelters, foster care agencies, food pantries, and
senior centers; it is directly harming those who rely on government for help. The nonprofit
human services financial crisis must be addressed:
• Contracts are generally underfunded for the program with a low rate per service unit,
where providers must make up the difference.
• Contracts neither provide funding for cost escalations on the OTPS (other-than personal
services) side, nor cost of living increases on the PS (personnel services) side. Contracts
with government are often for five-to-seven-year terms, and even longer when RFPs are
delayed, but providers are unable to account for unforeseen rising costs, such as a spike
in electricity and water prices or an exceptionally cold winter, nor is there a mechanism
to accommodate rising rent, health insurance, or other costs when contracts need to be
extended. Policy changes also add unfunded mandates to contracts, whether it is
professional training that requires out of office time or increases to the minimum wage,
where nonprofits must make staffing and salary changes that impact how much the
program costs to operate. These are not new issues, nor is government unaware that these
are real concerns with which nonprofits grapple each month. A string of recent reports
outlines this underfunding clearly, with survey data, anecdotal information from the
sector, and looking at the numbers in actual contracts and financial reports.

The sector's health is in severe crisis, and providers report that underfunded contracts are the
main driver of their financial struggles. According to the report "A National Imperative: Joining
Forces to Strengthen Human Services in America," nationally government funding covers only
70 cents on the dollar for direct program expenses.2 As government is the predominant funder of
human services making them the primary driver of human services salaries, current contracts
have resulted in the essential human services workforce being some of the lowest paid workers
in New York's economy. This government sanctioned "poverty pay" has

resulted in nearly one
in six human services workers lives at or below 200 percent of the federal poverty level,
compared to just one in ten public sector workers.
3 The underfunding of human services impacts
a workforce of over 80,000 workers in which two thirds are women and 52% are women of
color4, making this a gender and racial equity issue.

Recommendation 5: Sample Budget
Human services providers compete for contracts that contain scopes of work proposed by
government that are typically developed without a market survey of costs or input from
providers. This results in contracts that do not cover the real cost of services and inadequate
compensation for a highly educated workforce, which are all essential to implementing a high
quality program. Chapter 13 of the Charter instructs the City on the procurement process, the
City should include a rationalization, through a sample budget, for the rates set forth in the RFP.
Chapter 13 of the Charter should include language that "Prior to issuing an invitation for bids,
requests for proposals, or other solicitations that set forth proposed rates, the agency shall
undertake an analysis of the costs associated with performing the service, including employee
costs, and include the analysis as a sample budget in the bid or request for proposal documents."

Recommendation 6: Survey of Current Vendors
New York City outsources the bulk of human services programs to nonprofit vendors, and many
of these providers compete for contracts for programs in which they have previously held
2 (Oliver Wyman, 2018)
3 (Parrott, Moving Beyond COLAs to Salary Parity for New York City's Nonprofit Human Services Workers,
2025)
4 (Parrott, Moving Beyond COLAs to Salary Parity for New York City's Nonprofit Human Services Workers,
2025)
contracts at the City level, as well as from other levels of government and private funders. When
the City develops a request for proposal for a set of contracts that are expiring or developing a
new RFP that is substantially similar to existing contracts, the City should survey current
vendors to receive information on rates, deliverables, and outcome

measurement. Current
contractors hold vital information on the real costs of running programs, what works and what
does not in the current program design, and what deliverables are being met and move towards
the outcomes the City seeks when designing a program. A market survey should be conducted to
justify the cost allocations put forward in the creation of rates or overall budgets offered on
human services programs. Additionally, if the RFP did not reflect market research, the agency
should have to defend why crucial services and equitable wages were not fully funded. Forcing
transparency in average costs versus proposed funding would help move procurements away
from a place of scarcity where government budgets are balanced on the backs of nonprofits and
frontline workers. The rate setting methodology should be transparent to the public, especially
for per-client or per-service rates and should document the components and calculation of the
rate.

The City charter should include in Section 312 language requiring City agencies to survey
current vendors, or vendors who hold substantially similar contracts, when creating a bid or
request for proposal. "Prior to issuing an invitation for bids, requests for proposals, or other
solicitations, the agency shall undertake a survey of vendors who currently hold a contract for the
service being bid, or those who hold substantially similar contracts, to assess the current rate
structure and costs associated with the service, and the measurement of deliverables prescribed to
the contract."

Conclusion
Human services providers play an essential role in the City's complex human services delivery
system, and they face many challenges in the contracting process. A more efficient contracting
system would save taxpayer dollars, strengthen accountability, improve service delivery, and
allow nonprofits to focus on what they do best: serving New Yorkers. COGE has an opportunity
to recommend meaningful reforms that modernize procurement, accelerate contract registration,
ensure timely payments, reduce unnecessary administrative burdens, increase transparency, and

support full cost contracting. These changes are not simply operational improvements. They are
investments in the infrastructure that makes government work.

If New York City wants to deliver on its promises around affordability, housing stability, public
safety, economic opportunity, and community well-being, it must first fix the system that funds
the organizations carrying out that work. The nonprofit sector stands ready to partner with the
City to build a contracting system that is efficient, equitable, and worthy of the New Yorkers it
serves.

Thank you for your work and for providing us with this opportunity to share our
recommendations with you.

Michelle Jackson
Executive Director
Human Services Council of NY
[redacted]

Attachment(s)



NYC COGE Testimony 2026 HSC.pdf

Date Submitted: July 13, 2026

Topic: Procurement Reform ✕ | Reporting Requirements ✕ | Unnecessary Bureaucracy ✕ | Budget Issues ✕ | Support Oversight Agencies ✕

Charter Related: Yes

Topic Simplified	Procurement
Subtopic	Procurement reform and improvements

Show 4 hidden fields

New York City Commission on Government Efficiency
July 2026
Testimony by the Human Services Council of New York

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Introduction

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We appreciate the Commission's focus on improving government efficiency. If New York City is serious about building a government that works better, spends taxpayer dollars wisely, and advances the Administration's affordability agenda, then transforming the City's contracting and procurement system must be a top priority to make this vision a reality.

For decades, nonprofit providers have been forced to operate under delayed contracts, late payments, burdensome administrative requirements, and outdated procurement processes. Organizations routinely begin delivering services months before contracts are registered and often wait extended periods to receive payment for work already completed. To keep programs running, nonprofits must draw on reserves, take out lines of credit, delay investments, and divert resources away from direct services. This is not merely an administrative inconvenience. It undermines the City's ability to achieve its policy goals.

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81% of human services procurement contracts were registered late in Fiscal Year 2025.[1] Registration delays can be financially ruinous, as services are expected to begin on the first day of a contract, even if the contract has not yet been registered by the relevant agency. Providers cannot wait to begin services, like other contractors. A construction project could be delayed until documents are in order, but a summer youth program must start in the summer, and parents rely on a particular start date. For contract renewals, which are also delayed, providers cannot close a program while waiting for renewal documents; closing a domestic violence shelter for 2-3 months each year would be extremely problematic, and the fabric of social services would fall apart. Even if the City provides quarterly advances, providers do not have access to the money until the contract is registered. Thus, the City puts human services organizations in a position where they continue to provide services before they are paid.

Nonprofits continue to incur substantial costs for service delivery before they have a legal right to be paid and are often forced to borrow to meet payroll. This means providers take enormous fiscal and legal risks by signing leases, hiring staff, and starting programs without a contract, or continuing to operate services on the verbal agreement that things will get sorted out. Retroactivity also creates cash flow issues for providers, who have to put off paying vendors, take out lines of credit that they must pay interest on or utilize the loan fund, because providers cannot get paid until the contract is registered. The City and its residents ultimately bear the brunt of these problems, when highly qualified providers cannot afford to take on City contracts, or when those providers must close programs or go out of business altogether because of the financial strains imposed by the City's late payments. The result is that communities lose access to cherished neighborhood institutions and essential services, and the City is unable to carry out its human services programs.

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It has been clear for years that most City contracts with nonprofit human services providers are registered months or even years after the nonprofits have begun providing services. System improvements, most notably PASSPort, have been put in place, but nonprofits still report significant delays in the procurement process. Though Local Law 169 of 2023 required MOCS to complete a study and issue a report with recommended timeframes for each step of the

[1] (New York City Comptroller Brad Lander, 2025)

procurement process for human services contracts, the report did not fully address the issues resulting in the delays and did not recommend timeframes that could prevent the backlogs.

The City Charter creates a timeframe for the Comptroller to register a contract (30 days) and we believe that Chapter 13, Section 311 of the City Charter should be amended to require the Procurement Policy Board (PPB) to set contracting timelines for each step of the procurement process and regularly report on the compliance of the contracting agencies. There are many steps from the announcement of the award to registration, and with the data acquired through PASSPort, there must be mandated timeframes to hold the contracting agencies accountable for the delayed procurement processes resulting in human services providers waiting months and sometimes years to be paid for the services provided.

To implement this first recommendation, the Charter should also mandate a PPB rulemaking prohibiting contracting agencies from asking any vendor to perform any services without a registered contract. As mentioned above, late contracting issues put human services providers at financial risk and operational uncertainty because payments are often made very late. Late contracts and late payments increase costs for nonprofits because they must spend time and money chasing the dollars they are owed and shifting resources to fill temporary gaps.

Recommendation 2: Interest on Late Payments

Building off recommendation one, there needs to be a mechanism to hold the City to a timeframe for registration. The Comptroller has 30 days to approve a contract package, or the contract is deemed registered, but an incomplete contract package from a City agency would be rejected by the Comptroller and would not serve the public interest. For too long, nonprofits have incurred substantial costs for service delivery before they have a legal right to be paid and are often forced to borrow to meet payroll. Interest payments on such borrowings are not reimbursable, except in rare cases, and must therefore be paid from reserves already stretched to the breaking point. And that assumes that an organization can find a willing lender.

We also suggest amending the Charter so that nonprofits can actually collect interest when the City pays late. While the goal is that no contracts should ever start before payments are made, nonprofits should not bear the cost of any late payments. Current City policies around the payment of interest simply do not work; providers are almost never granted interest for late payments. Therefore, we recommend that Section 332 (payment procedure) includes a requirement that the City is responsible for interest on late payments, including late payments due to late contract registration. This could be implemented by requiring appropriations for interest on late payments to be included in agency contract budgeting. If the agencies do not spend the allocated reserves, the money could be spent to support other agency initiatives, for instance in the case of PEGs, which would encourage agencies to pay invoices on time.

Recommendation 3: Transparency

Solving this late registration problem requires public access to information about which City agencies have the longest contract delays, and which types of contracts are delayed the most. Chapter 1, Section 12(b)(5) of the City Charter should be amended to require the Mayor to include in the Mayor's Management Report a statement of the number and percentage of client services contracts that are registered before the contract's start date, one day to three months

after the start date, three months and one day to six months after the start date, six months and one day to nine months after the start date, nine months and one day to one year after the start date, and more than a year after the start date.

In addition, the Charter should provide for the PPB and City Council to review this information and seek remedies. Thus, chapter 2, section 30 of the Charter should be amended to add timeliness of client services contract registration to the City procurement policies and procedures that the City Council will periodically review. Similarly, chapter 13, section 311(c) and 311(g) of the Charter should be amended to require the Procurement Policy Board to take such registration delays into account in its annual review of compliance with its own rules, policies, and procedures, and in its recommendations to the Mayor and Council regarding the organization, personnel structure, and management of the agency procurement function.

Recommendation 4: Procurement Policy Board

The Procurement Policy Board (PPB) is a critical regulatory body for contracting and ensuring that regulations are relevant and effective. Yet there is no guidance on how often the PPB must meet, or any mechanism for transparency of PPB decision making. Some of the issues HSC presents to the City could be appropriately addressed by the PPB, but the Board does not regularly meet in a way that the public can engage and address critical issues. Therefore, we recommend amending Section 311 to include a requirement that the PPB meet four times per year and hold public hearings.

Additionally, as detailed below, the underfunding of human services contracts is the most pressing issue impacting the sector. The PPB should be the body to address this issue. Charter section 311, sets out principles for the PPB and should be amended to include language requiring that procurements reimburse providers for reasonable costs by adding language to Section 311.d "(iv) rules requiring all agencies to reimburse nonprofit client services providers for at least the reasonable cost of providing the contracted services."

Underfunding of the Sector

While the Charter is not a document structured to set rates, the nonprofit sector has struggled for decades with how competitive procurements impact the systemic underfunding of programs, to the detriment of the financial health of nonprofits. There are ways that the Charter could structure procurements to better ensure equitable rates, and while this Commission has many recommendations before it, there are real and insurmountable financial hurdles that the current system has placed on providers. Nonprofits provide a myriad of services on behalf of the government – many of them mandated – and the sector is able to leverage private and philanthropic dollars and funding from the City, State, and federal government, to create dynamic programs at a bargain. Providers are experts who are uniquely qualified to create cost-effective and impactful programs directly catered to their communities. The City is not getting a deal by chronically underfunding homeless shelters, foster care agencies, food pantries, and senior centers; it is directly harming those who rely on government for help. The nonprofit human services financial crisis must be addressed:

- Contracts are generally underfunded for the program with a low rate per service unit, where providers must make up the difference.

- Contracts neither provide funding for cost escalations on the OTPS (other-than-personal services) side, nor cost-of-living increases on the PS (personnel services) side. Contracts with government are often for five-to-seven-year terms, and even longer when RFPs are delayed, but providers are unable to account for unforeseen rising costs, such as a spike in electricity and water prices or an exceptionally cold winter, nor is there a mechanism to accommodate rising rent, health insurance, or other costs when contracts need to be extended. Policy changes also add unfunded mandates to contracts, whether it is professional training that requires out of office time or increases to the minimum wage, where nonprofits must make staffing and salary changes that impact how much the program costs to operate. These are not new issues, nor is government unaware that these are real concerns with which nonprofits grapple each month. A string of recent reports outlines this underfunding clearly, with survey data, anecdotal information from the sector, and looking at the numbers in actual contracts and financial reports.

The sector's health is in severe crisis, and providers report that underfunded contracts are the main driver of their financial struggles. According to the report "A National Imperative: Joining Forces to Strengthen Human Services in America," nationally government funding covers only 70 cents on the dollar for direct program expenses.[2] As government is the predominant funder of human services making them the primary driver of human services salaries, current contracts have resulted in the essential human services workforce being some of the lowest paid workers in New York's economy. This government-sanctioned "poverty pay" has resulted in nearly one in six human services workers lives at or below 200 percent of the federal poverty level, compared to just one in ten public sector workers.[3] The underfunding of human services impacts a workforce of over 80,000 workers in which two-thirds are women and 52% are women of color[4], making this a gender and racial equity issue.

Recommendation 5: Sample Budget

Human services providers compete for contracts that contain scopes of work proposed by government that are typically developed without a market survey of costs or input from providers. This results in contracts that do not cover the real cost of services and inadequate compensation for a highly educated workforce, which are all essential to implementing a high-quality program. Chapter 13 of the Charter instructs the City on the procurement process, the City should include a rationalization, through a sample budget, for the rates set forth in the RFP. Chapter 13 of the Charter should include language that "Prior to issuing an invitation for bids, requests for proposals, or other solicitations that set forth proposed rates, the agency shall undertake an analysis of the costs associated with performing the service, including employee costs, and include the analysis as a sample budget in the bid or request for proposal documents."

Recommendation 6: Survey of Current Vendors

New York City outsources the bulk of human services programs to nonprofit vendors, and many of these providers compete for contracts for programs in which they have previously held

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[2] (Oliver Wyman, 2018)

[3] (Parrott, Moving Beyond COLAs to Salary Parity for New York City's Nonprofit Human Services Workers, 2025)

[4] (Parrott, Moving Beyond COLAs to Salary Parity for New York City's Nonprofit Human Services Workers, 2025)

contracts at the City level, as well as from other levels of government and private funders. When the City develops a request for proposal for a set of contracts that are expiring or developing a new RFP that is substantially similar to existing contracts, the City should survey current vendors to receive information on rates, deliverables, and outcome measurement. Current contractors hold vital information on the real costs of running programs, what works and what does not in the current program design, and what deliverables are being met and move towards the outcomes the City seeks when designing a program. A market survey should be conducted to justify the cost allocations put forward in the creation of rates or overall budgets offered on human services programs. Additionally, if the RFP did not reflect market research, the agency should have to defend why crucial services and equitable wages were not fully funded. Forcing transparency in average costs versus proposed funding would help move procurements away from a place of scarcity where government budgets are balanced on the backs of nonprofits and frontline workers. The rate setting methodology should be transparent to the public, especially for per-client or per-service rates and should document the components and calculation of the rate.

The City charter should include in Section 312 language requiring City agencies to survey current vendors, or vendors who hold substantially similar contracts, when creating a bid or request for proposal. "Prior to issuing an invitation for bids, requests for proposals, or other solicitations, the agency shall undertake a survey of vendors who currently hold a contract for the service being bid, or those who hold substantially similar contracts, to assess the current rate structure and costs associated with the service, and the measurement of deliverables prescribed to the contract."

Conclusion

Human services providers play an essential role in the City's complex human services delivery system, and they face many challenges in the contracting process. A more efficient contracting system would save taxpayer dollars, strengthen accountability, improve service delivery, and allow nonprofits to focus on what they do best: serving New Yorkers. COGE has an opportunity to recommend meaningful reforms that modernize procurement, accelerate contract registration, ensure timely payments, reduce unnecessary administrative burdens, increase transparency, and support full-cost contracting. These changes are not simply operational improvements. They are investments in the infrastructure that makes government work.

If New York City wants to deliver on its promises around affordability, housing stability, public safety, economic opportunity, and community well-being, it must first fix the system that funds the organizations carrying out that work. The nonprofit sector stands ready to partner with the City to build a contracting system that is efficient, equitable, and worthy of the New Yorkers it serves.

Thank you for your work and for providing us with this opportunity to share our recommendations with you.

Michelle Jackson
Executive Director
Human Services Council of NY



Name

John Leyva

Email [redacted]

Public Comment

Written Testimony to the Commission on Government Efficiency (COGE)
Re: Restoring a City agency for maritime a Department of Maritime and removing waterfront asset management from the NYC Economic Development Corporation
Submitted by: John Leyva
[redacted]
Date: July 13, 2026

Dear Chair Gaspard and Commissioners:
I write in support of a pro-growth maritime policy — a waterfront that works for all and in support of the single Charter change that would make it possible: the creation of a City agency for maritime, a Department of Maritime.
I have lived in [redacted] for thirty-one years, one block from [redacted] the Brooklyn Marine Terminal, and in all that time I have had essentially no access to the water. That is my testimony. I live in a neighborhood named for a waterfront I cannot reach.
That is not an accident, and it is not nobody's fault. It is the predictable result of managing a harbor as a real estate portfolio. And it is happening again, right now, a block from my door: the Economic Development Corporation's plan for the Brooklyn Marine Terminal would strip out most of a working port to build housing. I have been organizing against that plan with my neighbors. But I have come to understand that we are fighting the symptom. EDC is doing what EDC is built to do. As long as the agency in charge of our waterfront is a development corporation, every waterfront decision in this city will come out the same way and the people who live closest to the water will be the last ones to benefit from it.

New York City is an archipelago with no one in charge of the water
This is not a metaphor. New York City is roughly 520 miles of shoreline, built on islands, and it became the city it is because of how we used this harbor for three centuries. And yet, at this moment, no City agency is responsible for the water.
That was not always true. From 1870 until 1991, New York City had a maritime agency under a series of names. In 1991, the City Charter's Chapter 29, "Department of Ports and Trade," was repealed and the city simply stopped having anyone whose job was the harbor.
Thirty-five years later, the consequences are visible from any pier. Maritime has become a language the City government forgot. Mariners still speak it, but they do not design or manage the waterfront, and they have struggled to be heard when they offer advice. The waterfront has been treated as a view rather than a place of activity — industrial, commercial, cultural, recreational. It is measurably harder to do things with a boat in New York City than almost anywhere else on the Eastern Seaboard.
What replaced the agency is not a plan. It is a scattering: an annual "maritime contract" between the Department of Small Business Services and the NYC Economic Development Corporation; a Department of Buildings that had to

convene a pop up expert committee from 2023 to 2025 to write a Waterfront Code, because no standing body of maritime expertise existed to write one; park trusts and authorities each improvising their own waterfront decisions; and state and federal permitting layered on top with no one to guide an applicant through it. This is the definition of the redundant, years long, expertise poor process this Commission was convened to fix.

What is actually out there — and what it is worth

The finger piers went, and local maritime became invisible to most New Yorkers. But the ecosystem did not disappear. New York City is home to two container ports and two cruise terminals; ferries; tugs, barges, and workboats of every kind; the tourism fleet — whale watching, fishing, harbor tours, dinner boats; historic and cultural vessels; and a growing recreational boating sector. Around them are the companies that build and maintain marine infrastructure, dredge the channels, salvage ships, and repair vessels of all sizes. We are part of a bi-state port that is among the largest container ports in the country and one of its largest petroleum through-ports.

The City itself is a major mariner. FDNY, NYPD, DEP, DOT, and NYC Ferry all run fleets. DEP's boats are so integral that they move sewage between wastewater treatment plants. The Coast Guard and the Army Corps operate here; there is a major Coast Guard base in this city.

And twice in living memory, this fleet has been the thing that saved us. On September 11, 2001, mariners evacuated hundreds of thousands of people from Lower Manhattan in a spontaneous, civilian-initiated boatlift — the largest waterborne evacuation in history. They then began supplying Ground Zero, and convinced the City to remove the rubble by water, cutting the time to clear the pile from an estimated two years to eight months. That decision spared New Yorkers exposure to toxic dust, spared our roads and bridges enormous wear, and accelerated downtown's economic recovery. In 2009, the same sector pulled every passenger and crew member of Flight 1549 off the wing of an Airbus in the Hudson in minutes.

That capacity is an asset. Right now, no one in City government is responsible for maintaining it.

Why the current arrangement fails and why it is an efficiency problem

The de facto manager of the city's waterfront assets is the New York City Economic Development Corporation. EDC is not a City agency. It is a quasi-governmental nonprofit corporation sitting outside the structure of City government. The City Council does not vote on its budget. It is the city's largest landlord.

This is the heart of the problem, and it is structural, not personal. An entity whose institutional purpose is development will manage a waterfront as real estate. Maritime uses cannot pay waterfront adjacent land rents. They produce different things freight capacity, emergency response, resiliency, working-class union jobs, a functioning harbor. So under a real-estate manager, maritime loses every single time it comes up. The result is piers sitting idle and falling into the harbor, because the people managing them do not understand how to deploy them for maritime activity or, in many cases, that the activity has value at all.

The Commission is charged with finding waste. Here is some:

NYC Ferry. The Comptroller's 2022 audit found that of the $753 million EDC spent rolling out the service, roughly $250 million was unaccounted for

and that the actual per trip public subsidy was $12.38, nearly double the $6.60 EDC had stated publicly.

Brooklyn Marine Terminal. EDC signed a 99-year lease accepting the property "as is," with an estimated $500 million in deferred maintenance — and then proposed financing the repair of one half of one of the city's last maritime industrial sites by building thousands of units of market rate housing on the other half. The maritime community, the local Council Member, and the surrounding neighborhoods have all objected. This is what happens when a real estate corporation is handed a port.

The "blue highway." Because the waterfront was not designed for freight, the blue highway initiative now has to retrofit itself into spaces that should have been built for it from the start — exactly as maritime voices warned at the time. Every truck that could have been a barge is now on the BQE.

Basic stewardship. EDC has a documented pattern of unfulfilled commitments to its own maritime tenants. PortSide NewYork — an award-winning maritime nonprofit — was publicly promised pier and building space in Atlantic Basin beginning in 2008, as a community give back tied to a commercial lease. EDC took the public credit. Nearly two decades later, the space has never been delivered. In September 2022, most of the vessels on PortSide's pier were evicted with four days' notice. Congresswoman Nydia Velázquez has publicly noted the failure. Other EDC tenants say the same things privately and will not say them out loud, because they have leases to lose.

Nobody can enforce anything. The 2010 comprehensive waterfront plan, Vision 2020, and its WAVES action agenda produced concrete mandates — including a uniform docking protocol for historic ships on City property, due by the end of 2012. It was never delivered. No agency was accountable for delivering it, so nothing happened. That is the whole story of NYC waterfront policy in one line.

None of this gets fixed by asking EDC to try harder. It gets fixed by changing who is responsible.

The proposal

Revive Chapter 29 of the City Charter as a Department of Maritime — modernized to cover the uses of the waterways as they exist today, not as they existed in 1991.

This must be a real agency that manages the assets — not a Mayor's office with an advisory or liaison role, and not another coordinating body layered on top of the existing tangle. We do not need more advice. We need a change in management.

The Department of Maritime should have an operations division staffed by professionals with genuine expertise in maritime facility management, waterside and landside people trained at maritime academies, in the Coast Guard or Navy, or in the industry itself. It should:

Take charge of the assets. All management and development of maritime facilities currently in the SBS portfolio and controlled by NYCEDC — including the Brooklyn Marine Terminal, both cruise terminals, NYC Ferry, and the DockNYC berthing portfolio. NYC Ferry and DockNYC should be directly managed by City agency staff, not outsourced by contract.

Cut the red tape. Serve as the single front door for anyone seeking to use the waterfront or the waterways, and advocate for NYC maritime interests before the State DEC, which has repeatedly blocked repair and construction of

maritime infrastructure at both industrial and park sites.
Simplify docking. Reduce the tangle of permits required to dock a vessel on public property, so that more vessels can visit or be based here.
Serve as the city's maritime expertise. Advise Parks and the waterfront park authorities Hudson River Park, Brooklyn Bridge Park, Governors Island so they can grow maritime capacity and stop making avoidable errors. Write the waterfront design codes, instead of the Department of Buildings convening temporary committees to do it.
Grow the blue highway moving people and freight by water, faster than is happening under the current structure.
Build emergency capacity. Expand maritime emergency response facilities and protocols, so that the next boatlift is planned rather than improvised.
Advise on resiliency. Waterfront resiliency is designed and built with marine construction trades. It should be planned by people who understand them.
Support offshore wind, and work with maritime academies and nonprofits to build a real marine career pipeline.
Work with the State to grow sustainable maritime activity and to encourage New York State to establish its own maritime agency.
I also support the proposal by Save Our Seaport for the creation of a maritime community board, so that maritime voices have grassroots representation.
Why this belongs in the Charter and on the ballot
Because we have tried the other way, and it failed.
In 2018, Int. 0982 would have established an Office of the Waterfront. It drew 45 co-sponsors in the City Council. It never became law. A bill can die in committee. An executive order can be reversed by the next mayor. A Mayor's office can be quietly defunded.
A Charter mandate, approved by the voters of the City of New York, cannot.
What this policy delivers
A waterfront that works for all is not a sentiment. It is a set of outcomes this Commission is explicitly chartered to pursue:
Increased government efficiency and reduced waste — consolidated expertise, one permitting front door, fewer silos, an end to deferred maintenance that the public eventually pays for anyway.
Jobs including working class and union jobs in maritime sectors currently facing an acute shortage of crew.
Connection — linking New Yorkers to maritime careers most of them do not know exist, because the communities ashore and afloat have been severed from one another.
Access — recreational opportunity on the water, made available to low-income communities as it commonly once was.
New York City is an archipelago. An archipelago needs a maritime manager. We had one for 121 years, and we have been without one for 35. The result is a harbor managed as a view, by an off-books real estate corporation, with our piers falling into the water.
Give us a City agency for maritime again. Put it on the November ballot and let the voters decide.
Thank you for your consideration. If you have follow-up questions, I can be reached by email at [redacted] or phone at [redacted]
Sincerely,

John Leyva, Lifelong New Yorker

Attachment(s)



COGE written testimony Department o...

Date Submitted: July 13, 2026

Topic: Real Estate and Development, Unnecessary Bureaucracy, Enforcement, Budget Issues, Department of Buildings (DOB) Issues, Miscellaneous

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/Maritime Policy

Show 4 hidden fields

Written Testimony to the Commission on Government Efficiency (COGE)

Re: Restoring a City agency for maritime — a Department of Maritime — and removing waterfront asset management from the NYC Economic Development Corporation

Submitted by: John Leyva

Address: [redacted]

Email: [redacted]

Phone: [redacted]

Date: July 13, 2026

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3. **Simplify docking.** Reduce the tangle of permits required to dock a vessel on public property, so that more vessels can visit or be based here.
4. **Serve as the city's maritime expertise.** Advise Parks and the waterfront park authorities — Hudson River Park, Brooklyn Bridge Park, Governors Island — so they can grow maritime capacity and stop making avoidable errors. Write the waterfront design codes, instead of the Department of Buildings convening temporary committees to do it.
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9. **Work with the State** to grow sustainable maritime activity and to encourage New York State to establish its own maritime agency.

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In 2018, Int. 0982 would have established an Office of the Waterfront. It drew 45 co-sponsors in the City Council. It never became law. A bill can die in committee. An executive order can be reversed by the next mayor. A Mayor's office can be quietly defunded.

A Charter mandate, approved by the voters of the City of New York, cannot.

What this policy delivers

A waterfront that works for all is not a sentiment. It is a set of outcomes this Commission is explicitly chartered to pursue:

- **Increased government efficiency and reduced waste** — consolidated expertise, one permitting front door, fewer silos, an end to deferred maintenance that the public eventually pays for anyway.
- **Jobs** — including working-class and union jobs in maritime sectors currently facing an acute shortage of crew.
- **Connection** — linking New Yorkers to maritime careers most of them do not know exist, because the communities ashore and afloat have been severed from one another.
- **Access** — recreational opportunity on the water, made available to low-income communities as it commonly once was.

New York City is an archipelago. An archipelago needs a maritime manager. We had one for 121 years, and we have been without one for 35. The result is a harbor managed as a view, by an off-books real estate corporation, with our piers falling into the water.

Give us a City agency for maritime again. Put it on the November ballot and let the voters decide.

Thank you for your consideration. If you have follow-up questions, I can be reached by email at [redacted] or phone at [redacted]

Sincerely,

John Leyva, Lifelong New Yorker

Name

Zainab Badi

Email [redacted]

Public Comment

To the Members of the Committee on Governmental Efficiency:

My name is Zainab Badi and I am a resident of [redacted]. I am writing in support of the creation of a Department of Community Safety that can intervene safely when New Yorkers experience crises, mental health or otherwise, and need support. NYPD is not equipped to respond to such instances and often escalate the situation, harming (and sometimes killing) the person experiencing an already distressing episode and putting people around them in severe danger. For example, near where I live in Queens there have been two recent instances of brutal police violence in the response to a call for help during mental health episodes. The first case is that of Win Rozario, a 19 year old Queens resident who was shot and killed by police in his home in front of his family while he was having a mental health crisis in 2024. The second case is that of Jabez Chakraborty, a young man diagnosed with schizophrenia who was similarly shot multiple times in his home and hospitalized for months as a result.

Win Rozario and Jabez Chakraborty and their families did not deserve this. Crisis response, violence prevention, and direct services for people experiencing acute mental health episodes should be diverted away from police and overseen by a Department that can respond with care and compassion. The cases of Win and Jabez are just two examples out of many that demonstrate the urgent need for the formation of a Department of Community Safety with trained staff that can respond and use evidence based methods of de-escalation in response to private and public scenarios of distress. I urge this Committee to prioritize funding a Department of Community Safety as it is an urgent need that all New Yorkers will benefit from.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic	Content flagged by usage policies, edit input(s) and try again
Charter Related	Yes
Topic Simplified	Public Safety
Subtopic	Form a Department of Community Safety

Show 4 hidden fields

Name

Sunny C

Email [redacted]

Public Comment

Consider spending in city agency's. Allow for unspent OTPS funds to be put towards an Agency or Citywide rainy day fund at the end of the fiscal year and then allow specific Agency/division to retain the same budget the following year instead of penalizing them for not using it. I sometimes see wasteful spending on items that are not necessarily needed. For example delays in purchases that require multiple levels of approval may force a unit to instead table the item and spend it on supplies that are surplus but easier to acquire.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Budget Issues × Unnecessary Bureaucracy ×

Charter Related No

Topic Simplified Budget

Subtopic Agency savings

Show 4 hidden fields

Name

MALITH WAHARAKA

Email [redacted]

Public Comment

July 13, 2026
Dear COGE Commissioners:
I testify to support a pro-growth maritime policy “a waterfront that works for all” and the creation of a new city agency for maritime, a Department of Maritime.

Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter “Chapter 29: Department of Ports and Trade” was repealed.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor’s office so staff are directly managing assets, not being Mayor’s office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- Help grow maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).

- Support offshore wind developments.
- Work with maritime training academies and non profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.
I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.
Thanks for your consideration.
Sincerely,
Malith Waharaka
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026

Topic: Unnecessary Bureaucracy ✕ | Real Estate and Development ✕ | Department of Buildings (DOB) Issues ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/Maritime policy

Show 4 hidden fields

Name

Jana Weill

Email [redacted]

Public Comment

I am not an expert on maritime. I have lived across the street from the "Brooklyn Marine Terminal" for 22 years. I have attended all the EDC meetings about their plans for the site. It obvious something needs to be done, but it's also obvious the EDC is in over their heads and has no clue. They solely care about real estate. This is Brooklyn's last working waterfront. We have the potential to change the history of Brooklyn for the better and for the future with a new working waterfront, cold food storage, and a blue highway. This is what the city needs. The city does not need a real estate company to destroy this crucial piece of land for greed. In my opinion the site should be preserved and designated a historical landmark. It's our last working waterfront. I'm asking for you to please think this over carefully and put a maritime agency in charge of this generational planning.

Sincerely
Jana Weill

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026

Topic Real Estate and Development ✕ Franchises & Concessions ✕ Miscellaneous ✕

Charter Related Yes

Topic Simplified Government Operations

Subtopic	Waterfront/Maritime policy

Show 4 hidden fields

Name

Ahmad Perez

Email [redacted]

Public Comment

See UPROSE's comments attached.

Attachment(s)



2026 07 13 COGE Maritime Comment...

Date Submitted

July 13, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Waterfront/maritime policy

Show 4 hidden fields

July 13, 2026 SUBMITTED ELECTRONICALLY

UPROSE Comments to the New York City Commission on Government Efficiency
Re: Creation of a New York City Agency for Maritime

Dear Members of the Commission on Government Efficiency,

UPROSE strongly supports the creation of a dedicated New York City agency for maritime.

For decades, waterfront communities like Sunset Park have experienced the consequences of a fragmented system in which no single City agency is responsible for advancing a comprehensive vision for New York City's maritime future. Decisions about our waterfronts are divided across agencies with different mandates, priorities, and levels of maritime expertise. The result is a system that too often fails to treat the working waterfront as the critical economic, climate, transportation, industrial, and community asset that it is.

For Sunset Park, this is not an abstract governance question. Our industrial waterfront is one of New York City's most significant working waterfronts and is central to the future of our community. It is home to maritime infrastructure, manufacturing businesses, thousands of working-class jobs, freight activity, and emerging clean-energy industries. It is also a frontline environmental justice community that has endured generations of disproportionate pollution, truck traffic, highway infrastructure, industrial contamination, and climate vulnerability.

For more than a decade, Sunset Park residents have developed the Green Resilient Industrial District, or GRID 2.0, a community-led Just Transition plan for the green reindustrialization of Sunset Park's industrial waterfront. GRID 2.0 envisions a working waterfront that protects industrial land, creates good local jobs, supports renewable energy and regenerative industry, strengthens climate resilience, expands community ownership, and preserves the maritime and industrial character of Sunset Park for future generations.

But realizing that vision requires a City government capable of thinking about the waterfront as a connected system.

Today, maritime priorities intersect with land use, freight movement, industrial development, climate resilience, renewable energy, workforce development, public infrastructure, and economic justice. Yet responsibility for those issues remains scattered across City government. Communities, maritime operators, industrial businesses, and other waterfront stakeholders are too often left navigating multiple agencies without a clear center of accountability or a unified maritime strategy. A dedicated maritime agency could change that.

Such an agency should be staffed by professionals with deep maritime expertise and empowered to coordinate the planning, management, and long-term stewardship of New York City's maritime assets. It should ensure that maritime considerations are incorporated into

waterfront planning from the beginning, rather than treated as an afterthought once major land use or development decisions have already been made.

Just as importantly, a new maritime agency must not simply pursue growth for growth's sake. Its mandate should recognize that the future of New York Harbor is inseparable from the future of the working-class and environmental justice communities that have sustained the City's maritime and industrial economy for generations.

For UPROSE, that means a maritime agency should:

- Protect and strengthen working waterfronts and industrial maritime districts from displacement and incompatible development;

- Advance maritime freight and other strategies that can reduce dependence on trucks and lessen pollution burdens in environmental justice communities;

- Support the infrastructure necessary for offshore wind, renewable energy, green manufacturing, marine transportation, and other climate-aligned industries;

- Coordinate across agencies so that land use, transportation, climate resilience, workforce, infrastructure, and economic development decisions reinforce rather than undermine one another;

- Create meaningful mechanisms for frontline communities and workers to shape decisions affecting their waterfronts; and

- Recognize and support community-led plans like GRID 2.0 as implementation frameworks, not simply advisory documents.

Sunset Park demonstrates both what is possible and what is at stake. The community has already done the planning. We have articulated a vision for a waterfront that remains productive, maritime, industrial, climate-resilient, and rooted in community wealth. The challenge now is whether City government has the structure necessary to help deliver it.

The creation of a dedicated maritime agency is an opportunity to bring expertise, coordination, accountability, and long-term vision to the management of one of the City's greatest assets. Done right, it can help New York City protect its working waterfronts, prepare for a changing climate, strengthen its industrial economy, move freight more sustainably, and ensure that the communities that have borne the burdens of our industrial past are positioned to lead and benefit from our maritime future.

UPROSE urges the Commission on Government Efficiency to recommend the creation of a dedicated New York City agency for maritime and to ensure that environmental justice, community-led planning, industrial retention, climate resilience, and a Just Transition are embedded in its mission from the outset.

UPROSE

The waterfront is not vacant land waiting for its next highest bidder. It is infrastructure. It is livelihood. It is climate protection. It is culture. And in communities like Sunset Park, it is the foundation upon which a just and regenerative future can be built.

Sincerely,



Ahmad Perez
Infrastructure Coordinator

Name

Seth Tane

Email [redacted]

Public Comment

NYC has over 500 miles of waterfront, and we who are maritime professionals sometime refer to the waters of NYC as the '6th Boro'. Unfortunately, there is a near complete lack of professional maritime expertise at EDC and DOT, creating an inefficient, duplicative, wasteful, unfriendly management structure for this invaluable resource, which in large part, made the city a leader from the beginning. In it's present state, the mismanaged waterfront bureaucracy has made the city an unworkable backwater for marine trade. It's long past time to streamline and rationalize this process, by creating a new dedicated maritime department, staffed by knowledgeable maritime professionals who are dedicated to making NYC a maritime powerhouse that benefits all.

Attachment(s)

Drop files here or click to browse

Date Submitted

July 13, 2026

Topic

Unnecessary Bureaucracy × Enforcement × Miscellaneous ×

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Waterfront/Maritime policy

Show 4 hidden fields

Name

Brad Vogel

Email [redacted]

Public Comment

Good afternoon,

I am attached my public comments offered in March 2025 to the Adams Administration charter revision commission regarding the city's need to have a Department of the Waterfront (reviving the dormant Department of Ports section of the City Charter in a new formulation). The Adams commission never responded to or acknowledged my comment in any way, so it is my sincere hope that the Mamdani COGE will actually review this material. I know other longtime waterfront observers and community members share the sense that a change is needed in this city so dominated by its waterfront.

Thank you for your consideration.

Best regards,

Brad Vogel

Attachment(s)



Testimony of Brad Vogel

Charter Revision Testimony Brad Voge...

Date Submitted July 13, 2026

Topic Real Estate and Development × Miscellaneous ×

Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Waterfront/maritime policy

Show 4 hidden fields

Testimony of Brad Vogel

Gowanus, Brooklyn
[redacted]

Submitted via email [redacted] to the
"New York City Commission to Strengthen Local Democracy" on March 11, 2025
within 72 hours of the Commission's March 10, 2025 Manhattan public hearing

Testimony:

ON THE NEED TO REVISE THE NYC CHARTER SO AS TO RECONSTITUTE NYC'S DEPARTMENT OF PORTS AS A "DEPARTMENT OF THE WATERFRONT"

The New York City Charter should be amended to revive the previously repealed "Chapter 29: Department of Ports and Trade [Repealed]" in a modified form with the resulting department called "The Department of the Waterfront" with a focus on assuming the Economic Development Corporation's portfolio of waterfront, maritime, and ports-related responsibilities and efforts. Doing so would reinforce greater, more direct democratic control by the people of waterfront activity.

Increased Waterfront Activity & Possibility

This proposed Charter revision would better reflect the reality of a burgeoning, multi-use waterfront of today where many overlapping, competing, and intertwined interests require greater specific focus than has been the case at any time since the 1950s when containerization and the interstate highway system decimated the historic New York Harbor port infrastructure and systems ecosystem. Increased port activity and potential port activity alone justify reconstituting a specific department in some form.

Let A Maritime Perspective Guide

Importantly, a Department of the Waterfront would emphasize the *waterfront* - and see/understand development, commerce, recreation, and environmental considerations at the water's edge *from the water*. Giving primacy to this consideration is crucial; for decades, waterfront regulatory and development activity have been functionally incidental to - and therefore usually subordinate to - land-side considerations (often large-scale real estate developments, but also coastal flood protection infrastructure). The Sixth Borough is back in a big way and the city's government should reflect that reality in its governing document.

My Practical Experience As Part of the Working Waterfront

I provide this testimony as someone who has engaged vigorously with the city's waterfront. I served as supercargo for the sail freight startup *Schooner Apollonia* from 2021 to 2024,

functionally serving as the director of operations with a focus on generating and transporting regional cargoes by waterborne means around New York Harbor and the New Jersey and Hudson Valley regions. I was responsible for making docking arrangements in New York City, as well as linking cargoes into a shoreside network of cargo bicycles for last-mile transport. While the vessel was able to dock at 11 different locations in New York City, the waterfront revealed itself as a place that was not geared to facilitate or encourage maritime commerce, not even sustainable, green ventures that can work side-by-side with humanscale waterfronts. Many of the docking scenarios had to be improvised or were less than ideal. I also served for a time as an independent sail freight agent for Grain de Sail, a trans-oceanic sail freight company, and there, too, docking and the range of options for delivering cargo directly to New York City (instead of New Jersey) clearly needed more focused attention to create a robust, maritime-centric ecosystem.

Revelations From Engaging in Waterfront Planning Processes

I have also engaged - and decided not to engage - in many city waterfront planning processes. Taken together, the various planning scenarios proved revealing in terms of the need for a dedicated Department of the Waterfront. In the Pier 6 Sunset Park planning process, Seaport Coastal Resilience community engagement, the Gowanus rezoning planning process, the ULURP for the mid-Canal CSO tank long the Gowanus Canal, the ULURP for 300 Huntington Street in Brooklyn, and more I have repeatedly seen a lack of understanding of the role, importance, and scarcity of the waterfront in development and resilience planning. For one, people who actually have experience working in the maritime realm are rarely leading or implementing the planning process. It showed. Zoning priority designations designed to foster maritime commerce are ignored (as in Lower Manhattan), bulkheads are designed even in IBZs without consideration for maritime commerce possibilities (as at 300 Huntington and in the Gowanus neighborhood rezoning), and piers are re-designed without even a nod to their maritime commercial potential even when located in an industrial park (Pier 6 in Sunset Park). When EDC issued an RFEI for Blue Highways, Schooner Apollonia - one of the only entities that had actually been doing the exact work targeted in the RFEI even if at a small scale - was sent a terse form email as a laughable non-response to its response. There was no real engagement, much less encouragement and a will to grow and support waterfront activity in the city. It was emblematic of the insufficient engagement, focus, and energy dedicated to New York City's waterfront and its port infrastructure as a specialized subcategory of economic activity.

Re-Center & Re-Democratize Waterfront Regulatory & Planning Processes

While some bright spots like increased ferry usage run to the contrary, it has been frustrating to watch this unfortunate theme persist generally in the overpowering glare of one large focus, namely offshore wind facilities. So much so that I decided not to participate in the present-day Brooklyn Maritime Terminal planning process after watching maritime voices and insights go unheeded in so many other planning processes. Having a dedicated Department of the Waterfront stands to help re-center the fundamental perspective of planning processes and city investments by prioritizing the unique, scarce waterfront zone for things that can only happen

there and not in other places on landlocked property elsewhere in the city. We can help this shift by placing these matters under greater, more direct control by the people of New York City via a city department more fully under the mayor and city council than a quasi-governmental corporation.

Looking at Other Models

Other states also show how it's done. The New Jersey Office of Maritime Resources (OMR) is part of the New Jersey Department of Transportation (NJDOT) and is responsible for managing and promoting the state's maritime industry. Its primary roles include:

1. Supporting Maritime Infrastructure – Oversees the development, maintenance, and improvement of ports, terminals, and waterways.
2. Dredging and Waterway Maintenance – Manages dredging projects to ensure navigability and safe shipping routes.
3. Economic Development – Promotes maritime-related businesses, trade, and port expansion to strengthen New Jersey's economy.
4. Environmental Stewardship – Works on sustainability initiatives, including clean energy solutions and alternative fuels for the maritime sector.
5. Interagency Coordination – Collaborates with federal, state, and local agencies, including the Port Authority of NY/NJ, U.S. Coast Guard, and private sector stakeholders.
6. Resiliency and Security – Enhances the resilience of maritime

New York City deserves a city department that can focus on similar waterfront issues in a dedicated, experience-based, enthusiasm-filled way.

Time to Re-Awaken a Charter Chapter That's No Longer Irrelevant

Making structural changes in the Charter by reviving and revising the repealed Chapter 29 will help to make the desired transformations real. Maritime commerce atrophied for decades in New York City due to technological and infrastructural changes in transportation. But in recent decades the continued atrophy/diminished state of New York Harbor when it comes to maritime commerce is chiefly due to a lack of imagination, a lack of experience, and a lack of sufficient policy focus to build another path as waterfronts surge with new forms of activity around the world.

Thank you for your consideration.

Testimony offered on my own behalf and not on behalf of any entity, company, or organization.

Name

Claude Scales

Email [redacted]

Public Comment

See attached document

Attachment(s)



PortSide COGE testimony agency for m...

Date Submitted

July 13, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Waterfront/Maritime policy

Show 4 hidden fields

Dear COGE Commissioners:

I testify to support a pro-growth maritime policy "**a waterfront that works for all**" and the creation of a new city agency for maritime, a Department of Maritime. I am a lawyer with experience in maritime commercial law, have a Certificate in Marine Transportation awarded by the school of the Seamen's Church Institute, and have sailed small sailboats in New York City waters.

Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.

It's generally harder to do things with boats in NYC than other places on the eastern seaboard. For several decades, NYC's waterfront has been treated more as a view than a place of maritime activity (which can be industrial, commercial, cultural, recreational.)

NYC had a maritime agency under changing names from 1870 to 1991. NYC should create a new city agency for maritime to remove the impediments to maritime growth and reduce the confusing bureaucracy that has accumulated in the 35 years since NYC shut the agency Ports & Trade, the brief successor to Ports & Terminals, in 1991.

After that, maritime became a language NYC government forgot. Mariners speak it but are not in charge of designing or managing the City's waterfront and have struggled to be heard when offering advice.

One powerful exception was 9/11. That day, mariners evacuated 750,000 people from lower Manhattan in a spontaneous, civilian-initiated boat lift. They immediately started to supply Ground Zero, and then convinced the City to remove the rubble by water, reducing the time to remove the pile from 2 years to 8 months. That spared people exposure to toxic dust, reduced the wear and tear on roads and bridges, and sped up economic recovery downtown.

The 2009 "Miracle on the Hudson" rescue of the crew and passengers of US Airways Flight 1549 was another disaster that showed the fast-acting ingenuity of the maritime sector.

All maritime sectors in NYC have been trying to grow for decades, but piers have sat idle and fallen into the harbor due to site managers not understanding how to deploy them for maritime activity or even understanding the value of that activity.

About NYC maritime

After the decline of finger piers all around the city, local maritime became too invisible; but NYC is home to a large, diverse maritime ecosystem that includes two container ports; two cruise terminals; ferries; workboats of all types including many tugboat companies; boats in the tourism industry offering whale watching, fishing cruises, harbor tours and dinner/party boats; historic/cultural vessels; and recreational boating - plus, the companies that build and maintain the maritime infrastructure, dredge harbor channels and rescue ships (marine salvage) as well as shipyards that repair vessels of all sizes.

NYC is part of a bi-state cargo port that is one of the largest containerports in the USA, a port that imports cars, sand/stone, chemicals and orange juice, and is one of the largest petroleum through-ports in the country. Multiple companies distribute fuel out of here by tug and barge. Work boats move back and forth between both sides of this bi-state harbor.

NYC's own government has an extensive fleet for the FDNY, NYPD, DEP, DOT and the NYC Ferry. Ships are actually so essential to NYC's sewage system that the DEP has boats to move sewage between wastewater treatment plants.

Federal work boats of the Coast Guard and Army Corps also operate here. There is a major Coast Guard base in NYC.

To maximize the effectiveness of all this, our waterfront should again be managed by maritime experts to ensure the waterfront is built for maritime uses.

- Because it has not been that way, the "blue highway" initiative now needs to retrofit itself into spaces that should have been designed for it from the start – as many maritime voices recommended.
- Instead, from 2023 to 2025, the Department of Buildings created a comprehensive "Waterfront Code" (WFC) to standardize design, construction, permitting, and maintenance for structures including bulkheads, piers, docks, retaining structures, elevated platforms, and floating elements. They had to create a special maritime and technical committee. This is a pop-up committee, not the continuity of expertise that a city agency with long-term staff would offer.
- Similarly, the 4th of July parade of tall ships and navy vessels this year was challenged by a lack of piers for the big ships and a lack of town docks where dinghies and harbor launches could bring passengers out to boats that were at anchor due to the lack of pier where they could tie up. There were fewer spectator boats than at the 1976 OpSail, a sign of reduced recreational boating (despite the recent growth of that sector).

NYC deserves better, a waterfront planned, designed, built, and managed by maritime people to make **a waterfront that works for all.**

NYC closed its maritime department in 1991 when the City Charter "Chapter 29: Department of Ports and Trade" was repealed. I ask that this be revived, with modifications to cover new and additional uses of the waterways, as the Department of Maritime.

This change, this revival, would lead to greater management efficiency and greater transparency as maritime asset management would be in a City agency not outside it in the quasi-governmental nonprofit NYC Economic Development Corporation (EDC) which has an annual "maritime contract" with the Department of Small Business Services (SBS) - and with other maritime functions addressed in ad hoc ways.

This should be an agency actually managing the assets, not a Mayor's office with an advisory or liaison role. We need a change in management.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. Staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.

- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
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- Support offshore wind developments.
- Work with maritime training academies and non-profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have **a waterfront that works for all.**

I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

Thanks for your consideration. If you have follow-up questions, I can be reached at [redacted]

Sincerely

Claude M. Scales, III

[redacted]

[redacted]

Name

Capt. Geoffrey Uttmark

Email [redacted]

Public Comment

please see attached

Attachment(s)



Written Testimony to the Commission on Government Efficiency (COGE)

Re: Restoring a City agency for Maritime Development
Submitted by: Capt. Geoffrey F. Uttmark
Address: 771 Carroll street, Brooklyn, NY 11215
Tel 347 [illegible], EM Geoff.nyc@[illegible].com
Date: July 13, 2026

Dear Honorable Commissioners:

This letter is written to express my support for creation of a NYC agency for Maritime Development.

It might be lost to history by now, but as point in fact, NYC **had** an expert, independent, maritime department for many, many years so this letter is my recommendation to restore what worked very well. I am referring to the NYC Department of Ports and Terminals and example of what they did so well can be seen in letter dated April 11, 1986 from Edward M. Weinstein, R.A., Asst. Commissioner, NYC Dept. of Ports and Terminals to myself (page 4 of attachment 1).

Ports and Terminals was staffed by credentialed engineers and planners versed in every aspect of providing and maintaining infrastructure that is absolutely essential to the development and maintenance of a prosperous seaport. Their mandate was maritime, they knew and understood the essentiality of their mission to maintaining a wealthy balanced city and Port economy. They were not real estate developers in drag, would have been appalled to the seedy specter of trading invaluable, irreplaceable waterfront facilities for housing that does not require waterfront, in fact is cannibalizing and hostile in most cases to industrial waterfront usage

Yes, times change and there are many who argue that land, ill land, should go to it's highest [illegible] use. But this can lead to short range decisions not in the broader society's long term interests. At the very least, NYC's waterfront should have its own voice, as it once did in taking decisions of such propitious importance.

I am a man who owes its entire career to Brooklyn's waterfront, sailed to Africa from Pier 5 Brooklyn Promenade, rose to Captain, formed Red Hook Harbor Lines at Pier 43, knows many of the ship owners and operators in the harbor and know firsthand that ALL are endangered species without dock space. I hold a BSc in Engineering (Naval Architecture / Marine Engineering), MSC in Shipping, Trade & Finance and for the record, the project referenced in attachment 1 to this letter is alive and well.

Geoff Uttmark Written Testimony to the...



Written Testimony to the Commission on Government Efficiency (COGE)

Re: Restoring a City agency for Maritime Development
Submitted by: Capt. Geoffrey F. Uttmark
Address: 771 Carroll street, Brooklyn, NY 11215
Tel 347 [illegible], EM Geoff.nyc@[illegible].com
Date: July 13, 2026

Dear Honorable Commissioners:

This letter is written to express my support for creation of a NYC agency for Maritime Development.

It might be lost to history by now, but as point in fact, NYC **had** an expert, independent, maritime department for many, many years so this letter is my recommendation to restore what worked very well. I am referring to the NYC Department of Ports and Terminals and example of what they did so well can be seen in letter dated April 11, 1986 from Edward M. Weinstein, R.A., Asst. Commissioner, NYC Dept. of Ports and Terminals to myself (page 4 of attachment 1).

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Geoff Uttmark Written Testimony to the...

Date Submitted July 13, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic Waterfront/maritime policy

Show 4 hidden fields

Written Testimony to the Commission on Government Efficiency (COGE)

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Submitted by: Capt. Geoffrey F. Uttmark
Address: [redacted]
Tel [redacted]
Date: July 13, 2026

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Yes, times change and there are many who argue that land, all land, should go to it's highest valued use. But this can lead to short range decisions not in the broader society's long term interests. At the very least, NYC's waterfront should have its own voice, as it once did, in taking decisions of such propitious importance.

I am a man who owes his entire career to Brooklyn's waterfront, sailed to Africa from Pier 3 Brooklyn Promenade, rose to Captain, formed Red Hook Harbor Lines at Pier 41, knows many of the ship owners and operators in the harbor and know firsthand that ALL are endangered species without dock space. I hold a BSc in Engineering (Naval Architecture / Marine Engineering), MSC in Shipping, Trade & Finance and for the record, the project referenced in attachment 1 to this letter is alive a well.

Good ideas or never bad ideas, they await their time. A VERY GOOD idea would be for NYC to admit it made a mistake when Ports and Terminals was disbanded. It was long ago, there IS a great new future for maritime in NYC and getting to that future will happen sooner by re-establishment of a NYC Dept. of Maritime Development. I would be remiss, if I didn't add that NYC is a better place today and tomorrow, if all of the great people and organizations who never forsook the waterfront, are protected and abetted in their noble mission that is vital to our City's and Port's future.

Respectfully submitted,

Capt. Geoffrey F. Uttmark MM MSc BSc
[redacted]

Attachments : 1

Attachment 1: *Third time's the charm*."

Following is a brief chonology of TransTech Marine Co. initiatives to re-start coastal passenger / freight marine shipping services in the contiguous United States, starting from New York City.

1984 – 1986

Geoff Uttmark describes "Windcruiser" to operate from NYC to Cape Co in interview with *Philadelphia Inquirer* (1/28/84, 2nd paragraph). *Cruise Industry News* profiles the "*Short Escape to the Cape*" (March 5, 1986). Liberty Travel Chairman Fred Kassner communicates readiness to enter into a marketing agreement (March 31, 1986 letter). City of New York Department of Ports and Terminals Assistant Commissioner Edward M. Wienstein, R.A. offers to explore berthing sites and required permits (April 11, 1986 letter).

Result: Investigation to repurpose Great Lakes car ferry *SS Badger* determined the ship is too large and deep-drafted for intended ports, plus steam engine propulsion too dirty and costly. Economic, environmental, social issues reject transport of automobiles to small communities

1999 – 2002

Geoff Uttmark profiles "*The Short Escape to the Cape*" opportunity / challenges in Marine Money magazine (Sept. 1999), presents three topical professional papers in effort to acquire / expand the (then) leading microcuise ship brand in the US whose founder was retiring.

Result: Close agreement on price and terms prove insufficient to overcome family sentiment to keep the business in the family. Family members rebrand the business after founders death in 2006, operate through most of 2019 season, suspend operations due to COVID 19.

2020 – 2022

January 2020 TransTech is informed the cruise line will not be reactivated after pandemic, offer(s) invited for one, two or three microcruise ship assets.

Status: June 2020 G. Uttmark renewed US trademark on *The Short Escape to the Cape.* In 2021 business plan expanded to include HEFTTCO (Hudson-Erie Freight Trade & Transport Co.). NYC commercial lender agrees conditionally to provide USD 10 M LOC towards acquisition, refurbishment, redeployment of three microcruise ships in Cape Escape and HEFTTCO services, subject review of management team, operator, investment of USD 2 M equity and other considerations.

January 2022 TransTech submitted offer for three microcruise ships. The offer (company limited) is not formally accepted nor rejected and has not expired.

Dreams

Cost-efficient shipbuilding is his ultimate destination

By Robert R. Frump
Inquirer Staff Writer

When he has business in Europe, he stays in youth hostels, lunches on granola bars, brushes off his three-piece pinstripe suit and visits the heads of shipbuilding and shipping companies.

His home is his office, a rambling old house in Glen Riddle near Media, the first left past the firehouse. It is filled with studies on supertankers, and designs for "windcruisers," a combination wind- and diesel-powered passenger ship designed for quick trips from New York to Cape Cod or from Philadelphia to Baltimore.

Welcome aboard the dream of Geoffrey F. Uttmark, 34, ship designer, marketer and financier.

It is a fantasy, an entrepreneurial long-shot, the stuff of fairy tales, to be certain.

Yet Uttmark is five years out on this dream and still afloat, and is not looking back to the shore, where he was comfortably nurtured within the U.S. shipbuilding industry.

"There is nothing like one-stop shopping in shipping today; there is a need in the maritime industry for a single control source that would combine all trade analysis, ship design and financial planning," Uttmark said during an interview. "Anyone doing that now must go to three consultants, spend four to five months and $100,000."

Through computer programs and the synthesis of marketing, design and finances, Uttmark proposes to provide the same answers in less time for one-fifth the money, giving U.S. ship operators more flexibility in experimentation with ideas, and a chance at reclaiming a U.S. industry that is in sad shape today.

"We're taking today's tired old American maritime industry and a fragmented world industry, and answering the 'what-if's' at a reasonable cost," he said during an interview. "Writing ship costs down on the back of an envelope was fine a long time ago, but not today."

Those are pretty big dreams for the proprietor of the Trans Tech Co., employer of Uttmark, two part-time computer programmers, and a secretary, in a U.S. industry in hard times. Few commercial ships are built in U.S. shipyards these days. The number of U.S. flag ship-liner services continues to decline at a precipitous rate.

But, with expert marketing, cost control and good design, U.S. ships can recapture a larger share of the market, Uttmark believes. And while his low-overhead, bootstrap operation may seem implausible, he has outlasted the larger operation that once employed him.

Uttmark walked away from his job as a naval architect and business analyst at Sun Ship Inc., the former owners of the Chester shipyard now run by Penn Ship, because he "became bored with the corporate atmosphere.

"I was compensated and rewarded," he recalled. "I was not challenged."

He formed Trans Tech, and, without assets or prospects, began offering his services by mail. One company bit. The Norwegian ferry boat company of Westamarin hired him to do market studies for a fast ferry it was building.

"It didn't make me rich," Uttmark recalled. "It gave me a base."

And from that base, he has expanded a little at a time. A study for a Central American grain company here. Another study on ferries, this one for some Carribbean island governments bent on linking their islands by ocean transportation. The purchase of another small consulting company. A survey of the world tanker fleet for Sun Transport Inc. The development of the Bulk Ocean Shipping-Computer Optimization or "BOSCOE" computer program for bulk shippers, terminal operators and ship builders that analyzes design, unloading and operating costs.

The contracts, plus teaching assignments at the World Trade Institute in New York have been enough to pay the phone bill and the part-timers who help program his analysis systems, while Uttmark continues to develop OASIS, an acronym for Ocean Shipping Information Systems, designed to analyze "every sort of major shipping service" in a series of 10 programs.

Established members of the industry have scoffed at some of his ideas. For example, he found little support for establishing offices in the old ferry boat Jamestown, once docked

(See SHIPS on 8-D)



Philadelphia Inquirer / KENDALL WILKINSON

Uttmark at a Franklin Institute exhibit; he is a dissenter in the shipbuilding industry

A man with a head full of ideas seeks to revitalize ship industry

SHIPS, from 1-D

unused at Penn's Landing. Yet developers in Hoboken, N.J., have since purchased the ship and have successfully developed it for office use.

Uttmark believes there is money to be made in not following conventional wisdom, and he stresses that he is not tied to the U.S. shipbuilding industry. Conventional wisdom and a large overhead of draftsmen, planners and marketers helped kill his old employer, Sun Ship, he believes. At a recent meeting of the American Society of Naval Engineers, he stood in the audience, noted that little known companies in Washington State and Indiana are embarking on adventurous shipbuilding programs, and warned the architects and engineers present:

"If there are answers to the shipbuilding problems of the United States, I believe they may come from outside the industry."

The bureaucracy, the attachment to Washington programs, the plodding dependency on established consultants keep the shipbuilding industry from thinking creatively, Uttmark believes. And so his proposals for a study of a new "windcruiser" passenger ship, part diesel and part sailing ship, that could provide short-cut routes from New York to Cape Cod, and from Philadelphia to Baltimore and the Chesapeake Bay, are more seriously considered by small companies than the giant ship builders and operators.

His proposals have placed Uttmark in the category of dissenter, not rebel. He was not booted down at the meeting of naval engineers, perhaps because of the dire straits of the industry and perhaps because he remains a member in good standing of this country's small community of ship designers.

He has a degree in naval architecture and economics from the University of Michigan. He is the grandson of a sea captain. Both he and his father spent time at sea in their youth. He espouses a conservative, entrepreneurial philosophy of government and business, sprinkled occasionally with a reference to his low-key but firm Christian beliefs.

"Either I'm way off base or someone in the American Shipbuilding Industry is asleep at the switch," Uttmark said.

PHILADELPHIA INQUIRER 1/26/84

Cruise Industry News

A TIMELY INSIDE NEWS AND MEDIA REPORT PUBLISHED BY NISSEN-LIE CONSULT. INC.

Vol. 2 No. 5 March 5, 1986

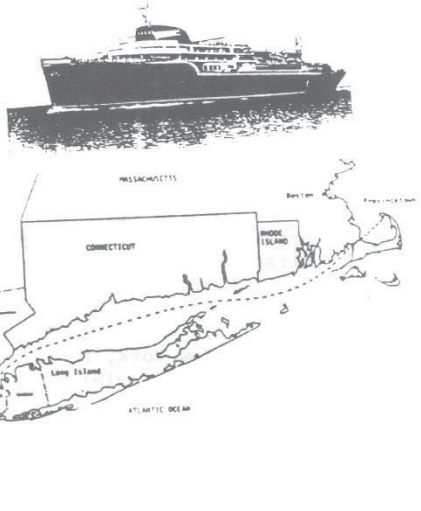
FROM NEW YORK TO CAPE COD--VIA FERRY

The TRANSTECH MARINE COMPANY, Philadelphia, is planning to establish a marine connection between New York City and Cape Cod.

The new service would be based on the European ferry concept, enabling passengers to take along their cars. It would offer three-day "Short Escapes to the Cape," and feature other destinations than Cape Cod--including Freeport and Montauk, Long Island; Block Island; Martha's Vineyard; and northern New England's Maine Coast. In the winter, the ship would be deployed in Florida or the Caribbean.

"There are several thousand people who travel from New York City and the metropolitan area to Long Island and Cape Cod during the summer, and they would welcome a pleasant alternative to the Long Island Expressway or I95," according to TransTech Marine Company.

Two vessels are currently being considered for service. Both are passenger/RO-RO's under U.S. flag. Both also require refit estimated between $20 and 40 million, including purchase price.



PORT OF BRIDGETOWN AIMS TO ATTRACT MORE PASSENGERS

Next month, the PORT OF BRIDGETOWN will unveil a newly expanded and modernized cruise passenger terminal, designed to accommodate the increased passenger flow the port has experienced during the past few years. In addition, the port plans to beef up its marketing activities in an effort to lure more cruise lines to Barbados.

(Continued pg. 2)

NEWS BRIEFS

Overcrowding in Alaska?

Reports from several cruise lines indicate that there are some apprehensions about the increased number of ships entering the market.

Initial comments are that "the response has been tremendous, but it is still too early to predict a successful season."

To date, 22 ships will be offering Alaskan cruises this summer--a jump from the 13 that sailed there last year.

More Misgivings About the Mediterranean

Many of the cruise lines that have withdrawn or curtailed their service in the Mediterranean this summer, have not yet made full commitments for 1987, according to industry reports. In addition, some are reportedly only talking about the Mediterranean in the context of 1988.

(Continued pg. 3)

CIN is a condensed, objective and up-to-the-minute news report on the cruise industry, published twice monthly.

LIBERTY TRAVEL

WORLD HEADQUARTERS

March 31, 1986

Mr. Geoffrey F. Uttmark
President
TRANSTECH MARINE CO.
[redacted]

Dear Mr. Uttmark:

Thank you for coming by our offices to discuss your proposal to operate a vehicle/passenger ferry between New York and Cape Cod, Massachusetts.

We are prepared to enter into a marketing agreement for this service. Based on our experience we recommend the following:

- The larger ship is preferable to the smaller for both passenger comfort and economics of operation.
- Gambling can be an important source of revenue. A casino should be included in any redesign.
- Overnight passenger capacity should take precedence to auto capacity.
- Winter employment between Galveston and New Orleans may be preferable to Galveston-Tampa. Miami-Key West is also marketable. Springtime employment New York-Washington, DC may be better than New York-Cape Cod.

Liberty Travel has approximately 125 retail offices located in the northeastern United States and Florida. We also market wholesale tours through GOGO TOURS which has 54 branches nationwide.

We will consider an equity investment in this project. We will look forward to discussing this in greater detail as your pl[illegible] progress.

Sincerely,

LIBERTY TRAVEL, INC.

Fred Kassner
Chairman

FK/jw

50 A & S DRIVE • P. O. BOX 457 • PARAMUS, N.J. • (201) 967-3000 • TELEX 4754284 LIBTRAV PARA

CITY OF NEW YORK
DEPARTMENT OF PORTS AND TERMINALS
[redacted]

MICHAEL P. HUERTA
COMMISSIONER

April 11, 1986

Mr. Geoffrey F. Uttmark
Marine Company/Trans Tech
[redacted]

Dear Mr. Uttmark:

Thank you for your letter regarding your company's efforts to develop a passenger/vehicle ferry service between New York City and Cape Cod.

We certainly think your proposal merits further consideration and we look forward to future discussions. In the meantime we will explore potential berthing sites and determine what local permits may be required.

Very truly yours,

Edward M. Weinstein, R.A.
Assistant Commissioner

cc: Eva Hanhardt



Redistricting suit dismissed Page 4
Speaking new body language Page 13
Super stores arrive in big way Page 34

Cape Cod Times
THE CAPE AND ISLANDS' DAILY NEWSPAPER
Vol. 50, No. 137 Thursday, June 12, 1986 44 Pages 35¢

UP FRONT

Pa. man envisions N.Y.-to-Cape ferry

DENNIS — Once upon a time there was a Pennsylvania man who had the idea of bringing people by ferry from New York City to Cape Cod.

That was only part of the ferry tale heard by the Cape Cod Regional Transit Authority yesterday in South Dennis. Marine consultant Geoffrey Uttmark thinks the story can have a happy ending by next spring.

Uttmark, of TransTech Marine Co. of Elwyn, Pa., is exploring the possibility of such a private, unsubsidized ferry service. His proposal calls for two overnight trips weekly from New York City to Hyannis — or another Cape port — with a ferry capacity of 400 people and 100 cars.

Uttmark's letter said he would travel to the Cape in the future for on-site inspections, discussions and negotiations. He wanted to touch base with the transit authority as well as the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority about berthing arrangements.

"The Short Escape To The Cape":
Conventional Vs. Emerging Technologies
To Develop U.S. Coastal Ferry Routes

By

Geoffrey F. Uttmark

TransTech Marine Co.

Presented At

FERRIES '91 Conference

Sponsored by MARINE LOG and NAPVO's Passenger Ferry Council



THE SHORT ESCAPE TO THE CAPE™

A Project Profile

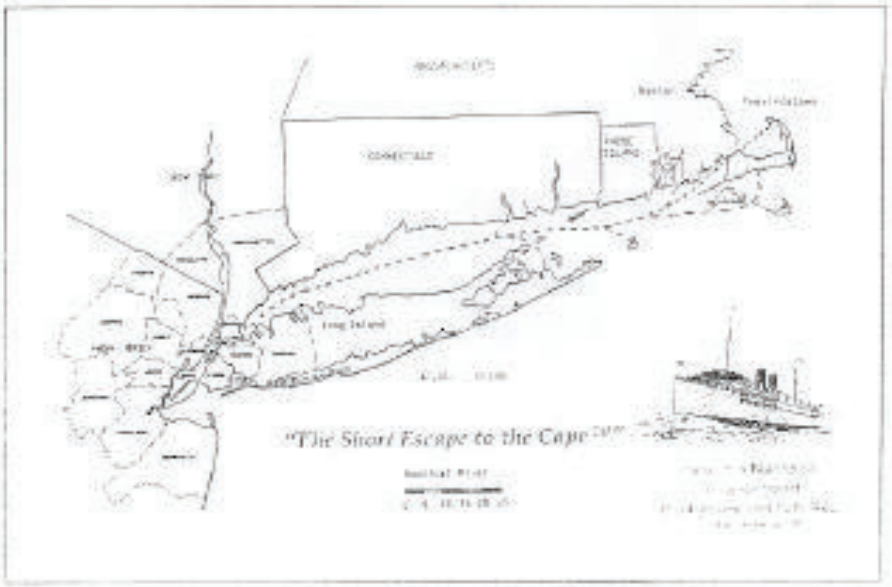
A curious aspect of shipping is the continental size of the operation between "the market", gossiped about by everyone, and niche opportunities, discussed by no one outside the family or group and its closest allies. No one actually lives the 'homogenized MFFEX. Everyone aspires to beat it, or its equivalent, whatever the sector, whatever it takes. The nature of intense near-perfect competition is that even an individual ship's location can be privileged information, potentially more relevant to fixing at an acceptable rate than the broader market forces. Secrecy may be warranted, but it has the effect of also preserving shipping's notorious insularity and superiority. Ships change hands — but usually between worthy adversaries who have known (of) each other for years. New companies are formed — but often out of old ones. Developing countries nurture enterprises within their borders — but an aloof of the traditional maritime nations when they try to extend the "infant industry" argument to maritime. Factor in shipping's barriers to entry in the form of capital intensiveness and seemingly chronic low financial returns and small wonder that entrepreneurial ambitions that might inject some needed creativity rarely leave the dock.

Even on clear days MM's sonar and radar are left on, always probing for the new and better way. We use this special issue on the ferry sector to introduce *Project Profile*, offspring of MM's expanding fee-based advisory services to ship owners and investors that includes market assessments, vessel design definition, and professional and financial referral services. We invite projects and professionals interested in participating or presenting to send hard copy particulars via surface post. Please mark to attention of editor, *Project Profile*.

A PROJECT WHOSE TIME HAS COME (AGAIN!)

The Short Escape to the Cape™ is the marketing handle to describe a ferry/cruise service to operate between New York City and popular vacation destinations in Long Island, Block Island, Newport, Narragansett and Buzzards Bay, as well as locations in Cape Cod (Figure 1). Each of two ships will complete two round trips per week in the high season, providing an attractive, frequent and reliable means of fun, eco-travel to favorite vacation destinations. Unique aspects of the project include its promotional campaign, inspired dining menus, and novel off-season employment for the vessels.

In a world of fast and faster ferries, *The Short Escape to the Cape™* is predicated on the conclusion that at least one of the voyage legs should be enjoyed leisurely at displacement speed. For most, the work week is fast enough. Better to dine and dance along Long Island Sound, sleep in a real bed in a private cabin than to speed along and arrive in the middle of the night. The design



Stevens Institute of Technology

OE 614 Case Study # 2

U.S. Coastal Shipping



Viking Line A/S

Figure 1

The U.S. Coastal Ferry Market:

Will mammoth passenger / vehicles ferries like the ones shown in Figure 1 one day ply coastal routes in the U.S. as shown in Figure 2? Before 9/11, the "pro" side of the issue cited congested highways, an aging population with ample time, good health and disposable income to take the sea route; the emergence of "hub" ports for containers, and large volumes of domestic interstate motor freight as reasons to believe it is just a matter of time. The "cons" cited North America's geography that is not as favorable to maritime as is Europe's, American's love affair with cars, the high cost of building large ships in U.S, shipyards and operating them under the U.S. flag as required by the Jones Act, and inclement weather half the year as reasons why coastal Ro/Pax would never catch on in the U.S. 9/11 added the new dimension of increased national security to the "pro" side, but to be sure, as the evolution of Viking Line's three *Cinderellas* demonstrates, like all else, coastal shipping must first establish itself, then it grows and finally it attains a standard of luxury approaching cruise ships.

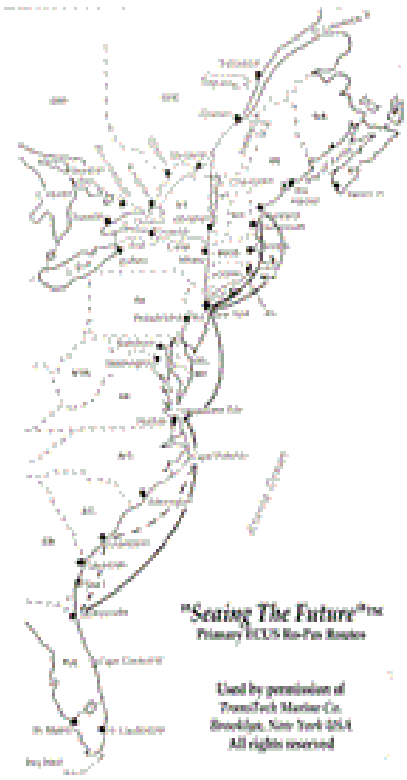


Figure 2

U.S. COASTAL ROPAX – NOT HERE YET, BUT GETTING CLOSE

By Geoff Uttmark

Maritime technological advancement is normally evolutionary. Ships grow larger, engine power-to-weight ratios increase, fuel rates decrease, navigation bridges and engine spaces automate, crew sizes shrink, all in an unending progression of productivity improvement. The pace of innovation is slow most of the time, but not all of the time. Recent notable instances of shipping metamorphosis include the container ship revolution, which sent brand new break bulk freighters back to the building yard for conversion, and development of VLCCs in response to closure of the Suez Canal in 1967 that displaced most 100,000 DWT "supertankers" from the Persian Gulf to less important oil trades.

Fleet Orientation of Some Major RoPax Cruise Ferry Operators

Company	Location	Displacement Fleet	Hi-Speed Fleet	Combination Fleet
Alaska Marine Highway	USA	X		
Attica Enterprises	Greece		X	
Awaii Ferry Boat Company	Japan	X		
BC Ferries	Canada	X		
Birka Line	Sweden	X		
Brittany Ferries	France			X
Color Line	Norway			X
COTUNAV	Tunisia	X		
DFDS Scandinavian Seaways	Denmark	X		
Finnlines Oy	Finland			X
Gotland Rederi	Sweden		X	
Grimaldi	Italy			X
Hurtigruten (all operators)	Norway	X		
Irish Continental Group Plc (Irish Ferries)	Ireland	X		
Marine Atlantic	Canada	X		
Minoan Lines Shipping	Greece	X		
Mols-Linien A/S	Norway		X	
P&O North Sea Ferries	Netherlands	X		
Polferries	Poland	X		
Sea Containers	UK		X	
Stena Line	Sweden			X
Strintzis Lines	Greece	X		
Tirrenia SPA	Italy		X	
Viking Line	Sweden	X		
William Gothong & Aboitiz	Philippines			X

FIGURE 1

THE SHIP FINANCE PUBLICATION OF RECORD
MARINE MONEY
INTERNATIONAL

US Coastal RoPax Cruising & Ferries

by

Geoff. Uttmark
Director - Equity Research

MARINE MONEY WEEK
Capitalizing on Development in North America
19 June 2001

Strictly Confidential Copy No. _____
Received by: _____
Date: _____

Summary

Confidential Information Memorandum
in Support of
$10 m Credit Facility to
Acquire & Expand

The Leading Micro Cruise Ship Company in the United States

by

TransTech Marine Company

August 2000

Trademark Registration

LIVE filed on Jun 20, 2020

THE SHORT ESCAPE TO THE CAPE Trademark Owner

Uttmark, Geoffrey, F.
[redacted]

The Short Escape to the Cape

Word Mark	**THE SHORT ESCAPE TO THE CAPE**
Goods and Services	IC 035. US 100 101 102. G & S: Advertising and marketing. FIRST USE: 19990901. FIRST USE IN COMMERCE: 19990901
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	90012158
Filing Date	June 20, 2020
Current Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Uttmark, Geoffrey, F. DBA TransTech / ShipShares Geoffrey F. Uttmark, a citizen of United States SOLE PROPRIETORSHIP NEW YORK 771 carroll st 771 Carroll Street Brooklyn NEW YORK 11215
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

Name

Chanya Holness

Email [redacted]

Public Comment

The BUMP Campaign would like to thank Commission on Government Efficiency Executive Director Ann Cheng, and Commission members for the opportunity to submit public comment on a proposal to amend the New York City Charter to require the funding and maintaining of human services contracts at a true cost of living.

Background – BUMP
BUMP – The Bring Up Minimum Pay Campaign – is an anti-poverty initiative focused on establishing and maintaining base wages for human services workers at a true cost of living. The campaign was launched in the fall of 2023 by leaders in the government and nonprofit sectors to address the poverty-inducing wages of nonprofit, government-contracted human services workers.

BUMP is a data driven campaign. BUMP commissioned the City University of New York's Institute for State & Local Governance (CUNY ISLG) to identify the demographic and economic characteristics of the human services nonprofit labor market, the gap between current wages and a true cost of living and the return on investment to government and communities with increased human services wages. These analyses rely on publicly available data sources, including data from the U.S. Bureau of Labor Statistics (BLS), namely, the Quarterly Census of Employment and Wages (QCEW) and the Occupational Employment and Wage Statistics (OEWS), as well as the U.S. Census Bureau's American Community Survey (ACS). The data cited in this testimony is based on this research. Data reports and analyses are available online.

New York City Charter True Cost of Living
In 2022, 80% of voters passed a New York City Charter amendment to establish and annually report on "a citywide measure of the average amount necessary to cover the cost of essential needs at an adequate level." This measure is called the True Cost of Living. It is comprised of, but is not limited to, the costs of housing, childcare, food, transportation, healthcare, clothing and shoes, menstrual products, general hygiene products, cleaning products and telephone and internet service. In other words, the true cost of living measurement is the absolute very minimum set of expenses that residents incur just to live and take care of their families and achieve economic security in New York City. The ballot initiative further explained, the true cost of living "measurement is intended to focus on dignity."

Dignity is the foundation of BUMP's NYC Charter amendment proposal.

In New York City, approximately 425,000 people are employed as human service workers. It is a workforce funded and directed by New York City government contracts. Every day, these individuals are motivating, supporting, advocating and caring for New York City's most vulnerable communities in every borough and every neighborhood. This workforce delivers physically and emotionally challenging services that support child welfare, behavioral health, homelessness, intellectual and developmental disabilities, special education, older adults and high-risk youth, to name a few.

In short, the human services workforce is dedicated to assisting and supporting individuals and families living in poverty. It's a startling fact that nearly 90% of New York City single-adult human services workers earn below the true cost of living themselves, and 16% live below the poverty line.
A single adult New York City human services worker earns an average annual wage of approximately $40,000. This is significantly below the cost of living in New York City. Based on Urban Institute's True Cost of Economic Security Measure and findings for New York City, a salary of $40,000 means that a single person household is under resourced by as much as $30,000 per year. Prior efforts to address low and poverty level wages in the human services sector, primarily cost of living adjustments (COLAs), have not raised wages to a true cost of living. A COLA will always be necessary to keep wages in step with inflation. However, on its own, a COLA is not sufficient to lift human services workers out of poverty and into dignified economic and professional positions. Currently, COLAs are discretionary in value and application. Moreover, if base wages are at or below poverty levels, a COLA is limited in its impact. For example, a 3% COLA on the average single adult New York City human services wage of $40,000 only adds an additional $1,200 per year a mere fraction of the $30,000 necessary to realize economic security.

New York City Charter rights and systemic harms
In 2022, voters also ushered in a New York City Charter preamble that sets "the collective values" to "guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter." Such rights include having the "resources necessary to prosper economically and build wealth."

A key city authority is contracting for human services, referred to as "client services contracts" in the Charter it is nearly two fifths (2/5) of the city's annual procurement portfolio. The city essentially contracts-out all of its human services delivery to nonprofit organizations. Accordingly, the nonprofit human services workforce is effectively an extension of city government.
As the foregoing data illuminates, the current level of human services contract wages is not only inadequate to pay a true cost of living, but impossible for the workforce to realize their right to economic prosperity and wealth building.

The residents impacted by New York City's under-resourcing are people that the Charter identifies as "historically marginalized." The human services workforce identifies as approximately 90% people of color, 87% female and 63% foreign born. It is for these individuals that the New York City Charter's preamble demands that we "act intentionally" to reverse the loss of economic opportunity and intergenerational wealth for 425,000 human services workers.

Now Is The Time To Act!
With the introduction of a true cost of living measure in 2022, the City now has a standard on which to base human services contracted wages to uphold the right of New Yorkers to economic prosperity, to dignify the critical services

provided by 425,000 New York City human service workers and stop ongoing inequitable, systemic harms.
In Section 16 of the Charter, the mayor must report on social indicators and equity including "budgetary resources allocated to reduce poverty." The city's current under resourcing of human services contracts is poverty inducing; not poverty reducing. We respectfully submit that the Charter should require human services contracts to be funded at a true cost of living, and such funding be reported annually.

Once human services contract wages are tied to the Charter's true cost of living measurement, this wage level must be maintained in multi-term contracts. New York City Charter's Rules of the City of New York Section 2-04 outlines requirements for multi year client service contracts, including contracts for nine plus years. A human services contract that does not foster economic prosperity in year one certainly erodes personal wealth and generational wealth by year nine. We respectfully submit that Charter Section 2 04 should be amended to require that multi term client services contracts include annual wage escalators that maintain contract wages at a true cost of living.

Thank you for your time and consideration. The BUMP Campaign looks forward to working with the Commission and other key stakeholders to address wage justice for human services workers. If you have any additional questions, please contact Chanya Holness, BUMP Campaign Manager, at [redacted]

Attachment(s)



BUMP COGE Charter Revision Commissi...

Date Submitted: July 13, 2026

Topic: Procurement Reform ✕ | Budget Issues ✕ | Reporting Requirements ✕ | Unnecessary Bureaucracy ✕

Charter Related	Yes
Topic Simplified	Procurement
Subtopic	Minimum wage for human services workers

Show 4 hidden fields

The New York City Commission on Government Efficiency (COGE)
Charter Revision Commission
Monday, July 13, 2026
Testimony for Submission
BUMP Campaign

The BUMP Campaign would like to thank Commission on Government Efficiency Executive Director Ann Cheng, and Commission members for the opportunity to submit testimony on a proposal to amend the New York City Charter to require the funding and maintaining of human services contracts at a true cost of living.

Background – BUMP

BUMP – The Bring Up Minimum Pay Campaign – is an anti-poverty initiative focused on establishing – and maintaining - base wages for human services workers at a true cost of living. The campaign was launched in the fall of 2023 by leaders in the government and nonprofit sectors to address the poverty-inducing wages of nonprofit, government-contracted human services workers.

BUMP is a data-driven campaign. BUMP commissioned the City University of New York's Institute for State & Local Governance (CUNY ISLG) to identify the demographic and economic characteristics of the human services nonprofit labor market, the gap between current wages and a true cost of living and the return on investment to government and communities with increased human services wages. These analyses rely on publicly available data sources, including data from the U.S. Bureau of Labor Statistics (BLS), namely, the Quarterly Census of Employment and Wages (QCEW) and the Occupational Employment and Wage Statistics (OEWS), as well as the U.S. Census Bureau's American Community Survey (ACS). The data cited in this testimony is based on this research. Data reports and analyses are available online.[1]

New York City Charter True Cost of Living

In 2022, 80% of voters passed a New York City Charter amendment to establish and annually report on "a citywide measure of the average amount necessary to cover the cost of essential needs at an adequate level."[2] This measure is called the True Cost of Living. It is comprised of, but is not limited to, the costs of housing, childcare, food, transportation, healthcare, clothing and shoes, menstrual products, general

[1] Critical Services, High Growth, Low Wages, Employment and Wage Trends Across New York's Human Services Workforce, April 2025. https://islg.cuny.edu/resources/critical-services-low-wages (ISLG Report)
[2] https://www.nytimes.com/interactive/2022/11/08/us/elections/results-new-york.html?action=click&pgtype=Article&state=default&module=election-results&context=election_recirc&region=RaceLink

hygiene products, cleaning products and telephone and internet service.[3] In other words, the true cost of living measurement is the absolute very minimum set of expenses that residents incur just to live and take care of their families and achieve economic security in New York City. The ballot initiative further explained, the true cost of living "measurement is intended to focus on dignity."[4]

Dignity is the foundation of BUMP's NYC Charter amendment proposal.

In New York City, approximately 425,000 people are employed as human service workers.[5] It is a workforce funded and directed by New York City government contracts. Every day, these individuals are motivating, supporting, advocating and caring for New York City's most vulnerable communities in every borough and every neighborhood. This workforce delivers physically and emotionally challenging services that support child welfare, behavioral health, homelessness, intellectual and developmental disabilities, special education, older adults and high-risk youth, to name a few.

In short, the human services workforce is dedicated to assisting and supporting individuals and families living in poverty. **It's a startling fact that nearly 90% of New York City single-adult human services workers earn below the true cost of living themselves, and 16% live below the poverty line.** [6]

A single-adult New York City human services worker earns an average annual wage of approximately $40,000.[7] This is significantly below the cost of living in New York City. Based on Urban Institute's True Cost of Economic Security Measure and findings for New York City, a salary of $40,000 means that **a single person household is under-resourced by as much as $30,000 per year.**[8]

Prior efforts to address low- and poverty-level wages in the human services sector, primarily cost of living adjustments (COLAs), have not raised wages to a true cost of living. A COLA will always be necessary to keep wages in step with inflation. However, on its own, a COLA is not sufficient to lift human services workers out of poverty and into dignified economic and professional positions. Currently, COLAs are discretionary in value and application. Moreover, if base wages are at or below poverty levels, a COLA is

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[3] See Section 16c.1.(c), The New York City Charter, https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-5697
[4] https://racialjustice.cityofnewyork.us/ballot/proposal-3/
[5] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.
[6] Sustainable Services, Economic Growth, Living Wages: Estimating the Impact of Increasing Wages for the Lowest Paid Human Service Workers, November 2025. https://islg.cuny.edu/resources/sustainable-services-living-wages
[7] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.
[8] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs. https://www.urban.org/sites/default/files/2026-05/Bridging-the-True-Cost-of-Living-Gap-in-New-York-City-final%20%282%29.pdf

limited in its impact. For example, a 3% COLA on the average single-adult New York City human services wage of $40,000 only adds an additional $1,200 per year – a mere fraction of the $30,000 necessary to realize economic security.[9]

New York City Charter rights and systemic harms

In 2022, voters also ushered in a New York City Charter preamble that sets "the collective values" to "guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter." Such rights include having the "resources necessary to prosper economically and build wealth."

A key city authority is contracting for human services, referred to as "client services contracts" in the Charter – it is nearly two-fifths (2/5) of the city's annual procurement portfolio.[10] The city essentially contracts-out all of its human services delivery to nonprofit organizations. Accordingly, the nonprofit human services workforce is effectively an extension of city government.

As the foregoing data illuminates, the current level of human services contract wages is not only inadequate to pay a true cost of living, but impossible for the workforce to realize their right to economic prosperity and wealth building.

The residents impacted by New York City's under-resourcing are people that the Charter identifies as "historically marginalized." The human services workforce identifies as approximately 90% people of color, 87% female and 63% foreign born.[11] It is for these individuals that the New York City Charter's preamble demands that we "act intentionally" to reverse the loss of economic opportunity and intergenerational wealth for 425,000 human services workers.

Occupation Profile for the New York City Human Services Workforce

	New York City
Average Wage for Human Services Occupations*	$41,663
% Asian/Pacific Islander	15%
% Black	33%
% Hispanic	33%
% White	14%

[9] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs.

[10] 2025 Citywide Indicators Report, Mayor's Office of Contract Services. https://www.nyc.gov/assets/mocs/images/2025reports/2025_Indicators_Citywide.svg

[11] See ISLG Report, page 13 for example.

% Female	87%
% Foreign Born	63%
% Asian/Pacific Islander and Foreign Born	13%
% Black and Foreign Born	19%
% Hispanic and Foreign Born	21%
% White and Foreign Born	6%
% Below Poverty Line	16%
% No Health Insurance	7%
% SNAP Recipient	29%

**Only available for New York metro area.*

Sources: Occupational Employment and Wage Statistics (2023); CUNY ISLG's calculation of US Census Bureau's American Community Survey microdata accessed via IPUMS USA (2022). Measures are aggregated for all human services-related occupations including: Child, Family, and School Social Workers; Childcare Workers; Community Health Workers; Educational, Guidance, and Career Counselors and Advisors; Healthcare Social Workers; Home Health Aides; Mental Health and Substance Abuse Social Workers; Nursing Assistants; Preschool Teachers, Except Special Education; Probation Officers and Correctional Treatment Specialists; Rehabilitation Counselors; Social and Human Service Assistants; and Substance Abuse, Behavioral Disorder, and Mental Health Counselors. The OEWS and IPUMS do not differentiate between private and government sectors.

<u>Now Is The Time To Act!</u>

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In Section 16 of the Charter, the mayor must report on social indicators and equity including "budgetary resources allocated to reduce poverty." The city's current under-resourcing of human services contracts is poverty-inducing; not poverty-reducing. **We respectfully submit that the Charter should require human services contracts to be funded at a true cost of living, and such funding be reported annually.**

Once human services contract wages are tied to the Charter's true cost of living measurement, this wage level must be maintained in multi-term contracts. New York City Charter's Rules of the City of New York Section 2-04 outlines requirements for multi-year client service contracts, including contracts for nine-plus years. A human services contract that does not foster economic prosperity in year one certainly erodes personal wealth and generational wealth by year nine. **We respectfully submit that Charter Section 2-04 should be amended to require that multi-term client services contracts include annual wage escalators that maintain contract wages at a true cost of living.**



Thank you for your time and consideration. The BUMP Campaign looks forward to working with the Commission and other key stakeholders to address wage justice for human services workers. If you have any additional questions, please contact Chanya Holness, BUMP Campaign Manager, at [redacted]

Name

Tyler Taba

Email [redacted]

Public Comment

PUBLIC TESTIMONY OF WATERFRONT ALLIANCE

July 13, 2026

New York City Commission on Government Efficiency (COGE) Hearing RE: Streamlining Permitting

Submitted by Tyler Taba, Director of Policy and Government Affairs, Waterfront Alliance

My name is Tyler Taba, and I am the director of policy and government affairs at the Waterfront Alliance. Waterfront Alliance is the leader in public waterfront access, climate resilience, waterfront revitalization, and economic vitality for the New York New Jersey Harbor region.

As COGE is charged with reviewing the City Charter to identify ways to improve efficiency, modernize city government, and ensure government keeps pace with New Yorkers' needs, Waterfront Alliance strongly supports the recommendation in the COGE Preliminary Report to streamline waterfront permitting by consolidating it within the NYC Department of Buildings (DOB).

The Waterfront Alliance is committed to sustainability and to mitigating the effects of climate change across the region's hundreds of miles of waterfront. We convene the Rise to Resilience Coalition of 100+ groups advocating for policy related to climate resilience, we bring education focused on climate resilience to students in NYC Department of Education (DOE) schools through our Estuary Explorers program, and we run the national WEDG® (Waterfront Edge Design Guidelines) program for promoting innovation in climate design.

New York City's waterfronts have been at the forefront of the city's economic growth for centuries. Over time, the control and management of the city's waterfront permitting has changed hands many times: from the Department of Docks (and its many iterations) in 1870, to the Department of Ports and Terminals in 1977, and to an eventual home within the Department of Small Business Services (SBS) in 1991. For many reasons, including a decentralization of responsibilities across waterfront land, shifts in the heavy industrial maritime uses along New York City's waterfront, and consolidation of oversight, SBS became the home for waterfront permitting. Today, as our waterfronts continue to evolve with maritime and industrial uses, recreational boating and open space, climate resilience infrastructure, housing, and public transportation, it is time for a new evolution of waterfront permitting.

The COGE Preliminary Report correctly describes that nearly all permits for the demolition or construction of buildings are issued by the DOB, with the exception being certain waterfront permits. In general, while DOB oversees the permitting of non maritime waterfront structures on private property, the SBS is responsible for permitting maritime structures and all structures or buildings on City-owned land.

In 2009, Waterfront Alliance released the User's Guide to Waterfront Permitting, which was created to provide a comprehensive, yet clear reference for the regulatory programs that influence the permitting of projects in wetlands and waterways on, or near, the New York and New Jersey Harbor and Estuary. In the User's Guide, from nearly 17 years ago, Waterfront Alliance highlighted the opaque process of determining whether SBS or DOB has jurisdiction over certain waterfront projects.

More recently, in 2024, Waterfront Alliance convened a Waterfront Permitting Symposium to identify common issues in the permitting system for waterfront and coastal development projects in NYC. A common theme from practitioners who attended the Symposium, and who submitted anonymous survey responses, was that the SBS permitting process can be extremely convoluted for every project. Challenges with the SBS permitting process range from technical requirements, waiver availability, determination of the relevant code, level of discretion, and production of information. There are two main challenges with SBS and its exercise of discretion. First, the agency imposes requirements not rooted in statutory or regulatory requirements, and second, that the requirements themselves may be unnecessary or outside SBS's scope of authority. In several waterfront projects across the city, building level technical requirements are often inappropriately applied to waterfront structures, resulting in confusion or additional time and cost for investigations.

As referenced in the COGE Preliminary Report, 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, which increases complexity and requires close coordination between agencies before decisions can be issued.

The inapplicability of the Building Code means that projects on public waterfront lots are currently reviewed by SBS, despite SBS's usual application of the DOB Building Code in its review. The review of construction-level designs for waterfront structures should properly belong with the DOB, and that the DOB's Waterfront Code initiative presents an opportunity to effect this important change. For these reasons, Waterfront Alliance supports efforts to shift waterfront permits from SBS to DOB.

As our understanding of the science of environmental protection has increased, so has the complexity of environmental laws and regulations which have been created and amended over time without sufficient analysis of the overall regulatory system. As the region's leader in advocacy for climate resilience, public waterfront access, and a sustainable maritime industry, Waterfront Alliance strongly supports a more robust, efficient, and modern permitting process.

To that end, shifting waterfront permitting from SBS to DOB is a strong start, but streamlining waterfront permitting requires more than just organizational

change. Consolidating waterfront permitting within DOB should be accompanied by planning and investment (i.e., additional staff, staff training, and efficient tools and processes for permit tracking) to ensure streamlining. Permit review timelines should be set, enforced, and the new DOB waterfront permitting division must be staffed to handle the volume.

Thank you to Mayor Mamdani for convening the Commission on Government Efficiency (COGE), and to the members of the Commission for preparing the Preliminary Report and the opportunity to provide testimony. We thank the Commission for recognizing the importance of New York City's 520 linear miles of shoreline in the efforts to "Modernize Outdated Systems and Requirements to Bolster Innovation" in Chapter 3 of the Preliminary Report. While it begins with streamlining, Waterfront Alliance strongly believes this is an opportunity to re focus attention back to the waterfront and how it is built, managed, and operated.

Attachment(s)



PUBLIC TESTIMONY OF WATERFRONT ALLIANCE

July 13, 2026

New York City Commission on Government Efficiency (COGE) hearing
RE: Streamlining Permitting

Submitted by Tyler Taba, Director of Policy and Government Affairs, Waterfront Alliance

WA Waterfront Permitting COGE Testim...

Date Submitted: July 13, 2026

Topic: Department of Buildings (DOB) Issues; Unnecessary Bureaucracy; Real Estate and Development; Procurement Reform

Charter Related: Yes

Topic Simplified: Unnecessary Bureaucracy

Subtopic: Waterfront/maritime policy

Show 4 hidden fields

PUBLIC TESTIMONY OF WATERFRONT ALLIANCE

July 13, 2026

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Contact:
Tyler Taba
Director of Policy and Government Affairs
Waterfront Alliance
[redacted]

Name

Carlo Vescovi

Email [redacted]

Public Comment

Please see the attached letter in PDF format. Thank you for your consideration.

Attachment(s)



CCRB COGE Letter Local 1113.pdf

Date Submitted July 13, 2026

Topic Miscellaneous

Charter Related No

Topic Simplified Public Safety

Subtopic Reinstate CCRB investigators

Show 4 hidden fields

We, the undersigned Executive Board of Local 1113 and affected members submit this statement for the New York City Committee on Government Efficiency for consideration with respect to the Civilian Complaint Review Board's ability to efficiently conduct impartial investigations into allegations of NYPD police misconduct:

As background: A staff of roughly 100 investigators is tasked with parsing over 5,000 CCRB complaints filed per year. For every single CCRB investigator, there are approximately 280 NYPD members of service (MOS). The CCRB's Chairs have repeatedly requested additional funding from City Council and the Mayor's Office. Simultaneously, New York City voted to expand the agency's jurisdiction, and the agency's outreach program has engaged in successful public awareness campaigns. The result has been a cascade of additional responsibilities and complaints, paired with low salaries and inadequate resources.

Since May of 2026, at least eight tenured CCRB investigators have been prohibited from performing their full duties due to baseless and shapeless allegations of 'anti-police bias' levied by the Policeman's Benevolent Association (PBA) and leaked to press outlets such as the New York Post and AM New York. This has resulted in cancelled interviews, delayed investigations, redistribution of workloads, and reassignment to other units within the agency.

Not only is the PBA's allegation of 'anti-police bias' unfounded, it is impossible. The role of an investigator is to gather evidence and draft a report with the findings. After an investigator completes their report, the case is reviewed by Investigative Managers, attorneys from the General Counsel's Office, and a panel of appointed Board members (including those appointed by the NYPD). In some cases, there is an administrative trial presided over by NYPD staff.; After this extensive review process, which includes attorneys and NYPD representatives, final disciplinary authority is ultimately granted to the NYPD Police Commissioner. Therefore, we vehemently reject any possibility that an investigator's personal beliefs could have any impact on the outcome of a CCRB investigation.

We respectfully request the following remedies to improve the CCRB's efficiency:

1. That all eight investigators accused of bias are immediately returned to their full duties and capacities, and are permitted to conduct MOS interviews and investigations involving substantiated allegations of MOS misconduct.
2. That solely CCRB, and no other agency, is tasked with investigating allegations of 'anti-police bias' against its staff, with input from CCRB employee union representation where appropriate, and that these investigations rely on quantitative data available to the CCRB, rather than the subjective view of the PBA or other police unions.
3. That any CCRB investigator accused of 'anti-police bias' have no restrictions placed on their duties while investigations are ongoing, and that such restrictions only impact staff with allegations proven to be quantitatively founded.
4. That the NYPD apparatus, be it NYPD's Legal Bureau, Police Commissioner, or Integrity Control Officers, compel officers to provide statements to the CCRB upon their refusal on the basis of 'anti-police bias,' as outlined in NYPD Patrol Guide Procedure 211-14.

Respectfully signed,

Local 1113 Exec Board:
Jeffery Tsui, Vice President
Adip Vora, Treasurer
David Wall, Secretary
Robert Bryan, Sgt. At Arms
Emily Devaney, DC37 Delegate
Carlo Vescovi, Chapter Chair

Affected membership:
Will Jacobsen, Investigator
Alessandra Mularoni, Investigator
Alex Panait, Investigator
Stephen DiFiore, Investigator
Jaquawn Turner, Investigator
Henry Buren, Investigator
Lauryn Cimiluca, Investigator

Name

Chris Walters

Email [redacted]

Public Comment

ANHD's testimony is attached as a PDF thank you

Attachment(s)



Testimony for the 2026 New York City Charter Revision Commission on Government Efficiency from the Association for Neighborhood and Housing Development (ANHD)

ANHD Charter Commission Testimony 7...

Date Submitted

July 13, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Procurement

Subtopic

Reform nonprofit contracting and payment processes

Show 4 hidden fields

Testimony for the 2026 New York City Charter Revision Commission on Government Efficiency from the Association for Neighborhood and Housing Development (ANHD)

Thank you Chair and Commissioners for the opportunity to submit testimony before this Charter Revision Commission. We are submitting this testimony on behalf of The Association for Neighborhood & Housing Development (ANHD). ANHD is a membership organization of NYC neighborhood-based housing and economic development groups, including CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development advocates and service providers. Our mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. We believe housing justice is economic justice is racial justice.

Proposal 1: Comprehensive Planning

ANHD convenes the Thriving Communities Coalition (TCC) - a citywide movement of grassroots organizing, advocacy, policy, and technical assistance groups working across issue areas and neighborhoods. ANHD and TCC are united in the belief that our current ad-hoc approach to planning and land use in New York City does not effectively deliver for most New Yorkers, and that we need meaningful reform to ensure a more equitable distribution of development and investment to truly overcome inequality, exclusion, and displacement.

ANHD and TCC have long called for a comprehensive planning approach for NYC. We believe such an approach can better align and coordinate existing plans, while centering racial, economic, health, and climate equity alongside intentional and representative community engagement, to help build trust and achieve fairer, more informed, and more democratic decisions and outcomes citywide and in our neighborhoods.

To help advance a more equitable and comprehensive approach to planning, ANHD calls on this commission to:

- **Amend the charter to mandate that NYC create a comprehensive plan on a recurring timeline, with the following essential components:**
    - Establishment of ***equity goals***, including
        - Ensuring an equitable distribution of development and investment
        - Increasing access to affordable housing

        - Promoting social, economic & racial integration
        - Advancing environmental justice, open and green space
        - Through the coordination of existing plans' goals and mandates (such as the Fair Housing Plan, Long-term sustainability plan)
    - Establishment of ***citywide and Community District level targets*** across a host of issues, including for
        - Housing
        - School seats & community facilities
        - Open space
        - Infrastructure & Resiliency
        - Through the coordination of existing plans' quantifiable targets (such as the Fair Housing Plan)
    - Committing all 59 Community Districts to create ***Community District level plans*** to achieve these targets, with the necessary resources to conduct this process with robust, deliberative and inclusive community engagement, including budgetary and technical assistance needs to achieve this
    - Requiring land use, annual expense budget, capital budget and policy decisions to detail how they ***are in accordance with the comprehensive plan*** so as to achieve its goals and targets

Proposal 2: Reform nonprofit contracting and payment processes

Nonprofit organizations are the lifeblood of New York City's communities. ANHD's members, along with numerous other organizations, provide critical services ranging from meal delivery for seniors, to afterschool programs, to affordable housing development, to know your rights trainings, and much much more. The City relies on non-profit organizations to fulfill both its legal and moral obligations to provide safety, care, and essential services for New Yorkers every single day.

Unfortunately, rather than treating non-profit organizations as valued and respected partners, the City has, for many years now, treated them like an afterthought or even a piggy bank, delaying payments and shifting the City's budget challenges onto the backs of non-profit organizations.

Widespread and persistent delayed payments have had significant and detrimental impacts on the City's nonprofit sector, and on the New Yorkers it serves. A 2025 report from the City Comptroller notes that, as of April 2025, 2,508 contracts valued at $4.6 billion awaited

registration even though their start dates had already passed. While problems are widespread across many agencies, the Department of Housing, Preservation and Development (HPD) was found to exhibit the "worst overall delays," with contractors waiting an average of over 2 years after the start of a contract for their first payment[1].

These delays have real impacts. Some organizations have been forced to lay off staff due to payment delays. Others take on significant debt to fill gaps while they wait for city payments, spending money that could otherwise go directly to services paying interest on private loans. This is an existential crisis for the nonprofit sector, with close to 100% of ANHD's members experiencing registration delay. ANHD has heard from members who are beginning to actively limit their city funding, declining to apply for new contracts because they simply can't afford it - despite the clear and urgent need for ongoing and increased services in their communities.

To address this issue we ask this commission to amend the City charter as recommended by the Human Services Council in their July 13, 2026 testimony before this commission, and applicable to **all** of the City's contracts with nonprofit organizations[2]:

- **Require prompt contracting timelines** to address the extreme delays and hurdles nonprofits experience in getting their contracts registered.
- **Require interest on late payments** to both provide a financial incentive to the city to make timely payments, and ensure that nonprofits are able to cover their losses in the event of payment delays.
- **Improve transparency** to ensure accountability.
- **Reform guidelines for the Procurement Policy Board** to require regular meetings and facilitate public engagement.
- **Provide sample budgets in procurement RFPs** and **survey current nonprofit contractors** to support realistic work scopes and budgets in bids and contracts.

[1] https://comptroller.nyc.gov/reports/nonprofit-nonpayment/
[2] The line between human services contracts and other nonprofit contracts is not always intuitive. Services performed by non-profits such as eviction prevention counseling, assisting people with access to benefits, etc are performed under a range of contracts through various agencies. The changes recommended by the Human Services Council, and the rationale behind these changes, should be broadly applied.

In addition to our above proposals we are commenting on two specific sections of the Commission's Preliminary Report.

1. **Streamline outdated requirements that impede the City's ability to activate city property**
    a. ANHD would urge this Commission to ***not*** **consider substantive changes to how the City disposes of public land - other than for smaller, undevelopable parcels like those included in the SAIL Away program.**
        i. Publicly owned land is an invaluable and increasingly scarce resource in New York City. ANHD and our member organizations have been working to ensure the City designates public land to be used in the public's interest, in perpetuity, and with both local and citywide needs in mind, especially for the development of deeply affordable housing. It is imperative that communities, advocates, and their elected officials have the ability to engage through the ULURP process to help determine the best uses and most appropriate, equity-focused projects that serve the most pressing needs in our communities and citywide.
        ii. This is particularly true in light of recent charter changes in 2025 that allow for an expedited ULURP (ELURP) for certain affordable housing and resiliency project dispositions. ANHD supports those changes given their focus on 100% affordable housing. These are the types of projects that should be incentivized and prioritized in the disposition process. The Commission should not consider additional changes to the disposition process for developable public land at this time as we wait for the impacts of these recent changes to be felt.

2. **Make better use of taxpayer dollars by eliminating outdated reporting requirements**
    a. ANHD supports the idea of consolidating and streamlining reporting requirements, particularly to advance comprehensive planning. **We support A Stronger RABRC that includes a mandate to consider how existing reporting requirements can be consolidated and/or synchronized to advance comprehensive planning**. RABRC's consideration of specified factors should include whether and how a report is used for planning purposes, where it might be duplicative of other reports used for planning purposes, and how differing timelines across reports can be aligned to better advance their shared planning goals.

Finally, ANHD wishes to note that the timeline and public engagement process for this commission has been deeply flawed. There were less than 2 weeks between the announcement of the commission on May 28th and the first public hearing on June 9th. The commission's preliminary report was released on July 2nd, and the first of the next round of hearings was scheduled for July 6th, leaving only a holiday weekend for the public to actually read the report before being asked to respond. All told, this commission has allowed less than 2 months for the public to testify or otherwise engage. Realistically, most New Yorkers will not have been aware of its existence. The community organizations and advocates who often do the work of public engagement and civic education did not have time to inform, activate, and support folks to testify at the commission's hearings. And more marginalized communities were undoubtedly disproportionately adversely affected and disempowered by the commission's extraordinarily short timeline. Poor public engagement processes undermine our democracy and reinforce a system in which the most powerful, wealthy, and connected voices are disproportionately loud, while those with less access to institutional power are locked out. It is disappointing to see from a Mayoral Administration that has been broadly focused on addressing inequities and encouraging civic participation among historically marginalized communities. We encourage the commission to consider recommendations for improvements to commission processes in the future, and encourage the Mayor and others who may consider appointing future commissions to do so in ways that actually empower New Yorkers to participate in the process and support marginalized communities' meaningful engagement.

We welcome the chance to work with this commission and its staff to realize these recommendations. Please contact Chris Walters, Associate Director for Policy and Research at ANHD at [redacted] for any questions or follow-up.

Name

Kristin Miller

Email [redacted]

Public Comment

Please see attached written testimony that supports in-person testimony on July 6th.

Attachment(s)



HSU COGE Testimony 7-2026.pdf

Date Submitted July 13, 2026

Topic Miscellaneous

Charter Related Yes

Topic Simplified Procurement

Subtopic Chronic late payments

Show 4 hidden fields

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New York City Commission on Government Efficiency (COGE)
July 2026

Testimony by Homeless Services United

On behalf of Homeless Services (HSU), I would like to thank the Commission for this opportunity to submit testimony. My name is Kristin Miller, and I am the Executive Director at Homeless Services United. Homeless Services United (HSU) is a coalition representing over 50 mission-driven, homeless service providers in New York City. HSU advocates for the expansion of affordable housing and prevention services and the immediate access to safe, decent, emergency and transitional housing, outreach, and drop-in services for homeless New Yorkers. Homeless Services United promotes effective solutions to end the crisis of homelessness in New York City. Today's testimony recommends the City make Charter amendments that prioritize the financial health of nonprofits and their workers alongside additional transparency and oversight from government agencies.

Addressing Chronic and Pervasive Late Payment Issues Troubling Nonprofits

HSU's nonprofit members have faced chronic late payments, an issue that started three mayoral administrations ago with little relief over the years. Providers routinely experience delayed approvals for budget modifications and invoices for review, and repeated requests for supporting documentation, only for there to be continued delays once submitting requested documentation. While there has been some improvement in DHS' approval process, we are now finding that OMB is delaying payment approvals. As of May 31st, DHS contracted providers had over 1,700 pending new needs impacting fiscal years 2020-2026. Because a provider cannot invoice for these pending expenditures, they must choose to not pay their vendors, operate out of compliance with mandated expenses, or borrow money to pay necessary expenses and wait months or years for the City to reimburse.

Examples of this from members include $3.8 million in mandated increased security prevailing wage costs, $730,000 for emergency bathroom renovations, $540,000 in emergency pipe burst repairs, and $1.1 million in 3 years of WEI and COLA increases. Many of the new needs must be base lined so that each delay only creates additional new needs, i.e., a pending FY26 new need will not be baselined in the FY27 contract thus requiring an additional new need in FY27.

The lack of normalcy when it comes to payments puts our members, and many more organizations, at risk, as it makes it difficult for them to pay staff, vendors, and run programs for clients. Organizations are often forced to take out lines of credit just to relieve cash flow issues, only to then have to pay interest; some members pay $1 million annually in interest alone.

Some of the above issues could be solved through increased City agency staffing. DHS shelter capacity doubled a few years ago, but contract and budget support staff did not. Other improvements will come from consolidating and clarifying the thousands of pages of policies and procedures our members must comply with each day.

That said, we believe that the Charter Revision Process is a crucial opportunity to tackle these pervasive issues threatening the solvency and efficiency of nonprofit homeless shelter and

homeless service providers. The City must be held accountable for timely payments with clarity and transparency.

Recommendation 1: Interest on Late Payments.

We recommend amending the Charter so that nonprofits can collect interest when the City pays late. Ideally, no contracts should ever start before payments are made, but nonprofits should not bear the cost of any late payments. Current policies around interest payments do not work — providers are almost never granted interest for late payments. Therefore, we recommend that Section 332 includes a requirement that the City is responsible for interest on late payments, including late payments due to late contract registration. This could be implemented by requiring appropriations for interest on late payments to be included in agency contract budgeting. If the agencies do not spend the allocated reserves, the money could be spent to support other agency initiatives, for instance in cases of PEGs, which would incentivize agencies to pay invoices on time.

The City is starting to lose the network of quality providers it relies on because of its inability to get payments out on time. Amending the Charter so that nonprofits can collect interest on late payments not only makes the provider or vendor whole but also mitigates some of the high risk that comes with contracting with the City.

Recommendation 2: Mandating prompt procurement timeframes.
The City Charter creates a timeframe for the comptroller to register a contract (30 days); we believe that Chapter 13, Section 311 should be amended to require the PPB to set contracting timelines for each step of the procurement process and regularly report on the compliance of the contracting agencies. Utilizing the data acquired through PASSPort, there must be mandated timeframes to hold the contracting agencies accountable for the delayed procurement processes, which have resulted in human services providers waiting months and sometimes years to be paid for the services provided.

Recommendation 3: Limiting work without a registered contract.
The Charter should mandate a PPB rulemaking prohibiting contracting agencies from asking any vendor to perform any services without a registered contract. Late contracting issues put human services providers at financial risk and operational uncertainty because payments are often made late. Late contracts and payments increase costs for nonprofits because they must spend time and money chasing the dollars they are owed and shifting resources to fill temporary gaps. Providers may operate now with a promise that the contract for the new shelter they are opening will be approved quickly only to experience months' delay in processing the contract.

Recommendation 4: Elevating the oversight and accountability role of MOCS.
With the establishment of the Mayor's Office of Contract Services (MOCS), we recommend that the standard auditing procedures that will be applied to DHS contracts be applied to all agency contracts

Recommendation 5: Automatic contract registration for existing vendors.
The Charter should mandate the PPB to make a rule that would automatically require agencies to process extension contracts for their existing vendors. This rule could be triggered whenever

agencies are unable to begin processing new RFP awards, at least six months prior to the end of the existing contract. The timeline now outlined—including agency review of proposals, vendor selection, and final awards—is between 90 and 120 days, plus 30 days for registration.

Recommendation 6: Data transparency on contract registration and payment processing. Recently, Comptroller Levine announced the creation of the Late Contracts Dashboard, which will provide real-time information on contract registration delays. This is a great step towards rectifying late payments to homeless service providers. We encourage the City to make this a permanent fixture in City administration, rather than a temporary addition to the Comptroller's role.

Funding the Human Services Sector

The nonprofit sector has struggled for decades with how competitive procurements negatively impact the systemic underfunding of programs, to the detriment of the financial health of nonprofits. While the Charter is not a document structured to set rates, there are ways that the Charter could structure procurements to better ensure more equitable rates. Nonprofits provide a myriad of services on behalf of the government – many of them mandated – and the sector leverages private and philanthropic dollars and funding from the City, State, and federal government, to create dynamic programs at a bargain.

We must also pay special attention to the workforce who makes this all possible. We must ensure that contracts for nonprofit service providers are funded at levels that allow for fair and equitable wages for our dedicated human service workers that carry out this vital work. The well-trained, talented, and committed nonprofit workforce should not be forced into poverty due to chronic underfunding of City contracts.

Recommendation 7: Amending the PPB principles.
The underfunding of human services contracts is the most pressing issue impacting the sector. Charter section 311, sets out principles for the PPB and should be amended to include language requiring that procurements reimburse providers for reasonable costs. Suggested language in Section 311.d is "(iv) rules requiring all agencies to reimburse nonprofit client services providers for at least the reasonable cost of providing the contracted services."

Recommendation 8: Addressing underfunded contracts with sample budgets.
Human services providers compete for contracts that contain scopes of work proposed by government that are typically developed without a market survey of costs or input from providers. This results in contracts that do not cover the real cost of services and include inadequate compensation for a highly educated workforce, which are all essential to implementing a high-quality program. Chapter 13 of the Charter instructs the City on the procurement process; the City should include a rationalization, through a sample budget, for the rates set forth in the RFP. Chapter 13 of the Charter should include language that "Prior to issuing an invitation for bids, requests for proposals, or other solicitations that set forth proposed rates, the agency shall undertake an analysis of the costs associated with performing the service, including employee costs, and include the analysis as a sample budget in the bid or request for proposal documents."

Recommendation 9: Surveying contract vendors to develop RFPs.
New York City outsources the bulk of human services programs to nonprofit vendors, and many of these providers compete for contracts for programs in which they have previously held contracts at the City level, as well as from other levels of government and private funders. When the City develops a Request for Proposal (RFP) for a set of contracts that are expiring or develops a new RFP that is substantially similar to existing contracts, the City should survey current vendors to receive information on rates, deliverables, and outcome measurement. Current contractors hold vital information on the real costs of running programs, what works and what does not in the current program design, and what deliverables are being met and move towards the outcomes the City seeks when designing a program. Providers can also make recommendations on updated program models that better reflect current needs of the client population. A market survey should be conducted to justify the cost allocations put forward in the creation of rates or overall budgets offered on human services programs. Additionally, in the event the RFP does not reflect market research, the agency should have to defend why crucial services and equitable wages were not fully funded. Forcing transparency in average costs versus proposed funding would help move procurements away from a place of scarcity, where government budgets are balanced on the backs of nonprofits and frontline workers. The rate setting methodology should be transparent to the public, especially for per-client or per-service rates and should document the components and calculation of the rate.

The City charter should include in Section 312 language requiring City agencies to survey current vendors, or vendors who hold substantially similar contracts, when creating a bid or request for proposal. "Prior to issuing an invitation for bids, requests for proposals, or other solicitations, the agency shall undertake a survey of vendors who currently hold a contract for the service being bid, or those who hold substantially similar contracts, to assess the current rate structure and costs associated with the service, and the measurement of deliverables prescribed to the contract."

Recommendation 10: Require Human Service contracts to be funded at the True Cost of Living
In Section 16 of the Charter, the mayor must report on social indicators and equity including "budgetary resources allocated to reduce poverty." The city's current under-resourcing of human services contracts is poverty-inducing, not poverty-reducing. We respectfully submit that the Charter should require human services contracts to be funded at a true cost of living, and such funding be reported annually. To further this goal, we suggest amending Charter Section 2-04 to require multi-term client services contracts to include annual wage escalators that maintain contract wages at a true cost of living.

Addressing New York City's Housing Crisis

Our shortage of affordable housing has reached a breaking point. With record low vacancies, rising rents, and rising costs, plus stagnant wages – we are in a dire moment that needs action to prevent additional New Yorkers from entering homelessness. In April, New York City's shelter system already housed (on average) nearly 85,000 individuals a night. New York already State saw a 53.1% increase in homelessness between January 2023 and January 2024 — more than four times the national average; New York City accounted for 93% of this increase. With

pending federal funding cuts and under investment in the sector, New Yorkers will be forced to enter a system that is not resourced for this volume. Increasing the housing stock is not enough – we must prioritize deeply affordable housing that reduces the number of rent burdened tenants and makes it easier for clients who transition out of shelter to find housing.

Recommendation 11: Make the Fair Housing Plan more enforceable by amending the charter to:

- Encourage and advantage certain ULURP proposals found to be in compliance with reaching Fair Housing Plan targets by moving them through an expedited process. This would be done in a tiered fashion where:
    - 100% affordable developments with deeply affordable units could be expedited in all geographies
    - Mixed-income affordable developments could be expedited only in those geographies deemed both "low-affordability" and not a "high displacement risk area" by the Fair Housing Plan and that did not reach their housing production targets in the most recently completed five-year time period
    - Such projects would not receive an automatic Council hearing and vote unless a majority of the Council voted to do so
- Require that the capital budget details how it is advancing and addressing the goals, targets, and obstacles established and identified by the Fair Housing Plan

Recommendation 12: Amend the charter to mandate that New York City create a comprehensive plan on a recurring timeline, with the following essential components:

- Establishment of equity goals, including:
    - Ensuring an equitable distribution of development and investment
    - Increasing access to affordable housing
    - Promoting social, economic & racial integration
    - Advancing environmental justice, open and green space
    - Through the coordination of existing plans' goals and mandates (such as the Fair Housing Plan, Long-term sustainability plan)
- Establishment of citywide and Community District level targets across a host of issues, including for:
    - Housing
    - School seats & community facilities
    - Open space
    - Infrastructure & Resiliency
    - Through the coordination of existing plans' quantifiable targets (such as the Fair Housing Plan)
- Committing all 59 Community Districts to create Community District level plans to achieve these targets, with the necessary resources to conduct this process with robust, deliberative and inclusive community engagement, including budgetary and technical assistance needs to achieve this
- Requiring land use, annual expense budget, capital budget and policy decisions to detail how they are in accordance with the comprehensive plan so as to achieve its goals and targets

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Recommendation 13: Make Public Land Work for Affordable Housing.
The City is by far the largest landowner in the five boroughs, but turning underutilized, city-owned land into affordable housing is bureaucratic and slow. We should establish an expedited process to build HPD-financed affordable housing on city-owned land.

Recommendation 14: Factor Housing Needs into Landmarks Decisions.
The Landmarks Preservation Commission (LPC) is limited by the Charter on what factors it can consider in making critical decisions. The impact is especially severe in the City's most well-resourced, low-growth neighborhoods. We must make sure that housing affordability and availability are part of the discussion when LPC creates new historic districts and allows building consolidations in existing districts.

Thank you for the opportunity to testify before this commission. I can be reached at [redacted] should you have further questions.

HOMELESS SERVICES UNITED

[redacted]

New York City Commission on Government Efficiency (COGE)
July 2026

Testimony by Homeless Services United

On behalf of Homeless Services (HSU), I would like to thank the Commission for this opportunity to submit testimony. My name is Kristin Miller, and I am the Executive Director at Homeless Services United. Homeless Services United (HSU) is a coalition representing over 50 mission-driven, homeless service providers in New York City. HSU advocates for the expansion of affordable housing and prevention services and the immediate access to safe, decent, emergency and transitional housing, outreach, and drop-in services for homeless New Yorkers. Homeless Services United promotes effective solutions to end the crisis of homelessness in New York City. Today's testimony recommends the City make Charter amendments that prioritize the financial health of nonprofits and their workers alongside additional transparency and oversight from government agencies.

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Recommendation 11: Make the Fair Housing Plan more enforceable by amending the charter to:

- Encourage and advantage certain ULURP proposals found to be in compliance with reaching Fair Housing Plan targets by moving them through an expedited process. This would be done in a tiered fashion where:
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  - Mixed-income affordable developments could be expedited only in those geographies deemed both "low-affordability" and not a "high displacement risk area" by the Fair Housing Plan and that did not reach their housing production targets in the most recently completed five-year time period
  - Such projects would not receive an automatic Council hearing and vote unless a majority of the Council voted to do so
- Require that the capital budget details how it is advancing and addressing the goals, targets, and obstacles established and identified by the Fair Housing Plan

Recommendation 12: Amend the charter to mandate that New York City create a comprehensive plan on a recurring timeline, with the following essential components:

- Establishment of equity goals, including:
  - Ensuring an equitable distribution of development and investment
  - Increasing access to affordable housing
  - Promoting social, economic & racial integration
  - Advancing environmental justice, open and green space
  - Through the coordination of existing plans' goals and mandates (such as the Fair Housing Plan, Long-term sustainability plan)
- Establishment of citywide and Community District level targets across a host of issues, including for:
  - Housing
  - School seats & community facilities
  - Open space
  - Infrastructure & Resiliency
  - Through the coordination of existing plans' quantifiable targets (such as the Fair Housing Plan)
- Committing all 59 Community Districts to create Community District level plans to achieve these targets, with the necessary resources to conduct this process with robust, deliberative and inclusive community engagement, including budgetary and technical assistance needs to achieve this
- Requiring land use, annual expense budget, capital budget and policy decisions to detail how they are in accordance with the comprehensive plan so as to achieve its goals and targets

Recommendation 13: Make Public Land Work for Affordable Housing.
The City is by far the largest landowner in the five boroughs, but turning underutilized, city-owned land into affordable housing is bureaucratic and slow. We should establish an expedited process to build HPD-financed affordable housing on city-owned land.

Recommendation 14: Factor Housing Needs into Landmarks Decisions.
The Landmarks Preservation Commission (LPC) is limited by the Charter on what factors it can consider in making critical decisions. The impact is especially severe in the City's most well-resourced, low-growth neighborhoods. We must make sure that housing affordability and availability are part of the discussion when LPC creates new historic districts and allows building consolidations in existing districts.

Thank you for the opportunity to testify before this commission. I can be reached at [redacted] should you have further questions.

Name

Tom Williams

Email

[redacted]

Public Comment

I attended the hearing in Manhattan on July 8th, but was not able to testify due to time. I have never testified before a Commission before, and I wanted to submit my testimony for your consideration. I live in [redacted] and work as a [redacted] at [redacted].

I have been an independent since the late 1990's and have felt frustrated by not being able to vote in primary elections that determine most of the winners of races in our city. But, I cannot in good conscience register with a political party whose values I do not share. So, for decades my vote and voice have been shut out from our election process.

I believe this is unAmerican and undemocratic and hope that you will act and put a proposal to open the primary on the ballot.

I have heard it said that independents don't want to participate. That is not my experience. I have been politically active for decades and have worked on many campaigns, supporting independent and major party candidates. I regularly speak with independents from all across our city.

We want to vote. So many of us are frustrated by our exclusion and I know that I and tens of thousands of other independents would vote in primary elections in our communities if just given the opportunity.

We are in challenging times with the very fundamentals of our democratic system under attack. If now is not a good time to create a fair election system that lets all voters vote, then I ask you exactly when will it be a good time?

Please let the voters of New York City have a chance this November to vote on this critical democracy reform. Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 13, 2026
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Randall Gordon

Email [redacted]

Public Comment

Dear COGE Commissioners:
I testify to support a pro growth maritime policy "a waterfront that works for all" and the creation of a new city agency for maritime, a Department of Maritime.
As a 21 year resident of the [redacted], immediately east of the Brooklyn Marine Terminal, I've always appreciated the importance of a working waterfront. I've traveled to thriving ports here in the US, like Seattle and San Francisco, as well as global maritime centers such as Amsterdam and Hong Kong. I've seen how a waterfront that works for all brings prosperity and opportunity to a city.
Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.
This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office. Its staff will directly manage assets. This agency will not be the Mayor's office liaison between entities managing assets, creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy, and/or direct industry and operational experience. This new agency will increase efficiency by combining expertise that can be shared citywide.
The agency will

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Expand transportation by water of people and freight.
- Grow the blue highway more rapidly than is happening under the current planning and management structure.
- Help grow maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans since their design and construction

uses marine construction trade skills. Create waterfront design codes.

- Support offshore wind developments.
- Work with maritime training academies and non-profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working-class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.

I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

Thanks for your consideration. If you have follow-up questions, I can be reached at [redacted]

Sincerely,

Randall Gordon, President, Columbia Street Waterfront Association

[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Enforcement ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/maritime policy

Show 4 hidden fields

Name

Sheryl Williams

Email [redacted]

Public Comment

I am submitting my testimony from the June 23rd hearing in Staten Island.

Thank you Commissioners, my name is Sheryl Williams. I am here tonight because I could not vote today, Primary Day. I am denied the right to vote because I have chosen to be an independent.

My mother passed away in 2024 at 90 years old. Born into Jim Crow–era, South Carolina. She grew up surrounded by signs that read “White Only” and “Colored.” She died hoping that her children and all children, of every background, race, or belief would never have to live under that kind of tyranny again.

But here we are, in 2026, primary election day when 1.2 million New York City voters are locked out of the most important round of voting our primaries. And 54% of those voters are people of color.

Dr. Lisa Handley, a deeply respected voting rights expert conducted an analysis of the NYC electorate in 2025. Here's what she found:

12.2% of NYC independents are Black

23.1% of NYC independents are Latino

19.2% of NYC independents are Asian American

That is 54.5% of independents who are from communities of color. This is a civil rights issue, a voting rights issue.

As a registered independent, I help fund elections I’m barred from participating in. These are public elections not private elections. They are administered by public agencies, we pay for them with our tax dollars. Therefore, every voter should have the right to participate. That is the bottom line in a democracy and something that we have grappled with in this country from our birth 250 years ago! It is time for New York City to do the right thing and join the 85% of major American cities that already allow independents to vote in every election.[1]

Thank you.

[1] Examples include Boston, MA; Chicago, IL; Denver, CO; Detroit, MI; Los Angeles, CA; Milwaukee, WI; Nashville, TN; Phoenix, AZ; and Washington, D.C., following its June 23, 2026 vote to fund open primaries.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 13, 2026
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Rachael Smith

Email [redacted]

Public Comment

I am a proponent of small businesses and I am a fan of allowing more restaurants and small food establishments to get outdoor seating permits at an expedited speed. A restaurant may suddenly go viral or suddenly find that they have become the designated bar for the Norwegian team. Being able to ride the wave and adjust to these demands quickly is what allows a small business to thrive.

Attachment(s)

Drop files here or click to browse

Date Submitted

July 13, 2026

Topic

Revocable Consent ✕ Unnecessary Bureaucracy ✕ Real Estate and Development ✕

Charter Related

Yes

Topic Simplified

Public Realm

Subtopic

Outdoor dining

Show 4 hidden fields

Name

Carolina Salguero

Email [redacted]

Public Comment

Please see attached. Thanks for your work on this!

Attachment(s)



2026 07 13 PortSide NewYork testimon...

Date Submitted

July 13, 2026

Topic

Miscellaneous

Charter Related

Yes

Topic Simplified

Government Operations

Subtopic

Waterfront/maritime policy

Show 4 hidden fields

13 July 2026

To: Commission on Government Efficiency (COGE)

Re: recommendation to re-create a City agency for maritime and take all maritime from NYC EDC

Dear COGE Commissioners:

I testified before you on June 30, 2026 at Medgar Evers College. Here, I will expand on that testimony as three minutes was not enough time to substantiate the need for the new city agency for maritime. In short, NYC has a mess of overlapping and/or disconnected bureaucracies that needs pruning and the benefit of centralized management by a single competent city agency for maritime – and we need all maritime taken from the NYC EDC.

Again, I am the founder and ED of the award-winning maritime nonprofit PortSide NewYork. Before that, I was an award-winning, freelance photojournalist, and my specialty was doing in-depth features, mostly overseas before returning to NYC for good in 1997 and finding this harbor as my subject. When reporting overseas, I specialized in covering dysfunctional countries, many of them were pivoting to democracy after years of oppressive governments. I mention this because I was shocked to return home to find some aspects of NYC's waterfront being managed in ways that reminded me of Soviet-era dysfunction in Eastern Europe, the NYC EDC in particular.

As I will substantiate below, the EDC is are prone to failed projects and site management that leads to idle or under-used facilities, while trumpeting their success and promising community benefits via performative community engagement with self-justifying disinformation and a steady output of glossy PR.

As a landlord (PortSide's for many years), the EDC management style alternates between a stultifying over-control and unresponsiveness. I am reminded of tables in restaurants in East Germany and Romania that would have signs "reserved" for patrons that never came, a theater of success executed by the management, but a theater that prevented people from getting served. It was a rigged game that the people resented but were obliged to suffer. Voila how it is to try and do maritime things in NYC. The system is a theater that does not work. The latter part of this testimony documents problems to substantiate the need for change.

PortSide and friends are calling for a pro-growth maritime policy, for a new city agency for Maritime, so maritime is no longer straining to grow. NYC had a maritime agency under changing names for 100 plus years. The last one closed in 1991.

Now, the waterfront is no longer managed by maritime experts. This means the "blue highway" initiative (a revival of moving freight locally by water), needs to retrofit itself into spaces that should have been designed for it from the start – as I and other maritime voices advised. Last year, the Department of Buildings created a code for waterfront structures, and they had to create a special maritime committee.

For the 4th of July and our nation's 250th , we have great tall ship and navy vessel parades next weekend. Those plans have been challenged by a lack of pier space and a lack of town docks where dinghies and harbor launches could bring passengers out to boats at anchor due to the lack of piers.

NYC maritime management is chopped up between big new waterfront parks such as Hudson River Park, Brooklyn Bridge Park, and Governors Island (none of which have centered maritime in their plans), and the work of a quasi-governmental nonprofit, the Economic Development Corporation. The EDC's work to develop housing conflicts with the City's maritime functions. The Brooklyn Marine Terminal is under threat that way.

PortSide analyzed many ways the EDC fails in our 2022 campaign #rethinkEDC (See https://portsidenewyork.org/portsidetanke/2025/2/27/rethinkedc) including the EDC's waste of public funds through avoidable mistakes, tangible harm to tenant businesses and nonprofits, unwillingness to work with communities and lack of follow through to create promised jobs and benefits – including NOT delivering the permanent home the EDC promised for PortSide, a space big enough for a maritime hub, something the EDC recommended in their 2008 maritime support services study and DCP recommended in their 2016 Waterfront Revitalization Program.

NYC deserves better - a waterfront planned, designed, built, and managed by maritime people. We need a pro-growth maritime policy in a new city agency, **a waterfront that works for all.**

We salute Mayor Mamdani for identifying that the EDC needs to evolve via the new position of a Deputy Mayor for Economic Justice. PortSide and others go further and say maritime should be taken away from the EDC.

We also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have **a waterfront that works for all.**

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It

should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- **Manage the assets.** Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.

- **Reduce red tape** There is a lot of it preventing all types of maritime activity on diverse sites (parks, industrial land managed by the EDC, private property). All of it could use an advocate for maritime interests before the NYS Department of Environmental Conservation (DEC) which has prevented repair and construction of maritime infrastructure in industrial and parks locations.

- **Work with the State** agencies to grow sustainable maritime activity and help NYS create its own maritime agency. Discuss the possibilities of tax incentives for maritime use of waterfront properties. None of NYC's current zoning tools (IBZ and SMIA) actually protect/ensure maritime uses or incentivize them. Compare to Baltimore which instituted in 2004 the **Maritime Industrial Zoning Overlay District (MIZOD).** "The Maritime Industrial Overlay District is designed to ensure the preservation of limited deep water frontage of the Port of Baltimore for maritime use. The intent is to delineate an area where maritime shipping can be conducted without the intrusion of non-industrial uses and where investment in maritime infrastructure is encouraged."

- **Serve as NYC maritime experts.** Advise the Parks Department and the waterfront parks run by authorities — Hudson River Park, Brooklyn Bridge Park, Governors Island — to show them how and why to grow maritime capacity and help them stop making avoidable errors like bad pier design or buying a useless ferry as Governors Island did in 2007. Write the waterfront design codes, instead of having the Department of Buildings create a temporary experts advisory committee to do it. This agency would be a clearinghouse of expertise also to the private sector so that government and business work hand in hand in a pro-maritime climate.

- **Simplify red tape for docking.** This should lead to an increase in #piers4boats as PortSide says on social media. For example, last year, as part of the 200th anniversary of

organized Norwegian immigration to the USA a replica historic sloop for Norway, the Restauration, came up the coast using an app https://dockwa.com that had a simple form to complete to reserve a berth. The EDC and their dockmaster DockNYC offered their standard 27 page permit to come to PortSide as part of our visiting vessels program – and insisted on charging a fee. The sloop went to New Jersey instead where they were offered a free berth and less paperwork. NYC has literally built new park piers for views and land sports rather than boats, THE water-dependent users of piers.

- **Grow waterborne transportation.** Expand movement of people and freight by water, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- **Build emergency capacity.** Expand maritime emergency response facilities and protocols, so that the next boatlift is planned rather than improvised like the on 9/11.
- **Advise on resiliency**. In general, and consider putting the Bureau of Coastal Resilience in the maritime department rather than the DEP (though the DEP has a maritime department with vessels and manages stormwater) since harborside resiliency design and construction uses marine construction trade skills.
- **Support offshore wind**, especially by understanding the role of jobs afloat, on boats. When the EDC announced the winner of the SBMT RFP that led to that facility becoming an offshore wind site, PortSide, as a member of the original Sunset Park Task Force which shaped the RFP, tried to advise the EDC to think about the maritime aspects of the project, work on vessels and not just count "jobs on site." I said, if not, vessels from New England and the Gulf of Mexico would come get the work not local marine companies. The EDC focused on job counts on land at SBMT.
- **Develop a real marine career pipeline.** The EDC has a one-day marine career day which PortSide has attended for years. The attending high school students, from schools selected by the EDC, are not even allowed on the vessels that participate. Most of the event is talking to people at tables, an especially poor way to provide a taste of what it's like to work on a boat (while recognizing that not all maritime work is on boats, there's desk work too.) This event is not the best way to introduce youth to maritime, especially not to NYC youth where so few have no experience with boats or even the waterfront.

NYC needs this charter revision now because the harbor needed change many yesterdays ago, AND other efforts to get improvement have failed.

- The 2010 process that created the Vision 2020 comprehensive waterfront plan embraced the waterways, using terms like sixth borough and blue network. But Sandy hit NYC less than two years after the rollout of the plan, and the focus shifted to resiliency projects. The historic ship docking protocol of WAVES was tasked to the EDC who created a Kafkaesque document used by no one.
- In 2025, some of us tried to get this agency established with last year's City Council charter revision commission "The Commission to Strengthen Local Democracy." I and others sparked interest in the commissioners, but their land use director emailed me some weeks later to say that the "*Commission is focusing on recommendations that cannot be accomplished through local law. See page 98-99 in our recent report for more details on our rationale for why we believe this idea does not require a ballot initiative, thus will not be a focus for this Commission. To be clear, we do not disagree with the idea of a Waterfront Agency that you and others have described in your testimony, it just does not meet our criteria for continued exploration.*"
- Lastly, an agency could be created via legislation, but two councilmembers in a row from the north short of Staten Island (Debby Rose and Kamillah Hanks) have submitted bills to create "an office of the waterfront" and the Council – to our create frustration – considers this too similar to an agency for maritime to allow interested Councilmembers to submit such a bill. We do NOT support the creation of a Mayor's office of the waterfront as a solution. That just adds another layer, is just a liaison, is too subject to the whims of whoever is Mayor (who only have two years terms, not a recipe for long-term stability and staff expertise).

About is NYC maritime

After the decline of finger piers all around the city, local maritime became too invisible; but NYC is home to a large, diverse maritime ecosystem that includes two container ports; two cruise terminals; ferries; workboats of all types including many tugboat companies; boats in the tourism industry offering whale watching, fishing cruises, harbor tours and dinner/party boats; historic/cultural vessels; and recreational boating - plus, the companies that build and maintain the maritime infrastructure, dredge harbor channels and rescue ships (marine salvage) as well as shipyards that repair vessels of all sizes.

NYC is part of a bi-state cargo port that is one of the largest containerports in the USA, a port that imports cars, sand/stone, chemicals and orange juice, and is one of the largest petroleum through-ports in the country. Multiple companies distribute fuel out of here by tug and barge. Work boats move back and forth between both sides of this bi-state harbor.

NYC's own government has an extensive fleet for the FDNY, NYPD, DEP, DOT and the NYC Ferry. Ships are actually so essential to NYC's sewage system that the DEP has boats to move sewage between wastewater treatment plants.

Federal work boats of the Coast Guard and Army Corps also operate here. There is a major Coast Guard base in NYC.

What wrong with the current system?

NYC urgently needs a new way to manage the waterfront to support maritime of all types.

Maritime activity is diverse and occurs on sites managed by private property owners, managed by the NYC EDC for the City, on Parks Department property (mostly cultural and educational maritime) and within new major waterfront parks managed by authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island). There are other new waterfront parks that are NYS-run and not covered here. A City maritime agency would be a source of expertise for these parks which have lacked maritime people in senior positions. Here are some maritime failures from those parks.

1. Some of these new parks fail maritime by not centering it in their plans (so there is a lack of maritime activity), by not building piers for boats at all, by taking piers out of maritime use that had been in use as Port Authority piers (Brooklyn Bridge Park), or by building piers badly for boats (pier 25 in Hudson River Park).
2. The permitting process to use piers in Hudson River Park and Brooklyn Bridge Park is so complex that it is a shock to vessels visiting from other places, domestic and international, and can be a deterrent to the piers being used. Hudson River Park has then cited the lack of visiting vessels to say there is no market demand to build the two additional historic ship piers that are part of their charter.
3. In 2007, Governors Island (while still NYS-controlled) bought the ferry MV Islander ferry from the Massachusetts Steamship Authority even though the ferry was being sold for scrap. Governors Island ended up not using the ferry and selling it on eBay, wasting $922,645. Despite being a former Coast Guard base, Governors Island (now City controlled) has made no maritime use of its waterfront for public programs until the recent SailGP races where the shoreline holds the audience during one summer weekend. They are letting to piers in the Buttermilk Channel rot away.

The failed maritime projects described above cost NYC more than the money expended, the cost includes the lost business, cultural, and educational activity that did not occur, plus (in the case of the EDC) lower revenue from the site which leads to lower payments to the City via the "maritime contract."

PortSide NewYork's saga with the EDC

Problems with the NYC EDC

The following provides evidence that our saga is not a bug but a feature, but I lead with this so that our story is less buried as we need – and merit urgent relief. There is so much more than the following, but we're out of time.

PortSide responded to the NYC EDC's 2006 RFEI for Atlantic Basin and the follow-up 2007 RFP. From 2008 to Spring 2011, the NYC EDC promised PortSide a home in Atlantic Basin as a give-back to Red Hook after the community uproar about the EDC's renting a large part of Atlantic Basin to Phoenix Beverage. The EDC promised Red Hook that PortSide's home would be: 600' of pier to program, about 6,500 sqft in the Pier 11 Shed warehouse (we had asked for more than 2x that), use of the parking lot south of that building when no cruise ships were in (they use that space for parking when ships are here).

From 2008 through 2010, the NYC EDC made PortSide do "interim programs" and then made us do an architect building code review from late 2010 into 2011 for the office suite inside the promised building space. The NYC EDC then backed out on the deal. PortSide remained quasi-homeless and locked up in the Red Hook Container Terminal on the historic ship Mary A. Whalen for most of a decade.

May 29, 2015, PortSide returned to Atlantic Basin thanks to the NYC EDC's needing the approval of Councilman Carlos Menchaca for a deal in Sunset Park at SBMT. Menchaca made the EDC sign an LOI with community benefits, and we got space for the ship. We began asking for the formerly-promised building space. The pier was fully rented.

November 2017, the NYC EDC said we had to do a new business plan for the same building space during 2018 – the then-President of the EDC lying to us, said that they could not provide the space as our RFP response was so old. In 2008, an EDC SVP told us that the EDC had decided that they could sole-source in Atlantic Basin since it is not City property, it is Port Authority property, and we had seen the EDC rent multiple times without and RFP. We had not choice and did the intense work of the business plan in January 2019.

During 2019, Menchaca and Congresswoman Nydia Velazquez tried to negotiate with the NYC EDC. PortSide did not get what we needed. In 2020, we planned to go public with this story, but the pandemic hit.

Note that the EDC promised this PortSide home as a benefit to Red Hook and the maritime community – AND the EDC took our idea and used it in their 2008 *Maritime Support Services Study* as a recommendation for Maritime Support Service Hubs. In 2016 the Department of City Planning recommended maritime hubs in their Waterfront

Revitalization Plan (WFP) on 27. PortSide created an idea that became City policy and has been prevented from executing it! Let's fix this!

Worse, in the past few years, the EDC has been an abuse landlord to us. They have often lied to us starting in 2002, during Andrew Kimball's tenure as EDC president, saying they they could not satisfy PortSide request X, Y or Z "because it violates our lease with the Port Authority." I would check with Beth Rooney, the head of the Port Authority Port Department who said every time (3 or 4) that I asked that what I was told was wrong and then asked me to FOIL the lease between them. We did that October 2022 and got the lease on 6/28/23.

Most years starting in 2019, the EDC delivers our annual permit late, well into the year, via their DockNYC dockmaster Billybey Marina Services, LLC*. They change the terms each year, and while we try and negotiate, they say we can't deliver programs. They have raised our marine insurance unreasonably the past 3 years adding a total of $15,000 in unnecessary costs (according to our insurance broker who makes money from selling us insurance!). The EDC refuses to stop demanding that we submit a permit for every event (the raised the audience limit from 20 to 50, but that is still all our events), and in their typical Kafkaesque fashion justified this *"as being consistent across our portfolio"* even though we pointed out that other EDC tenants such as the South Street Seaport Museum and the National Lighthouse Museum don't need EDC approval of every program.

The EDC has also since 2024, said that visiting vessels to PortSide have to pay landing fees, even the nonprofit educational ones – whereas the Parks Department does not charge the Clearwater. The EDC even insisted on this policy in 2024 while the Clearwater had just announced that they needed to raise $250,000 in six weeks or they would close. The Clearwater was the lead voice in cleaning up the Hudson River and very influential in getting the federal Clean Water Act passed. They were the USA's flagship of the environmental movement as that got rolling in the late 1960s and the 1970s. The EDC is NYC's largest landlord and did NOT need the $165 a day the EDC was charging, but the Clearwater needed that money. The landing fee also prevented the fireboat John J. Harvey from coming and the Norwegian sloop Restauration mentioned earlier.

In comparison, other towns and cities often pay an appearance fee for special vessels to visit. NYC drives them away with bad pier design, too much red tape and fees.

* Note that BillyBey is in New Jerse. Why does NYC have a New Jersey company as a dockmaster?

PortSide asks for ASAP for the following, on our website with renderings and illustrations https://portsidenewyork.org/portsideneedsahome

1. 20,000 sq ft. in the Pier 11 shed. That is than promised in the past, but we're asking for less pier space in 2 below. DutchX has stopped operations in there. We seek immediate access to use the space to get the vintage engine we acquired in 2020 out of the weather (it is stored outside in the Red Hook Container Terminal where we cannot access it at will to retarp it often enough) and also store other vintage engine room parts under tarps outside. We can then start the marine engineering training partnership with SUNY Maritime and the NY Harbor High School.
2. on Pier 11, berth space for our 172' long flagship, the Mary Whalen plus 150' of pier space for visiting vessels. 70' of that would be used for tugboat dock-n-shop and other B-to-B services for them and other workboats. That's about half of the 600' of pier the EDC originally promised us here. In the new BMT, we could be on the east side of Pier 12 all that more pier space, in a new building.
3. Space for a small wet lab structure that the Red Hook firm MADE offered to design. Phase 1, at the south end of the Pier 11. In the new BMT, on Pier 12 as above.
4. Permission to create a Nature Center by adding amenities for wildlife on land and water, plus interpretation of them and the history of Atlantic Basin, to make the weed patch south of our ship into an education center next to the wet lab.
5. Return of our pandemic PortSide Park adjacent to the wet lab. Use of the rest of the "cellphone parking lot" when cruise ships are not using it (most of the year). In the new BMT, there could be lots of space near the cruise terminal.
6. Permission for a subtenant boat alongside the Mary Whalen with a running engine to be used for maritime training.

The outdoor space in 1, 2, 3, and 5 was promised to us by the EDC in the past.

OTHER PROBLEMS WITH THE EDC AFFECTING MARITIME

Bad, self-interested financial management of the EDC

The EDC is supposed to manage City property to generate revenue and economic development for the City, however, the EDC is often acting more in their own interest. Because the EDC is not a City agency, it is a quasi-govenrmental nonprofit, the City Council does not vote on its budget as part of the annual City budget process. Problems are thus not prevented but found after the fact when City Comptrollers conduct audits. There is a

pattern to problems found by multiple Comptrollers: The EDC covers up projects that are not benefitting the City as promised and diverts revenue from City property it manages (money that would go to the City budget where the Council has an oversight role) and used it to subsidize preferred projects or to hide failures of their own. In this way, the EDC hid how, during the depths of the pandemic, they used revenue from Times Square properties to subsidize the NYC Ferry. That followed the EDC's hiding about a year before, the ridership survey for the NYC Ferry that showed that the ferry was not addressing transit desert problems in low-income communities as promised; the ferry was used overwhelmingly by wealthy white residents and tourists. During a very angry April 2019, Council hearing, Councilmember discussed the creation of an Office of the Waterfront and taking ferry management away from the EDC. No action ended up being taken, but the fury speaks to the problem.

The EDC planned a second homeport for the NYC Ferry in Atlantic Basin, Red Hook (since sometime 2024, called The Brooklyn Marine Terminal or BMT). Construction occurred in 2023, but the facility remains unused. Credible, prior EDC employees say that the pilings between the ferry berths have shifted. The EDC themselves created a presentation for the BMT Task Force *2024.10.15_Task Force Meeting #2 Pre-Read.pdf,* that on page 8 said in a text box "Assuming Home Port 2 is fixed. When asked about that text box, the EDC denied that there is any problem, but the facility remains unused since the 10/15/24 date of that presentation. More related to this ferry homeport below.

The EDC is an Abusive Landlord

Mayor Zohran Mamdani has made addressing abusive residential landlords a priority. It must be understood that NYC's largest landlord, the NYC EDC, managing by their own description managing "65 million square feet of space, 225 managed properties, and 170 projects" is often abusive. The situations below create instability, stunt growth, reduce business profitability and revenue paid to the city. Such practices also damage nonprofit renting space from or in contracts with the EDC.

Examples of how the EDC damages tenants

Some examples from Atlantic Basin, Red Hook, Brooklyn, part of BMT:

1. In 2017, the EDC introduced the Formula E car race into the marine industrial park of Atlantic Basin (now called BMT) which was deeply disruptive to tenants for5-7 weeks every summer during every year the race occurred. This caused many tenants to leave including the Master Subtenant Phoenix Beverage.
2. DockNYC berth permits for Pier 11 say the EDC can displace boat tenants on 30-days' notice with no reason given. September 2023, the EDC evicted 4 companies

and multiple ships on 4-days' notice from to build the NYC Ferry Homeport 2. Below, see what happened to them in Sunset Park the next year. This also means hundreds of feet of pier have been taken out of economic use.

3. DutchX moved into the Pier 11 warehouse in August 2025. In late 2025, the EDC touted their blue highway service moving Sephora cosmetics to Pier 79 on Manhattan's west side. By 12/31/25, the electrical problems in the warehouse (low voltage and fluctuating power) prompted DutchX to rent a generator to charge their EV vans, and by June, they had moved out due to the electrical issues. All extant tenants knew that the building was historically underpowered. This story also shows that DutchX had a significant last mile operation on land and was not just a blue highway operator.

4. In late 2025, the EDC touted DutchX as the launch of Blue Highway at Red Hook's Pier 11, moving Sephora cosmetics to Pier 79 on Manhattan westside. DutchX moved in August 2025 and moved out June 2026 as there was insufficient electricity to charge their EV vans in the Pier 11 warehouse in Red Hook. This also means their operation was more land-based (vans) than revealed by the EDC who only talked about DutchX as a blue highway operation.

5. The nonprofit PortSide NewYork was one of two winners of a 2007 EDC RFP. As a result, from 2008 into 2011, the EDC promised PortSide a permanent home to create a maritime hub in Atlantic Basin and did not deliver after three years of making the group do "interim programs" and an architect's building code review. In late May 2015, PortSide returned to the site thanks to the EDC's needing Councilmember Carlos Menchaca's approval for a long-term lease at SBMT. Since then, PortSide has tried to get more space as originally promised, even doing a new business plan in 2018 at the EDC's request. Since 2019, PortSide has only received one-year permits. Since 2021, their dockmaster has usually sent the annual permit well after the year started, and the EDC changed the permit terms most of those years, making unreasonable demands (such as insure their 172' coastal oil tanker as if she were a small cruise ship with overnight accommodations for 50+ sailing from US ports) and said PortSide could not run programs until they agree to those terms. PortSide's annual permit is not sufficient to cover programs; the EDC requires an additional permit for each event. .

In 2024, the EDC began regularly renting the Brooklyn Army Terminal (BAT) Pier 4 deck for major commercial events. The EDC told the dinner/party boats docked on the north side of the pier that they could not pick up and drop off passengers during such events (instead of providing an access corridor along the edge of the pier for passengers). This change was

made after the boat tenants signed their annual contract, and these events occur on summer weekends when the boats do most of their business. Some of these boats were ones evicted from Red Hook's Pier 11 on 4-days' notice the year before to create the ferry homeport as in #1 above.

The EDC's unfair and extractive RFEI and RFP processes

Mayor Mamdani has created the new position of Deputy Mayor for Economic Justice and appointed Julie Su to create ways for NYC's economy to work more for workers (not only for major corporations) and to reform the EDC as part of that work.

A basic principle of economic justice is to be fairly paid for your work. The EDC often violates that.

The often uses Request for Expressions of Interest (RFEI)s and Request for Proposal (RFP)s to "test the market" as they themselves have said, and then they often use ideas harvested this way without awarding the contract to whoever created the ideas. This is extractive, unpaid, unfair use. By now, many NYC maritime companies will NOT respond to EDC RFEIs and RFP which means that this EDC practice is also not really testing the market.

Even if the EDC does award an RFP, these often contain unrealistic demands and limitations which then prevent the facilities from being used and subject RFP applicants to prolonged negotiations (and time is money).

1. From 2002 through 2023, the EDC ran seven planning processes for the Atlantic Basin in Red Hook, netting zero long-term tenants. Meanwhile, businesses, especially maritime ones, are always seeking space, and all forms of maritime activity in the port of NY have been straining to grow for decades. See https://portsidenewyork.org/edc-plans for more info on the following:
    - 2002 Piers 6-12 study
    - 2006 Atlantic Basin RFEI
    - 2007 Atlantic Basin RFP. In 2008, the EDC said that PortSide would get a permanent home but did not. Phoenix Beverage got a long term lease from this RFP, but left in 2018, after a year of Formula E race disruptions.
    - 2011 Atlantic Basin wharfage RFP for tugboats. Vane Line Bunkering won this RFP but spent about 2 years negotiating with the EDC who said "we couldn't make the numbers work" suggesting they were asking too high a rent. After this, Vane spent another two years trying to get space from the EDC on the

south side of Brooklyn Army Terminal Pier 4. In the end, Vane spent about four years working with the EDC to get no berth space at all.

- 2012 Sublease for Atlantic Basin warehouse.
- 2023 RFP for Atlantic Basin Master Subtenant. This was cancelled the day after the announcement of the BMT process below, so respondents wasted their time.
- 2024, the Brooklyn Marine Terminal (BMT) planning process start. This problematic process merits a deep analysis of its own, which we don't have time for here.

The EDC plays favorites and the game is often rigged

1. May's Shipyard had the first contract to build NYC Ferry docks. For years, they received ongoing work to build new docks as the routes expanded via "change orders" instead of the EDC's releasing a new RFP for dock construction.
2. The way the EDC ran the RFP process that created the NYC Ferry system suggests an evasion of fair process. The RFP description did not include providing a homeport or building boats. Two of the ferry respondents told PortSide they would have responded differently if those options were on the table in the RFP description. Those two options, however, were offered to Hornblower, a company headquartered out of NY, which won the RFP, leading to the demise of two ferry companies in this harbor, the East River Ferry and the New York Water Taxi.
3. On 9/24/18, Dwayne Braithwaite filed a Notice of Claim to sue the EDC for $15 million dollars for collusion with Hornblower to control the NYC charter boat market. They settled.

The EDC often does not fulfill promises to communities

Contrary to an economic justice model sought by the Mamdani administration, the EDC approach is extractive, often making profits for the EDC without engaging in real economic or community development (though that is promised) for the neighborhood where the EDC is working and making the promises. Note that these EDC promises are often their means to get approval for projects from elected officials, community boards and community members.

The EDC's such poor performance in Red Hook, Brooklyn merits special consideration give the plans for the City to take over the property (it is still Port Authority property) and the EDC's planning process for what's now called the Brooklyn Marine Terminal. The EDC has a

high failure rate for the 20 years they have managed the Atlantic Basin and have inspired a lot of community rage.

The EDC makes money in Red Hook but has not shared the revenue via investment or donations with the neighborhood. Compare this to the 20% of the MCT rent that the EDC pays to Hudson River Park. Red Hook has received no share of the revenue from BCT, Atlantic Basin, or the Formula E car race that occurred there for several years

The benefits promised by the EDC often don't occur (especially job counts). Worse, in many cases, the EDC makes no effort to fulfill the promises. For example, since 2005, when the EDC rented Red Hook's Atlantic Basin from the Port , this has meant:

1. No permanent home for the award-winning, maritime nonprofit PortSide NewYork
2. A permanent job count at the Brooklyn Cruise Terminal (BCT) much lower than the 290 permanent jobs promised in a 2006 press release. Only 8-10 permanent jobs were created as of a 2007 Observer article. The EDC never publishes job fairs to the Red Hook community. ILA work depends on ship calls, and the number of ships a year has varied hugely.
3. BCT's promised benefits to local retail did not occur, and the EDC installed no Red Hook promotional info in BCT until 2023. The EDC did not allow PortSide to install such info despite their years of asking to do so.
4. The promised conference overflow from the Manhattan Cruise Terminal (MCT) that was supposed to be a boon to the Red Hook economy did not occur. Special events at BCT were not advertised to local businesses, so they couldn't prepare for potential business upticks or market specials to event participants.

EDC Operational Cluelessness

The EDC has not had staff members with maritime experience in the president's office where decisions are made nor on its board of directors. This lack of operational knowledge at senior levels leads to wasted public funds on projects that fail, RFP's that lead to no activity, sites that remain unused or under-used thus reducing City revenue, and can actively harm businesses who are struggling with an uninformed landlord (such as DutchX who moved out due to the lack of electrical capacity). As a result, frustrating and time-wasting situations are created for EDC tenants and contractors when you are forced to try and explain things that you consider to be obvious or standard operating procedure. This cluelessness can also lead to dangerous conditions:

1. There was no working fire suppression system in Pier 11 Shed (a warehouse 3 blocks long) for over 10 years in Atlantic Basin, Red Hook. A lumber yard moved in as a

tenant in September 2023. Repairs were being made to the fire suppression system in 2025- 2026.

2. EDC installed shorepower for ships on Pier 11, leaving the cables lying in the roadway, in puddles with trucks driving over them. PortSide reported this to the Port Authority in 2017, and they trenched all the power cords.

Cruise terminal issues

The EDC did not renovate the Manhattan Cruise Terminal (MCT) after the cruise industry submitted a report in 1991 calling for that investment. The chronic lack of maintenance has driven cruise lines away from 2003 until now.

1. EDC began removing MCT Piers 92/94 from primary cruise activity in favor of events in 1998 as larger cruise ships began calling on NYC. Post 9/11, the NYC cruise industry grew even stronger with Royal Caribbean (RCCL) lobbying EDC to develop Piers 92/94. EDC leased piers 92/94 to Vornado. As a result, Bayonne built a new cruise terminal, and RCCL moved there in 2004 and carries almost one million passengers annually now. In response, the EDC built the new Brooklyn Cruise Terminal (BCT) and invested in MCT piers 88 and 90. Eventually, Vornado gave 92 back to EDC and developed 94 into a movie studio; but events and movie studios are not water-dependent. More recently, in 2018, Pier 92 was condemned. As of 2026, Pier 90 has been removed from service and is facing a similar fate as 92 due to the lack of substructure maintenance by EDC. BCT has had significant substructural issues due to lack of maintenance; the EDC is currently starting to address those. The result is cruise lines are experiencing significant market losses and losing confidence in homeporting in NYC. MSC left the city in 2026 after just three years operating at BCT. Norwegian Cruise Line is deploying to other homeports such as Boston and Philadelphia.

2. In 2023, EDC committed to improve MCT's Pier 90 and provide shorepower after passage of a City Council bill mandating the latter. However, the EDC delayed electrification and announced a multi-billion dollar rebuild of MCT that will remove Pier 90 and extend Piers 88 and 92 further into the river without having applied for the federal authorization to extend the piers – so it is a plan that may not be approved – while the mandated shorepower is delayed.

3. Circa 2016, the wrong jib/crane was bought for BCT shorepower as the EDC admitted to the Red Hook community spring of 2019 after years of silence about what was wrong. April 2021, Brooklyn Borough President Eric Adams announced that Borough Hall would contribute $750,000 to fix the shorepower. That allocation

means that more NYC funds were spent to compensate for an EDC error; AND those funds were not invested at BCT. The jib was not fixed until early 2026.

4. In late 2022, the EDC made a deal with MSC to sail out of NYC. The EDC expected them to use MCT, not realizing they had not capacity there; so the EDC moved them to BCT without doing any study as to whether a ship of that huge size and with that passenger profile (passengers coming in individual cars not bundled in buses from Manhattan) could fit through Red Hook's small streets. They did not. Councilmember Alexa Aviles ran weekly working group meetings with the EDC and Red Hook community members for 2.5 months to identify problems and solutions. This also prompted the bill Intro 4, co-authored by her and CM Eric Bottcher which passed unanimously in the City Council and mandated that the EDC create traffic mitigation plans and install shorepower in both terminals. The MSC experience was bad for the community, the passengers, and the company; and MSC decided to leave NYC completely by late 2025, after less than three years of operating at BCT.

Problems with other EDC maritime projects

1. Late 2022, the Coney Island NYC Ferry dock in Coney Island Creek was removed under the cover of darkness. It had been installed by the EDC despite community protests. The installation had also generated fines for environmental damage.

2. By 2026, the EDC is managing all of what is now called the Brooklyn Marine Terminal, which means they are managing a container port for the first time. The EDC bought a crane for BMT Pier 10 without assessing the load-bearing capacity of the pier. The crane is too heavy and the pier needs to be reinforced. Similarly, the land under where the NYC Ferry homeport above would go was not assessed for load-bearing limits, and it needs to be reinforced too.

3. Sunset Park's South Brooklyn Marine Terminal (SBMT) was a succession of failures:

a. The AXIS car importing by barge never got off the ground

b. SBMT as a staging area for New York Wheel failed when the whole project on Staten Island failed.

c. The 2015 SBMT RFP that led to plans for an offshore wind facility moved so slowly that, 11 years later, the facility was not completely built out which made it vulnerable to President Trump's attacks on offshore wind.

EDC failures with other major waterfront real estate developments

1. Staten Island north shore: the New York Wheel Ferris wheel project was never completed, and Empire Outlets Mall did not garner the tourism that was promised.
2. The EDC built a $60MM garage to serve the New York Wheel. Once that failed, the EDC tried to get parking revenue for the garage by using the mall (then that failed, the Ferry Hawks ballpark, and Staten Island ferry riders. All that failed. It's now used by the NYPD.

In addition to wasting public funds, these EDC sagas also waste the time of community members, community boards, and elected officials, a negative impact to be considered. An assessment of the level of rage at the EDC around the city indicates that change is needed.

EDC dishonesty

As mentioned above, the EDC has often lied to PortSide. They also lied about us to CBS when saying that they had to evict our pandemic PortSide Park because it violated their lease with the Port Authority. However, Beth Rooney, the Port Director of the Port Authority had praised the park and commissioned their blog team to write a blogpost about it. The EDC also fibbed in saying that construction of the ferry homeport (3 blocks to the north) would increase truck traffic near our park creating hazards for children. See https://www.cbsnews.com/newyork/news/red-hook-pandemic-pop-up-park-portside-new-york/

The EDC likes to blame things around here on the Port Authority (PANYNJ) such as the EDC claim during the Brooklyn Marine Terminal planning process that the decrepitude is all the fault of the PANYNJ. First, there was a tri-party agreement, the City should have upheld its part of the deal and made the PANYNJ maintain the container port better. The area south of the container port, the EDC rented from the PANYNJ in 2005, and maintenance here is the EDC's responsibility as I know having FOILed the lease as mentioned above. See https://static1.squarespace.com/static/50dcbaa5e4b00220dc74e81f/t/64ade2c5e3edb916a6104ec3/1689117388161/Response+Letter+PRA+No.+202212543+PANYNJ%2BEDC+lease+original+copy+rcvd.pdf

The EDC regularly uses disinformation and spin. This video excerpt where the EDC rebuts my statement that there's a big need for maritime space reminds me of the Soviet-style propaganda I covered in Eastern Europe. In the following video, Jennifer Sun of the EDC is saying the equivalent of all Soviet peasants are all happy, even though the store shelves are bare. https://bit.ly/EDCsaysnolackofmaritimespace This is from a meeting about the

Brooklyn Marine Terminal (BMT) with an “All Hands” meaning all the Task Force and Advisory Group members the EDC appointed, i.e. experts.

Also referring to the BMT process, it became impossible to fact check the high volume of decks produced by the EDC, but I have spotted enough errors to be concerned about the whole exercise. Here are some examples.

Erased info includes many BMT tenants (including PortSide and maritime uses) , exaggerating the inactivity to suit their narrative.

Wrong info in 2024.10.15_Task Force Meeting #2 Pre-Read.pdf:

- Pg 2, a lot of Pier 12 is pile supported though the document claims there are no piles there.
- Pg 5, RHCR does NOT reduce flood risk since BMT is on the flood side of the barrier.
- Pg 8 says “Assuming Home Port 2 is fixed” but when I later ask if there are problems with it, I am told there are none.

Compare this presumably State planning process to NY Rising, the NYS Sandy recovery program where NYS paid top-tier consultants to work with community members in weekly meetings over months, the consultants researching concepts/solutions that the community proposed over weekly meetings over many months. THAT was economic justice in operation. More at https://redhookwaterstories.org/items/show/1509

In comparison, for BMT, the EDC budgeted $10MM for BMT consultants with no funding being allocated for community planning. The BMT consultants are not working for and with the community in any way like NY Rising. A “true community led” process, as the EDC touts theirs, would have asked the community for ideas on how to do the planning. No such thing has happened.

Here are 2 examples that reveal much.

1. In our first Advisory Group meeting I asked for EDC revenue, gross and net, for each year of the 20 years they had managed Atlantic Basin, including the Formula E car race. I never got an answer. Note that I had asked that question at a 1/16/23 meeting with the EDC about the Brooklyn Cruise Terminal hosted by Councilmember Alexa Aviles. Having the EDC’s answer to that question would help assess their management effectiveness, prove the loss of tenants over time I have observed, and reveal how extractive the EDC relationship to Red Hook has been since they did not invest in this community, as far as we know, save for one post-Sandy grant to RHI for their Red Hook Wifi, until the EDC had this BMT process. In 2025, the EDC is

suddenly sponsoring nonprofit fundraisers in Red Hook which looks like an effort to buy friends since the EDC did nothing like that for two decades.

2. February 7, 2025, I emailed the EDC to ask for the full, original MegaGrant application to the federal DOT. Nate Gray emailed back on February 11 sending only part of the application or a summary of the application (I could not tell) and saying "We would appreciate it if you did not distribute these documents." My ability to be an Advisory Group member is impaired if I can't share the info to discuss it. I wrote back and never got an answer to the following:

   I don't understand your request to not distribute these documents since I am requesting an application for public funds so there should be transparency to the public – in comparison to a request for a private company's RFP response that would have confidential, proprietary information.

   What's the reason for asking that what you sent not be distributed?

   Also, what you sent does not look like the full original application – I don't see a budget. Is there more?

I brought up the MegaGrant with Mikelle Adgate as we walked out of Reynoso's June BMT Town Hall. The next day I received what looks like it could be what I requested in February, but it came too late to advise before the EDC created their "preferred plan." When I raised this issue in the last "All Hands" meeting, I was told that what I got and when I got it was acceptable. THAT kind of talk reminds me of the totalitarian regimes I documented as a photojournalist as in "you WILL be happy with what we tell you and you WILL agree to what we tell you."

Here is PortSide's blog about the BMT process. It needs updating to include the CEQR testimony we received. We have not get updating this since the BMTDC and ATF started meeting as we consider it a waste of time, a sham process built on disinformation and faulty data. https://portsidenewyork.org/portsidetanke/2024brooklynportlandswap



These problems are hard to rectify due to EDC institutional culture.

The EDC evades accountability. The EDC operates with a culture of dishonesty. Sometimes that is telling a direct lie; sometimes, it is a non-answer or partial answer; sometimes, it is manipulating appearances. The EDC often won't answer reasonable questions, uses spin to obfuscate, and sometimes outright lies. When FOILed, the EDC often still does not answer, delays answering, and/or provides partial answers.

In 2012, the NYS AG determined that the EDC had engaged in illegal lobbying by astroturfing (faking community support) in Willets Point and Coney Island.

The EDC institutional culture makes it hard to improve things as they are resistant to input and tend to approach the world as if the EDC is always right.

There is high staff turnover in the departments dealing with Asset Management and maritime. Staff often work on planning and capital projects for too short a time to see them completed.

All decisions are made in the president's office, so staff dealing with tenants and contractors, even if they are SVPs, are not decision-makers and cannot inject operational knowledge into the system to improve it. It's a top down, self-interested culture.

Many believe that EDC staffers often choose inaction because the cost of doing the wrong thing is high for them personally inside the EDC whose institutional culture seems to accept inaction regarding the world outside the EDC. It is safer for the staffer to do nothing than to do the wrong thing. All this leads to lots of process (studies and RFPs) with too little action. The EDC has talked about the blue highway for years.

Someone should study EDC staff turnover, staff experience for the projects they are assigned, and how projects are internally managed. Staff often leave after 2-4 years whether they are low-ranking project managers, VPs and SVPs or even the President/CEO. This means many EDC staff do not have long experience with any site they manage or with the EDC itself. There is generally greater stability of staff at City agencies.

The background of many staff is mismatched to maritime operations; they often have educational and work backgrounds in planning, real estate development, and business school rather than maritime. They are rarely COOs or site managers.

The EDC deals with this lack of content expertise by soliciting expertise via many RFEIs and RFPs or by getting grants to do studies. However, this means that people who don't know the content are making decisions about which consultant to select and then reviewing their work. This is how you get a BCT shorepower jib that is the wrong kind, or Pier 11 Red Hook shorepower cords lying in the driveway, or a Pier 11 shed fire suppression system that does not work.

All this negatively affects tenants, contractors, RFP respondents and communities where the EDC works as described in the case histories above.

Lastly, under other matters, we recommend that the system for nonprofits to register contracts and get paid be improved. MOCS Passport is a maze. The process of the DYCD is notoriously complex and slow. They pay years late. The level or reporting requirements for

DYCD is not scaled to the size of the grant. They are inflexible, since we are a maritime nonprofit on a ship, we carry different insurance than nonprofits in buildings, and it was hard to iron that all out with DYCD.

Thanks for your work on the commission and the consideration of all the testimony!

Do not hesitate to contact me if you have any questions or wish to discuss any of this. We have considerable documentation of all the waterfront, maritime, EDC content.

Sincerely,



Carolina Salguero
Founder + Executive Director
PortSide NewYork
aboard the tanker MARY A. WHALEN
[redacted]

Name

William Herkelrath

Email [redacted]

Public Comment

If we are worried about government accountability then you have to first make government officials accountable to democracy itself and real democracy means hearing the wishes of the entire electorate. 85% of urban voters throughout this country have a voice in Open Primaries - why should New Yorkers be treated any differently?

Before moving to New York and the nature of my work I had registered without affiliation in California and Virginia and instinctively just did the same when moving here. I then showed up to vote in a democratic primary and was shocked to find out that I was not allowed to participate. I had never even heard of a Closed Primary. And it made no logical sense to me how could it be that a democratic process, funded by taxpayers, that takes place on taxpayer property, and uses taxpayer ballot counting machines that drives critical decisions affecting all of us here in New York would only be accessible to people willing to pledge loyalty to a third party non-governmental organization?

It also makes no logical sense to me because I know for a fact that Independent voters are critical to winning elections throughout the country as well as in contested districts upstate and in Long Island. So wouldn't either party trying to win those races want to inspire the largest possible voter base to get involved and volunteer and even make financial contributions to the primary?

Independents represent the largest growing portion of the US electorate for many good reasons. Keeping one's voting allegiance out of the public record can be vital If you work for the government, or military, or do business with a large variety or diverse clients, or if you are simply concerned about your physical safety

On NY1 we see pundits talking frequently about concerns regarding democratic rights being stripped from urban residents and people of color throughout the South, a concern that I believe is valid and that I share wholeheartedly with them. But do those same pundits know that more than a million New Yorkers here in our own backyard are stripped of their rights simply because we are uncomfortable publicly disclosing our political leanings?

Attachment(s)



Open Primaries.pdf

Date Submitted: July 13, 2026

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

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Name

DWAYNE BRAITHWAITE

Email [redacted]

Public Comment

As CEO of New York Princess Cruises 2 LLC, I support the creation of a dedicated New York City Department of Maritime Affairs to provide focused leadership for our maritime industry. New York's waterways are essential to tourism, transportation, and economic growth, and our maritime businesses deserve fair, transparent access to public waterfront infrastructure. I respectfully urge the Council to consider establishing a dedicated maritime agency that promotes accountability, supports small businesses, and strengthens New York City's maritime economy.

Attachment(s)



PDF NYP COGE.PNG



NYPCRUISES TESTIMONY .pdf

Date Submitted July 13, 2026

Topic: Franchises & Concessions, Real Estate and Development, Unnecessary Bureaucracy, Enforcement, Support Oversight Agencies

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic	Waterfront/maritime policy

Show 4 hidden fields

NEW YORK PRINCESS CRUISES 2, LLC

[redacted] | PH: [redacted] | WWW.NYPRINCESSCRUISES.COM

July 12, 2025

Commission on Government Efficiency (COGE)
Charter Revision Commission
New York City Government
New York, NY 10007

RE: SUPPORT FOR A DEDICATED NEW YORK CITY MARITIME AGENCY

To the Commission on Government Efficiency,

My name is Dwayne Braithwaite, and I am the owner of New York Princess Cruises, a passenger vessel operating in New York Harbor.

Every year, our business welcomes thousands of residents and visitors to experience New York City from the water. Our operations support tourism, create jobs, work with local vendors, and contribute to the city's economy.

As the owner of a passenger vessel serving New York Harbor, I have firsthand experience with the opportunities and challenges facing the maritime industry. A dedicated maritime agency would provide a centralized point of coordination, helping operators navigate regulations, strengthen waterfront tourism, improve communication among agencies, and support the continued growth of New York City's maritime economy.

A dedicated agency could help improve communication between government and maritime operators, support waterfront development, encourage tourism, strengthen public-private partnerships, and ensure that maritime businesses have a voice in decisions that affect our operations.

Passenger vessel operators like ours invest in providing safe, enjoyable experiences while contributing to New York City's reputation as a world-class destination. We believe the maritime industry deserves focused leadership that understands its unique needs and opportunities.

Thank you for considering this recommendation and for recognizing the importance of New York's working waterfront and passenger vessel industry.

Respectfully,

Dwayne Braithwaite

Dwayne Braithwaite
Owner
New York Princess Cruises

NEW YORK PRINCESS CRUISES 2 LLC

Testimony of Dwayne Braithwaite

Chief Executive Officer, New York Princess Cruises 2 LLC
Before the New York City Council

Chair, members of the Committee, and distinguished members of the Council:

My name is Dwayne Braithwaite, and I am the CEO of New York Princess Cruises 2 LLC. Thank you for the opportunity to testify on the future of New York City's maritime industry and the management of our City's waterfront.

I appear before you today to respectfully urge the New York City Council to consider removing maritime oversight from the New York City Economic Development Corporation (NYCEDC) and establishing a dedicated New York City Department of Maritime Affairs to oversee the City's maritime assets, policies, and operations.

New York City is a global maritime city. Our waterways are critical to transportation, tourism, recreation, commerce, emergency preparedness, and economic development. Yet the governance of our waterfront has become too centralized under NYCEDC, whose mission encompasses many competing priorities beyond maritime issues.

As a maritime business owner, I have experienced firsthand the challenges that many operators face when seeking fair and equitable access to public waterfront facilities. The current system has created an environment in which a limited number of operators have significant influence over docking opportunities and access to City-owned maritime infrastructure. This has made it increasingly difficult for independent operators and small businesses to compete and grow.

Public waterfront infrastructure should remain a public asset that benefits all New Yorkers—not one that creates barriers to competition or limits opportunities for qualified maritime businesses.

A dedicated Department of Maritime Affairs would provide focused leadership and accountability by:

• Ensuring fair, transparent, and competitive access to City-owned docks, piers, and waterfront facilities.
• Supporting small businesses, minority-owned businesses, and locally owned maritime operators.

• Preserving and expanding New York City's working waterfront.
• Coordinating investments in maritime infrastructure and resiliency.
• Growing the passenger vessel, tourism, ferry, excursion, and charter boat industries.
• Strengthening workforce development and creating new maritime careers for New Yorkers.
• Serving as a single advocate for the maritime industry within City government.

The maritime industry contributes significantly to New York City's economy. With the right leadership and governance structure, our waterfront can support even greater economic growth, create good-paying jobs, increase tourism, and improve public access to our waterways.

I respectfully ask the City Council to undertake a comprehensive review of NYCEDC's role in maritime governance and to consider legislation creating a Department of Maritime Affairs dedicated solely to protecting, promoting, and expanding New York City's maritime economy.

The future of our waterfront should be guided by transparency, fairness, competition, and accountability. Our maritime industry deserves a government partner whose primary mission is to serve the needs of the industry and the public—not to consolidate control over access to our waterways.

Thank you for your time, your service, and your consideration of this important issue. I look forward to working with the City Council to build a stronger, more equitable, and more prosperous maritime future for New York City.

Respectfully submitted,

Dwayne Braithwaite
Chief Executive Officer
New York Princess Cruises 2 LLC

Name

Bruce Rosen

Email [redacted]

Public Comment

Dear COGE Commissioners:

I am writing to support a pro-growth maritime policy “a waterfront that works for all” and the creation of a new department level city agency for maritime activities.

Did you know that the former Domino Sugar Refinery, the overwhelming majority of its workforce being white collar - think giant "clean room" - was the most advanced sugar refinery in the nation in the 1980s and that it was water dependent. Sugar had to get there somehow, right? Did you also know that the relocation of the city's premier food distribution activities from crowded lower Manhattan to Hunts Point was based on the selected site's intermodal potential it was deep sea accessible, connected by freight rail and proximate to the then new interstate highway system. The water portion was never developed. Improvements to the rail access were hobbled by a franchise given to a trucking warehouse distribution firm. As for the Bruckner Expressway, didn't Ada Louise Huxtable, a Hunter College grad who grew up on CPW, write a book about that?

We sit on an archipelago with a peninsula, by which the continent holds on tight. (Imagine that as a New Yorker cover.) Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries something we need to learn how to do this again. I recommend that NYC create an independent City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter “Chapter 29: Department of Ports and Trade” was repealed. The last iteration of such an entity, Ports, International Trade and Commerce, was absorbed into what began as the Public Development Corporation, a Wagner Era endeavor enterprise created to build and operate modern industrial parks, a job at which it failed abysmally and totally. Its legal framework was transformed under the Koch administration, a mayoralty which publicly voiced the position that a JD was a management degree. Under the Giuliani administration, the rechristened EDC absorbed the Financial Services Corporation, an action the preceding Dinkins administration had told the City Council economic development committee was impossible for fiduciary reasons. Apparently, those reasons disappeared. The Bloomberg administration engaged in a wholesale rezoning of chunks of the waterfront, fulfilling big real estate's long term goal of turning the western hemisphere's most fantastic natural harbor into a water element for high end residential and commercial development. EDC, now in effect, a mayoral slush fund, is stuck in that mode. Having jettisoned the maritime expertise it was given despite the fact it cannot legally enforce any zoning - it only comes up with residential strategies - such as that for BMT. Unless it has Fitzcarraldo capabilities, docking even the smallest maritime vessels on Queens Blvd, Flatbush Ave, Father Cap or the Concourse, seems unlikely and maybe ridiculous. Ya think?

So here we are. It’s generally harder to do things with boats in NYC than other

places on the eastern seaboard.

NYC had a maritime agency under changing names from 1870 to 1991. NYC should create a new city agency for maritime to remove the impediments to maritime growth and reduce the confusing bureaucracy that has accumulated in the 35 years since NYC shut the agency PITC, the brief successor to Ports & Terminals, in 1991. After that, maritime became a language NYC government forgot. Mariners speak it but are not in charge of designing or managing the City's waterfront and have struggled to be heard when offering advice.

After the decline of finger piers all around the city, local maritime became too invisible; but NYC is home to a large, diverse maritime ecosystem that includes two container ports; two cruise terminals; ferries; workboats of all types including many tugboat companies; boats in the tourism industry offering whale watching, fishing cruises, harbor tours and dinner/party boats; historic/cultural vessels; and recreational boating - plus, the companies that build and maintain the maritime infrastructure, dredge harbor channels and rescue ships (marine salvage) as well as shipyards that repair vessels of all sizes.
NYC is part of a bi-state cargo port that is one of the largest containerports in the USA, a port that imports cars, sand/stone, chemicals and orange juice, and is one of the largest petroleum through ports in the country. Multiple companies distribute fuel out of here by tug and barge. Work boats move back and forth between both sides of this bi-state harbor.
NYC's own government has an extensive fleet for the FDNY, NYPD, DEP, DOT and the NYC Ferry. Ships are actually so essential to NYC's sewage system that the DEP has boats to move sewage between wastewater treatment plants. Federal work boats of the Coast Guard and Army Corps also operate here. There is a major Coast Guard base in NYC.
To maximize the effectiveness of all this, our waterfront should again be managed by maritime experts to ensure the waterfront is built for maritime uses.

- Because it has not been that way, the "blue highway" initiative now needs to retrofit itself into spaces that should have been designed for it from the start – as many maritime voices recommended.
- Instead, from 2023 to 2025, the Department of Buildings created a comprehensive "Waterfront Code" (WFC) to standardize design, construction, permitting, and maintenance for structures including bulkheads, piers, docks, retaining structures, elevated platforms, and floating elements. They had to create a special maritime and technical committee. This is a pop-up committee, not the continuity of expertise that a city agency with long term staff would offer. NYC deserves better, a waterfront planned, designed, built, and managed by maritime people to make a waterfront that works for all. A revival would lead to greater management efficiency and greater transparency as maritime asset management would be in a City agency not outside it in the quasi governmental nonprofit NYC Economic Development Corporation (EDC) which has an annual "maritime contract" with the Department of Small Business Services (SBS) - and with other maritime functions addressed in ad hoc ways.

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. Staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.
- Reduce the red tape preventing maritime activity in all sectors, especially by advocating for NYC maritime interests before the NYS Department of Environmental Conservation (DEC), which has prevented repair and construction of maritime infrastructure in industrial and parks locations.
- Work with NYS agencies to grow sustainable maritime activity and help NYS create its own maritime agency.
- Provide expertise to public sector entities with large waterfronts including the Parks Department and the new waterfront parks governed by authorities (such as Hudson River Park, Brooklyn Bridge Park, Governors Island) enabling and encouraging them to grow their maritime capacity and reducing their errors when planning for maritime.
- Reduce the complexity of permits needed to dock a vessel on NYC public property so more vessels can visit or be based here.
- Expand transportation by water of people and freight, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- Help grow maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans since their design and construction uses marine construction trade skills. Create waterfront design codes (instead of the Department of Buildings).
- Support offshore wind developments.
- Work with maritime training academies and non-profits to grow a stronger marine career pipeline.

A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low income communities as they commonly once were.

Our archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.

Thanks for your attention.

Sincerely,

Bruce Rosen
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026 6:10pm

Topic: Real Estate and Development ✕ | Unnecessary Bureaucracy ✕ | Department of Buildings (DOB) Issues ✕ | Enforcement ✕ | Miscellaneous ✕

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/maritime policy

Show 4 hidden fields

Name

Ira Gershenhorn

Email [redacted]

Public Comment

I have submitted comments twice.
I have testified at Riverside Church.
I wanted to attend and testify at the Queens session but could not figure out how.
COGE has totally failed in its outreach.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026 6:14pm

Topic Unnecessary Bureaucracy × Reporting Requirements × Miscellaneous ×

Charter Related No

Topic Simplified Feedback

Subtopic Complaint about process

Show 4 hidden fields

Name

Julio Quinones Jr

Email [redacted]

Public Comment

I urge the Commission on Government Efficiency to recommend immediate modernization of New York City's 59 Community Boards and mandate a comprehensive Community Board Modernization and Borough Democracy Study.

New York City already has neighborhood level civic infrastructure, but the current system lacks consistent mechanisms connecting Community Board actions, district needs, budget priorities, public participation, and District Service Cabinet issues to timely agency responses, implementation outcomes, and public accountability.

My attached written testimony and supporting materials propose a two-track approach: immediate reforms to agency responsiveness, operating standards, public data infrastructure, staffing and personnel support, and District Service Cabinets, alongside a mandated study of democratic representation, appointments, participatory planning, civic assemblies, Community District Councils, community safety infrastructure, and borough level accountability.

The requested study should produce standardized baseline data, costed options, legal, fiscal, labor, and technology analysis, pilot recommendations, implementation timelines, and draft Charter or local law language.

Thank you for considering Community Board modernization as essential infrastructure for government efficiency, neighborhood democracy, improved service delivery, and public trust.

Julio Quiñones Jr., [redacted] resident and [redacted] member, submitting in my personal capacity.

Attachment(s)

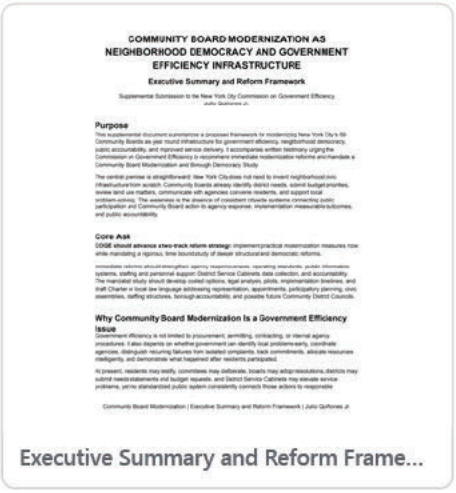


Written Testimony to the New York City Commission on Government Efficiency

Re: Community Board Modernization as Neighborhood Democracy and Government Efficiency Infrastructure

Core Ask: Immediate Community Board modernization reforms plus a mandated Community Board Modernization and Borough Democracy Study

Immediate Community Board moderniz...



COMMUNITY BOARD MODERNIZATION AS NEIGHBORHOOD DEMOCRACY AND GOVERNMENT EFFICIENCY INFRASTRUCTURE

Executive Summary and Reform Framework

Purpose

Core Ask

Why Community Board Modernization Is a Government Efficiency Issue

Executive Summary and Reform Frame...



COMMUNITY BOARD MODERNIZATION IMPLEMENTATION ROADMAP

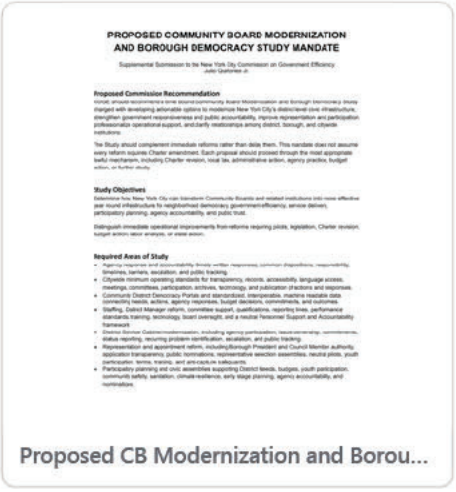
Purpose and Implementation Strategy

Implementation Principles

Phase I: Commission Action and Baseline Development

Community Board Modernization Implementation Roadmap | John Quiñones Jr

Community Board Modernization Imple...



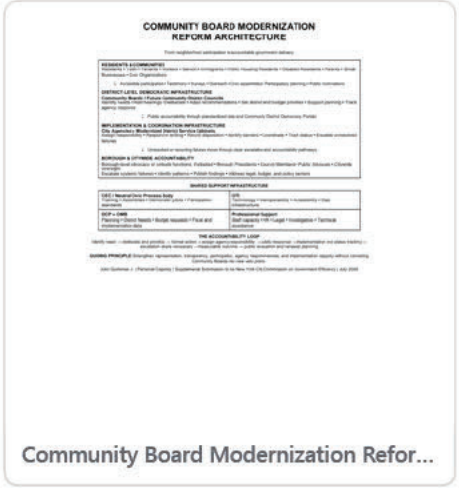
PROPOSED COMMUNITY BOARD MODERNIZATION AND BOROUGH DEMOCRACY STUDY MANDATE

Proposed Commission Recommendation

Study Objectives

Required Areas of Study

Proposed CB Modernization and Borou...



COMMUNITY BOARD MODERNIZATION REFORM ARCHITECTURE

Community Board Modernization Refor...

Date Submitted

July 13, 2026 6:18pm

Topic

Unnecessary Bureaucracy × Reporting Requirements × Technology × Budget Issues × Miscellaneous ×

Charter Related

Yes

Topic Simplified	CBs
Subtopic	Modernizing community boards

Show 4 hidden fields

Written Testimony to the New York City Commission on Government Efficiency

Re: Community Board Modernization as Neighborhood Democracy and Government Efficiency Infrastructure

Core Ask: Immediate Community Board modernization reforms plus a mandated Community Board Modernization and Borough Democracy Study

Good evening Commissioners.

My name is Julio Quiñones Jr. I am a [redacted] resident and a member of [redacted] Community Board [redacted], where I serve as Vice Chair of the Youth and Education Committee and as a member of the Bylaws Committee. I am submitting this testimony in my personal capacity.

I urge the Commission on Government Efficiency to consider Community Board reform as a core issue of government efficiency, modernization, and public trust.

New York City already has neighborhood level civic infrastructure, 59 Community Boards established in the City Charter. The Charter provides for Community Boards of up to 50 appointed members, with appointment authority held by Borough Presidents and at least half of members appointed from Council Member nominees. The Charter also assigns Community Boards duties related to district needs, budget priorities, land use review, public outreach, agency communication, public records, District Managers, staff support, and service evaluation.[1]

The city already recognizes the value of Community District Needs. Each year, all 59 Community Boards prepare Community District Needs statements identifying funding priorities, and the city describes these statements as important for neighborhood and infrastructure planning and equitable and efficient service delivery. City agencies must also respond to Community Board budget requests in the annual budget process.[2]

That means the city already has a structure for neighborhood input and agency response. The problem is that the system is not strong enough, transparent enough, representative enough, or consistent enough to meet the needs of a modern city.

The available evidence confirms that these problems are systemic. A Comptroller audit found Hispanic and Latino residents underrepresented by at least ten percentage points on 43 of the city's 59 Community Boards, including all 12 Bronx boards, and identified geographic underrepresentation within Bronx Community Board 9.[5] New York City's 59 Community Boards may include as many as 2,950 unsalaried appointed members.[6] Each board may also submit up to 40 capital and 25 expense budget requests annually, potentially 3,835 requests citywide in a single budget cycle.[6][7] Yet residents still lack one standardized public system connecting district needs, board actions, agency responses, funding decisions, commitments, and implementation outcomes.

Residents testify. Committees meet. Boards pass resolutions. Districts submit budget requests and Statements of Community District Needs. But too often, there is no clear public trail showing what happened afterward.

Did the agency accept the recommendation? Did it reject it? Did it modify it? Did it need more time? Was there no funding? Was another agency responsible? Was the request ignored?

When residents participate but cannot see whether participation mattered, that is a democracy problem. It is also an efficiency problem.

Government efficiency is not only about procurement, permitting, contracting, or internal agency procedures. It is also about whether the city can hear problems early, coordinate across agencies, identify recurring failures, track public commitments, and show residents what happened after they participated.

COGE's preliminary report identifies Charter reform opportunities to help government deliver faster and more effectively, and names modernization, outdated systems, public trust, permitting, contracting, public infrastructure, and fiscal stability as key concerns. Community Board reform belongs within that mission because Community Boards are one of the city's existing neighborhood level systems for public input, local needs, and agency accountability.[3]

Community Boards should be modernized into year round district level infrastructure for democracy, accountability, and implementation.

The Problem: Advisory Power Without Accountability Infrastructure

Community Boards are often criticized because their votes are advisory. But the deeper problem is not only that their votes are advisory. The deeper problem is that the advisory system lacks strong accountability infrastructure.

When a Community Board submits a resolution, district need, budget request, land use recommendation, committee referral, District Service Cabinet issue, or formal request to an agency, the public should be able to track what happened next.

Without a clear public trail, residents cannot know whether participation mattered. Board members cannot know whether their work changed anything. Council Members, Borough Presidents, City Hall, and agencies cannot easily identify recurring district level failures.

That weakens trust and wastes public time.

Community Board reform should not be about creating new veto points. It should be about creating accountability infrastructure.

The goal is not to make Community Board recommendations binding in every case. The goal is to require agencies and city government to respond clearly, publicly, and consistently.

Recommended Reform 1: Timely Written Agency Responses

The Charter should be amended or clarified to require timely written agency responses to formal Community Board actions.

Covered actions should include:

- board adopted resolutions
- Community District Needs priorities
- budget requests
- formal recommendations
- committee referrals approved by the board or executive committee
- land use recommendations
- District Service Cabinet issues
- service delivery requests
- capital project requests

Agency responses should state whether the agency accepts, rejects, modifies, delays, refers, or needs further study of the request. Where possible, responses should identify responsible offices, timelines, funding barriers, legal barriers, interagency dependencies, and next steps.

This would not make Community Board recommendations binding. It would make agency responses visible.

That distinction is important. The goal is not to create new veto points. The goal is to create public accountability and better coordination.

Recommended Reform 2: Citywide Minimum Operating Standards

Every Community Board should meet minimum operating standards for transparency, accessibility, records, meetings, committees, technology, and public participation.

These standards should include:

- timely public meeting notices
- accessible agendas
- minutes
- voting records
- committee agendas and minutes
- public archives
- bylaws
- searchable digital records
- language access
- disability access
- hybrid access where legally permissible
- public comment procedures
- youth friendly participation
- records retention
- conflict of interest practices
- transparent committee structures
- publication of resolutions and agency responses

These standards should not eliminate local flexibility. Boards should still reflect the needs and culture of their districts. But every New Yorker should have a baseline expectation of transparency and access, no matter which Community District they live in.

Recommended Reform 3: Community District Democracy Portal

The city should create a Community District Democracy Portal for every Community District.

Each portal should include:

- meetings
- agendas
- minutes
- resolutions
- votes
- committee pages
- district needs
- budget requests
- agency responses
- land use items

- public surveys
- district maps
- local plans
- District Service Cabinet issues
- public commitments
- implementation updates

Residents should be able to answer three basic questions:

- What is happening in my district?
- What did my Community Board recommend?
- What did the agency or city government do in response?

This should not be a passive website. It should be a living public accountability tool.

To make that accountability possible, the city should require Community Boards, Borough Presidents, relevant agencies, OMB, CEC, OTI, and DCP to use standardized, interoperable, machine readable reporting fields. Public data should connect each district need, budget request, resolution, referral, or District Service Cabinet issue to the responsible agency, response date, disposition, funding status, next step, and implementation status. Privacy protective demographic and participation data should also be published so the city can evaluate who is represented, who participates, and which communities remain underrepresented.

The portal should be developed with appropriate city partners, including the Civic Engagement Commission, the Office of Technology and Innovation, Department of City Planning, Office of Management and Budget, Borough Presidents, Council offices, Community Boards, District Managers, and city agencies.

If the city creates or expands an Office of Mass Engagement or similar mayoral engagement office, that office could support outreach, civic education, public feedback loops, and implementation follow through. But it should not control Community Boards, appointments, selection assemblies, public records, or independent board functions.

The Civic Engagement Commission is better positioned to serve as a neutral civic process administrator for public participation standards, assemblies, training, and democratic pilots. CEC already provides Community Board training and assistance on topics including parliamentary procedure, budgeting, open data, language access, and civic engagement. Any mayoral mass engagement office should help bring more residents into the process, not replace or direct independent neighborhood bodies.[4]

Recommended Reform 4: Staffing, Training, District Manager Reform, and Personnel Support

Community Boards cannot function as serious civic infrastructure without adequate support.

The city should study and strengthen:

- staffing levels
- committee support
- records management
- public outreach
- language access
- digital archives
- data capacity
- youth engagement
- land use review support
- budget request support

- agency follow up
- District Service Cabinet coordination
- District Manager duties and accountability

The District Manager role deserves special attention. The Charter provides that each Community Board shall appoint a District Manager and may use other professional staff and consultants, all of whom serve at the pleasure of the Community Board and provide the staff support and technical assistance the board needs. The Charter also assigns District Managers responsibility for processing service complaints, presiding at District Service Cabinet meetings, and performing duties assigned by the board.[1]

In practice, however, the role can vary dramatically by district. Some District Managers are effective public servants and institutional anchors. Others may become bottlenecks, gatekeepers, or informal power centers.

The solution is not to attack staff. The solution is to professionalize and clarify the role.

The city should study whether Community Boards need:

- clearer District Manager job descriptions
- standardized performance expectations
- transparent reporting lines
- stronger committee staff support
- a leadership team model
- clearer board oversight of staff
- professional development
- complaint and corrective action processes
- citywide training
- minimum qualifications
- data and technology support

There is also a structural fairness problem. Community Board members are volunteers. They should not be expected to independently facilitate complex performance reviews, workplace complaints, investigations, corrective action processes, or potential removal proceedings for District Managers or staff without professional support.

This is especially difficult when a District Manager or staff member has already created a culture of gatekeeping, intimidation, or dependency. In those situations, board members may technically have authority, but lack the practical support to use it. A volunteer board should not have to function as its own human resources department, legal department, investigator, and hearing officer.

The city should therefore study a Community Board Personnel Support and Accountability framework. Such a framework should preserve the board's authority over its staff while providing neutral professional support for job descriptions, annual evaluations, complaint intake, mediation, corrective action, investigations, performance documentation, and removal processes where necessary.

Community Board members should have meaningful authority and a protected voice in staff evaluation, but they should not be left alone to manage high conflict personnel matters without citywide standards and support. Any such process must also protect fairness, confidentiality, anti retaliation, labor law compliance, and due process.

Staff should serve the board, the district, and the public through clear standards and accountability.

Recommended Reform 5: Democratic Representation Study

The city should mandate a deeper study of Community Board democratic representation and structural reform.

This study should examine:

- appointment reform
- Borough President appointment authority
- Council Member appointment or nomination authority
- public nomination processes
- representative selection assemblies
- Civic Engagement Commission administered selection pilots
- youth participation
- youth seats
- public committee member pathways
- term limits
- representation standards
- participatory district planning
- annual district assemblies
- Community District Councils
- member training
- conflict of interest protections
- committee structures
- District Manager accountability

The study should examine how boards can better represent renters, workers, youth, immigrants, seniors, public housing residents, disabled residents, parents, small businesses, civic organizations, and underrepresented neighborhoods.

The study should include Community Board members, District Managers and staff, Borough Presidents, Council Members, the Civic Engagement Commission, relevant agencies, voting rights experts, good government experts, youth, tenants, immigrant communities, public housing residents, senior advocates, disability advocates, small businesses, and community organizations.

Recommended Reform 6: Participatory Planning and Civic Assemblies

The Commission should also study and pilot participatory planning and civic assemblies as a regular part of Community District governance.

Assemblies should not be treated only as a tool for one time public engagement. They can become recurring democratic infrastructure for helping residents deliberate, prioritize needs, and guide public decisions.

New York City already has experience with participatory budgeting through the Civic Engagement Commission's People's Money process, and CEC already supports Community Board training and civic engagement work. That experience should be expanded into a broader district level civic assembly model.[4]

A Community District assembly system could support:

- annual District Needs outreach
- budget priority setting
- youth participation
- public safety needs assessment
- sanitation and zero waste planning
- climate resilience planning
- land use education and early stage community planning
- agency accountability hearings
- participatory district planning
- public nomination processes for Community Board appointments
- representative selection assembly pilots

- future Community District Council design

The Commission should study how civic assemblies could be administered by the Civic Engagement Commission or another neutral civic process body, with strong language access, accessibility, childcare, stipends, outreach, facilitation, public education, and anti capture safeguards.

The long term goal should be a city where residents are not only invited to speak for two minutes after decisions are already shaped, but are regularly brought into structured deliberation before priorities are set.

This does not mean every decision should be made by assembly. It means that New York City should build a serious deliberative layer between isolated public testimony and formal representative government.

The study should examine whether residents could be randomly selected, invited, or summoned for civic deliberation in a model similar to jury service, while also preserving voluntary participation, legal safeguards, accessibility, and public trust.

Council Appointment Authority and Hybrid Reform

There is already interest in Council side appointment reform. Some proposals have considered giving Council Members more direct appointment authority over a portion of Community Board seats.

That idea should be studied as part of a broader package, not treated as the whole reform.

A strong reform should not simply transfer control from Borough Presidents to Council Members. It should modernize the whole system.

The study should examine hybrid models, including:

- improved current appointment system
- public application transparency
- public nomination assemblies
- Council appointment authority up to a defined percentage
- Borough President appointment authority with stronger criteria
- CEC administered selection pilots
- representation standards
- youth seats
- term limits
- public explanation requirements for appointments
- training requirements before voting eligibility

The goal should be to reduce insider control and increase democratic legitimacy, not create a new patronage system.

Community Boards Should Not Become New Veto Points

This testimony does not ask the Commission to give Community Boards binding veto power over housing, shelters, public space, transportation, sanitation infrastructure, climate infrastructure, public safety reforms, or land use.

That would create serious risks.

If Community Boards become more powerful without becoming more representative, they could become stronger obstacles to the very public goods New Yorkers need.

The better approach is to strengthen transparency, participation, representation, agency response, and public tracking.

Community Boards should help government hear, respond, coordinate, and deliver. They should not become new veto gates.

Community Safety as District Level Infrastructure

Community Board modernization should also be understood as community safety reform.

Too often, public safety is treated narrowly as policing or emergency response. But residents experience safety through the whole condition of a neighborhood: stable housing, youth programming, schools, sanitation, street lighting, parks, traffic safety, food access, mental health supports, senior services, violence prevention, climate resilience, public space, language access, and whether agencies respond when problems are raised.

In that broader sense, Community Boards are already part of the city's community safety infrastructure. They hear recurring complaints, identify service gaps, elevate youth and senior needs, review land use, track district conditions, communicate with agencies, and help surface the everyday problems that shape whether residents feel safe and supported.

The Commission does not need to decide in this testimony whether New York City should create a Department of Community Safety. But it should recognize that any serious community safety strategy needs neighborhood level infrastructure.

Community Boards, or future Community District Councils, should be able to support community safety by:

- identifying local safety and service delivery needs
- mapping gaps in youth programming, mental health support, violence prevention, street safety, sanitation, lighting, parks, and public space
- tracking agency responses to recurring neighborhood conditions
- connecting District Needs and budget requests to prevention and safety outcomes;
- supporting youth and resident participation in defining safety priorities
- helping agencies coordinate before problems become crises
- creating public records of unresolved safety related service failures

This should not turn Community Boards into police precinct councils or emergency response agencies. It should recognize that safety is built through the everyday systems that allow people to live with stability, dignity, health, and public trust.

The Commission should study how Community Board modernization, District Service Cabinet reform, participatory district planning, civic assemblies, and agency response requirements can support a broader community safety framework. If the city later creates or restructures a Department of Community Safety or related office, that department should be designed to work with Community Boards, Community District Councils, CEC administered assemblies, District Service Cabinets, and public agency response dashboards rather than bypassing them.

District Service Cabinets

The District Service Cabinet structure should also be modernized.

A modern District Service Cabinet should help answer:

- What local service problems are recurring?
- Which agencies are responsible?
- What commitments were made?
- What remains unresolved?

- What requires Council, Borough President, OMB, City Hall, or interagency action?

District Service Cabinet issues should be connected to the Community District Democracy Portal and agency response system where appropriate, with clear agency ownership, status updates, and escalation paths.

Borough Level and District Level Accountability

The Commission should also study how Community Board modernization relates to borough level and district level accountability.

New York City should clarify the roles of Community Boards, Borough Presidents, the citywide Public Advocate, the Civic Engagement Commission, Council Members, and any future borough level or mass engagement structures.

If the city studies deeper borough democracy reform, it should consider whether borough level ombuds or advocacy functions would help residents escalate unresolved agency failures. But those functions should not replace Community Boards or control Community District bodies.

The clean structure would be:

- Community Boards or future Community District Councils identify district needs, hold hearings, pass recommendations, conduct participatory planning, and track local agency responses.
- Borough level advocacy or ombuds functions, if created or restructured, should help escalate recurring agency failures and publish boroughwide accountability reports.
- The citywide Public Advocate should remain a citywide watchdog and ombuds office.
- CEC should support neutral civic processes and democratic participation standards.
- Any mayoral mass engagement office should support outreach and civic education, not control independent neighborhood bodies.

This testimony does not ask the Commission to decide that entire structure today. It asks the Commission to mandate a serious study of how these pieces should fit together.

What Should Be Studied

The Commission should recommend a Community Board Modernization and Borough Democracy Study.

That study should produce costed options, legal analysis, pilot recommendations, and draft Charter or local law language.

The study should examine:

- Community Board agency response requirements
- minimum operating standards
- District Democracy Portals
- District Manager and staff accountability
- Community Board Personnel Support and Accountability framework
- District Service Cabinet modernization
- appointment reform
- Borough President and Council Member appointment authority
- public nomination assemblies
- CEC administered selection pilots
- youth participation
- participatory planning and civic assemblies
- Community District Councils
- possible borough level advocacy or ombuds structures

- the relationship between Community Boards, Borough Presidents, Council Members, the Public Advocate, CEC, agencies, and any Office of Mass Engagement
- cost, legal, labor, technology, and implementation analysis
- a 2027 and 2029 implementation timeline

Why This Matters for Government Delivery

Community Board modernization would help the city:

- identify local needs earlier
- track recurring agency failures
- improve capital planning
- strengthen budget priorities
- support youth and senior engagement
- improve language access
- reduce duplicated testimony and complaint processes
- make agency commitments public
- connect residents to government
- build trust
- improve implementation of citywide priorities

This is not only democracy reform. It is service delivery reform.

Recommended Commission Action

I urge COGE to recommend a Community Board modernization package that includes:

1. Timely written agency responses to Community Board resolutions, district needs, budget requests, formal recommendations, committee referrals, land use recommendations, and District Service Cabinet issues.
2. Citywide minimum operating standards for transparency, accessibility, language access, records, meetings, committees, technology, and public participation.
3. A Community District Democracy Portal for every district, supported by standardized, interoperable, machine readable reporting on Community Board actions, agency responses, budget requests, public participation, staffing, commitments, and implementation outcomes.
4. A staffing, training, and District Manager reform study.
5. A Community Board Personnel Support and Accountability framework that provides neutral HR, legal, investigative, and procedural support for District Manager and staff evaluation, complaints, corrective action, and removal processes, while preserving meaningful board authority over staff.
6. A mandated democratic representation study, including appointment reform, public nomination processes, representative selection assemblies, youth participation, participatory district planning, term limits, representation standards, and Community District Councils.
7. A participatory planning and civic assembly pilot program, administered by CEC or another neutral civic process body, to support District Needs, budget priorities, agency accountability, youth participation, public nomination processes, and future Community District Council design.
8. A District Service Cabinet modernization process.
9. A community safety infrastructure study that examines how Community Boards, District Service Cabinets, civic assemblies, District Needs statements, budget priorities, and agency response dashboards can help identify local safety needs, service gaps, prevention priorities, and unresolved agency failures without turning Community Boards into policing bodies or new veto points.
10. A study of how Community Boards should relate to CEC, Council Members, Borough Presidents, the Public Advocate, any future borough level advocacy structures, and any mayoral mass engagement office.

11. A requirement that the study produce costed options, legal analysis, pilot recommendations, and draft Charter or local law language.

As part of its current review, I also urge the Commission to request standardized baseline data from OMB, CEC, OTI, DCP, the five Borough Presidents, relevant agencies, and all 59 Community Boards. That request should cover staffing and vacancies; applications, appointments, attendance, and representation; meetings and public participation; resolutions and referrals; agency response rates and response times; Community District Needs and budget requests; District Service Cabinet matters; and implementation outcomes. The Commission should identify both what the city's data demonstrate and what the city does not currently collect or publish.

Conclusion

Community Board reform is not a side issue. It is one of the clearest ways to connect Charter reform, government efficiency, neighborhood democracy, and public trust.

New York City does not need to invent neighborhood civic infrastructure from scratch. It already has Community Boards. The problem is that the system has not been modernized for the scale, complexity, and democratic expectations of the city today.

The goal is not more meetings for the sake of meetings.

The goal is a city where neighborhood needs are easier to identify, agency responses are easier to track, residents have clearer ways to participate, and government can deliver more effectively.

Community Board reform is Charter reform.

Community Board reform is government efficiency.

Community Board reform is public trust.

I urge the Commission to recommend immediate Community Board modernization reforms and a mandated study of deeper democratic representation, civic assembly, and borough governance reforms.

Thank you.

Source Notes

[1] New York City Charter, Section 2800, Community Boards.

https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-4249

[2] NYC Community Boards, District Needs page.

https://www.nyc.gov/site/communityboards/mandates/district needs.page

[3] NYC Mayor's Office, "Commission on Government Efficiency Releases Preliminary Report to Make Government Work Better for New Yorkers," July 2, 2026.

https://www.nyc.gov/mayors office/news/2026/07/commission on government efficiency releases preliminary report

[4] NYC Civic Engagement Commission, Community Boards training and support page.

https://home4.nyc.gov/site/civicengagement/our programs/community boards.page

[5] Office of the New York City Comptroller, *Audit Report on the Five Borough Presidents' Offices' Compliance with the New York City Charter Requirements for Community Board Member Appointments*, October 11, 2024.

https://comptroller.nyc.gov/reports/audit-report-on-the-five-borough-presidents-offices-compliance-with-the-new-york-city-charter-requirements-for-community-board-member-appointments/

The audit documents citywide, Bronx-wide, and Bronx Community Board 9 representation disparities using 2023 membership and applicant information.

[6] NYC Mayor's Community Affairs Unit, "About NYC Community Boards."

https://www.nyc.gov/site/communityboards/about/about-nyc-cbs.page

The page confirms that New York City has 59 Community Boards and that each may have up to 50 unsalaried members.

[7] New York City Office of Management and Budget, *Register of Community Board Budget Requests for the Adopted Budget, Fiscal Year 2026*, "Community Board Budget Process."

https://www.nyc.gov/assets/omb/downloads/pdf/adopt25/cbrboro6-25.pdf

The register explains that each Community Board may submit and prioritize up to 40 capital requests and 25 expense requests.

COMMUNITY BOARD MODERNIZATION AS NEIGHBORHOOD DEMOCRACY AND GOVERNMENT EFFICIENCY INFRASTRUCTURE

Executive Summary and Reform Framework

Supplemental Submission to the New York City Commission on Government Efficiency
Julio Quiñones Jr.

Purpose

This supplemental document summarizes a proposed framework for modernizing New York City's 59 Community Boards as year round infrastructure for government efficiency, neighborhood democracy, public accountability, and improved service delivery. It accompanies written testimony urging the Commission on Government Efficiency to recommend immediate modernization reforms and mandate a Community Board Modernization and Borough Democracy Study.

The central premise is straightforward: New York City does not need to invent neighborhood civic infrastructure from scratch. Community Boards already identify district needs, submit budget priorities, review land use matters, communicate with agencies, convene residents, and support local problem-solving. The weakness is the absence of consistent citywide systems connecting public participation and Community Board action to agency response, implementation, measurable outcomes, and public accountability.

Core Ask

COGE should advance a two-track reform strategy: implement practical modernization measures now while mandating a rigorous, time bound study of deeper structural and democratic reforms.

Immediate reforms should strengthen agency responsiveness, operating standards, public information systems, staffing and personnel support, District Service Cabinets, data collection, and accountability. The mandated study should develop costed options, legal analysis, pilots, implementation timelines, and draft Charter or local law language addressing representation, appointments, participatory planning, civic assemblies, staffing structures, borough accountability, and possible future Community District Councils.

Why Community Board Modernization Is a Government Efficiency Issue

Government efficiency is not limited to procurement, permitting, contracting, or internal agency procedures. It also depends on whether government can identify local problems early, coordinate agencies, distinguish recurring failures from isolated complaints, track commitments, allocate resources intelligently, and demonstrate what happened after residents participated.

At present, residents may testify, committees may deliberate, boards may adopt resolutions, districts may submit needs statements and budget requests, and District Service Cabinets may elevate service problems, yet no standardized public system consistently connects those actions to responsible

agencies, dispositions, timelines, funding status, next steps, and implementation outcomes. This fragmentation wastes public and governmental capacity and weakens trust.

Reform Framework

1. Timely Written Agency Responses

Require clear, timely, public responses to covered Community Board actions. Agencies should indicate whether a matter is accepted, rejected, modified, delayed, referred, or requires further study and, where possible, identify responsible offices, timelines, barriers, dependencies, and next steps. This creates accountability without making Community Board recommendations binding.

2. Citywide Minimum Operating Standards

Establish baseline requirements for transparency, accessibility, records, meetings, committees, technology, language access, disability access, public participation, records retention, conflicts practices, and publication of resolutions and agency responses. Preserve local flexibility while guaranteeing every New Yorker a basic standard of access and transparency.

3. Community District Democracy Portals

Create a living public accountability portal for every Community District connecting meetings, agendas, minutes, votes, resolutions, district needs, budget requests, agency responses, land use matters, surveys, local plans, District Service Cabinet issues, public commitments, and implementation updates. Require standardized, interoperable, machine-readable reporting fields.

4. Staffing, Training, District Manager Reform, and Personnel Support

Professionalize Community Board operations through clearer roles, performance expectations, staff support, training, data capacity, technology, records management, outreach, and agency follow up. Establish a neutral Personnel Support and Accountability framework so volunteer board members are not forced to function as their own human resources, legal, investigative, and hearing systems.

5. Democratic Representation Study

Study appointment structures, public nomination processes, representative selection assemblies, CEC-administered pilots, youth participation, public committee member pathways, term limits, representation standards, member training, participatory planning, and possible Community District Councils.

6. Participatory Planning and Civic Assemblies

Pilot recurring district-level deliberative processes supporting District Needs, budget priorities, youth participation, community safety needs assessment, climate and sanitation planning, agency accountability, early stage community planning, public nominations, and future governance design. CEC or another neutral civic-process body should administer pilots with accessibility, language access, childcare, stipends, outreach, facilitation, and anti-capture safeguards.

7. District Service Cabinet Modernization

Transform District Service Cabinets into stronger coordination and accountability mechanisms that identify recurring problems, assign agency responsibility, record commitments, track unresolved matters, and create escalation paths. Connect appropriate Cabinet matters to district portals and agency response systems.

8. Community Safety as District-Level Infrastructure
Recognize that neighborhood safety includes housing stability, schools, youth programming, sanitation, lighting, parks, traffic safety, food access, mental health supports, senior services, violence prevention, climate resilience, public space, and responsive government. Study how modernized Community Boards can identify gaps, support prevention, improve coordination, and track failures without becoming policing bodies or new veto points.

9. Borough Level and District-Level Accountability
Clarify the respective roles of Community Boards, Borough Presidents, Council Members, the Public Advocate, CEC, agencies, and any future borough advocacy or mayoral mass-engagement structures. Neighborhood bodies should identify needs and track responses; neutral civic institutions should support democratic processes; advocacy and ombuds functions should escalate unresolved failures rather than control Community Boards.

10. Standardized Baseline Data
Require a citywide baseline covering staffing and vacancies; applications, appointments, attendance, and representation; meetings and participation; resolutions and referrals; agency response rates and times; District Needs and budget requests; District Service Cabinet matters; and implementation outcomes. The review should identify both what existing data show and what the city fails to collect or publish.

11. Mandated Community Board Modernization and Borough Democracy Study
Require a comprehensive study producing costed options, legal and labor analysis, technology and implementation analysis, pilot recommendations, timelines for 2027 and 2029, and draft Charter or local law language.

Guiding Design Principles
- **Accountability without new veto points.** Community Board recommendations need visible responses and follow through, not automatic binding authority.
- **Modernization with local flexibility.** Citywide minimum standards should coexist with district specific priorities and practices.
- **Representation before expanded power.** Any deeper authority should be paired with reforms improving legitimacy, inclusion, and safeguards against capture.
- **Participation connected to implementation.** Residents should be able to see how needs, testimony, recommendations, agency decisions, funding, and outcomes connect.
- **Neutral administration of democratic processes.** CEC or another appropriately independent civic process body should support assemblies, training, and democratic pilots rather than placing them under mayoral political control.
- **Professional support with meaningful board authority.** Volunteer boards should retain meaningful oversight while receiving neutral personnel, legal, technical, and procedural support.
- **Data as public infrastructure.** Standardized, interoperable, machine readable information should enable residents and government to identify patterns, delays, inequities, and outcomes.
- **Phased reform.** The city should implement feasible operational improvements immediately while rigorously studying, piloting, costing, and legally designing deeper structural reforms.

Recommended Commission Action
COGE should recommend an immediate Community Board modernization package and mandate the Community Board Modernization and Borough Democracy Study. The Commission should also request

standardized baseline data from relevant city entities and all 59 Community Boards so that future reform is grounded in measurable conditions rather than anecdote alone.

Intended Outcome

The objective is not more process for its own sake. It is a city in which neighborhood needs are identified earlier, public participation is more representative and consequential, agency responsibility is clearer, commitments are trackable, recurring failures are visible, interagency coordination improves, and residents can determine what government did after they participated.

Community Board modernization should therefore be understood simultaneously as Charter reform, government efficiency reform, service delivery reform, neighborhood democracy reform, community safety infrastructure, and public-trust infrastructure.

COMMUNITY BOARD MODERNIZATION IMPLEMENTATION ROADMAP

Supplemental Submission to the New York City Commission on Government Efficiency
Julio Quiñones Jr.

Purpose and Implementation Strategy

This roadmap translates the accompanying Community Board modernization proposal into a phased program of immediate action, baseline assessment, pilot development, legal design, and longer term structural reform. Its purpose is to demonstrate that New York City need not choose between reforms that can improve government now and deeper democratic changes requiring study, public deliberation, legal analysis, and testing.

The recommended approach is a two-track strategy. Track One begins modernization immediately through baseline data collection, common operating standards, agency response protocols, technology and data design, personnel support development, and District Service Cabinet improvements. Track Two mandates a Community Board Modernization and Borough Democracy Study to develop, cost, legally analyze, and pilot deeper reforms concerning representation, appointments, civic assemblies, participatory planning, staffing structures, borough accountability, and possible Community District Councils.

This framework does not assume that every identified reform requires amendment of the City Charter. Each proposal should proceed through the most appropriate lawful mechanism, including Charter revision, local law, administrative action, agency practice, budget action, or further study, based on the legal and implementation analysis recommended here.

Implementation Principles

- Do now what can responsibly be done now; study and pilot what requires deeper structural change.
- Strengthen accountability without converting Community Boards into new veto points.
- Preserve meaningful local flexibility within enforceable citywide minimum standards.
- Build shared data infrastructure before attempting to measure performance or compare districts.
- Improve representation and democratic legitimacy before considering substantial expansions of formal authority.
- Provide professional administrative, technical, legal, and personnel support without undermining meaningful board oversight.
- Design reforms with Community Board members, staff, residents, agencies, civic institutions, labor stakeholders, and historically underrepresented communities.
- Require every study and pilot to produce actionable deliverables, not merely recommendations for further study.

Phase I: Commission Action and Baseline Development

Target Period: 2026-Early 2027

- Recommend an immediate Community Board modernization package and mandate the Community Board Modernization and Borough Democracy Study.

- Request standardized baseline data from all 59 Community Boards, five Borough Presidents, OMB, CEC, OTI, DCP, and relevant agencies.
- Inventory current board staffing, vacancies, operating practices, technology, archives, accessibility, language access, committee support, District Service Cabinet practices, and public participation systems.
- Measure available data on applications, appointments, representation, attendance, meetings, resolutions, referrals, agency responses, District Needs, budget requests, and implementation outcomes.
- Identify information the city does not currently collect, standardize, connect, or publish.
- Develop an intergovernmental implementation structure with clearly defined roles and safeguards against political control of independent Community Board functions.

Core Deliverables: Baseline report; data gap analysis; initial implementation governance structure; immediate reform recommendations.

Phase II: Immediate Modernization Design

Target Period: 2027

- Develop model requirements for timely written agency responses to covered Community Board actions.
- Define common disposition categories, including accepted, rejected, modified, delayed, referred, and further study required.
- Draft citywide minimum operating standards for transparency, records, accessibility, language access, meetings, committees, public participation, archives, technology, and publication of board actions.
- Design standardized, interoperable, machine readable fields connecting district needs and board actions to responsible agencies, responses, funding status, next steps, and implementation status.
- Develop functional and governance specifications for Community District Democracy Portals.
- Design a neutral Community Board Personnel Support and Accountability framework.
- Develop District Service Cabinet modernization standards, issue tracking protocols, escalation pathways, and connections to public accountability systems.

Core Deliverables: Draft standards and protocols; portal specifications; personnel support model; District Service Cabinet modernization framework.

Phase III: Pilots and Institutional Testing

Target Period: 2027-2028

- Pilot agency response and public tracking systems across a diverse group of Community Districts.
- Pilot Community District Democracy Portal functions and test usability, interoperability, privacy protections, accessibility, and public reporting.
- Test strengthened staffing and committee support models.
- Pilot neutral personnel support services for evaluations, complaints, mediation, corrective action, investigations, and other high conflict processes while preserving board authority and due process.
- Pilot recurring civic assemblies or participatory planning processes administered by CEC or another neutral civic process body.
- Test uses including District Needs, budget priorities, youth participation, community safety needs assessment, agency accountability, public nominations, and early stage planning.

- Evaluate participation, representativeness, cost, administrative burden, public trust, agency responsiveness, and implementation outcomes.

Core Deliverables: Pilot evaluations; public dashboards; cost findings; equity and accessibility findings; recommended revisions.

Phase IV: Structural and Democratic Reform Design

Target Period: 2027-2028

- Analyze appointment reform, Borough President and Council Member authority, transparent public applications, public nomination processes, representative selection assemblies, and CEC-administered selection pilots.
- Analyze youth seats and participation, public committee member pathways, term limits, representation standards, training requirements, and conflict of interest protections.
- Study Community District Councils and other possible long term governance structures.
- Clarify the appropriate relationships among Community Boards, Borough Presidents, Council Members, the Public Advocate, CEC, agencies, and any future borough advocacy or mayoral mass engagement structures.
- Analyze District Manager responsibilities, staffing configurations, leadership team models, reporting relationships, performance expectations, qualifications, and board oversight.
- Conduct legal, labor, fiscal, technology, voting rights, administrative, and implementation analyses.

Core Deliverables: Costed structural options; legal analysis; comparative evaluation; recommended governance models; draft Charter and local law concepts.

Phase V: Legislative, Charter, Budget, and Administrative Action

Target Period: 2028-2029

- Advance reforms through the appropriate mechanism: Charter revision, local law, mayoral or agency action, administrative standards, budget action, or state legislation where required.
- Fund technology, staffing, accessibility, language access, training, personnel support, civic process administration, and evaluation capacity.
- Scale successful agency response, data, portal, and District Service Cabinet reforms citywide.
- Adopt enforceable minimum operating standards with appropriate implementation support.
- Establish recurring public reporting and independent evaluation requirements.
- Advance deeper democratic reforms only after public review, legal analysis, pilot evidence, and implementation planning.

Core Deliverables: Enacted legal and administrative reforms; funded implementation plan; citywide standards; transition schedule.

Phase VI: Citywide Implementation and Continuous Improvement

Target Period: 2029 and Beyond

- Complete citywide implementation of approved modernization measures.
- Publish annual district level and citywide accountability reports.

- Measure agency response times, unresolved matters, participation, representation, accessibility, staffing capacity, and implementation outcomes.
- Create regular review cycles for standards, technology, training, and civic processes.
- Use public data to identify recurring systemic failures and opportunities for citywide policy or service delivery improvement.
- Maintain independent evaluation and opportunities for residents, board members, staff, and agencies to recommend improvements.

Core Deliverables: Operational citywide infrastructure; annual accountability reporting; continuous improvement process.

Institutional Responsibilities

COGE: Recommend immediate reforms, mandate the deeper study, request baseline data, and require actionable legal, fiscal, pilot, and implementation deliverables.

Civic Engagement Commission: Support neutral civic process administration, Community Board training, participation standards, assemblies, and democratic pilots, subject to appropriate authority and safeguards.

Office of Technology and Innovation: Support interoperable data architecture, technology standards, portal development, accessibility, security, and sustainable digital infrastructure.

Department of City Planning: Support district geography, planning processes, Community District Needs systems, land use information, and participatory district planning design.

Office of Management and Budget: Support budget request data, fiscal analysis, agency response integration, cost estimates, and connections between district priorities and budget outcomes.

Borough Presidents: Provide appointment, staffing, operational, and district level data; participate in reform design; and support implementation without controlling neutral civic processes.

City Agencies: Adopt common response protocols, identify responsible offices, provide timely dispositions and status updates, and participate in District Service Cabinet modernization.

Community Boards and Staff: Co-design practical standards and pilots, identify operational barriers, test reforms, provide district knowledge, and retain meaningful roles in local governance and staff oversight.

City Council and Public Advocate: Participate in legal and accountability design, evaluate legislative pathways, and help clarify district, borough, and citywide oversight relationships.

Critical Sequencing Decisions

- Baseline before benchmarking: the city should determine what is collected and missing before imposing performance comparisons.
- Standards with capacity: minimum requirements must be accompanied by staffing, training, technology, accessibility, and implementation support.
- Data architecture before portal scale up: public facing systems should be built on common definitions and interoperable fields.

- Pilots before structural lock in: assemblies, selection mechanisms, personnel systems, and governance changes should be tested and independently evaluated.
- Representation before expanded authority: stronger formal powers should not precede serious attention to legitimacy and inclusion.
- Legal mechanism matched to reform: not every improvement requires Charter revision, and reforms should proceed through the fastest lawful and durable pathway.

Measures of Success

- More Community Board actions receive clear, timely, trackable agency responses.
- Residents can follow issues from identified need through government response and implementation.
- Operating transparency and accessibility no longer depend primarily on district by district capacity.
- District Service Cabinet matters have identifiable ownership, status, commitments, and escalation pathways.
- Volunteer board members receive professional support for complex personnel responsibilities.
- Participation and representation improve among communities historically excluded or underrepresented.
- District level information becomes usable for citywide identification of recurring service failures and resource gaps.
- Successful pilots lead to costed, legally viable, implementable reforms rather than indefinite study.
- Community Boards become more effective infrastructure for government delivery and public trust without becoming new veto points.

Conclusion

Community Board modernization should be treated as a staged government transformation project. Immediate reforms can improve transparency, responsiveness, data, operations, and coordination while deeper democratic reforms are studied and tested. The recommended roadmap gives New York City a path from fragmented neighborhood participation toward accountable, modern, representative, and implementation focused district governance.

The essential commitment is to connect participation to response, response to implementation, and implementation to public accountability.

PROPOSED COMMUNITY BOARD MODERNIZATION AND BOROUGH DEMOCRACY STUDY MANDATE

Supplemental Submission to the New York City Commission on Government Efficiency
Julio Quiñones Jr.

Proposed Commission Recommendation

COGE should recommend a time bound Community Board Modernization and Borough Democracy Study charged with developing actionable options to modernize New York City's district level civic infrastructure, strengthen government responsiveness and public accountability, improve representation and participation, professionalize operational support, and clarify relationships among district, borough, and citywide institutions.

The Study should complement immediate reforms rather than delay them. This mandate does not assume every reform requires Charter amendment. Each proposal should proceed through the most appropriate lawful mechanism, including Charter revision, local law, administrative action, agency practice, budget action, or further study.

Study Objectives

Determine how New York City can transform Community Boards and related institutions into more effective year round infrastructure for neighborhood democracy, government efficiency, service delivery, participatory planning, agency accountability, and public trust.

Distinguish immediate operational improvements from reforms requiring pilots, legislation, Charter revision, budget action, labor analysis, or state action.

Required Areas of Study

- Agency response and accountability: timely written responses, common dispositions, responsibility, timelines, barriers, escalation, and public tracking.
- Citywide minimum operating standards for transparency, records, accessibility, language access, meetings, committees, participation, archives, technology, and publication of actions and responses.
- Community District Democracy Portals and standardized, interoperable, machine readable data connecting needs, actions, agency responses, budget decisions, commitments, and outcomes.
- Staffing, District Manager reform, committee support, qualifications, reporting lines, performance standards, training, technology, board oversight, and a neutral Personnel Support and Accountability framework.
- District Service Cabinet modernization, including agency participation, issue ownership, commitments, status reporting, recurring problem identification, escalation, and public tracking.
- Representation and appointment reform, including Borough President and Council Member authority, application transparency, public nominations, representative selection assemblies, neutral pilots, youth participation, terms, training, and anti-capture safeguards.
- Participatory planning and civic assemblies supporting District Needs, budgets, youth participation, community safety, sanitation, climate resilience, early stage planning, agency accountability, and nominations.

- Possible Community District Councils and other long term governance structures, including authority, legitimacy, safeguards, transition requirements, and institutional relationships.
- Community safety infrastructure and how district institutions can identify and track service and prevention needs without becoming policing bodies or veto points.
- Borough and citywide accountability and relationships among Community Boards, Borough Presidents, Council Members, the Public Advocate, CEC, agencies, and future advocacy, ombuds, or mass engagement structures.

Required Baseline Data

- Staffing, vacancies, titles, functions, tenure, and support capacity.
- Applications, appointments, vacancies, attendance, tenure, and privacy protective representation data.
- Meetings, committees, participation, accessibility, language access, and outreach.
- Resolutions, referrals, recommendations, agency responses, response times, and dispositions.
- Community District Needs, budget requests, agency responses, funding status, and implementation outcomes.
- District Service Cabinet matters, agency ownership, commitments, unresolved issues, and escalation.
- Technology, records systems, archives, data standards, public platforms, and available costs.

Required Public and Stakeholder Participation

- Community Board members, District Managers, staff, and residents, including residents who do not currently participate in Community Boards.
- Borough Presidents, Council Members, the Public Advocate, CEC, OMB, OTI, DCP, and relevant agencies.
- Youth, renters, workers, immigrants, seniors, public housing residents, disabled residents, parents, small businesses, and historically underrepresented neighborhoods.
- Voting rights, good government, labor, technology, accessibility, planning, public administration, and deliberative democracy experts.
- Use accessible hearings, multilingual participation, surveys, focus groups, structured deliberation, and public review of preliminary options.

Required Pilot Program

Pilot agency response and action tracking protocols, Democracy Portal functions, District Service Cabinet tracking and escalation, enhanced staff support, neutral personnel support services, civic assemblies and participatory planning, public nomination or selection processes where lawful, and youth participation mechanisms.

Select diverse districts and independently evaluate cost, burden, accessibility, participation, representativeness, public trust, responsiveness, equity, outcomes, and scalability.

Required Analysis

- Identify the proper legal mechanism for each reform and analyze Charter, local law, administrative, state law, voting rights, due process, privacy, and other implications.
- Provide implementation and recurring cost estimates, potential efficiencies, staffing requirements, and budget pathways.
- Analyze civil service, collective bargaining, workplace, personnel, and labor implications.

- Assess technology governance, interoperability, cybersecurity, accessibility, privacy, procurement, maintenance, and ownership.
- Evaluate disparate impacts, representation, language and disability access, digital access, and risks of political, institutional, or organized interest capture.

Required Deliverables

- Citywide baseline and data gap report.
- Immediate reforms package.
- Costed options with benefits, risks, tradeoffs, and implementation requirements.
- Legal, labor, fiscal, technology, data, accessibility, and equity analyses.
- Pilot designs, evaluation criteria, results where available, and scaling recommendations.
- Options for appointment, representation, staffing, District Manager reform, personnel support, participatory planning, civic assemblies, District Service Cabinets, Community District Councils, and borough accountability.
- Phased 2027 and 2029 implementation roadmap.
- Draft Charter language, local law language, administrative standards, or other implementing instruments.
- Final public report identifying recommendations, rejected options, unresolved questions, costs, and next steps.

Proposed Timeline and Accountability

- Within 90 days: establish governance, participation, data request, and research plans.
- Within 6 months: publish baseline findings, data gaps, and immediate reforms report.
- Within 12 months: publish preliminary structural options, legal and fiscal analysis, and pilot designs.
- Conduct and evaluate authorized pilots and solicit public review.
- By a deadline preserving feasible 2029 implementation: issue the final report, costed recommendations, implementation plan, and draft legal language.
- Make progress reports, publishable datasets, meeting materials, public comments, research, and draft options publicly accessible.

Anti-Delay Requirement

The Study should not substitute for action. Its mandate should require identification of reforms that can begin under existing authority and interim recommendations when delay is unnecessary. Deeper questions should proceed on a parallel track with deadlines and deliverables.

Proposed Outcome

The final product should give New York City clearly defined, legally viable, costed, and implementable choices. It should enable policymakers and the public to decide what should change immediately, what should be piloted, what requires legislation or Charter revision, and what long term model can best connect neighborhood participation to accountable government delivery.

COMMUNITY BOARD MODERNIZATION REFORM ARCHITECTURE

From neighborhood participation to accountable government delivery

RESIDENTS & COMMUNITIES
Residents • Youth • Tenants • Workers • Seniors • Immigrants • Public Housing Residents • Disabled Residents • Parents • Small Businesses • Civic Organizations

↓ Accessible participation • Testimony • Surveys • Outreach • Civic assemblies • Participatory planning • Public nominations

DISTRICT-LEVEL DEMOCRATIC INFRASTRUCTURE
Community Boards / Future Community District Councils
Identify needs • Hold hearings • Deliberate • Adopt recommendations • Set district and budget priorities • Support planning • Track agency response

↕ Public accountability through standardized data and Community District Democracy Portals

IMPLEMENTATION & COORDINATION INFRASTRUCTURE
City Agencies + Modernized District Service Cabinets
Assign responsibility • Respond in writing • Record disposition • Identify barriers • Coordinate • Track status • Escalate unresolved failures

↓ Unresolved or recurring failures move through clear escalation and accountability pathways

BOROUGH & CITYWIDE ACCOUNTABILITY
Borough-level advocacy or ombuds functions, if adopted • Borough Presidents • Council Members • Public Advocate • Citywide oversight
Escalate systemic failures • Identify patterns • Publish findings • Address legal, budget, and policy barriers

SHARED SUPPORT INFRASTRUCTURE

CEC / Neutral Civic Process Body Training • Assemblies • Democratic pilots • Participation standards	**OTI** Technology • Interoperability • Accessibility • Data infrastructure
DCP + OMB Planning • District Needs • Budget requests • Fiscal and implementation data	**Professional Support** Staff capacity • HR • Legal • Investigative • Technical assistance

THE ACCOUNTABILITY LOOP

Identify need → deliberate and prioritize → formal action → assign agency responsibility → public response → implementation and status tracking → escalation where necessary → measurable outcome → public evaluation and renewed planning

GUIDING PRINCIPLE: Strengthen representation, transparency, participation, agency responsiveness, and implementation capacity without converting Community Boards into new veto points.

Julio Quiñones Jr. | Personal Capacity | Supplemental Submission to the New York City Commission on Government Efficiency | July 2026

Name

Chanya Holness

Email [redacted]

Public Comment

The BUMP Campaign would like to thank Commission on Government Efficiency Executive Director Ann Cheng, and Commission members for the opportunity to testify today.

My name is Chanya Holness, BUMP Campaign Manager at the New York Foundling.

I am here representing the Bring Up Minimum Pay (BUMP) campaign, which aims to end poverty wages within the nonprofit human services sector. We are proposing a Charter amendment that requires contracted human services to be funded at a true cost of living.

In 2022, voters passed a Charter amendment to establish and annually report on a citywide true cost of living measurement. The ballot explained that the measure focuses on dignity. Dignity is foundational to our proposal.

In New York City, approximately 425,000 people are employed as human services workers. It's a workforce funded and directed by city contracts, which the Charter calls "client services."

While this workforce supports people living in poverty, nearly 90% of these workers are earning poverty inducing wages. A single adult working as a human services worker in New York City earns an annual wage of approximately $40,000. This is significantly below the cost of living in New York City.

Based on Urban Institute's True Cost of Living Measure and findings for New York City, a salary of $40,000 means that a single person household is under-resourced by more than $30,000.

Many words can describe this economic reality "undignified" is at the top of the list.

The Charter's preamble sets collective values to guide the city's activities and uphold the rights of residents, including the right to have "resources . . . to prosper economically and build wealth."

The current level of contract funding is not only inadequate to pay a true cost of living, but impossible to realize prosperity and wealth.

Those impacted by this underfunding are identified in the Charter as "historically marginalized." The workforce identifies as 80% people of color, 87% female and 63% foreign born. It is for these individuals that the Charter demands we "act intentionally."

The time to act is now!

With the introduction of a true cost of living measure, the City now has a standard on which to base human services wages to uphold the right to

economic prosperity, to dignify the work of 425,000 people and to stop ongoing inequitable, systemic harms.

In Charter Section 16, the mayor must report on social indicators and equity including budgetary resources allocated to reduce poverty. The current under resourcing is poverty inducing; not poverty reducing. We respectfully submit that the Charter should require client services to be funded at a true cost of living and such funding be reported annually.

Thank you for your time and consideration. The BUMP Campaign looks forward to working with the Commission and other key stakeholders to address wage justice for human services workers. If you have any additional questions, please contact Chanya Holness, BUMP Campaign Manager, at [redacted]

Attachment(s)



BUMP COGE Charter Revision Commissi...



CH BUMP COGE Testimony.docx

Date Submitted: July 13, 2026 6:22pm

Topic: Budget Issues × | Reporting Requirements × | Miscellaneous ×

Charter Related: Yes

Topic Simplified: Labor

Subtopic: Minimum wage

Show 4 hidden fields

The New York City Commission on Government Efficiency (COGE)
Charter Revision Commission
Monday, July 13, 2026
Testimony for Submission
BUMP Campaign

The BUMP Campaign would like to thank Commission on Government Efficiency Executive Director Ann Cheng, and Commission members for the opportunity to submit testimony on a proposal to amend the New York City Charter to require the funding and maintaining of human services contracts at a true cost of living.

Background – BUMP

BUMP – The Bring Up Minimum Pay Campaign – is an anti-poverty initiative focused on establishing – and maintaining - base wages for human services workers at a true cost of living. The campaign was launched in the fall of 2023 by leaders in the government and nonprofit sectors to address the poverty-inducing wages of nonprofit, government-contracted human services workers.

BUMP is a data-driven campaign. BUMP commissioned the City University of New York's Institute for State & Local Governance (CUNY ISLG) to identify the demographic and economic characteristics of the human services nonprofit labor market, the gap between current wages and a true cost of living and the return on investment to government and communities with increased human services wages. These analyses rely on publicly available data sources, including data from the U.S. Bureau of Labor Statistics (BLS), namely, the Quarterly Census of Employment and Wages (QCEW) and the Occupational Employment and Wage Statistics (OEWS), as well as the U.S. Census Bureau's American Community Survey (ACS). The data cited in this testimony is based on this research. Data reports and analyses are available online.[1]

New York City Charter True Cost of Living

In 2022, 80% of voters passed a New York City Charter amendment to establish and annually report on "a citywide measure of the average amount necessary to cover the cost of essential needs at an adequate level."[2] This measure is called the True Cost of Living. It is comprised of, but is not limited to, the costs of housing, childcare, food, transportation, healthcare, clothing and shoes, menstrual products, general

[1] Critical Services, High Growth, Low Wages, Employment and Wage Trends Across New York's Human Services Workforce, April 2025. https://islg.cuny.edu/resources/critical-services-low-wages (ISLG Report)
[2] https://www.nytimes.com/interactive/2022/11/08/us/elections/results-new-york.html?action=click&pgtype=Article&state=default&module=election-results&context=election_recirc&region=RaceLink

hygiene products, cleaning products and telephone and internet service.[3] In other words, the true cost of living measurement is the absolute very minimum set of expenses that residents incur just to live and take care of their families and achieve economic security in New York City. The ballot initiative further explained, the true cost of living "measurement is intended to focus on dignity."[4]

Dignity is the foundation of BUMP's NYC Charter amendment proposal.

In New York City, approximately 425,000 people are employed as human service workers.[5] It is a workforce funded and directed by New York City government contracts. Every day, these individuals are motivating, supporting, advocating and caring for New York City's most vulnerable communities in every borough and every neighborhood. This workforce delivers physically and emotionally challenging services that support child welfare, behavioral health, homelessness, intellectual and developmental disabilities, special education, older adults and high-risk youth, to name a few.

In short, the human services workforce is dedicated to assisting and supporting individuals and families living in poverty. **It's a startling fact that nearly 90% of New York City single-adult human services workers earn below the true cost of living themselves, and 16% live below the poverty line.** [6]

A single-adult New York City human services worker earns an average annual wage of approximately $40,000.[7] This is significantly below the cost of living in New York City. Based on Urban Institute's True Cost of Economic Security Measure and findings for New York City, a salary of $40,000 means that **a single person household is under-resourced by as much as $30,000 per year.**[8]

Prior efforts to address low- and poverty-level wages in the human services sector, primarily cost of living adjustments (COLAs), have not raised wages to a true cost of living. A COLA will always be necessary to keep wages in step with inflation. However, on its own, a COLA is not sufficient to lift human services workers out of poverty and into dignified economic and professional positions. Currently, COLAs are discretionary in value and application. Moreover, if base wages are at or below poverty levels, a COLA is

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[3] See Section 16c.1.(c), The New York City Charter, https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-5697
[4] https://racialjustice.cityofnewyork.us/ballot/proposal-3/
[5] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.
[6] Sustainable Services, Economic Growth, Living Wages: Estimating the Impact of Increasing Wages for the Lowest Paid Human Service Workers, November 2025. https://islg.cuny.edu/resources/sustainable-services-living-wages
[7] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.
[8] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs. https://www.urban.org/sites/default/files/2026-05/Bridging-the-True-Cost-of-Living-Gap-in-New-York-City-final%20%282%29.pdf

limited in its impact. For example, a 3% COLA on the average single-adult New York City human services wage of $40,000 only adds an additional $1,200 per year – a mere fraction of the $30,000 necessary to realize economic security.[9]

New York City Charter rights and systemic harms

In 2022, voters also ushered in a New York City Charter preamble that sets "the collective values" to "guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter." Such rights include having the "resources necessary to prosper economically and build wealth."

A key city authority is contracting for human services, referred to as "client services contracts" in the Charter – it is nearly two-fifths (2/5) of the city's annual procurement portfolio.[10] The city essentially contracts-out all of its human services delivery to nonprofit organizations. Accordingly, the nonprofit human services workforce is effectively an extension of city government.

As the foregoing data illuminates, the current level of human services contract wages is not only inadequate to pay a true cost of living, but impossible for the workforce to realize their right to economic prosperity and wealth building.

The residents impacted by New York City's under-resourcing are people that the Charter identifies as "historically marginalized." The human services workforce identifies as approximately 90% people of color, 87% female and 63% foreign born.[11] It is for these individuals that the New York City Charter's preamble demands that we "act intentionally" to reverse the loss of economic opportunity and intergenerational wealth for 425,000 human services workers.

Occupation Profile for the New York City Human Services Workforce

	New York City
Average Wage for Human Services Occupations*	$41,663
% Asian/Pacific Islander	15%
% Black	33%
% Hispanic	33%
% White	14%

[9] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs.

[10] 2025 Citywide Indicators Report, Mayor's Office of Contract Services. https://www.nyc.gov/assets/mocs/images/2025reports/2025_Indicators_Citywide.svg

[11] See ISLG Report, page 13 for example.

% Female	87%
% Foreign Born	63%
% Asian/Pacific Islander and Foreign Born	13%
% Black and Foreign Born	19%
% Hispanic and Foreign Born	21%
% White and Foreign Born	6%
% Below Poverty Line	16%
% No Health Insurance	7%
% SNAP Recipient	29%

**Only available for New York metro area.*

Sources: Occupational Employment and Wage Statistics (2023); CUNY ISLG's calculation of US Census Bureau's American Community Survey microdata accessed via IPUMS USA (2022). Measures are aggregated for all human services-related occupations including: Child, Family, and School Social Workers; Childcare Workers; Community Health Workers; Educational, Guidance, and Career Counselors and Advisors; Healthcare Social Workers; Home Health Aides; Mental Health and Substance Abuse Social Workers; Nursing Assistants; Preschool Teachers, Except Special Education; Probation Officers and Correctional Treatment Specialists; Rehabilitation Counselors; Social and Human Service Assistants; and Substance Abuse, Behavioral Disorder, and Mental Health Counselors. The OEWS and IPUMS do not differentiate between private and government sectors.

<u>Now Is The Time To Act!</u>

With the introduction of a true cost of living measure in 2022, the City now has a standard on which to base human services contracted wages to uphold the right of New Yorkers to economic prosperity, to dignify the critical services provided by 425,000 New York City human service workers and stop ongoing inequitable, systemic harms.

In Section 16 of the Charter, the mayor must report on social indicators and equity including "budgetary resources allocated to reduce poverty." The city's current under-resourcing of human services contracts is poverty-inducing; not poverty-reducing. **We respectfully submit that the Charter should require human services contracts to be funded at a true cost of living, and such funding be reported annually.**

Once human services contract wages are tied to the Charter's true cost of living measurement, this wage level must be maintained in multi-term contracts. New York City Charter's Rules of the City of New York Section 2-04 outlines requirements for multi-year client service contracts, including contracts for nine-plus years. A human services contract that does not foster economic prosperity in year one certainly erodes personal wealth and generational wealth by year nine. **We respectfully submit that Charter Section 2-04 should be amended to require that multi-term client services contracts include annual wage escalators that maintain contract wages at a true cost of living.**



Thank you for your time and consideration. The BUMP Campaign looks forward to working with the Commission and other key stakeholders to address wage justice for human services workers. If you have any additional questions, please contact Chanya Holness, BUMP Campaign Manager, at [redacted]

The New York City Commission on Government Efficiency (COGE)

Charter Revision Commission

Monday, July 13, 2026

Testimony of Chanya Holness, on behalf of BUMP Campaign

The BUMP Campaign would like to thank Commission on Government Efficiency Executive Director Ann Cheng, and Commission members for the opportunity to testify today.

My name is Chanya Holness, BUMP Campaign Manager at the New York Foundling.

I am here representing the Bring Up Minimum Pay (BUMP) campaign, which aims to end poverty wages within the nonprofit human services sector. We are proposing a Charter amendment that requires contracted human services to be funded at a true cost of living.

In 2022, voters passed a Charter amendment to establish and annually report on a citywide true cost of living measurement. The ballot explained that the measure focuses on dignity. Dignity is foundational to our proposal.

In New York City, approximately 425,000 people are employed as human services workers. It's a workforce funded and directed by city contracts, which the Charter calls "client services."

While this workforce supports people living in poverty, nearly 90% of these workers are earning poverty-inducing wages. A single-adult working as a human services worker in New York City earns an annual wage of approximately $40,000. This is significantly below the cost of living in New York City.

Bring Up Minimum Pay

BUMP

Based on Urban Institute's True Cost of Living Measure and findings for New York City, a salary of $40,000 means that a single person household is under-resourced by more than $30,000.[1]

Many words can describe this economic reality "undignified" is at the top of the list.

The Charter's preamble sets collective values to guide the city's activities and uphold the rights of residents, including the right to have "resources . . . to prosper economically and build wealth."

The current level of contract funding is not only inadequate to pay a true cost of living, but impossible to realize prosperity and wealth.

Those impacted by this underfunding are identified in the Charter as "historically marginalized." The workforce identifies as 80% people of color, 87% female and 63% foreign born. It is for these individuals that the Charter demands we "act intentionally."

The time to act is now!

With the introduction of a true cost of living measure, the City now has a standard on which to base human services wages to uphold the right to economic prosperity, to dignify the work of 425,000 people and to stop ongoing inequitable, systemic harms.

In Charter Section 16, the mayor must report on social indicators and equity including budgetary resources allocated to reduce poverty. The current under-resourcing is poverty-inducing; *not* poverty-reducing. We respectfully submit that the Charter should require client services to be funded at a true cost of living and such funding be reported annually.

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[1] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs.



Thank you for your time and consideration. The BUMP Campaign looks forward to working with the Commission and other key stakeholders to address wage justice for human services workers. If you have any additional questions, please contact Chanya Holness, BUMP Campaign Manager, at [redacted]

Name

Victoria Alexander

Email [redacted]

Public Comment

Please find out testimony attached.

Attachment(s)



RESILIENT RED HOOK

Testimony of Resilient Red Hook to the Charter Revision Commission on Government Efficiency (COGE)
Re: Restore Dedicated Public Maritime Management — A Waterfront That Works for All

Resilient Red Hook COGE Testimony D...

Date Submitted July 13, 2026 6:22pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic Waterfront/maritime policy

Show 4 hidden fields

RESILIENT RED HOOK

Red Hook, Brooklyn | [redacted]

July 13, 2026

Testimony of Resilient Red Hook to the Charter Revision Commission on Government Efficiency (COGE)

Re: Restore Dedicated Public Maritime Management — A Waterfront That Works for All

Dear COGE Commissioners:

Resilient Red Hook is a community organization fighting for economic, environmental, and social justice in Red Hook, Brooklyn. I submit this testimony as its Chair. Red Hook is a working waterfront peninsula, home to the largest NYCHA development in Brooklyn, the community hit hardest by Hurricane Sandy in 2012, and a designated environmental justice community of concern — a designation that is supposed to mean heightened protection, not a decade of preventable diesel exhaust. Ours is a neighborhood that has lived for two decades with the consequences of a city that manages its waterfront without maritime expertise and without accountability to the people who live beside it.

We testify in support of a pro-growth maritime policy — "a waterfront that works for all" — and the restoration of dedicated public maritime management through revision of the City Charter. We are not experienced enough in government structure to say whether that should take the form of a department, an agency, or an office; we leave that to the government experts who can select the right format for transparency and accountability to the people of New York City. What we can speak to, from lived experience, is why the current structure fails — and what any new structure must deliver. We also support the proposal of Save Our Seaport for the creation of a maritime community board, so that maritime voices — including waterfront communities like ours — have grassroots representation.

We want to be precise about the lens we bring. Red Hook has heard decades of "economic development" promises for its waterfront, and we have watched most of them evaporate. We are not asking for more development-speak. We are asking for economic justice: public waterfront assets managed publicly, transparently, and competently, by people who understand them, for the benefit of the people who live and work beside them. Dedicated public maritime management, written into the Charter and answerable to the City Council and the public, is how the city gets there.

Why this is a Charter question

NYC has not had a city agency for maritime since 1991, when City Charter Chapter 29, the Department of Ports and Trade, was repealed. Since then, the city's maritime assets have been managed largely by the NYC Economic Development Corporation (EDC), a quasi-governmental nonprofit operating under an annual "maritime contract" with the Department of Small Business Services. Because the EDC is not a City agency, the City Council does not vote on its budget as part of the annual budget process. Problems are not prevented; they are discovered after the fact, when Comptrollers audit. This is not merely inefficient — it is a democracy problem. The public's waterfront is governed outside the public's reach.

Mayor Mamdani has created a Deputy Mayor for Economic Justice charged in part with reforming the EDC. We support that work, and we believe this Commission can lock the most important reform into the Charter itself: return the management of the city's maritime assets to a public body staffed by maritime professionals — people credentialed through maritime academies, the Coast Guard, the Navy, or direct industry experience — actually managing the assets, subject to Council oversight and public accountability. Whatever format the Commission's experts determine is right, those are the tests it must pass: real transparency, real accountability, and real maritime expertise in charge.

What Red Hook has lived through under the current system

Red Hook is the case study for why this change is needed. The EDC has managed Atlantic Basin — now folded into the Brooklyn Marine Terminal (BMT) — for roughly twenty years. The record:

- **Seven planning processes, zero long-term tenants.** From 2002 through 2023, the EDC ran seven planning processes for Atlantic Basin — studies, RFEIs, RFPs — netting zero long-term tenants, while maritime businesses across the harbor were straining to grow and seeking space.
- **Jobs promised, jobs not delivered.** The Brooklyn Cruise Terminal was announced in 2006 with 290 permanent jobs promised. Roughly 8–10 permanent jobs materialized. The EDC has never publicized job fairs to the Red Hook community, and the promised benefits to local retail never arrived.
- **Revenue extracted, nothing shared.** Hudson River Park receives 20% of the Manhattan Cruise Terminal rent. Red Hook has received no share of the revenue from the Brooklyn Cruise Terminal, Atlantic Basin, or the Formula E race that disrupted the neighborhood for weeks every summer it ran — disruption that helped drive out the anchor tenant Phoenix Beverage.
- **The Brooklyn Marine Terminal shorepower jib: a decade of preventable ship exhaust beside public housing.** Shorepower exists so that ships at berth shut down their engines and plug into the grid instead of burning diesel next to people's homes. In Red Hook — a designated environmental justice community of concern, with well-documented elevated asthma rates and the Red Hook Houses a short distance from the berth — shorepower is not an amenity; it is a public health necessity. Yet circa 2016, the EDC bought the wrong jib/crane for the Brooklyn Cruise Terminal's shorepower system, then stayed silent for years, only admitting the error to the Red Hook community in spring 2019 after persistent community pressure. In April 2021, Brooklyn Borough Hall had to commit $750,000 in public funds to fix the EDC's mistake — funds spent compensating for an EDC error rather than invested in the terminal or the neighborhood. In 2023, the City Council had to pass Intro 4 unanimously to mandate shorepower at both cruise terminals — a mandate the EDC still delayed. The jib was not fixed until early 2026. The result: roughly a decade of cruise ships idling their engines beside public housing in a community the city itself has designated as one of concern. Our designation on paper offered no protection in practice, because the entity managing the asset answers to no one. This is what environmental injustice looks like — not a policy failure in the abstract, but diesel exhaust in the lungs of our neighbors, year after year, while the fix sat unimplemented.
- **Mega-ships without a traffic plan.** In 2022 the EDC brought MSC's mega-ships to the Brooklyn Cruise Terminal without any study of whether thousands of passengers arriving by individual car could move through Red Hook's small streets. They could not. It took 2.5 months of weekly working-group meetings led by Councilmember Avilés, and the unanimous passage of Intro 4, to force traffic mitigation plans and mandate shorepower. MSC has since left NYC entirely.
- **Evictions on four days' notice, for a facility that sits unused.** In September 2023, the EDC evicted four companies and multiple ships from Pier 11 on four days' notice to build a second NYC Ferry homeport. That homeport was built in 2023 and has never been used — credible former EDC employees say the pilings between the ferry berths have shifted, which the EDC denies while the facility sits idle.
- **Operational failures that endanger and drive out tenants.** The Pier 11 warehouse — three blocks long — had no working fire suppression system for over a decade. The EDC's flagship "blue highway" tenant, DutchX, moved out within a year because the building lacked the electrical capacity to charge their vans, a constraint every existing tenant already knew about.

- **Promises to community institutions, broken.** The nonprofit PortSide NewYork won an EDC RFP in 2007 and was promised a permanent home to build a maritime hub in Atlantic Basin. Nearly two decades later, it survives on one-year permits that often arrive after the year has started, with terms that change without negotiation. This is how the city treats organizations on its own waterfront. Community concerns and voices have been dismissed throughout the years over many projects in spaces where we are asked to participate.

The EDC hid the NYC Ferry ridership survey showing the ferry primarily served wealthy, white riders and tourists rather than the transit-desert, low-income communities it was sold on — and separately diverted Times Square property revenue to quietly subsidize it. When the city's waterfront is managed by an entity whose institutional culture is opaque, self-protective, and insulated from Council oversight, communities like Red Hook absorb the failures and see none of the benefits.

The stakes are rising. The City is poised to take control of the Brooklyn Marine Terminal itself — the largest maritime decision Red Hook has faced in a generation. Whether that asset is governed by an accountable public agency with maritime expertise, or by the same structure that produced the record above, will shape our neighborhood for the next fifty years.

The climate justice case for public maritime management

Resilient Red Hook was born from the recognition, after Hurricane Sandy, that our community's survival depends on getting the waterfront right. Public maritime management is climate infrastructure:

- **Resiliency built by people who understand marine construction.** Waterfront resiliency projects are designed and built with marine construction trade skills. Today the Department of Buildings writes waterfront codes through a pop-up technical committee. A permanent maritime agency would carry that expertise continuously — which matters enormously to a flood-vulnerable peninsula whose resiliency projects have been slow, fragmented, and repeatedly redesigned.
- **A real blue highway to take trucks off our streets.** Red Hook is being crushed by last-mile truck traffic, with the pollution, asthma, and street danger that come with it. Moving freight by water is the single most direct relief available — but the blue highway will keep stalling as long as it is retrofitted into spaces by planners without maritime knowledge, on piers without adequate power, under a landlord that evicts operators mid-stream.
- **Emergency response by water.** Sandy taught this peninsula what isolation means. Mariners evacuated 750,000 people from lower Manhattan on 9/11 and cut Ground Zero rubble-removal time from two years to eight months by moving it on water. Maritime emergency response capacity is a lifeline for waterfront communities, and it needs an agency to build and maintain it.
- **A just energy transition runs through the harbor.** Offshore wind, harbor dredging, vessel electrification, and shorepower are all maritime undertakings. The South Brooklyn Marine Terminal offshore wind facility moved so slowly under the current structure — eleven years from RFP — that it was left exposed to federal attacks on the industry.

The economic justice case: real jobs, really shared

Maritime jobs are working-class jobs, many of them union jobs, in sectors with an acute shortage of crew. These are careers that do not require a college degree and that once connected neighborhoods like Red Hook — including public housing residents — to the harbor at their

doorstep. That connection was severed as maritime became a language city government forgot. Whatever body the Commission creates should be charged with rebuilding the pipeline: working with maritime academies, unions, and nonprofits, and hiring from the environmental justice communities that live beside the working waterfront. Recreational access matters too — boating was once ordinary for low-income New Yorkers, and an agency that simplifies permits and builds real dock infrastructure can make the water public again.

What the new maritime body should do

We join PortSide NewYork and others in recommending that a new public maritime body:

- Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by the EDC — including the Brooklyn Marine Terminal, both cruise terminals, NYC Ferry, and the DockNYC berthing sites — with NYC Ferry and DockNYC directly managed by agency staff, not outsourced by contract.
- Reduce the red tape preventing maritime activity in all sectors, including advocating for NYC maritime interests before the NYS Department of Environmental Conservation, whose processes have blocked repair and construction of maritime infrastructure.
- Provide maritime expertise to the Parks Department and the waterfront park authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island) so public waterfronts are planned for maritime use, not just for views.
- Simplify permits to dock vessels on NYC public property so more vessels can visit or be based here.
- Expand waterborne transportation of people and freight and grow the blue highway faster than the current structure allows.
- Build maritime emergency response facilities and protocols.
- Advise on waterfront resiliency plans and create waterfront design codes, in place of the Department of Buildings' ad hoc committee.
- Support offshore wind development and grow the marine career pipeline with academies, unions, and nonprofits.
- And — our addition — be bound to community benefit-sharing and transparency: publish revenues by site, share benefits with host neighborhoods as Hudson River Park's arrangement already does in Manhattan, publicize maritime job opportunities in adjacent communities, and answer to the maritime community board that Save Our Seaport has proposed.

Conclusion

NYC is an archipelago, and an archipelago needs a maritime manager. Red Hook is a peninsula that knows both the value of this harbor and the full cost of its mismanagement — we have paid that cost in broken promises, idle piers, diesel exhaust beside public housing, and trucks on streets that freight barges should be relieving. Government efficiency, for us, is not an abstraction. It is whether the public's waterfront is run by accountable public servants who know what a boat needs, for the benefit of the people who live beside the water.

Restore dedicated public maritime management, in whatever form best serves transparency and accountability to the people of New York City. Give us a waterfront that works for all.

Thank you for your consideration. I can be reached at [redacted] with any follow-up questions.

Respectfully submitted,

Victoria Alexander

Chair, Resilient Red Hook

[redacted]

Name

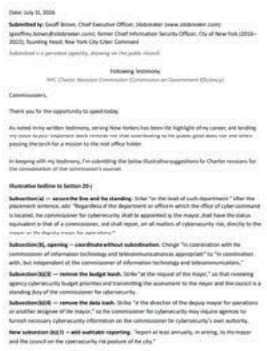
Geoff Brown

Email [redacted]

Public Comment

The attached compliments my testimony today, and offers areas of focus specific to the existing Charter language regarding cybersecurity. Thank you.

Attachment(s)



COGE Post July 13 Testimony Letter fro...

Date Submitted July 13, 2026 6:31pm

Topic Technology

Charter Related Yes

Topic Simplified Technology

Subtopic

Improve cybersecurity

Show 4 hidden fields

Date: July 13, 2026

Submitted by: Geoff Brown, Chief Executive Officer, Silobreaker (www.silobreaker.com) [redacted]; former Chief Information Security Officer, City of New York (2016–2022); founding Head, New York City Cyber Command

Submitted in a personal capacity, drawing on the public record.

Following Testimony

NYC Charter Revision Commission (Commission on Government Efficiency)

Commissioners,

Thank you for the opportunity to speak today.

As noted in my written testimony, serving New Yorkers has been the highlight of my career, and lending my voice to your important work reminds me that contributing to the public good does not end when passing the torch for a mission to the next office holder.

In keeping with my testimony, I'm submitting the below illustrative suggestions for Charter revisions for the consideration of the Commission's counsel.

Illustrative Redline to Section 20-j

Subsection (a) — secure the line and the standing. Strike "or the head of such department." After the placement sentence, add: "Regardless of the department or office in which the office of cyber command is located, the commissioner for cybersecurity shall be appointed by the mayor, shall have the status equivalent to that of a commissioner, and shall report, on all matters of cybersecurity risk, directly to the mayor or the deputy mayor for operations."

Subsection (b), opening — coordinate without subordination. Change "in coordination with the commissioner of information technology and telecommunications as appropriate" to "in coordination with, but independent of, the commissioner of information technology and telecommunications."

Subsection (b)(3) — remove the budget leash. Strike "at the request of the mayor," so that reviewing agency cybersecurity budget priorities and transmitting the assessment to the mayor and the council is a standing duty of the commissioner for cybersecurity.

Subsection (b)(4) — remove the data leash. Strike "at the direction of the deputy mayor for operations or another designee of the mayor," so the commissioner for cybersecurity may require agencies to furnish necessary cybersecurity information on the commissioner for cybersecurity's own authority.

New subsection (b)(7) — add auditable reporting. "Report at least annually, in writing, to the mayor and the council on the cybersecurity risk posture of the city."

I remain available to offer what assistance I can, rooted in my ongoing professional experiences and perspective, and wish you clarity and success in your important work.

Vb.

Geoff Brown

Name

Marian Rich

Email [redacted]

Public Comment

Thank you for the opportunity to testify. My name is Marian Rich, I'm a lifelong New Yorker, civic activist, artist and teacher who's been involved in the nonprofit cultural life of our city, including youth development and afterschool programs. I've been engaged in independent politics and the fight for open primaries and nonpartisan elections for many years.

I'm an independent, in part, as a response to the hyper partisan climate. And I'm not alone; 47% of the electorate is now unaffiliated, young voters in particular.

I appreciate this Commission's desire to deliver 21st century government to our City. Among the 30 largest cities holding mayoral elections this cycle, 29 use nonpartisan ballots; NYC is the one holdout with partisan, closed primaries. I am utterly dismayed that, along with over one million fellow independents, I cannot vote in a primary.

Last year's Charter Commission report called the need for this reform "crystal clear," finding that ending closed primaries would give over a million unaffiliated voters a real voice, boost turnout, increase competition, and reinforce ranked choice voting.

As a progressive, I voted for Mayor Mamdani in the general election. I was troubled to hear him say he is "content" with the current primary structure and equally disturbed that NYC DSA cannot see that this is a pressing issue for our city.

I urge the commission to give New York City's voters the opportunity to open our primaries.

Attachment(s) Drop files here or click to browse

Date Submitted July 13, 2026 6:42pm

Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Sharon Gordon

Email [redacted]

Public Comment

Dear COGE Commissioners:
I testify to support a pro growth maritime policy "a waterfront that works for all" and the creation of a new city agency for maritime, a Department of Maritime.
As a 21 year resident of the [redacted], immediately east of the Brooklyn Marine Terminal, I've always appreciated the importance of a working waterfront. But with the proposed Brooklyn Marine Terminal plan, there are only 2 maritime board members out of a 26 member board for the Brooklyn Marine Terminal Development Corporation. This is a major threat to our working waterfront.
Much of the greatness of NYC is due to how we used this harbor and its waterways for centuries. We need to learn how to do this again. I recommend that NYC create a City agency for maritime again so people who understand boat operations, infrastructure, and culture are designing and managing the waterfront. NYC has not had a city agency for maritime since 1991, when the City Charter "Chapter 29: Department of Ports and Trade" was repealed.
This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office. Its staff will directly manage assets. This agency will not be the Mayor's office liaison between entities managing assets, creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy, and/or direct industry and operational experience. This new agency will increase efficiency by combining expertise that can be shared citywide.
A waterfront that works for all policy will thus:

- Increase government efficiency and reduce waste.
- Grow jobs, especially working class jobs, many of them union jobs in sectors with an acute shortage of crew.
- Help connect people to maritime jobs most people don't know exist since the communities ashore and afloat are not connected the way they once were.
- Unlock recreational opportunities in an inclusive manner, making boats accessible to low-income communities as they commonly once were.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have a waterfront that works for all.
I also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.
In closing, I want to share an important message from the July 4th Parade of Tall Ships that I watched on WNBC4. One of their guest panelists was Vice Admiral John Gumbleton, US Navy. He talked about the importance of our maritime past, present and future, and closed with this statement:
"We are a Maritime Nation!"
We need to remember that.
Thanks for your consideration. If you have follow-up questions, I can be reached at [redacted]
Sincerely,

Sharon Gordon
[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026 6:45pm

Topic: Unnecessary Bureaucracy × | Real Estate and Development × | Miscellaneous ×

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/maritime policy

Show 4 hidden fields

Name

Sara Romanoski

Email [redacted]

Public Comment

I served on the management team of the Lab at OPM, the US Office of Personnel Management until April 2025, when my team was illegally eliminated by DOGE. I now represent the Civic Design Collaborative founded with some of my Lab colleagues to continue the mission of building public sector capacity for creating more human centered systems. The Lab at OPM built the capacity of the federal civil service to transform how our government operates and interacts with the public. Our team of 33 interdisciplinary designers paired our expertise in human-centered design with the domain expertise of collaborators at more than 70 federal programs during our 13 year tenure.

I comment today with seven years of federal experience and knowledge of the federal history of civic design and civic tech including the evolution of our sister programs, USDS and 18F. Our charter should orient the city's processes and evaluation toward the experience of New Yorkers across city services. Recommendations in the Commission's draft report express this orientation in moments, but we can create more opportunities for centering experience in how the government functions. We can make experience primary in our operations by identifying route causes to solve actual problems, promoting conditions for the long-term integration of transformation talent, and learning from the existing workforce.

Solve for validated problems
Technology is integrated into the present operations and service experience of government and the public sector is pressured to adopt new tools to deliver better and faster. Technology may help us address some problems, but too often governments invest in technology solutions without analyzing the underlying conditions of the problems they're facing and without validating what technological intervention, if any, is needed. This can lead to waste by demanding limited time from technical and non technical experts, committing agencies to long-term, ineffective contracts, and prolonging the existence of the actual problem.

A viable solution must address a real problem, fit resource constraints, and coordinate with existing agency or program operations. Decisions around technology implementation and policy must follow the needs of New Yorkers. This work requires investment in understanding the real life experience of New Yorkers successfully and unsuccessfully accessing services, openness to identify the true barriers to access, and creativity to identify and validate right sized interventions, whether changes to policy, process, or (a communications, physical, digital, etc.) product.

Hire service designers in strategic roles to facilitate the process of learning, convening people, facilitating process, and validating investments. They should lead interdisciplinary teams including the views of tenured civil servants and people representing differing levels of authority to help filter ideas through research and consider alternative solutions. The diversity of perspective will also help the group evaluate the degree of technology

readiness of the staff and agency culture to adopt and maintain a new system or process.

Hire faster and lower churn
The draft Commission report enumerates drivers and effects of the sluggish hiring process and expresses an intention to speed up the process for technologists. Expediting hiring, though, is only one piece of the challenge of attracting technologists to the public sector. We need to enable those technologists to stay and grow. When they develop institutional knowledge and build relationships, their ability to provide strategic support will grow too. I've experienced that growth myself and seen it across teams in cross-government and embedded agency positions. That cultural integration and contextual learning will take time. The city can support the process by orienting the new hires to the context, procuring tools for their craft, and supporting standard design and development processes that may not be currently present within their offices.

The administration and the public may be eager to see early wins; while those are in the works, lay the foundation for a long-term investment in the transformation operation the city needs over the long-term by creating permanent positions, hiring experienced leadership, incorporating the capabilities of the broader workforce, and orienting evaluation metrics to New Yorker-centered experience.

Any solution to hiring technologists should be tested for applicability to the hiring process for all roles. Hiring is too slow for all kinds of positions; from experience, I have not applied to many city roles because of the extended timelines, civil service lists, and limited pay. Where possible, policies devised for technology hiring should be considered for general implementation. My colleagues and I have a depth of experience in improving the conditions for hiring and human capital improvements in government. One of our final projects at OPM applied a speculative design approach to reimagine an aspect of federal hiring, which resulted in guidance on how to craft outcome driven legislative proposals. A similar process for the charter could visualize our intended outcome, create measures, and then craft a policy that may welcome more technologists sooner or perhaps more experts the city needs to onboard in various capacities.

Seek the workforce's embodied knowledge
From my experience working within agencies and on cross-government initiatives, the civil service embodies critical knowledge about what works and what does not. Tenured and new employees have expertise in the systems they interact with day-to-day, and many will be eager to resolve the biggest headaches in their work. As a federal worker, I would have eagerly shared my wishlist had I been asked what I believed would improve efficiency.

If it hasn't, I recommend this commission solicit the individual input of the city's workforce on what needs to change to improve their ability to perform at work. Their expertise and participation combined with an understanding of how New Yorkers do and do not get the help they need are both critical

inputs to transformation work. The researchers, designers, and technologists you introduce will rely on knowledge of the current challenges provided by internal and external stakeholders to develop potential solutions. Engaging the workforce in this way will enable implementation of solutions and reforms when their participation and contextual knowledge will be most critical.

I welcome the opportunity to share more of our work with the Commission or anyone in the administration who would like to learn from our portfolio working across domains including tech hiring, veteran healthcare experience, grantmaking, equitable community resilience, connected service experiences in crucial life moments, human capital strategy, staff and executive training, and more.

Attachment(s)



Public Comment -- Commission on Gov...

Date Submitted: July 13, 2026 7:39pm

Topic: Technology, Unnecessary Bureaucracy, Procurement Reform, Reporting Requirements, Miscellaneous

Charter Related: No

Topic Simplified: Unnecessary Bureaucracy

Subtopic: City workforce

Show 4 hidden fields

Public Commission on the Draft Report on the Commission on Government Efficiency
July 13, 2026

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Sara Romanoski
20+ year NYC resident, NYC-based business owner, urban planner
Civic Design Collaborative
[redacted]

Name

Pei Shan Wei

Email [redacted]

Public Comment

Thank you commissioner for the opportunity to testify today.

My name is Pei Wei, I own a small family-owned restaurant on [redacted] in [redacted]. I am here today as both a small business owner and a community member who believes deeply in the vision of Open Streets.

I used to support Open Streets because they have the power to transform neighborhoods into safe, welcoming places where families gather, local businesses grow, and communities celebrate their cultures.

Unfortunately, our Open Street on [redacted] has not yet reached its full potential.

Our open street started pandemic . We heard 28 millions for our [redacted] open street project since 2022-2023 but so far we only see stone barrier , portable tables and chairs,..... The stone had Block majority of parking space. It also block the snow blower to clean street in winter time. The street had transferred from two way to one way . Small businesses and restaurants lost businesses after DOT transformation. Too often, the street is closed to traffic but remains largely empty because there is only 1-2 programming to attract residents and visitors.

I believe we need to invest not only in the street itself, but including the "experiences " that bring people here.
One opportunity would be a weekly Saturday farmers market between [redacted] and [redacted] Streets. A Saturday market would improve access to fresh food while bringing more people to support local businesses. However, Grownyc told me they don't have manpower .

I also encourage the City to expand programming with street mural art , food festivals, and more community events. [redacted] is one of the most diverse neighborhoods in New York City, and our Open Street should reflect that diversity.

Small businesses are the backbone of our community. We want to partner with the City to make [redacted] a vibrant destination that benefits everyone.

Thank you for your leadership and for your commitment to creating public spaces that serve all New Yorkers. I would welcome the opportunity to work with your team to help make [redacted] a model Open Street for Queens.

Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026 7:51pm

Topic: Street Redesigns, Real Estate and Development, Unnecessary Bureaucracy, Miscellaneous

Charter Related: Yes

Topic Simplified: Public Realm

Subtopic: Outdoor dining

Show 4 hidden fields

Name

Jaidev Phadke

Email [redacted]

Public Comment

Many, many of the city's regulations sacrifice efficiency to create oversight accountability. I appreciate the commission's efforts to distinguish which of these regulations are worth the oversight burden, and which are not.

I want to endorse 3 additional ideas that avoid the tradeoff between efficiency and accountability:

The first two ideas are found in a recent Vital City piece

1. Create an independent legislative cost-scoring body. Create a permanent, nonpartisan entity — modeled loosely on the Congressional Budget Office to score the fiscal impact of City Council legislation before passage.
2. Write an Office of Management and Budget pilot-program accountability rule. Require OMB to mandate an objective assessment whenever it funds a pilot program, preventing an unreviewed accumulation of one off projects.

Lastly, there are open primaries. Open Primaries make politicians genuinely accountable to the public while consolidating and simplifying the election process. Honestly, the argument about better including registered Independents is not the point here. Nor is the issue of voter turnout, which has many solutions. There's an even stronger argument:

Everybody knows that our primaries are not TRULY competitive today. Candidates are not seeking the votes of the average New Yorker, but are really focused on the votes within their party, and particularly the support of groups with the power to mobilize members.

The impact is in plain sight: our officials do not feel accountable to all New Yorkers, because they don't rely on a broad swath of New Yorkers to get elected. And I'm saying this as a Democrat! Opening primaries would boost the legitimacy of our elections and therefore the effectiveness of our officials - better turnout is only one benefit of that change. Legitimate elections mean that we can actually trust that our government represents us as New Yorkers.

Attachment(s)

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Date Submitted: July 13, 2026 8:00pm

Topic: Budget Issues, Reporting Requirements, Open Primaries, Support Oversight Agencies

Charter Related: No

Topic Simplified: Unnecessary Bureaucracy

Subtopic: Government efficiency

Show 4 hidden fields

Name

Paul Adam Sanchez

Email [redacted]

Public Comment

Thank you commissioners for all the work you have been doing for the people of new york

My name is Paul Adam Sanchez, and
As a native of our great city, my heart has been heavy lately from the rampant levels of corruption within our system, and the resultant quality of life crisis even contributing to our current mental health epidemic.

IF our city's long history of pernicious, negligent mismanagement and theft of public resources will continue to spread as it has been then we will continue to see human rights violations become the norm, as the increasingly overlapping spheres between business, politics, and health, continue to deny the reality of workers' & consumers' rights as human right where we have big pharma reps testifying in congress, on camera with their full chest, that they are not in the business of curing people, but helping only shareholders.

In spite of this, the people are still reclaiming their medical sovereignty. A famous New yorker, for example, Dr. Sebi, was a pioneer of herbalism, who did great work helping and informing our public with his knowledge and *teachable* ability to cure so-called incurable diseases--even though they happen to be the most lucrative diseases on the planet.

In our modern times, where it is often illegal to even say the word "cure", we also have other supressed advancments with Eduardo IC [and others] who conducted a world changing, peer reviewed study, published in the journal of molecular medicine in 2021, on naturally occuring Chlorine dioxide: proving its 99% effectiveness as a covid treatment [.pdf attached]

The continued supression of these kind of life saving and unpatentable cures illustrates not only inhumane madness, but it also shows the very grave intellectual & medical colonization that needs to be brought to light, free of industry sabotage, lies, or unethical economics.

It is a natural consequences that we have so little trust in these "authorities," and have a mental health fallout strongly associated, when in the political, news, & medical fields, we know we are being lied to... while in Wales they just passed a law where they can fire politicians who lie.

We would have had Nikola Tesla's free energy over a century ago, right here in New York, if not for his infamous financier turned sabbatoeur, J.P. morgan... and onward the money machine consumes us all, at the expense of true advancement for humanity, leaving us with a government that is more and more focused on controling the people, while letting the unchecked greed of corporations run wild.

This leaves me with 3 main questions for you, commissioners:

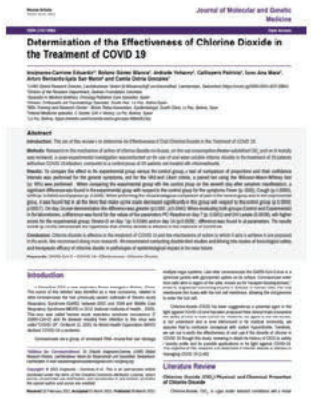
1. "The mayor mentioned during a recent speech that we americans "see monopolies that dominate every industry," How does the mayor plan to

address this what specifically beyond this committe on efficiency is being proposed to adresss this?

2. Are you able to help New Yorkers access ethically-backed education and medical science with actual, safe & effective methods of alternative/preventive medicine, as we know preventative health to be far more efficient than the more profitable, reactive kind?

3. Can you see a successful path in this direction, given this will mean breaking up the unethical pharma and insurance monopolies, as well as protecting our local resources that dictate the public health like our air and water?

Attachment(s)


Determination of the Effectiveness of Chlorine Dioxide in the Treatment of COVID 19

determination_of_the_effectiveness_of_...

Date Submitted: July 13, 2026 8:09pm

Topic: Enforcement, Unnecessary Bureaucracy, Technology, Miscellaneous

Charter Related: No

Topic Simplified: Feedback

Subtopic: Big pharma and medical sovereignty

Show 4 hidden fields

Review Article
Volume 15:S1, 2021

Journal of Molecular and Genetic Medicine

ISSN: 1747-0862 **Open Access**

Determination of the Effectiveness of Chlorine Dioxide in the Treatment of COVID 19

Insignares-Carrione Eduardo[1]*, Bolano Gómez Blanca[2], Andrade Yohanny[3], Callisperis Patricia[4], Suxo Ana Maria[5], Arturo Bernardo Ajata San Martín[6] and Camila Ostria Gonzales[7]

[1]LVWG Global Research Director, Liechtensteiner Verein für Wissenschaft und Gesundheit, Liechtenstein, Switzerland (https://orcid.org/0000-0001-9337-0884)
[2]Director of the Research Department, Genesis Foundation, Colombia
[3]Specialist in Medical Bioethics, Oncology Palliative Care Specialist, Spain
[4]Director, Orthopedic and Traumatology Specialist, South clinic, La Paz, Bolivia,Spain
[5]MSc, Training and Research Center - Bolivia Today Association, Epidemiologist, South Clinic, La Paz, Bolivia, Spain
[6]Internal Medicine specialist, C Sorata 1146 V Victory, La Paz, Bolivia, Spain
[7]La Paz, Bolivia, Spain (linkedin.com/in/camila-ostria-gonzales-96bb0514a)

Abstract

Introduction: The aim of this review is to determine the Effectiveness of Oral Chlorine Dioxide in the Treatment of COVID 19.

Methods: Research on the mechanism of action of chlorine dioxide on viruses, on the oral consumption ofwater-solubilized ClO_2 and on its toxicity was reviewed; a quasi-experimental investigation wasconducted on the use of oral water-soluble chlorine dioxide in the treatment of 20 patients withactive COVID 19 infection, compared to a control group of 20 patients not treated with chlorinedioxide.

Results: To compare the effect in the experimental group versus the control group, a test of comparison of proportions and their confidence intervals was performed for the general symptoms, and for the VAS and Likert criteria, a paired test using the Wilcoxon-Mann-Whitney test (α: 95%) was performed . When comparing the experimental group with the control group on the seventh day after symptom manifestation, a significant difference was found in the experimental group with respect to the control group for the symptoms Fever (p: 0000), Cough (p: 0.0000), Chills (p: 0.0000) and Dyspnea (p: 0.0006). When performing the visual analogous comparison of pain in the control group and in the experimental group, it was found that in all the items that make up the scale decreased significantly in this group with respect to the control group (p: 0.0000; p:00017). On day 14 post-demonstration the difference was greater (p:0.000 ; p:0.0043). When evaluating both groups (Control and Experimental) in the laboratories, a difference was found for the values of the parameters PC Reactive on day 7 (p: 0.0001) and DH Lactate (0.0036), with higher scores for the experimental group; Dimero-D on day 7 (p: 0.0194) and on day 14 (p:0.0029) ; difference was found in all parameters. The results overall ($p < 0.05$) demonstrate the hypothesis that chlorine dioxide is effective in the treatment of COVID 19.

Conclusion: Chlorine dioxide is effective in the treatment of COVID 19 and the mechanisms of action by which it acts to achieve it are proposed in this work. We recommend doing more research. We recommend conducting double-blind studies and delving into studies of toxicological safety and therapeutic efficacy of chlorine dioxide in pathologies of epidemiological impact in the near future.

Keywords: SARS-CoV-2 • COVID 19 • Effectiveness • Chlorine Dioxide.

Introduction

In December 2019, a new respiratory illness emerged in Wuhan, China. The source of this infection was identified as a new coronavirus, related to other coronaviruses that had previously caused outbreaks of Severe Acute Respiratory Syndrome (SARS) between 2002 and 2004 and Middle East Respiratory Syndrome (MERS) in 2012 (National Institutes of Health , 2020). This virus was called "severe acute respiratory syndrome coronavirus 2" (SARS-CoV-2) and the disease resulting from infection by this virus was called "COVID-19". On March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic.

Coronaviruses are a group of enveloped RNA viruses that can damage multiple organ systems. Like other coronaviruses, the SARS-CoV-2 virus is a spherical particle with glycoprotein spikes on its surface. Coronaviruses enter host cells when a region of the spike, known as the "receptor-binding domain," binds to angiotensin-converting enzyme 2 (hACE2) in human cells. The viral membrane then fuses with the host cell membrane, allowing the viral genome to enter the host cell.

Chlorine dioxide (ClO2) has been suggested as a potential agent in the fight against COVID-19 and has been proposed three clinical trials to examine the ability of ClO2 to treat COVID-19. However, this agent is not well known, is not understood and is even demonized in the medical community, we assume that by confusion conceptual with sodium hypochlorite. Therefore, we set out to verify the effectiveness of oral use of the dioxide of chlorine in COVID 19 through this study, reviewing in depth the history of ClO2, its safety / toxicity profile and its possible applications in the fight against COVID-19. The objective of this research is to determine if chlorine dioxide is effective in managing COVID 19 [1-65].

Literature Review

Chlorine Dioxide (ClO_2) Physical and Chemical Properties of Chlorine Dioxide

Chlorine dioxide, ClO_2, is a gas under standard conditions with a molar

***Address for Correspondence:** Dr. Eduardo Insignares-Carrione, LVWG Global Research Director, Liechtensteiner Verein für Wissenschaft und Gesundheit, Switzerland-Liechtenstein; E-mail:* [redacted]

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Received 22 February 2021; **Accepted** 01 March 2021; **Published** 08 March 2021

mass of 67.45 g/mol. Typically, ClO_2 gas can be synthesized from the reaction between $NaClO_2$ (sodium chlorite) and C_{l2}, $NaClO_2$ and HOCl, $NaClO_2$, and an acid such as HCl or $H3PO_4$. It is easily soluble in water with a solubility of 3 g / 100 mL https://www.vyphidroasesores.com/.

The reactivity of chlorine dioxide is related to its structure and bond. Chlorine dioxide is a bent symmetric triatomic molecule (C2v point group) with a Cl-O bond length of 147.3 picometers and a bond angle of 117.6 degrees (Figure 1A). ClO2 has an odd number of electrons with 19 valence electrons and therefore, is aparamagnetic radical.Its electronic structure puzzled chemists for a long time because none of the possible structures dandLewisit is very satisfactory for chlorine dioxide [1-10].

The molecular orbital theory reveals that a single electron occupies the highest unoccupied molecular orbital, the p* orbital, which makes the molecule a free radical and explains its reactive nature. The two resonance structures of ClO_2 are shown in Figure 1B. The resonance structures of the ClO_2 radical indicate the forms of a double bond between the central Cl atom and an O atom, and a single bond in combination with a 3-electron bond in the other Cl-O bond. The unpaired electron it is shared between the three atoms within the two different resonance structures. Most of the density of a single electron is found in one or another O atom. This unique arrangement provides ClO2 with a single unpaired electron and two reaction centers (O and Cl) on which to react.

When chlorine dioxide dissolves in water, most of it does not hydrolyze: it remains as a dissolved gas in solution. Another part does, and forms both chlorite ion (ClO_{2-}) and chlorate ion (ClO_{3-}). The solubility of chlorine dioxide in water at sea level and at 25°C is close to 3 g / L (≈ 3000 ppm). Its solubility increases at lower temperatures. Therefore, when its concentration is greater than 3 grams per liter, it is common to store it at temperatures close to 5°C. Dissolved in pure water, in a hermetically closed container, in the absence of light, and at a low temperature, it is quite stable although it slowly decomposes into chlorine and oxygen. Chlorides catalyze its decomposition.

In biological systems, ClO_2 can be expected to play an important role as an antiviral / microbial agent through oxidative chemistry.

The therapeutic action of chlorine dioxide is given by its selectivity for pH. It means that this molecule dissociates and releases oxygen when it comes into contact with another acid. When it reacts, it becomes sodium chloride (common salt) and at the same time releases oxygen, which in turn oxidizes (burns) the pathogens (harmful germs) of acidic pH present, converting them into alkaline oxides ("ashes"). Therefore, when chlorine dioxide dissociates, it releases oxygen into the blood, as do erythrocytes (red blood cells) through the same principle (known as the Bohr effect), which is to be selective for acidity. Like blood, chlorine dioxide releases oxygen when it encounters acidity, either from lactic acid or from the acidity of the pathogen. ClO2 is a size-selective antimicrobial agent.

Multicellular tissue has the ability to dissipate this charge and is not affected in the same way. Chlorine dioxide, which is the second strongest disinfectant known after ozone, is much more suitable for use therapeutic since it is also capable of penetrating and eliminating biofilm, which ozone does not do. The great advantage of the therapeutic use of chlorine dioxide is the impossibility of a bacterial resistance to ClO2. Although ozone is stronger in terms antiseptics, its high oxidative potential of 2.07 and its short half-life of only 15 minutes at 25°C with a pH value of 7.0 make it less effective, for *in vivo* therapeutic applications [11-20].

Chlorine Dioxide Antiviral Efficacy

Mechanism of Antiviral Action of ClO_2

ClO_2 exhibits antiviral activity through its oxidative chemistry. A virus consists of an outer shell or shell and an inner nucleic acid core. The viral envelope can be composed of proteins, lipid bilayers, and polysaccharides, and the envelope protects the nucleic acid core, in addition to providing selective binding and receptor cell recognition. Altering or modifying the viral envelope or nucleic acid nucleus will disrupt the modes of viral infection.

In the case of SARS-CoV-2, the carbohydrate envelope encloses it and protects it even more, which makes it more difficult to attack than other viruses. Approximately 70% of the entire surface of the spike protein is coated with glycans; In the case of SARS-CoV-2, sugars are twice as essential. First of all, because they stabilize the spicule in a conformation that allows it to fit with ACE2 receptors on our cells, the process that initiates infection. By removing some glycans from the surface, the spike protein is destabilized and, furthermore, the binding with these receptors is weakened.

A line of research is being developed in post-covid syndrome by one of the authors (B.Bolano), focusing attention on the possibility that Cl02 acts at the level of inflammasomes or even NETosis as a possible explanation for the improvement in the post COVID 19 syndrome manifested by hundreds of doctors who have reported cases in the world. The relevance and evidence of these findings to the anti-inflammatory mechanism of action of ClO_2 remains unclear at this time.

In order to explore the mechanism of action more deeply, we selected published articles (pubmed, google scholar and other search engines) that describe the action of SARS-CoV-2 in cells, in its interaction with hACE2 and, in In particular, we investigated augmented reality videos or simulation videos based on Silicon, for the three-dimensional representation of the places of action, such as the videos in which the spicular protein and the hACE2 receptor are manipulated, among others, with ChimeraX (UCSF) augmented reality software.

Similarly, we reviewed the structure of the virus spike and drew on the research of Daniel Wrapp and Jason S. McLellan of the University of Texas.

The three-dimensional image of the spicular S glycoprotein of the SARS-CoV-2 betacoronavirus has been seen with electron cryomicroscopy in record time. Thanks to this image with a resolution of 3.5 Å, it is confirmed that this S protein binds to the hACE2 protein of human cells with a higher affinity than that of the SARS-CoV coronavirus. Protein S is the target of the antibodies that immunize us. Its 3D structure allows us to understand why the monoclonal antibodies published against SARS-CoV are not effective against SARS-CoV-2.

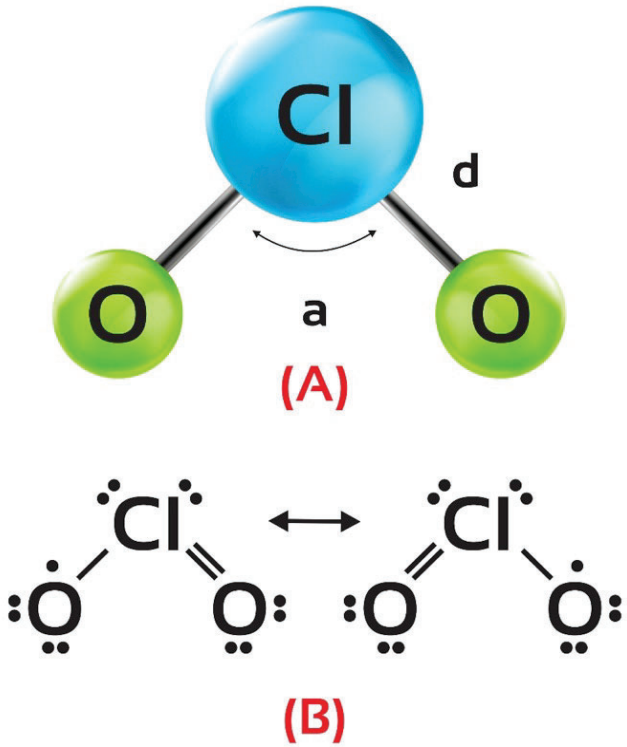


Figure 1: (A). Geometry of the ClO2 molecule with group of points (C2v). The bond angle a is 117.6 O and the length of bond d is 147.3 pm. (B). Two resonance structures of ClO2 are illustrated that reveal the unpaired electron, centered on the Oxygen atom, shared between the three atoms.

Based on this information, we did a study with a doctor in molecular biology from the University of Tsukuba in Japan, in which we sought to build the hypothesis of how chlorine dioxide acts on SARS-CoV-2 (Insignares - Carrione et al , 2020). As a result, we saw that there is an excellent correlation between its structure and its transmission mechanism, as well as the determination of the sites of action of promising substances or drugs in the treatment of COVID 19 and, however, we have not had the expected results for its rapid control with none of the drugs tested. Bioinformatics is a tool that uses biological data to study biological problems on a wide range of scales, such as evolution, structure, the function and regulation of nucleic acids and proteins with the help of computational methods. In our work in Japan, we carry out in silico analysis, which is a comprehensive quantitative approach that not only provides information on the dynamics of intracellular and intramolecular processes, but ultimately allows us to predict biological behavior from molecular interactions. This was done in our work by focusing on conserved domains, structure, function, and biochemical characteristics to understand the mechanism of action of chlorine dioxide on the spike and SARS-CoV-2 RNA. which is a complete quantitative approach that not only provides information on the dynamics of intracellular and intramolecular processes, but ultimately allows prediction of biological behavior from molecular interactions. This was done in our work by focusing on conserved domains, structure, function, and biochemical characteristics to understand the mechanism of action of chlorine dioxide on the spike and SARS-CoV-2 RNA. which is a complete quantitative approach that not only provides information on the dynamics of intracellular and intramolecular processes, but ultimately allows prediction of biological behavior from molecular interactions. This was done in our work by focusing on conserved domains, structure, function, and biochemical characteristics to understand the mechanism of action of chlorine dioxide on the spike and SARS-CoV-2 RNA (Figure 2).

This type of analysis not only provides information on RNA replication, but also simulates the dynamics of the interrelation between the spike and the hACE2 receptor. The investigation began with the nucleotide sequence of the viral RNA, the open reading frames (ORF's) were determined, which once analyzed, revealed the oxidation of guanine to 8-oxoguanine. The other bases were not modified. The amino acids oxidized by chlorine dioxide are found in the spike, located in the helices, S1, S2, RBD and hACE2, which could explain the almost immediate effect of clinical improvements achieved by dioxide (Insignares - Carrione et al, 2020).

Cysteine, belonging to the group of thiols, is an amino acid up to 50 times more reactive with all microbial systems than the other four amino acids and, therefore, it is impossible for it to create resistance against chlorine dioxide.

The hypothesis proposed by the authors (Insignares - Carrione, 2020) is that the cause of the antiviral effect of chlorine dioxide in SARS-CoV-2 can be explained by its actions on at least five amino acids (Cysteine, tryptophan, tyrosine, proline, hydroxyproline).

Pharmacokinetics

The pharmacokinetics of ClO_2 varies with the route of exposure. Scatina et al. (1984) examined the dermal absorption of a ClO2 preparation applied to the shaved back of rats. The maximum absorption of Cl in plasma was observed after 72 hours and a plasma concentration of 69.4 mcg% Cl was reached. The absorption half-life was calculated as 22.1 hours, which corresponds to a rate constant of 0, 0314 h-1 (Figure 3).

Fridyland and Kagan (1971) measured the degree of ClO2 absorption in the oral cavity of human subjects by rinsing the mouth with water containing predetermined concentrations of ClO2, and then measuring the residual concentrations of ClO2 in the washings. They found that up to 30% of the ClO2 was absorbed.

Safety / Toxicity

The safety / toxicity of ClO2 depends on several variables, including the route of administration (e.g., inhaled, topical, or oral), the state of the molecule (i.e., gaseous or aqueous), the concentration (usually measured in mg / L or ppm for aqueous and ppm or mg / m3 for gaseous), and the duration of exposure. ClO2 gas is toxic at much lower concentrations than aqueous ClO2. Toxicity also increases with the duration of exposure. The fact that ClO2 is less toxic in aqueous form allows the use of this molecule as a safe disinfectant in municipal drinking water, as a disinfectant for drinking water at points of use and as a food disinfectant, among other uses (Figure 4).

Below is a review of studies examining the safety and toxicity of ClO_2.

ClO_2 Solubilized in Water

In vitro studies

Noszticzius et al. (2013) examined the differential effects of ClO_2 on microbes versus humans or animals. They performed perfusion studies using protein membranes and found that the size of the organism exposed to ClO_2 influences the effects of the oxidant. They reported that a low concentration of ClO_2 quickly kills micron-sized organisms while causing little harm to larger organisms, such as humans. The authors suggested that the reasons for this differential effect are: (1) ClO_2 cannot penetrate deeply into the tissues of larger organisms and (2) the circulation of larger organisms provides a constant supply of antioxidants, offering protection against the effects. ClO_2 oxidants.

In vitro studies found that methemoglobin was not formed unless glutathione concentrations in red blood cells were almost completely depleted (Heffernan et al. 1979a).

In vivo Animal Studies

Daniel et al. (1990) exposed rats to ClO2 concentrations of 0, 25, 50, 100 or 200 mg / liter for 90 days. This equates to doses of 11.5 mg / kg / day in males and 14.9 mg / kg / day in females. No exposure-related deaths were reported.

Abdel-Rahman et al (1982b) reported LD50 rates for female rats of 340 to 468 mg / kg and for male rats of 292 to 424 mg / kg after a single gavage dose. Additional reports of LD50 in rats include 94 mg / kg (WHO, 2002), 140 mg / kg (Musil et al., 1963), 292 ppm (National Institute for Occupational Safety and Health, 2014) and> 5,000 mg / kg (US Environmental Protection Agency, 2008). The LD50 in mice has been reported to be> 10,000 mg / kg (Shi et al. 1999).

In a study carried out at the University of Querétaro (Mexico) in 2020, researchers challenged the hypothesis that ClO2 decreases viral load and virus-induced mortality in a vertebrate model. To do this, they determined the

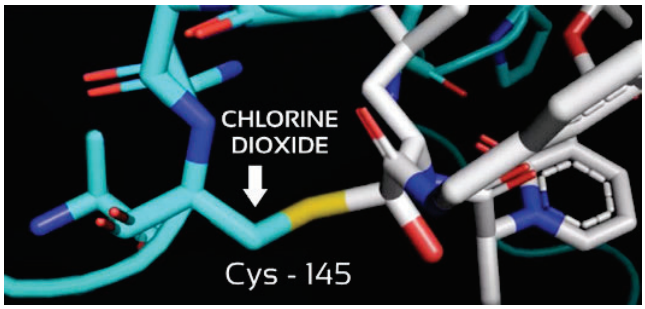


Figure 2: Positions of the amino acid (cysteine) in the structure of the spike, one of the possible sites of action of ClO_2.

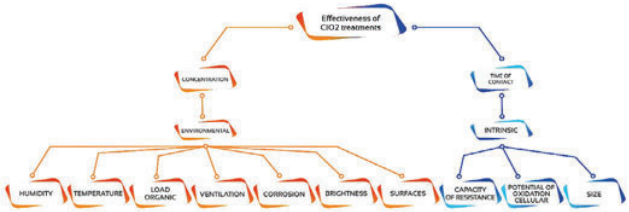


Figure 3: Effectiveness of chlorine dioxide treatment based on concentration and contact time.

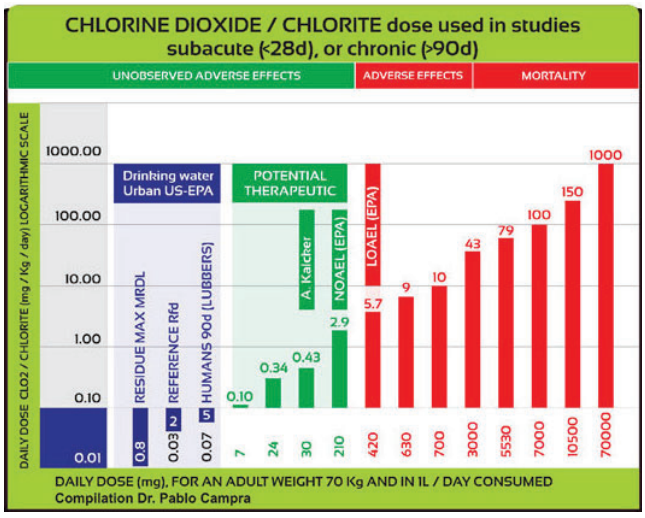


Figure 4: Review of experimental levels of chlorine dioxide / chlorite systemic toxicity. In blue, reference levels for disinfection of drinking water (US-EPA); in green, levels with evidence of therapeutic efficacy at zero toxicity (Refs A Kalcker and E. Insignares Carrione); red: minimum levels of toxicity detection reported in different in vivo studies in animals and humans.

viral load, virus-induced lesions, and mortality in 10-day-old chicken embryos inoculated with 104 EID50 / mL in media of attenuated avian coronavirus (IBV) strains from Massachusetts and Connecticut. ClO2 treatment had a marked impact on IBV infection. Specifically, viral titers were 2.4 times lower and mortality was reduced by half in infected embryos that were treated with ClO2. The infection caused developmental abnormalities, regardless of treatment. Lesions typical of IBV infections were observed in all inoculated embryos, but severity tended to be significantly less in ClO2-treated embryos. They found no gross or microscopic evidence of toxicity caused by ClO2 at the doses used in this case. The study concludes that ClO2 could be a safe and viable way to treat and mitigate the effects of avian coronavirus infections, and raises the possibility that similar effects may be observed in other organisms. (Xóchitl Zambrano-Estrada et al, 2020).

Water Solubilized Chlorine Dioxide (CDS) in Human and Animal Studies

The studies by Lubbers et al. (1982, 1984a) at the Ohio State University School of Medicine evaluated the short-term toxicity of drinking ClO2. In the first study (Lubbers et al. 1982), a group of 10 healthy adult males drank 1,000 ml (divided into two 500 ml portions, 4 hours apart) of a gradually increasing dose of ClO2. The study included a series of six sequences of 3 days each in which subjects drank 0.1, 1.0, 5.0, 10.0, 18.0, and 24.0 mg / L of a ClO2 solution. (0.34 mg / kg, assuming a reference body weight of 70 kg). . In the second study (Lubbers et al., 1984a) groups of 10 adult males received 500 ml of distilled water containing 0 or 5 mg / L ClO2 (0.04 mg / kg-day assuming a reference body weight of 70 kg) for 12 weeks.

In a comparative study of hyperpure chlorine dioxide with two other irrigants regarding the viability of periodontal ligament stem cells (PLDSCs), cell viability experiments demonstrated that the application of ClO2 does not lead to a significant decrease in the viability of PLDSCs. in the concentrations used to kill microbes. In contrast, traditional irrigants, H_2O_2 and CHX are highly toxic to PDLSCs. The aging of PLDSC cultures (passages 3 vs. 7) has characteristic effects on their responsiveness to these agents, since the increased expression of the mesenchymal stem cell markers becomes decreased. They conclude that although the active ingredients of mouthwashes (H_2O_2).

Oral ingestion of ClO_2 solubilized in water.

The only study conducted for the use of water-solubilized ClO2 (CDS) ingested by oral route is our present study carried out in a multicenter clinical trial in various countries from central and South America (https://clinicaltrials.gov/ct2/show/NCT0434374). Statistics of Bolivia where the use of water-solubilized ClO2 for the prevention and treatment of COVID-19 was approved by law in early August 2020, demonstrate a marked reduction in cases and deaths in that country. The highest peak recorded in Bolivia was epidemiological week 29 (10,939 cases), with cases falling to 670 in epidemiological week 45, (representing a 93% decrease). The case-fatality rate decreased from 8% to 4.5% in epidemiological week 36, coinciding with the massive use of dioxide in the population without it being possible to affirm with certainty that dioxide is responsible for this decrease. (https://snis.minsalud.gob.bo/). From a peak of 2,031 daily cases on August 20, 2020, cases dropped to 147 daily cases on October 21, 2020, representing a 93% decrease. Daily deaths decreased from a peak of 132 on September 3, 2020 to 24 deaths on October 21, 2020, with an 82% decrease in mortality. (https://www.COVID 19.onl/country/bolivia).

While there was a rebound in cases from epidemiological week 49 to 53, mortality remained relatively low. Some doctors linked to our research group (in Bolivia more than 220 doctors) provide feedback that the population reduced the consumption of dioxide and that could be a possible explanation for the peak, and the increase in the consumption of chlorine dioxide again reduced the peak to the previous levels, maintaining a reduced comparative mortality (personal communications) (Figure 5).

In summary, while in other countries the plateau was maintained, in Bolivia it fell, attributing this decrease (as a possible explanation) to preventive measures, the consumption of chlorine dioxide and the massive use of traditional medicine as a possible explanation.

Dose

In vitro and *in vivo* studies demonstrate that low doses of water-solubilized ClO2 exhibit potent and rapid antiviral activity against a wide range of viruses. In a study on drinking water in the Netherlands, Jin et al. (2013) found that treatment with ClO2 at concentrations of 0.5 ppm for 25 minutes, or 1.5 ppm for 10 minutes, or 2 ppm for 5 minutes achieved at least a 4 log reduction of enterovirus. Schijven et al (2019) demonstrated that municipal drinking water treated with ClO2 (0.1 ppm in summer and 0.05 ppm in winter) significantly reduced adenovirus levels to levels that are considered safe for drinking water.

Alvarez and O'Brien (1982) found a ClO2 concentration of 40 ppm added to wastewater seeded with SARS-CoV that completely inactivated the SARS-CoV in 30 minutes.

The dose used in this research is 30 mg per day for 21 days, which is well below the NOAEL, or in the worst case the same as the NOAEL reported in previous studies in animals, as we discussed in previous lines. .

Materials and Methods

To make the greatest search for scientific information on chlorine dioxide, sand they searched Google Scholar, PubMed (Medline), LILACS, Cochrane Library, Science, Scielo, MedScape, looking for articles in English and Spanish, which would contain search terms chlorine dioxide, virus, SARS-CoV-2, coronavirus, oxidant, water purification, "Chlorine dioxide" OR "Chlorine dioxide protocol" OR Chlorine dioxide AND virus; Chlorine dioxide AND SARS-COV-2; OR "COVID-19 drug treatment" OR "spike glycoprotein, COVID-19 virus" OR "severe acute respiratory syndrome coronavirus 2" OR "COVID-19" OR "2019-nCoV" OR "SARS-CoV-2" O "2019 new coronavirus "OR" 2019 coronavirus disease "OR (pneumonia).

Additionally, a Google search was conducted using these same search terms. The articles selected for inclusion consisted of publications related to the potential use of ClO2 as prevention or treatment of COVID-19, on the beneficial aspects and possible effects of maleficence or toxicity of the substance. All retrieved articles were screened and a subset of relevant abstracts was selected for further evaluation. The bibliographies of these articles were then searched for additional references. The final articles selected for inclusion in this review consisted of articles examining historical uses, chemistry, toxicity, antimicrobial and virucid ClO2, previous investigations in animals in vitro

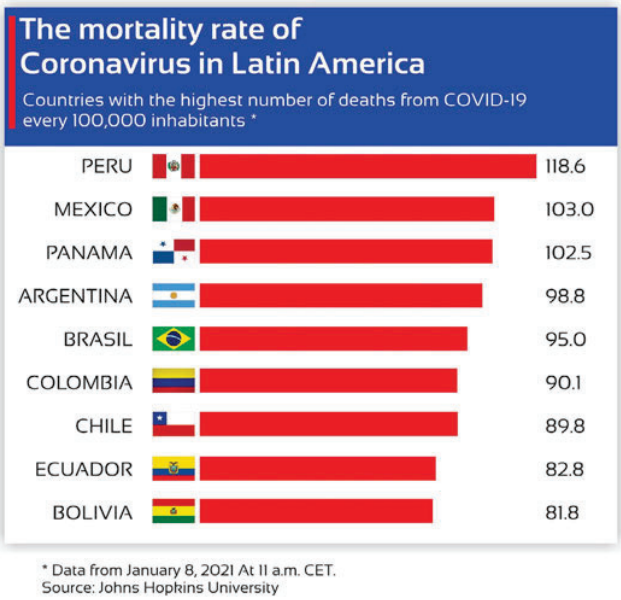


Figure 5: The death rate of the Coronavirus in Latin America.

and in vivo, and research in humans. The registries of www.clinicaltrials.gov and those of the WHO International Clinical Registry Platform (ICTRP) were reviewed to identify ongoing or unpublished clinical trials.

From the search results, we selected those that referred to the virucidal action of chlorine dioxide on various microorganisms, in particular on viruses and, among them, SARS-CoV-2 or SARS-CoV.

On the other hand, we selected articles that describe the action of SARS-CoV-2 in cells, in its interaction with ACE2 and, in particular, we investigated augmented reality videos or simulation videos based on Silico, for three-dimensional representation. De sites of action such as videos in which the spicular protein and the ACE2 receptor (37) are manipulated, among others, with the ChimeraX (UCSF) augmented reality software.

Similarly, we reviewed the structure of the virus spike and relied on the research of Daniel Wrapp and Jason S. McLellan of the University of Texas, information with which, in a parallel study, we were able to hypothesize how chlorine dioxide acts on SAR-CoV-2.

With the information needed to conclude that chlorine dioxide was beneficent and that its use in the COVID 19 pandemic is turned in an immense possibility to control it based on the scientific foundations revealed in previous investigations, and above all, that it was not maleficent for patients, we take the decision to carry out the investigation for determine if it was effective orally in the treatment of COVID 19.

We decided to carry out a phase **IIa** design given the urgency to verify a option effective, fast and economical treatment that could be implemented quickly worldwide, which is why we opted for a quasi-experimental clinical trial.

The NCBI (National Center for Biotechnology Information) for Medline and Pubmed databases recently included the concept of ECE (Quasi Experimental Studies) under the MeSH term "Non-Randomized Controlled Trials as Topic" (NCBI, 2015).

Once the research protocol was done, it was decided to register it in clinicaltrials.gov which was accepted on April 7, 2020 under the number NCT 04343742. The design was made international multicenter in order to have a faster collection of the sample and in the future, to have a much larger and more representative sample. The same protocol was presented in eleven American countries and in Spain for approval. Unfortunately, drug control entities in all countries generated warnings and even bans on its use for human consumption that made it difficult for ethics committees to approve the protocol. In Bolivia the law was approved No. 1351 of 2020 that authorized the elaboration, commercialization, supply and consented use of the CDS chlorine dioxide solution as prevention and treatment in the face of the coronavirus pandemic (COVID 19); The ethics committee endorsed by the Bolivian Ministry of Health was legally constituted, which approved this multicenter research protocol of international scope, retro-prospective, made up of five (5) universities (Technical University of Oruro, Public University of El Alto, Universidad Mayor de San Simón, Gabriel René Moreno Autonomous University and Yacuiba Technical Institute "Gran Chaco") which in turn, through its scientific and ethical clinical research committees, are doing their own research on chlorine dioxide for use in different applications [20-35].

Data collection and registration

Data collection and recording was carried out by recording demographic and symptomatic data and by means of observation scales based on visual analogue scale (VAS) and laboratory parameters organized by Likert scale for better evaluation and comparability. Thus, the instruments or formats were built, which were recorded in software specially designed for research with the following characteristics:

An electronic form in a WEB environment was specially designed for the registration of information required in the investigation through PCs, smartphones and tablets.

The application was developed by the company SCORPII SAS in 2020, with the following functionality:

- Registration of the contact information and basic profile of the investigating physician, who identifies the location of the medical center where the patient was treated for the first time and records their contact details and socio-cultural profile.
- File of the letter of informed consent for the use of an investigational substance, signed by each patient.
- Registration of the information on the patient's initial diagnostic clinical history.
- Record of the patient's follow-up clinical history in relation to his symptoms, pain scale (VAS) and assessment with the Likert scale of the laboratory reports made on day 0, 7, 14 and 21.
- In relation to the security conditions, the registered information does not have options to make changes or adjustments to the registered information by the investigating physicians, guaranteeing the authenticity, integrity and confidentiality of the information. Each researcher has access to the application through the authentication of their email and password, in such a way that they are solely responsible for the registration of information on each of their patients.
- Generation of information consolidation reports for statistical analysis, a function of access exclusively by the research director, without options for modifying the database of records made by investigating physicians.

That is, the instruments made it possible to collect and record the results from the performance of semiological, clinical and laboratory examinations at the beginning of the study treatment of the experimental group and the control group, as well as after 7, 14 and 21 days.

In addition to demographic data, the following are measured:

Semiological: red eyes, fever, cough, expectoration, asthenia / adynamia, chills, vomiting, dyspnea, nasal congestion.

The VAS criteria (The visual analog scale or VAS) for pain it is a straight line in which one end means no pain and the other end means the worst pain imaginable. The patient marks a point on the line that matches the amount of pain felt) and the variables investigated. They are: sore throat, head, chest, general myalgic type, affectation due to low back pain.

Likert criteria (The Likert scale is an *ordinal* scale using 5 levels) grouped paraclinical exams. The variables investigated are lymphocytes, leukocytes,

platelets, C-reactive protein, Lactate dehydrogenase, AST, -D-dimer and lactate in oximetry.

The instruments made it possible to collect and record the results from the performance of semiological examinations, assessment of painful symptoms (VAS) and laboratory (LIKERT) at the beginning of the treatment under study (or baseline) as well as after 7, 14 and 21 days .

Analysis and Interpretation of the Data

It is carried out according to the established variables, with the support of the IBM - SPSS Statistics software; the data of the experimental and control groups were analyzed, the general symptoms by means of a comparison of proportions test and their confidence intervals, and the VAS and Likert criteria by means of a paired test using the Wilcoxon - Mann - Whitney test α: 95%).

Population

The experimental population to which the multicenter study was directed consisted of a group of patients with active infection with COVID-19 , in various medical centers in Bolivia (14 patients) , most of them in the southern clinic in La Paz, Bolivia , Peru (two patients) and Ecuador (four patients) for a total of twenty (20) patients. The control population consisted of eight (8) patients from Ecuador, seven (7) patients from Bolivia, three (3) from Mexico and two (2) from Peru, for a total of twenty (20) patients.

Patients

The selection of the treatment or experimental group was made based on patients with active COVID 19 infection, who were with positive RT-PCR, symptomatic in intervals from 3 to 7 days, which were not in the resolution phase, who were proposed to be voluntary research subjects. Control group patients chose not to be chlorine dioxide treatment subjects. Similarly, simultaneity was applied, which means that patients were obtained in the same period of time in which the cases arose. Viral load was not determined due to costs, technical and logistical difficulties of the reference laboratories in Mexico, Bolivia, Peru and Ecuador.

Number of Patients

Twenty patients (n = 20) for the experimental group and 20 patients (n = 20) for the control group were included in the study. A one-to-one relationship per center was not maintained and they were presented randomly according to a probabilistic sample design.

Acceptance Criteria in the Study

The following inclusion criteria were used: Covid 19 RT-PCR positive, characteristic symptoms of Covid-19: fever, odynophagia, respiratory distress, aged between 18 and 80 years.

Exclusion Criteria

Covid 19 RT-PCR negative, IV / VI renal failure, congestive heart failure, patients who consume anticoagulants in particular warfarin sodium.

Duration of Treatment per Patient

The observation period per patient in the experimental group was (21) twenty-one days. In the control group it was fourteen (14) days. A review was carried out at the beginning, at 7, 14 and 21 days in the experimental group; in the control group at the beginning, at 7 and 14 days. Post-protocol clinical follow-ups (day 22 onwards) were not included in the experimental group and neither in the control group. It is important to note that there was clinical follow-up by the research staff in most of the patients treated and not treated with chlorine dioxide, observing resolution completeness of symptoms in the treated group. As an empirical observation, the researchers' report that patients who consumed chlorine dioxide as a treatment for COVID 19, substantially reduced post-COVID 19 symptoms compared to patients with the disease, not treated with dioxide.

Total duration of the study

The study began in July 2020 and concluded in December 2020.

Assignment of study medication

Each patient received, in order of admission to the study, a consecutive patient number (odd numbers were selected) and the corresponding study medication. The allocation of this medication was made prior to the start of the study, by means of a computer generated list of vials produced for the purpose of the research. The patients received the chlorine dioxide base preparation at 3,000 ppm, produced by electrolysis with ultrapure chlorine dioxide generating equipment, brand medalab www.cl02.com with precise written instructions on how to prepare, drink and preserve dilutions. The chemists of the research team controlled the standardization of the water used for the base preparation of the dioxide at 3000 ppm, as well as the water used for diluting and drinking; the controlled variables were: conditions and characteristics of the preparation process, standardized characteristics of the container, use of standardized Merck 28% sodium chlorite, standardized sterile double-distilled water, buffered at pH 7 and chlorine dioxide concentration at 3,000 p.p.m.

The control group received anti-inflammatory treatment (ibuprofen at doses between 200 and 400 mg every 8 hours), antibiotics (azithromycin 500 mg daily for 5 days), antihistamines (hydroxyzine x 5 mg every 12 hours), corticosteroids (generally 40 mg of methylprednisolone every 12 hours for 3 days and then 20 mg every 12 hours for 3 days) and supportive measures. The experimental group did not receive this treatment.

Dosage and Routes of Administration

The medication used is chlorine dioxide 3000 ppm in x 120 cc bottles marked with a planned label and administered according to the standard established in the research protocol.

Chlorine Dioxide Administration Protocols used:

Initial protocol, loading or protocol (F): 10 ml of chlorine dioxide 3000 ppm is added to 1 liter of water, and the liter is taken in two hours, divided into eight (8) equal doses. Then it is administered.

Maintenance protocol: (C) 10 ml of chlorine dioxide 3000 ppm is added to 1 liter of water, and the liter is given to drink divided into ten (10) equal doses, during the day, every hour.

The medication is manages orally dissolved in the mouth, at least 60 minutes before or after a meal. There were no remnants or shortages in the medication delivered and the original protocol were strictly adhered to. There is no abandonment of treatment.

Results

Preliminary analysis of the parameters at study entry

The characteristics of the patients in the experimental group at the time of admission, after verification of the positive RT-PCR, generated the following data: By sex: 13 male patients (65%) and 7 female (35%).

The ages range between 36 years the minimum and 72 years the maximum. The average age for men is 47.6 years and for women 58 years of age. The general average age is 53.2 years.

A parallel instrument was designed to record possible adverse effects of chlorine dioxide where the data of each patient and their adherence process are placed. In two patients, a slight sensation of gastritis was registered, 7 days after treatment, temporary, which resolved without intervention and did not require stopping the medication (Figure 6).

Characteristics of the control group

The characteristics of the patients in the control group at the time of admission after verification of the positive RT-PCR generated the following data: By sex: 10 male patients (50%) and 10 female (50%).

The ages range between 44 years the minimum and 69 years the maximum. The average age for men is 55.6 years and for women 52 years of age. The general average age is 54.5 years (Figure 7).

Result of the comparison of the Experimental versus Control Group by means of a comparison of proportions test and their confidence intervals and Wilcoxon – Mann – Whitney test (α: 95%)

To evaluate the effectiveness of the ClO_2, the results of each of the items were compared by means of a comparison of proportions test and their confidence intervals (general symptoms) and a Wilcoxon – Mann – Whitney test (α: 95%)(VAS and Likert) of the data obtained from the Experimental Group compared with the Control group in the Cohort points of Onset of Symptoms, 7 and 14 days after the first symptomatic manifestation.

Below we present the comparisons between the groups, for general symptoms, VAS and Likert (Table 1).

Regarding general symptoms, on the day of onset of general symptoms, both groups (Control and Experimental) were the same for most of the items (p > 0.05). However, for the Chills the Experimental group had a higher Average Range (25.5) than that of the Control Group (15.5) (p : 0,0001). These results confirm that in general for general symptoms, both groups had a similar behavior.

When making the comparison on the seventh day post symptom manifestation, a significant difference was found in the Experimental group with respect to the control group for Symptoms Fever (p: 0000), Cough (p: 0.000), Chills (p: 0.000) and Dyspnea (p: 0.0006). At day 14 in the symptoms that had not disappeared, the difference was very significant, decreasing its manifestations in the Experimental group (Table 2).

For the VAS Scale, at the time of symptom manifestation, both groups reported the same subjective assessment of pain. When performing the same visual analogue comparison of pain in the control group and in the experimental group, it was found that all the items that make up the scale decreased significantly in this group with respect to the Control group on day 7 (p: 0,0000 ; p:0,0017). The only painful symptom that remained similar was low back pain (P: 0,9633). On day 14 post manifestation the difference was greater (p: 0.000 ; P: 0,0043 y P: 0,0067) (Table 3).

When evaluating both groups (Control and Experimental), a difference was found for the values for the PC Reactive parameters (p: 0.0398) and Lactate DH (0.0422), the scores being higher for the experimental group; no difference was found in the rest of the parameters. When comparing the groups at 7 days post-initial manifestation, only the Lymphocytes and Leukocytes showed no difference between groups (p> 0.05), the other parameters significantly decreased in the Experimental group with respect to the Control.(p:0,0001; p: 0,0036 ; p: 0,0403; p: 0,0194; p: 0,0003). At day 14, all the biochemical parameters had decreased significantly in the experimental group with respect to the Control group (p < 0,05).

The results overall (p < 0.05) demonstrate the hypothesis that chlorine dioxide is effective in the treatment of COVID 19.

Permanence of the intervention

As we noted in previous lines, the design of the protocol did not include post-intervention follow-up beyond day 21, which was the limit that we set ourselves from the beginning. As a non-parameterized observational annotation, we can share that the group of researchers did clinical follow-up of the patients until approximately two months after the onset of the disease, verifying a satisfactory evolution with very few post-covid symptoms. Some of the patients noted some mild spinal discomfort and some degree of chronic fatigue.

Discussion and Recommendations

This research has focused on studying the effectiveness of the use of chlorine dioxide in patients with COVID 19, by measuring before and after treatment, present clinical symptoms and laboratory variables based on

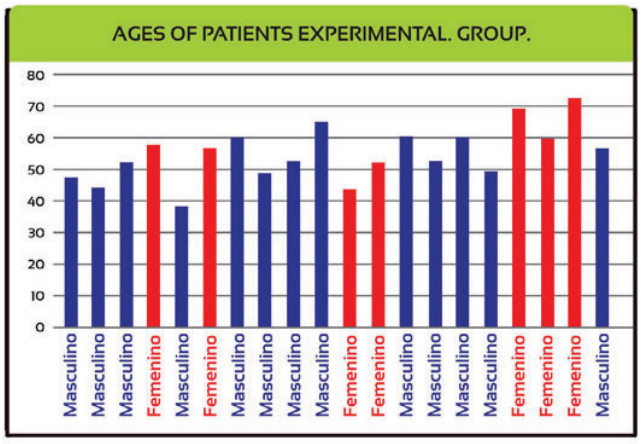


Figure 6: Ages of Patients Experimental Group.

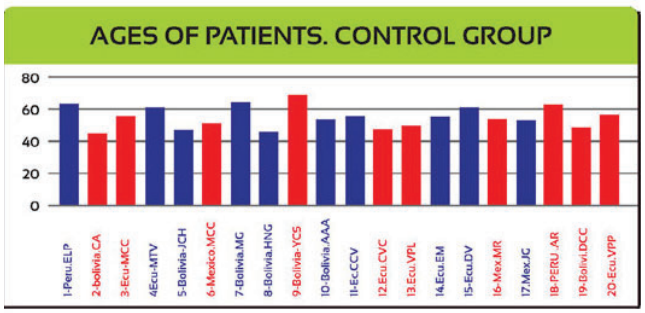


Figure 7: Ages of Patients. Control group.

standardized and accepted scales in research (VAS and Likert) of an experimental group compared to a control group.

Regarding the research question whether chlorine dioxide could effectively reduce morbidity and mortality in COVID 19, the confirmatory significant statistical validation by the U test of Wilcoxon – Mann – Whitney test (α: 95%) in the experimental and control groups reveal this and confirm the hypothesis that chlorine dioxide is effective in the treatment of COVID 19.

This phase IIa clinical trial is the preliminary phase for the realization of an upcoming phase IIb, double-blind randomized study, where we can have a sample of 400 patients, a purpose in which we are already working.

The main advantage of the design we chose is that it is a simple and inexpensive study to carry out (the authors did not receive any external funding and the costs were paid directly and personally by them) than a clinical trial with a larger sample number, in particular double blind that would increase the cost significantly. On the other hand, it is the only way to carry out a study when there are ethical and feasibility problems to carry out a random assignment of the sample (Manterola et al), or when it is necessary to carry it out under natural conditions and in this case, due to manifest urgency. given the pandemic.

The disadvantages are the high susceptibility to biases, especially those of selection and confusion, so to reduce it, we used random probability sampling, numbering the patients who were diagnosed and treated, selecting odd-numbered patients for inclusion in the research; the sample of control patients were selected in the same way.

On the other hand, we chose not to use existing groups so as not to compromise the external validity and applicability of the results. Another inherent difficulty in our study is the risk of presenting a placebo effect and a Hawthorne effect, which we could not minimize given that, given the humanitarian crisis of the pandemic, we did not consider it ethical for the subjects to participate in the study without being informed of the intervention that would be applied to them (Molina and Ochoa, 2014). In fact, all participants signed an informed consent for the use of a drug or substance under investigation, in particular because

Table 1: Result of the comparison of the Control Group versus the Experimental Group by means of a comparison of proportions test and their confidence intervals for General Symptoms.

Syntom	Group	Day 0 n (%) | *P*-value		Day 7 n (%) | *P*-value		Day 14 n (%) | *P*-value	
Fever	Ctrl	18 (90%)	0,3160	14 (70%)	0,0000	12 (60%)	0,0000
	Exp	17 (85%)		0 (0%)		0 (0%)	
Cough	Ctrl	20 (100%)	0,0680	18 (90%)	0,0000	18 (90%)	0,0000
	Exp	18 (90%)		6 (30%)		6 (30%)	
Asthenia Adynamia	Ctrl	18 (90%)	0,1015	20 (100%)	0,0000	20 (100%)	NA
	Exp	15 (75%)		2 (10%)		0 (0%)	
Expectoration	Ctrl	7 (35%)	0,1405	3 (15%)	0,0301	0 (0%)	NA
	Exp	4 (20%)		0 (0%)		0 (0%)	
Chills	Ctrl	17 (85%)	0,0001	10 (50%)	0,0000	4 (20%)	0,0127
	Exp	7 (35%)		0 (0%)		0 (0%)	
Vomit	Ctrl	1 (5%)	0,1524	0 (0%)	NA	0 (0%)	NA
	Exp	0 (0%)		0 (0%)		0 (0%)	
Dysnea	Ctrl	18 (90%)	0,5000	16 (80%)	0,0006	12 (60%)	0,0005
	Exp	18 (90%)		7 (35%)		3 (15%)	
Nasal Congestion	Ctrl	5 (25%)	0,2438	2 (10%)	0,0680	0 (0%)	NA
	Exp	7 (35%)		0 (0%)		0 (0%)	

Table 2: Result of the comparison of the Control Group versus the Experimental Group through a Wilcoxon – Mann – Whitney test (α: 95%) for the VAS Scale.

VAS Scale	Group	Day 0 median (IC) | *P*-value		Day 7 median (IC) | *P*-value		Day 14 median (IC) | *P*-value	
Throat pain	Ctrl	3,1 IC ± 0,6	0,9670	2,1 IC ± 0,4	0,0000	1,3 IC ± 0,3	0,0000
	Exp	3,2 IC ± 0,9		0,0 IC ± 0,0		0,0 IC ± 0,0	
Headache	Ctrl	2,9 IC ± 0,5	0,2665	2,9 IC ± 0,4	0,0000	2,5 IC ± 0,4	0,0000
	Exp	2,6 IC ± 0,8		0,5 IC ± 0,2		0,4 IC ± 0,2	
Chest pain	Ctrl	0,6 IC ± 0,3	0,9018	0,6 IC ± 0,3	0,0017	0,4 IC ± 0,2	0,0043
	Exp	0,6 IC ± 0,2		0,1 IC ± 0,1		0,0 IC ± 0,0	
General pain	Ctrl	2,1 IC ± 0,4	0,8660	2,4 IC ± 0,4	0,0000	2,6 IC ± 0,4	0,0000
	Exp	2,1 IC ± 0,7		0,5 IC ± 0,2		0,0 IC±0,1	
Lumbar/affect	Ctrl	1,5 IC ± 0,3	0,7827	1,6 IC ± 0,2	0,9633	1,6 IC±0,2	0,0067
	Exp	1,6 IC ± 0,3		1,7 IC ± 0,3		2,0 IC±0,2	

Table 3: Result of the comparison of the Control Group versus the Experimental Group through a Wilcoxon – Mann – Whitney test (⊠ 95%) for Biochemical Parameters on the Likert Scale.

Parameter	Group	Day 0 median (IC) | *P*-value		Díay 7 median(IC) | *P*-value		Day 14 median (IC) | *P*-value	
lymphocytes	Ctrl	1,5 IC ± 0,3	0,7827	1,6 IC ± 0,2	0,9633	1,6 IC ± 0,2	0,0067
	Exp	1,6 IC ± 0,3		1,7 IC ± 0,3		2,0 IC ± 0,2	
leukocytes	Ctrl	2,6 IC ± 0,4	0,2582	3,1 IC ± 0,3	0,4842	3,3 IC ± 0,2	0,0002
	Exp	2,8 IC ± 0,4		2,9 IC ± 0,3		2,5 IC ± 0,3	
Platelets	Ctrl	2,4 IC ± 0,3	0,0816	2,7 IC ± 0,2	0,0202	3,0 IC ± 0,2	0,0212
	Exp	2,7 IC ± 0,3		3,3 IC ± 0,4		2,6 IC ± 0,3	
PC Reactive	Ctrl	3,2 IC ± 0,2	0,0398	3,4 IC ± 0,2	0,0001	3,5 IC ± 0,2	0,0000
	Exp	3,0 IC ± 0,0		2,0 IC ± 0,5		1,4 IC ± 0,2	
Lactate DH	Ctrl	2,6 IC ± 0,3	0,0422	2,7 IC ± 0,3	0,0036	2,7 IC ± 0,2	0,0000
	Exp	3,2 IC ± 0,4		1,9 IC ± 0,4		1,5 IC ± 0,2	
AST	Ctrl	3,2 IC ± 0,4	0,5319	3,2 IC ± 0,3	0,0403	3,5 IC ± 0,3	0,0000
	Exp	3,2 IC ± 0,4		2,5 IC ± 0,6		1,9 IC ± 0,3	
Dimero D	Ctrl	3,1 IC ± 0,4	0,3060	3,4 IC ± 0,4	0,0194	3,5 IC ± 0,3	0,0029
	Exp	3,4 IC ± 0,5		2,6 IC ± 0,4		2,6 IC ± 0,4	
Lactate	Ctrl	1,9 IC ± 0,3	0,0145	2,2 IC ± 0,2	0,0003	2,5 IC ± 0,2	0,0000
	Exp	2,5 IC ± 0,4		1,5 IC ± 0,3		1,1 IC ± 0,1	

chlorine dioxide has not yet complied with the corresponding process to be classified as a drug.

Regarding the results and the possible explanations for them, the most important thing in the experimental group is the negativization of the RT-PCR in one hundred percent of the cases at seven days, as well as the rapid way in which the results are reduced. general symptoms in patients, in particular fever, cough, dyspnea, asthenia and general pain, which is achieved in 70% of cases seven days after treatment, a very marked reduction in VAS values in percentage similar to 7 days, in particular reduction of sore throat by 100%, reduction of low back pain by almost 80%, results that reveal a significant

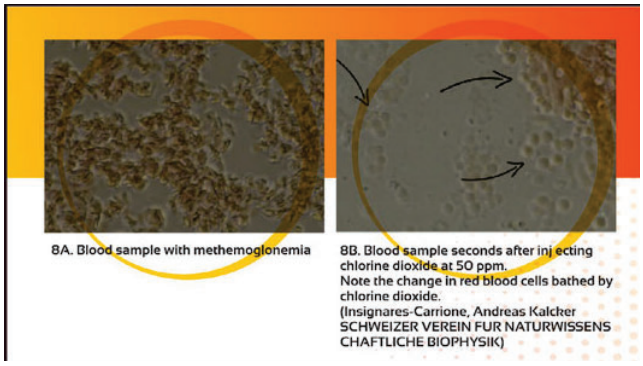


Figure 8: Blood samples with methahemoglobinemy and with ClO_2.

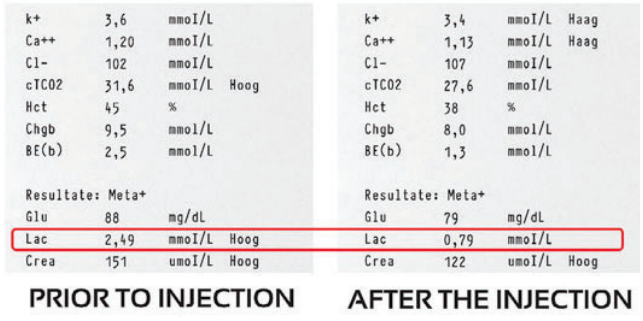


Figure 9: Variations in serum lactate before and 10 min after an IV clorine dioxide injection at 50 ppm. (A. Kalcker. SCHWEIZER VEREIN FUR NATURWISSENS CHAFTLICHE BIOPHYSIK).

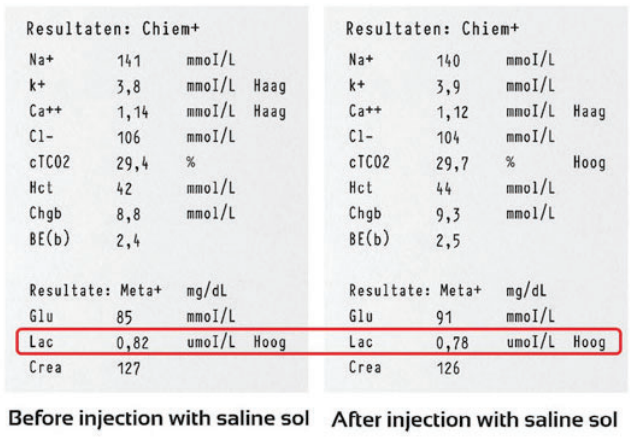


Figure 10: Lactate variations before and one hour after injection with saline sol.

improvement in morbidity in patients.

In the initial stage of administration of chlorine dioxide, patients show improvement in their febrile symptoms, this could be attributed to its direct virucidal effect due to its action on the spike and on the virus RNA, through the mechanism that we explained above. Oxidation of amino acids and guanine of viral RNA. Additionally, patients begin to improve their sore throat, dry cough and dyspnea. This effect could be attributable to a direct anti-inflammatory action, possibly through an action on inflammasomes and it is even postulated that it may be possible due to action on NETosis processes, through a mechanism that has not yet been clearly elucidated and that we are in the process of developing investigate in detail.

Although we did not include the oxygen saturation measurement variable by pulse oximetry in the parameters of this investigation, we did the measurement in all patients, observing a considerable improvement in some cases in oxygen saturation; being a consistent observation, this improvement could be explained by the action of the dioxide through the oxidative mechanism of amino acids of the virus "anchored" to the unit β1 of hemoglobin, improving oxygenation. We verified this mechanism as a possibility, in the research that we did in molecular biology through in silico simulation, in Japan, and it will be the subject of a future paper. In the same way, Pichert (2019) in his research suggests that chlorite interacts with the forms of hemoglobin and oxidized hemoglobin. Chlorite inactivates iron hemoglobin and methemoglobin. By these mechanisms, chlorite effectively decreases the yield of cytotoxic hemoglobin species that may appear later of excessive hemolysis of red blood cells in pathological situations.

Likewise, in the laboratory of the Liechtensteiner Verein für Wissenschaft und Gesundheit in Switzerland we were able to verify the immediate oxygenation of erythrocytes, by injecting chlorine dioxide at a concentration of 50 ppm to a sample of red blood cells with methemoglobinemia, using contrast microscopies. Phase and direct (Figure 8).

An interesting characteristic when we observe the behavior of the reduction of thrombocytosis in the 21 days of treatment, is that there could be an action of dioxide on the rheological behavior of the blood, an idea that is reinforced with the evident decrease of D-dimer in treated patients with the dioxide.

The lymphopenia observed in most patients could be due to a process that begins with disorganization of the cytoskeleton, condensation of chromatin and cytoplasm, loss of mitochondrial function, DNA fragmentation and terminal formation of ruptured membranes or apoptotic bodies, finally eliminated by macrophages. This phenomenon is mediated by the synthesis of the caspase-8 complex, which we consider could be activated by non-canonical means. The complex is favored by protein kinase-R, also accelerated by interferon generated in the presence of the virus. The signaling pathways that are activated by these receptors initiate an inflammatory response, with antiviral effects,

The virus also activates the transforming growth factor-b through neuraminidase, thus generating another cascade that ends with c-Jun-N-kinase and triggers transcription followed by the expression of pro apoptosis genes. The virus could synthesize the virulence peptide PB1-F2, a small fragment responsible for destroying lymphocytes, a circumstance that could explain the lymphopenia observed in COVID 19. The action could also be mediated by action on inflammasomes, where the signaling (redox) by ATP can induce the desubiquitination of NLRP3, possibly induced by chlorine dioxide.

Regarding the increase in lactate, it is clear that it can be caused by dysfunction of the enzyme pyruvate dehydrogenase (PDH), as has been demonstrated in patients with sepsis, by mitochondrial dysfunction, or by hyperlactacidemia. The observed improvement could be explained through a mechanism in which chlorine dioxide has a cellular oxygenating effect directly through the release of oxygen or by redox signaling mechanisms with enzyme activation / inhibition that activate the pyruvate pathway with efficient ATP production.

When we inject direct chlorine dioxide into the vein, the amount of lactate in the blood is reduced, as can be seen in the following graph which shows in a comparative way the level of lactate in the blood and after intravenous chlorine dioxide application at 50 ppm at ten minutes post injection (Figure 9).

In comparison, when administering normal saline solution via direct intravenous, and measuring the lactate levels, we observe that there is no variation in the lactate level (Figure 10).

The data obtained in this research validates the effectiveness of chlorine dioxide in COVID 19. This is the first phase IIa clinical trial in the world. In this study there were no inconclusive results. The phase IIa study design is appropriate for the research phase of a new molecule - such as chlorine dioxide - in its development as a potential drug.

There is much to explore about chlorine dioxide and its therapeutic possibilities, about which there is enough reasonable information to continue to study further.

The findings of this research open a complete world of possibilities

for medical therapists in the world, as these initial results will motivate more formal research, will support the search for new therapeutic options, particularly in COVID 19, and will allow the generation of research spaces at the molecular level and genomics on the processes of cellular respiration, redox signaling and the implantation of oxidative therapies as a new possibility for the approach of multiple pathologies with altered common intracellular bioenergetic mechanisms.

The results can be extended to the control of infectious diseases in agronomy, the development of new nanotechnologies in pharmaceuticals and humans in general by alleviating and controlling COVID 19 and other pandemics or epidemics that may occur in the short future.

The results found here, rather than expanding previous studies, as it is a pilot study and the first of its kind in the world, enable the initiation of many studies on dioxide and the related issues noted.

Conclusion

In conclusion, we can affirm without a doubt, based on test of comparison of proportions and its confidence interval, as well as the paired tests where we used the Wilcoxon – Mann – Whitney test (α: 95%), that the data in most of the variables ($P < 0.05$) obtained indicate that chlorine dioxide is effective in the treatment of COVID 19, making RT-PCR negative in one hundred percent of cases at 7 days, significantly and rapidly modifying the symptoms of the disease, significantly reducing laboratory parameters to normality within 14 to 21 days. We recommend conducting randomized double-blind studies and delving into studies of toxicological safety and therapeutic efficacy of chlorine dioxide in pathologies of epidemiological impact in the near future.

Recognition

We want to express our gratitude for your collaboration and contributions to the doctor

Mitchell B. Liester, Doctor of Medicine, University of Colorado School of Medicine, Colorado Springs Branch for their conceptual contributions and selfless support in the search for new options for patients.

Our sincere thanks to **Engineer Victor Yela** for their permanent assistance with computer science topics, tabulation and research data; to the physicians of the eleven countries that are members of our research team, and to the thousands of physicians around the world who accompany us in this chlorine dioxide research process, to whom we thank for their support and testimonial, conceptual contributions, as well as their a voice of encouragement to remain in this investigation despite the immense difficulties of the way. **To Andreas Kalcker** for his lights, intelligence and injection of energy and motivation to advance being a beacon of wisdom born from the heart.

To all the patients who participated in the research, in particular for their trust in us, for accompanying us in seeking new possibilities for a world better.

To Nela who was our permanent support with patient data records.

To professors **Luis Prieto**, **Jorge Gaupp and Pablo Campra**, for his critical remarks to the work. With their observations they forced us to improve our effort.

Money: This work was supported with the researchers' own resources.

Conflict of Interests

The authors declare no conflict of interest or no competing economic interests. Authors have completed the ICMJE conflict of interest declaration form, translated into Spanish by Medwave, and declare that they have not received funding for the article / research; have no financial relationships with organizations that could have an interest in the published article in the last three years; and have no other relationships or activities that could influence the published article. Forms can be requested by contacting the responsible author. This does not alter the authors' adherence to all policies on the exchange of data and materials.

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How to cite this article: Carrione E, Bolano Gomez B, Andrade Yohanny, Callisperis Patricia and Suxo Ana, et al. "Determination of the Effectiveness of Chlorine Dioxide in the Treatment of COVID 19." J Mol Genet Med 15(2021): 481

Name

Jen Benson

Email [redacted]

Public Comment

Please see attached comment.

Attachment(s)



Hudson River Sloop Clearwater COGE T...

Date Submitted July 13, 2026 8:22pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic

Waterfront/maritime policy

Show 4 hidden fields

Hudson River Sloop Clearwater
America's Environmental Flagship

July 13, 2026

Commission on Government Efficiency (COGE)
[redacted]

RE: Public Comment Regarding Challenges with the NYCEDC and the Importance of Creating a New York City Agency for Maritime Affairs

Hudson River Sloop Clearwater urges the Commission on Government Efficiency to recommend the creation of a dedicated New York City Agency for Maritime Affairs to coordinate maritime infrastructure, public access, working waterfronts, education, workforce development, and vessel operations across City government.

For more than 55 years, Clearwater has worked to protect the Hudson River and steward the next generation of environmental leaders through education, advocacy, sailing, and music. We own and operate the historic Hudson River Sloop Clearwater, delivering award-winning, New York State standards-aligned Sailing Classroom field trips for schools; free Youth Empowerment Programs that develop leadership and maritime skills; public sails that connect communities to their harbor; and job training opportunities for aspiring shipwrights, mariners, and environmental educators.

The greatest barrier to Clearwater's continued presence in New York City is the lack of affordable docking infrastructure. While private marinas exist throughout the city, docking fees for our 106-foot sloop are beyond the reach of a nonprofit educational organization. Currently, we have only two docking locations in New York City: the 79th Street Boat Basin in Manhattan and PortSide NewYork in Atlantic Basin, Red Hook, Brooklyn.

We are deeply grateful to New York City Parks for providing free docking and for being a collaborative, reliable partner. We also look forward to returning to Dyckman Marina once its restoration is complete. These facilities make it possible for students from Manhattan and the Bronx to access our educational programs.

Our ability to dock at PortSide NewYork, however, is dependent on approvals administered through the New York City Economic Development Corporation (NYCEDC), and our experience there demonstrates why New York City needs a dedicated maritime agency. Delays in NYCEDC's approval of PortSide's annual operating permit forced Clearwater to cancel educational programs serving more than 350 New York City students, depriving them of a one-of-a-kind opportunity to learn aboard a historic sailing vessel through hands-on STEM education, environmental science, teamwork, and climate literacy. We also had to cancel public sails and other community programming, disrupting public access to the harbor and reducing earned revenue that supports our nonprofit mission.

The impacts extended well beyond the permit itself. Delays in responding to routine docking requests made it impossible to confidently plan our sailing schedule, recruit schools, and coordinate programming months in advance. The uncertainty increased operational costs, consumed valuable staff time, and ultimately forced Clearwater to forgo Brooklyn programming during the spring of 2026, preventing hundreds more students from accessing our educational programs. We are also charged fees to dock at PortSide NewYork by the EDC, despite

Name

Julie Holstein

Email [redacted]

Public Comment

Since I started writing a hyperlocal newsletter [redacted], I've learned a lot about our working waterfront, including the Brooklyn Cruise Terminal, the Red Hook Container Terminal, and the many landlords and people working within the 122 acre footprint that make up the Brooklyn Marine Terminal. I've also spent time getting to know the incredible non-profit, PortsideNY, which is one of the only maritime organizations dedicated to exposing young people and adults to careers on the water and the importance of the NYC waterways.

Since the NYC EDC proposed a massive redevelopment project at the Brooklyn Marine Terminal, it's become apparent that this quasi-agency should not have maritime in its portfolio. From what I can tell, they do not have the necessary staffing with a deep knowledge of maritime, Blue Highways, or even the significance of a maritime non-profit like PortsideNY. Even the newly developed BMT Dev. Corporation does not have adequate maritime representation, despite saying the goal of the BMT redevelopment is to modernize the port when in reality it's a housing project.

If a working waterfront is important for NYC, including a state-of-the-art blue highway system, I support a new NYC Agency for maritime. NYC had such an agency for 100+ years under changing names. The last iteration, "Ports & Trade," closed in 1991. If NYC's waterfront were planned, designed, and managed by maritime people it would work better for all forms of maritime. Plus, with the City acquiring the Brooklyn Marine Terminal, City government is managing a container port for the first time. Time to have an agency solely dedicated to maritime handle this.

In addition, as climate change intensifies, NYC will not be able to manage and prepare for its impacts without people with the necessary maritime expertise.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026 9:46pm

Topic	Real Estate and Development ✕ Unnecessary Bureaucracy ✕ Miscellaneous ✕
Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Waterfront/maritime policy

Show 4 hidden fields

Name

Carly Baker-Rice

Email [redacted]

Public Comment

Need for City Maritime Department in Coordination with same at State Level
New York City and New York State are falling behind in port infrastructure causing us to lose business to other states that have processes, budgeting, authority, and expertise to invest and invite private investment in ports. In addition to being bad for business, projections for increasing freight in the next decades are ever more extreme. Congestion, road repair costs, and all their cascading impacts to the City cannot continue to grow amidst this ongoing addiction to a subsidized trucking industry. 90% of NYC freight arrives over GW and Verrazzano bridges, building up toll income for the Port Authority. In the U.S. and around the world, port investment is on the rise. Inside our beloved New York City bubble, though, we don't think much about ports. But this is a structural problem with a structural solution – the history is helpful to understand.

At both City and State levels, all questions pertaining to ports have been offloaded to the Port Authority, which has been negligently underinvesting in ports for decades (see their capital plan for current investment compared to other areas). At all levels of government, we have loss the muscle, the processes, the budgeting tools, expertise, and even simple ability to ask questions to maintain our ports, much less to catch up on our growing lag. It's a growing risk that continues to go unnoticed simply because it's been off government radar for so long. It's been hands off the wheel for a long time. But pressure is growing at both City and State levels to re create New York based departments to ensure leadership, planning, budgeting, and operational excellence. While we respect the massive crush of interests and needs on our waterfront, including climate, housing, access, commercial and industrial maritime, security, and natural resources existing City efforts to coordinate across these needs and interests lack the maritime expertise to ground us in the maritime use cases that must be central to a sane use of our massive waterfront long into the future to reach all climate, clean air, economic development, resilience, and equity goals.

You can gain insight about trends and port management of ports looking at other examples such as:

Texas Legislature's port committee's 2 year plans

State of Washington localized port authorities run by port expertise

- US congressional Subcommittee hearings on Coast Guard and Maritime Transportation

Economic impact studies that demonstrate the significant return on investment in ports

The problems are mounting and NYCEDC and DSBS are not structured or staffed to address them: crumbling piers in Manhattan and Brooklyn leading to lost cruise contracts, emergency work, failure to future proof installations, failure to plan, failure to move Blue Highway along in any meaningful way, a focus on real estate perspectives on ports, and businesses that do not even attempt to expand maritime operations for fear of the pains of trying to get through berthing permits with EDC. It's time to take the wheel back from the Port Authority. In conjunction with a similar action at the State level, which is moving, this ship can be turned around. The City used to have such a department. The historical shift to trucks has not brought good outcomes for this City. Time to turn the tide.

ULURP
The items below refer to how ULURP adversely impacts our manufacturing sector, while handing over affordability to profit maximizing projects on a discretionary basis through city action, which are ultimately being leveraged as tax breaks for the owner while depleting ground floor spaces of tax base production, along with culture, jobs, and a density of city life we recognize as NYC.
ULURP processes should only impact the tax a lot not the zoning block. Far from creating consistency this creates inconsistency. As we know, each of four sides of any block in New York can be radically different public spaces, and zoning blocks often reach even further. Changing them all at once is unlikely to create consistency in all four directions, yet this is the stated DCP goal of this practice. I doubt they believe it creates consistency. It is a trojan horse for housing development. It puts its fingers heavily on the scale of other properties towards housing development while most usually depleting our manufacturing zones. When a lot that is not part of an application is rezoned as part of the zoning block change, new pressures are created on the businesses and property owners on those tax lots. Uncertainty decreases investment by businesses. The zoning change often leads to acquisition, which depletes the natural resource of affordability built into that property via the zoning: affordability that could support any future residential / industrial project on that property is thus lost. Every time a tax lot is acquired, affordability is lost on all future projects. It is a natural resource created by city zoning and the history of acquisition of the property, and needs to be treated as such. It should not be given over to a profit maximizing project. Current processes fail to recognize affordability as a quantifiable resource belonging to the city via its zoning in such situations. Giving it completely over to private developer's profit line should not be legal. Additionally, changing the ground floor from m zone to commercial almost always adds to the glut of empty commercial and further stresses the space crisis in industrial and adjacent sectors, which usually has vacancies about 4.5%, similar to our housing situation. This upward pressure on prices for this sector creates inflation for all of us. These are businesses that stay, are continually created, and produce tax base for the city. They are systematically being replaced by empty commercial which is priced way over what can be gotten, which leaves it empty, providing a loss for the project owner to use as a credit on their taxes. They are disincentivized from lowering the price as it lowers the value of the property and lowers the amount of the loss they take on their taxes. Please end the madness. Replace the M. Develop programs to prevent acquisition before, during, and after rezonings by partnering existing owners with do good developers to produce livable, vertical mixed use development with mandatory industrial on the bottom floors.
Finally, I will say as a community partner and advocate, trying to track a property you know is going through ULURP via every layer of government's website, checking back for updates and hearing schedules, and trying to find out what changes are made to the plan at each level is onerous, disempowering, and nearly impossible for someone pretty comfortable with websites and government procedure. I should be able to sign up for alerts for this uniform process for my neighborhood and track every property as it

progresses. Here's what it's like trying to use DCP site as a base:

1. https://zap.planning.nyc.gov/projects/2024K0280 I cant tell if this is up to date and there is no forewarning as to dates for hearings or links to sign up for alerts, I would have to keep checking and then when a data pops up it might be yesterday or today or tomorrow making it very hard to plan participation for myself, let alone a community of people impacted
2. Searching for City Council and a project brings me to legistar, which doesn't provide next steps: https://legistar.council.nyc.gov/LegislationDetail.aspx?ID_7975567&GUID_670CA90E_D067_4799_99D2_A173D112EA8F&G=2FD004F1-D85B-4588-A648-0A736C77D6E3&Options=&Search=
3. I have asked DCP for how to know when a hearing on it is taking place and I was directed to their main calendar, which would require going back regularly, clinking into every link for a general meeting and searching every agenda for the issue until it pops up. This is not reasonable to expect anyone to do. https://www.nyc.gov/content/planning/pages/calendar

Centralized Contract Administration Hubs & Workforce Development Program

I do hope the suggestion for nonprofit contracts to be made into grants is taken, though I can imagine the City duplicating most of its contracting process on to the grant process, thusly solving nothing.

Problem: City contracting for both businesses and nonprofits suffers from technology issues, poor process, risk avoidance, and cultural issues, multiplied across agencies. This adds to intentionally slow pay out times to create such an incredible headache for business owners and nonprofits that some go out of business due to City contracts or simply never do business with the City again rightly telling others to avoid it as well.

Outcome: This prevents the City from meeting its own goals of local job creation, MWBE growth, and all the 501c3 work it depends on nonprofits to do.

Example: Red Hook's oldest church ran a long term music program for youth that got kids to college and "out of the neighborhood." After COVID, they shut down the program citing grant administration as the chief reason.

External Diagnosis: Process, technology, and risk tolerance alone will not fix the issue and are too slow to change from within. Fundamentally, City contracting sees themselves as blockers, not facilitators. This cultural shift will take time and requires perspective-taking, in practical terms: experience on the other side of the contract.

Proposal: Centralized contract administration hubs, embedded at the neighborhood level, driving workforce development tied to City titles.

- Full-time experts in contracting from outside City Government do the work of contract administration for neighborhood businesses and nonprofits.
  - Internal time needed by any 1 business or nonprofit for contract administration is decreased because an expert is doing it, rather than an administratively overburdened staff person with 5 job titles. Because this more efficient work is also externalized, the business or org can focus on the work it is being paid by the city to do its area of expertise.
  - Mistakes are reduced and interfacing time required by City agency

contracting teams is decreased, because an expert is on the Contractor end. This creates efficiencies within contracting city agencies.

o Time saved inside City agencies can be used to partner with Neighborhood Contract Administrators and other experts on improving processes, training, and cultural change.

• Learnings and opportunities to improve and where possible standardize City contracting across agencies and across contracts are more easily identified by centralized contract administrators.

o In conjunction with process, legal, and technology experts, proposals and phased initiatives improve City contracting over time.

• As trainings are created inside city agencies and neighborhood contract administration hubs staff-up, workforce development in contracting starts at the neighborhood level

o Neighborhood workforce development orgs graduate individuals interested in contract and admin into centralized administration hubs

o A phased program prepares individuals for work in City contract team titles

o When staff from neighborhood hubs arrive in City contract team jobs, they bring neighborhood, business, and nonprofit contexts, driving cultural change from within, ensuring ongoing improvement.

o They are also largely pre trained, saving onboarding time in City agencies.

o New Yorkers become skilled, confident, empowered, change-making City workers with all the benefits that come with it.

Pilot Test Criteria and Data needed to drive full program design & decision making

In order to properly develop, test, and scaffold this work city-wide a pilot should be designed.

Criteria:

• Sufficiently different neighborhoods, at least 3 and up to 5, one in each borough.

• Sufficiently diverse mix of business and nonprofit providers in each neighborhood.

• Sufficient coverage across contracting agencies represented in each.

• Sufficient number of total contracts administered

Questions the Pilot should answer:

• How much Hub staff time is needed per contract, per phase of contract?

• How much Hub staff time is used on pilot data collection / SWOT work?

• What skills are needed in hubs at the early phases of this initiative? Likely some form of consulting or client relations beyond contract experience.

• What entry level roles are possible per how many contracts?

• What training is needed to onboard entry level roles?

• What legal barriers need to be addressed in externalizing this work and what functioning examples are there to draw from?

• What materials are needed to onboard businesses and nonprofits to centralized contract administration?

• What tools and pathways are best for tracking ongoing City Contract SWOT?

• What roles inside city agencies need to be engaged on what cadence to pressure test ideas for improvement?

- What city agency training and professional development experiences are most needed in contract teams?
- How much time is saved at City Agency level?
- How much time is saved at business / nonprofit level?
- How are positive and negative outcomes at nonprofit / business level altered by participation in the program?
- How much time in the program, or how many contracts utilizing the program, are needed by a business or nonprofit to derive maximum benefit / efficiency from the program?
- What new systems / processes / practices help businesses / nonprofits derive maximum efficiency from the program? Which of these would benefit any business / nonprofit in contract with the City? Which would benefit any business / nonprofit, regardless of city contracting? Can they be made freely available?
- Based on the above, an ROI should be able to be calculated.
- What major barriers and painpoints remain for those with City Contracts and for City Agencies in contract work?

Attachment(s)

Drop files here or click to browse

Date Submitted: July 13, 2026 10:00pm

Topic: Real Estate and Development, Unnecessary Bureaucracy, Technology, Procurement Reform, Budget Issues

Charter Related: Yes

Topic Simplified: Government Operations

Subtopic: Waterfront/maritime policy

Show 4 hidden fields

Name

Richard Ronner

Email [redacted]

Public Comment

Good evening, Chairman Gaspard and commissioners. I'm Richard Ronner, a retired psychiatric nurse practitioner, living in [redacted]. I'm here tonight as an independent voter, asking you to extend equal voting rights to NYC's 1.2 million unaffiliated voters, and allow us to vote in primaries that are currently closed to us. I've been an independent for over 40 years because I don't agree with the actions and policies of the major parties. These primaries that we're excluded from are paid for with public funds, our own tax dollars, and are very often the decisive elections determining who we send into office to represent us. We should not have to join an organization we don't agree with to exercise our constitutional right to vote. I'm asking you to put an initiative on the ballot to extend equal voting rights to NYC independent voters, allowing all voters to vote in every stage of the process.

There is another reason why I believe this is of utmost importance right now. This is a moment in which the world is in rough shape, to put it bluntly, with growing nationalism, intolerance, authoritarian governments, and life threatening crises -- from climate change, to wars, to migration and anti-immigrant responses. Here in the US we see growing homelessness, addiction and hunger, and diminishing access to health and child care, at a time of a massively expanding military budget.

I don't think the wealthy and powerful who determine much of what goes on have the best interests of ordinary people at heart. I do, however, believe in the basic decency of the ordinary people of this city and country. I believe that more equitable voting rights, giving more decision-making power to ordinary people, puts us in the best position to collectively and creatively make progress on our city's, country's, and even the world's problems. I believe by taking this step extending equal voting rights to NYC independent voters -- you and we will be taking a step within our power to extend democracy here, and enhance efforts to make the world a better place for us all.

Attachment(s)



Charter Revision Qns 07-13.pages

Date Submitted: July 13, 2026 10:33pm

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Anna Sacks

Email [redacted]

Public Comment

NYC Should Create World's First Office (or Department) of Circularity
My name is Anna Sacks, and I am a waste expert, former legislative chair of the Manhattan Solid Waste Advisory Board, Co-Founder of the Save Our Compost Coalition, and Founder of The Trash Walker, where I explore NYC's waste systems.

I believe NYC needs a dedicated Office of Circularity to provide the leadership, stability, and vision needed to meaningfully scale waste prevention and reuse across New York City. It would make city government work better, reduce waste and wasteful spending, and improve coordination across agencies.

An Office of Circularity directly advances DSNY's own Draft 2026 Solid Waste Management Plan (SWMP26), which calls explicitly for expanded reuse centers in every borough, deeper community swap programming, and the establishment of DSNY as a leader in the circular economy. The Office would be the institutional vehicle to fulfill those commitments, ensuring that these programs no longer "get lost" within a much larger agency like DSNY and that they receive the long term investment they require. I believe the Office would be the first of its kind in the world, taking circularity from an abstract buzzword to a set of concrete practices, and serving as a model for other cities to replicate.

Currently, New York City's Department of Sanitation collects approximately 24 million pounds of waste every day, a figure that does not include the roughly 20 million pounds generated by businesses, or the estimated 33 million pounds from the construction and demolition industry. Despite this scale, the City's waste system remains overwhelmingly linear: materials are used briefly, then buried or burned at enormous costs, financially (around $500m per year on sending trash to landfills and incinerators), environmentally (including methane emissions), and physically (including asthma and birth risks for those who live near landfills and incinerators).

The Office of Circularity would coordinate waste prevention and material reuse across residential, institutional, corporate, and governmental sectors. It would divert waste from landfills and incinerators, reduce disposal costs, recirculate usable items, build community, and create local green jobs.

Specific initiatives include:

A. Schools
New York City's approximately 1,600 public schools serve more than 900,000 students a population larger than the entire city of Indianapolis, San Francisco, or Seattle. Any intervention will have significant impact at this scale. The Office would prioritize the following, recognizing that school-based interventions require sustained coordination with DOE and will advance incrementally:
Transition school cafeterias from single-use to reusable dishware. The current system likely discards three million single-use items during lunchtime every day. When two Minnesota middle schools made this transition, per student

costs dropped from $6.89 to $4.83 and three year savings exceeded $20,000, with only a marginal increase in dishwasher loads. A 2025 study of a California school district similarly found the transition operationally feasible with strong staff and parent support. Year 1 of the Office will include a feasibility study, including examining on site, off site, and hybrid dishwashing models and their costs;
Pilot bulk milk dispensers in a subset of schools in Year 1, which is shown to reduce milk waste and cost;
Establish cafeteria share tables for surplus food in a subset of schools in Year 1;
Coordinate end-of-year reuse systems for books, school supplies, furniture, clothing, and technology across public and private institutions, beginning with a pilot program in Year 1;
Install Little Free Libraries in a pilot group of school buildings in Year 1 exploring partnerships with DOE vocational programs and corporate sponsors to reduce costs — and scale to full coverage of the approximately 1,400 school buildings across the five boroughs over Years 2 and 3. As part of this work, clarify for public school librarians that books identified for weeding can and should be given to students rather than discarded;
Create protocol for hosting clothing swaps at schools, including unclaimed lost and found clothing at the end of the school year.

B. Corporations and Institutions
The Office would impose accountability on corporate waste generators and build systems to redirect surplus goods to community benefit. Specific interventions would include:
Establish emergency donation protocols for grocery and drug store refrigeration outages;
Require donation of usable goods in advance of retail store closures;
Mandate the donation of surplus hygiene products including pads, tampons, toothpaste, soap, and shampoo;
Require sit-down restaurants and corporate cafeterias to offer reusable serviceware as the default;
Require stadiums, theaters, and other large public venues to offer reusable cup options — a model already demonstrated at scale by Seattle's Climate Pledge Arena, which launched a full arena-wide reusable cup program in August 2025 and increase the availability of water bottle refill stations;
Shift construction industry norms from demolition to deconstruction through regulatory incentives and procurement requirements;
Support thrift stores in managing donation overflow through waste audits, City assisted processing space, and end market development;
Require film and television productions operating under City permits to rehome usable props, costumes, and set materials — a requirement the Office would begin implementing in Year 1 through permit conditions; and
Strengthen existing circular climate programs, including the Billion Oyster Project, mattress recycling, and cloth diapering services.
Incentivize hotels and office buildings to donate their half-used toilet paper rolls to shelters and nonprofits instead of tossing them.

C. Residents

Significant preventable waste arises from residential transitions that current City systems are poorly equipped to address. The Office would:
Pilot a monthly neighborhood free furniture day in Year 1, in which residents can place unwanted furniture on the curb at an earlier setout time, neighbors can walk around and "shop" new to them items for free, nonprofits can send trucks, and DSNY can collect what remains as trash;
Develop formal protocols for the responsible dispersion of belongings in elder care facilities following the death of a resident, including safe pharmaceutical disposal and textile diversion through collection bins; and
Provide structured support for residents with unwanted items whether they're moving, emptying an apartment, or struggling with hoarding.

D. Community Swap Grant Program
The Office would establish a grants program to support community organizations, mutual aid groups, block associations, churches, and other civic bodies in hosting neighborhood swap events. The program is modeled in part on Brooklyn Borough President Reynoso's Community Baby Shower Fund a reimbursement based, rolling application model that funds community led baby showers and provides a planning guide to participating organizations. Adapting this model for reuse events puts resources directly in the hands of community groups closest to their neighbors, empowering local organizers to run more swaps citywide than a centrally run model would allow.

Grants would be tiered to accommodate events of different scales: $500 for smaller events and up to $1,500 for larger ones. Eligible expenses would include storage unit rental, volunteer stipends, outreach materials, and transportation. Grants would also provide a stipend for organizers' time, recognizing that the labor of running a swap is real and that reimbursing it is what makes the program fiscally sustainable for volunteer and community led groups. Grants would be issued on a reimbursement basis following submission of a simple one-page post-event attestation.

The program would be funded at $400,000 per year at full scale mirroring the funding City Council previously allocated to GrowNYC's Stop 'N' Swap program in FY2023 — supporting approximately 400 swaps annually across all 51 City Council districts. In Year 1, a pilot subset of districts would receive funding, at an estimated cost of $200,000. The Office would adapt GrowNYC's existing DIY Swap Guide into an updated swap host toolkit including a materials checklist, setup guide, and a host network through which organizers can share advice and connect with one another.

E. Government and Community Infrastructure
Materials for the Arts demonstrates what a City-funded, hybrid-model reuse center can accomplish. In 2023, it distributed 4,064,222 pounds of donated goods valued at $27 million free of charge to schools, nonprofits, and city agencies. The Office would replicate this model in every borough and extend it to additional material streams. Specific interventions would include:
Expand Materials for the Arts to every borough, prioritizing the Bronx and Staten Island. These creative reuse centers will host repair events, textile dyeing and upcycling workshops, and community swaps, while serving as

supply hubs for schools and nonprofits.
Support monthly community swap events in each City Council district through the swap grant program described above;
Provide permanent siting and logistical support for community fridges;
Expand libraries of things collections of borrowable tools, appliances, instruments, and equipment at public library branches;
Increase public access to drinking water fountains and bottle refill stations citywide, including at parks, stadiums, theaters, and museums;
Require that planned government policy changes affecting material flows such as the removal of outdoor dining sheds or the closure of migrant shelters — include a written waste reduction and diversion plan identifying reuse opportunities before disposal occurs; and
Identify reuse opportunities in advance of planned government closures or infrastructure dismantling and develop proactive disposition plans.

Attachment(s)



Testimony Anna Sacks COGE Departme...

Date Submitted: July 13, 2026 10:38pm

Topic: Real Estate and Development, Procurement Reform, Unnecessary Bureaucracy, Technology, Budget Issues, Miscellaneous

Charter Related: No

Topic Simplified: Environment

Subtopic: Improve recycling with a new Office of Circularity

Show 4 hidden fields

Anna Sacks July 13, 2026

COGE Public Comment:

NYC Should Create World's First Office (or Department) of Circularity

My name is Anna Sacks, and I am a waste expert, former legislative chair of the Manhattan Solid Waste Advisory Board, Co-Founder of the Save Our Compost Coalition, and Founder of The Trash Walker, where I explore NYC's waste systems.

I believe NYC needs a dedicated Office of Circularity to provide the leadership, stability, and vision needed to meaningfully scale waste prevention and reuse across New York City. It would make city government work better, reduce waste and wasteful spending, and improve coordination across agencies.

An Office of Circularity directly advances DSNY's own Draft 2026 Solid Waste Management Plan (SWMP26), which calls explicitly for expanded reuse centers in every borough, deeper community swap programming, and the establishment of DSNY as a leader in the circular economy. The Office would be the institutional vehicle to fulfill those commitments, ensuring that these programs no longer "get lost" within a much larger agency like DSNY and that they receive the long-term investment they require. I believe the Office would be the first of its kind in the world, taking circularity from an abstract buzzword to a set of concrete practices, and serving as a model for other cities to replicate.

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The Office of Circularity would coordinate waste prevention and material reuse across residential, institutional, corporate, and governmental sectors. It would divert waste from landfills and incinerators, reduce disposal costs, recirculate usable items, build community, and create local green jobs.

Specific initiatives include:

A. Schools

New York City's approximately 1,600 public schools serve more than 900,000 students — a population larger than the entire city of Indianapolis, San Francisco, or Seattle. Any intervention will have significant impact at this scale. The Office would prioritize the following, recognizing that school-based interventions require sustained coordination with DOE and will advance incrementally:

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- Coordinate end-of-year reuse systems for books, school supplies, furniture, clothing, and technology across public and private institutions, beginning with a pilot program in Year 1;
- Install Little Free Libraries in a pilot group of school buildings in Year 1 — exploring partnerships with DOE vocational programs and corporate sponsors to reduce costs — and scale to full coverage of the approximately 1,400 school buildings across the five boroughs over Years 2 and 3. As part of this work, clarify for public school librarians that books identified for weeding can and should be given to students rather than discarded;
- Create protocol for hosting clothing swaps at schools, including unclaimed lost-and-found clothing at the end of the school year.

B. Corporations and Institutions

The Office would impose accountability on corporate waste generators and build systems to redirect surplus goods to community benefit. Specific interventions would include:

- Establish emergency donation protocols for grocery and drug store refrigeration outages;
- Require donation of usable goods in advance of retail store closures;
- Mandate the donation of surplus hygiene products including pads, tampons, toothpaste, soap, and shampoo;
- Require sit-down restaurants and corporate cafeterias to offer reusable serviceware as the default;
- Require stadiums, theaters, and other large public venues to offer reusable cup options — a model already demonstrated at scale by Seattle's Climate Pledge Arena, which launched a full arena-wide reusable cup program in August 2025 — and increase the availability of water bottle refill stations;
- Shift construction industry norms from demolition to deconstruction through regulatory incentives and procurement requirements;
- Support thrift stores in managing donation overflow through waste audits, City-assisted processing space, and end-market development;
- Require film and television productions operating under City permits to rehome usable props, costumes, and set materials — a requirement the Office would begin implementing in Year 1 through permit conditions; and
- Strengthen existing circular climate programs, including the Billion Oyster Project, mattress recycling, and cloth diapering services.

- Incentivize hotels and office buildings to donate their half-used toilet paper rolls to shelters and nonprofits instead of tossing them.

C. Residents

Significant preventable waste arises from residential transitions that current City systems are poorly equipped to address. The Office would:

- Pilot a monthly neighborhood free furniture day in Year 1, in which residents can place unwanted furniture on the curb at an earlier setout time, neighbors can walk around and "shop" new-to-them items for free, nonprofits can send trucks, and DSNY can collect what remains as trash;
- Develop formal protocols for the responsible dispersion of belongings in elder care facilities following the death of a resident, including safe pharmaceutical disposal and textile diversion through collection bins; and
- Provide structured support for residents with unwanted items — whether they're moving, emptying an apartment, or struggling with hoarding.

D. Community Swap Grant Program

The Office would establish a grants program to support community organizations, mutual aid groups, block associations, churches, and other civic bodies in hosting neighborhood swap events. The program is modeled in part on Brooklyn Borough President Reynoso's Community Baby Shower Fund — a reimbursement-based, rolling application model that funds community-led baby showers and provides a planning guide to participating organizations. Adapting this model for reuse events puts resources directly in the hands of community groups closest to their neighbors, empowering local organizers to run more swaps citywide than a centrally-run model would allow.

Grants would be tiered to accommodate events of different scales: $500 for smaller events and up to $1,500 for larger ones. Eligible expenses would include storage unit rental, volunteer stipends, outreach materials, and transportation. Grants would also provide a stipend for organizers' time, recognizing that the labor of running a swap is real and that reimbursing it is what makes the program fiscally sustainable for volunteer and community-led groups. Grants would be issued on a reimbursement basis following submission of a simple one-page post-event attestation.

The program would be funded at $400,000 per year at full scale — mirroring the funding City Council previously allocated to GrowNYC's Stop 'N' Swap program in FY2023 — supporting approximately 400 swaps annually across all 51 City Council districts. In Year 1, a pilot subset of districts would receive funding, at an estimated cost of $200,000. The Office would adapt GrowNYC's existing DIY Swap Guide into an updated swap host toolkit — including a materials checklist, setup guide, and a host network through which organizers can share advice and connect with one another.

E. Government and Community Infrastructure

Materials for the Arts demonstrates what a City-funded, hybrid-model reuse center can accomplish. In 2023, it distributed 4,064,222 pounds of donated goods valued at $27 million free of charge to schools, nonprofits, and city agencies. The Office would replicate this model in every borough and extend it to additional material streams. Specific interventions would include:

- Expand Materials for the Arts to every borough, prioritizing the Bronx and Staten Island. These creative reuse centers will host repair events, textile dyeing and upcycling workshops, and community swaps, while serving as supply hubs for schools and nonprofits.
- Support monthly community swap events in each City Council district through the swap grant program described above;
- Provide permanent siting and logistical support for community fridges;
- Expand libraries of things — collections of borrowable tools, appliances, instruments, and equipment — at public library branches;
- Increase public access to drinking water fountains and bottle refill stations citywide, including at parks, stadiums, theaters, and museums;
- Require that planned government policy changes affecting material flows — such as the removal of outdoor dining sheds or the closure of migrant shelters — include a written waste reduction and diversion plan identifying reuse opportunities before disposal occurs; and

Identify reuse opportunities in advance of planned government closures or infrastructure dismantling and develop proactive disposition plans.

Name

Samantha Rappa-Giovagnoli

Email [redacted]

Public Comment

Samantha Rappa Giovagnoli
Criminalist, NYC Office of Chief Medical Examiner (OCME)
Re: Government Efficiency & Streamlining Government Technology
July 13, 2026

Good evening Chairs,
Thank you for your time and for hosting in person and virtual participation as well as the opportunity to submit written testimony. Your active listening to input is appreciated.

My name is Samantha Rappa-Giovagnoli. I have been a city employee since 2004, approximately 22 years and work as a Criminalist for the NYC Office of Chief Medical Examiner. I am a proud member of DC 37, where over the years, I have held a variety of active roles and positions and currently are a Vice President to the Council.
I am writing today to ask for a moratorium and review of all contracted vendor services implemented, currently in use, or out for bid for next budget cycle and all future budget cycles, at City agencies, and particularly at the NYC OCME and NYPD.
In sum, the NYC OCME and NYPD both provide forensic testing. They provide scientific testing to support public safety and the Criminal Justice system. They both house laboratories and both historically successfully performed all laboratory testing and functionality manually and with robotics and / or automation. The robotics / automation is not what this is about.
This is about functionality, wasteful spending, and how the city can better streamline its own workforce for the technology “needed”.
Over the past 10 to 12 years, most evident in the Bloomberg era, these agencies have made pitches to unnecessarily purchase and contract outside vendor services, costing millions of dollars, known as LIMS or BEAST system contract services.
LIMS stands for Laboratory Information System and BEAST stands for Bar Coded Evidence Analysis Statistics and Tracking. These systems are plain and simple wasteful and do not provide the functionality needed.
These systems do nothing other than cause problems and workarounds that cost every time you need a change or fix. They cause backlogs and to some degree breach confidentiality. They cause employees to work odd hours, in some cases. Why? So that they may meet at the vendors time zone.
They do not perform any part of the laboratory testing period. The user inputs all their work,
What it does is capture what used to be captured manually. For example, a worksheet that has names or identifying labelling for testing is now typed but typed into a LIMS or BEAST system, as opposed to handwritten, notes on an exam sheet that used to be hand written are now typed but typed into a LIMS or BEAST system. Seems simple and sounds like it should work easily and not be costly, right?
Wrong!
Employees are required to enter high-quality work into systems that were not designed to capture it accurately. These “out-of-the-box” systems must be customized as they are used. In many cases, City agency staff must create

workarounds because the vendors cannot make the systems perform as requested or needed.
These systems are costly. They can run up to hundreds of thousands of dollars just to purchase (+/-250K) and each user license is somewhere around $7,000 / per user license plus maintenance fees. Additionally, each "out of the box fix" can be a couple of thousands of dollars each.
They require manpower and cause work product slow down. There is a team of scientists that must be dedicated to educate the vendors and users on the system, track any and allfixes, ask for fixes, make corrections, etc. This takes away from the tasks that they should be performing for the city.
These systems can create errors. Workarounds cause errors.
These systems are not confidential. What OCME performs and when their reports are available for reading and vice versa should not be a shared keystroke. Recent allegations of an NYPD officer accused of rape underscore this. Rape is one of the crimes that the NYC OCME scientifically investigates (DNA testing) and produces reports about.
And again, they are costly. One contract equating to twelve million dollars is the equivalent to one year of 208 individuals receiving an average wage of $57,500.00 / year.
These are only two examples from agencies and workflows I know well. However, I have heard similar concerns from City employees across agencies, including NYC DOHMH and NYC DOITT.
The solution is straightforward: make better use of the City's existing workforce and technical expertise. The City already employs technology professionals who can build the systems agencies need without additional vendor costs. Those savings could instead be used to hire more frontline staff.

I employ you to vote on a moratorium and to perform outside vendor contact review at all city agencies.

Thank you,
Testimony submitted by: Samantha Rappa-Giovagnoli
Samantha Rappa-Giovagnoli

Attachment(s)



COGE_CONTRACTING OUT.pdf

Date Submitted: July 13, 2026 10:42pm

Topic: Procurement Reform, Technology, Unnecessary Bureaucracy, Budget Issues

Charter Related: Yes

Topic Simplified: Procurement

Subtopic: Wasteful contracts at OCME

Show 4 hidden fields

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Thank you,

Testimony submitted by: Samantha Rappa-Giovagnoli

Samantha Rappa-Giovagnoli

Name

Yefim Vedernikoff

Email [redacted]

Public Comment

New York City moves too slowly.

We don't have the luxury of waiting years for projects that make our neighborhoods safer. Every summer brings more dangerous heat. Every heavy storm reminds us how vulnerable our streets are. The city should be acting with the urgency those problems demand.

If a park is ready to build, build it. If a bike lane has community support, paint it. If there's room for more trees, get them in the ground. Small projects delivered quickly can make a real difference.

The Mamdani administration has already shown it can move on major street redesigns like McGuinness Boulevard, Flatbush Avenue, and the Sixth Avenue protected bike lane. I'd like to see that same urgency applied to neighborhoods that have been waiting for years.

Bushwick has been asking for basic improvements for too long. The B38 bus lane should continue through Bushwick instead of stopping short. Riders lose time every day sitting in traffic on one of Brooklyn's busiest bus routes. We also need a connected bike network, more street trees, and flood mitigation projects. Put that $390 million to use.

The Commission of Government Efficiency has a chance to make city government feel different. Cut the approvals that don't add value. Remove bottlenecks between agencies. Give project managers the authority to finish routine work without months of delay. New Yorkers care less about which office gets credit than whether the project is done.

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026 11:05pm

Topic	Unnecessary Bureaucracy × Street Redesigns × Enforcement × Budget Issues × Technology ×
Charter Related	Yes
Topic Simplified	Unnecessary Bureaucracy
Subtopic	Speed up City projects

Show 4 hidden fields

A Name

Nadait Gebremedhen

A Email [redacted]

Public Comment

Written Testimony to the New York City Commission on Government Efficiency
Submitted by Dr. Nadait Gebremedhen, CEO, Hagush
July 13, 2026 | [redacted]

Chair Gaspard, Executive Director Cheng, Members of the Commission
thank you for the opportunity to submit testimony. My name is Dr. Nadait Gebremedhen. I'm one of the co-creators of Toll, a platform that measures the cost government processes impose on citizens.
The problem this Commission exists to solve is as old as government itself. Public services have always imposed a burden on the people they were meant to serve. In New York City, that looks like residents giving up on benefits they're entitled to. Nonprofits swearing off public funding because accessing grants costs more than it's worth. Businesses whose margins are eaten by permit compliance — we've all seen Mayor Mamdani's Halalflation video.

This problem of government inefficiency is not just a New York City problem. It is universal. Across levels of government and jurisdictions, reining in overgrown bureaucracy is a perennial project with a remarkably consistent remedy: a body such as this one forms, studies the problem (sometimes not), and recommends cuts to process. Streamline. Reduce waste.
I say all this in service of a larger point: this issue of city government inefficiency isn't a bug in the system. It's a feature. It's the result of a core mandate the city holds — to safeguard public resources. A legitimate duty the city has to its residents. And when the city exercises this mandate to its fullest force, as it should, process naturally and inevitably accumulates, and the experience of New Yorkers degrades.
Because the issue, at its core, is structural, the standard fix — cutting and streamlining process can only ever manage the symptom, not address the cause. It can clear bureaucratic overgrowth, but without addressing why it took root in the first place—which means whatever is cut can, and will, grow back, in one form or another. And a generation from now, maybe even sooner, another commission will convene to deal with the problem again.
Which is why, alongside the cuts and the streamlining, the solution has to be ambitious enough to intervene at the level of the root cause. At the level of design. If we want any permanence to the reforms this Commission proposes, the solution must have a structural component.
Now, the question is: what does that look like? One approach is for the city to adopt a second mandate, in parallel to the one it has to protect public resources —on equal footing to serve as its counterweight. When the city designs public services, it must ensure the cost of process stays within reason at all times. It must weigh its duty to protect public resources against a duty to not waste citizen resources on process.
And this second mandate cannot just be aspirational. It cannot just be a principle that we gesture at, stating the need for efficiency. Agencies need a concrete standardized way to measure the cost that their processes impose on residents — and an obligation to redesign them when that cost is unjustified. In other words, this mandate has to be operationalized —just as the first mandate of safeguarding public resources is, through layers of due

diligence and compliance. Until now, there was no simple way of doing this: operationalizing the second mandate. No way to know when a process is protecting public resources responsibly, and when it's become a hidden tax on the people it was meant to serve. But there is one now: a set of measures that captures the cost city processes impose on residents, and benchmarks it against the value delivered making the cost imposed on residents visible, legible, and actionable.

So my ask of this Commission is this: A provision requiring city agencies to track and publish the process cost of major citizen facing services, not as an audit after the fact, but as a standing design requirement. And this need not be new machinery. Chapter 1, Section 12 of the Charter already has this— for the agency's side of the ledger. It requires the Mayor to report agencies' performance through the Mayor's Management Report. But the MMR only counts the government's side of the ledger. The provision I am proposing would extend that same discipline to the citizen's side — measuring what residents expend to access services, alongside what agencies expend to deliver them.

Beyond the durability of reform, addressing this problem at its root carries two further benefits.

There is a fiscal case. Citizen-side costs have a city-side cost. For every lengthy form a resident has to fill out, someone in a city agency has to review it, correct it, chase what's missing. Redesigning public services to reduce the burden on residents reduces agencies' own administrative costs with it.

And crucially, this provision will prove its own value. Because once process cost is measured and tracked and used as a primary order variable in the design of citizen facing public services, the city will be able to state in dollar terms and hours saved — how much it has saved New Yorkers and its agencies.

This Commission has organized its work around accelerating access, permitting, and contracting, modernizing outdated systems, and ensuring the city's fiscal stability. A citizen-side measurement requirement doesn't compete with those priorities — it is what makes them stick.

Thank you for your time and for the Commission's work.

Supporting materials: The Toll methodology for measuring the cost of process is available at [redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted July 13, 2026 11:07pm

Topic	Unnecessary Bureaucracy ✕ Reporting Requirements ✕ Procurement Reform ✕ Technology ✕
Charter Related	Yes
Topic Simplified	Unnecessary Bureaucracy
Subtopic	Government processes and citizen costs

Show 4 hidden fields

Name

Victoria Alexander

Email [redacted]

Public Comment

See attached our comments

Attachment(s)



RESILIENT RED HOOK

Red Hook, Brooklyn | [redacted]

July 13, 2026

Testimony of Resilient Red Hook to the Charter Revision Commission on Government Efficiency (COGE)

Dear COGE Commissioners:

Resilient Red Hook (RRH) is a coalition of Red Hook residents, workers, waterfront advocates, and environmental justice advocates, founded in 2012 in the disaster response to Superstorm Sandy. Our coalition includes tenants of NYCHA's Red Hook Houses — one of the largest public housing campuses in the country — as well as small industrial employers, maritime workers, youth organizers, and community institutions that have anchored this neighborhood through decades of disinvestment. I submit his testimony as its Chair.

We write to bring the Commission a live case study. Right now, our community is on its middle of the environmental review for the redevelopment of the Brooklyn Marine Terminal (BMT) — 122 acres of State-owned working waterfront, one of the last large-scale working waterfronts in New York City. BMT sits within a designated Significant Maritime and Industrial Area (SMIA), an Industrial Business Zone (IBZ), and a Priority Marine Activity Zone (PMAZ) — all designations created by the City and State specifically to protect this kind of irreplaceable waterfront from premature conversion and speculation. It is simultaneously surrounded by an Environmental Zone community — census tracts 81 and 39 – where more than half of residents live below the poverty line, and where the cumulative burden of contamination, flooding, poor air quality, truck traffic, and decades of infrastructural neglect is already severe.

Every production and named exists in paper. None of them is/has/forming. The BMT process demonstrates, in real time, the structural gaps in city governance that this Commission has the power to address through the Charter. A commission on government efficiency should start with this fact: nothing is less efficient than a government that spends decades adopting laws, plans, and protective designations, and then watches its own instruments expand all of them.

The bypass: how a City project escaped the City's Charter

The largest land use action in Brooklyn in a generation — one that proposes permanently converting public working waterfront, with roughly 8,000 units of housing, sized on the financial model to pay for public infrastructure — is not proceeding through ULURP, the Charter's democratic land use review process. It is proceeding through a State General Project Plan (GPP) under Empire State Development, a pathway that removes the site from Community Board and City Council authority and enables discretionary rezoning that overrides local law. BMT is not blighted in any legitimate sense: the land is City- and State-owned and has been managed by the Port Authority and the EDC, the infrastructure is municipal, and the core issues — land use, housing, maritime jobs, flood protection — lie squarely within government jurisdiction. As attorney Charles Weinstock has argued on behalf of the City Hall of New York, whatever blighted is any legitimate sense, the land is City- and State-owned and has been managed by the Port Authority and the EDC, the infrastructure is municipal, and the core issues — land use, housing, maritime jobs, flood protection — lie squarely within government jurisdiction. As attorney Charles Weinstock has argued on behalf of the City Hall of New York, whatever blighted is any legitimate sense, the land is City- and State-owned and has been managed by the Port Authority and the EDC, the infrastructure is municipal, and the core issues — land use, housing, maritime jobs, flood protection — lie squarely within government jurisdiction. EDC's leasing has been haphazard, and the Port Authority was conspicuously obligated to maintain the piers and failed to do so. A governmental entity cannot create blight through its own neglect and then invoke that blight as the legal predicate for bypassing democratic review.

The bypass has consequences beyond process:

- **The city's planning agency has been sidelined.** The Department of City Planning — the agency responsible for the Waterfront Revitalization Program, comprehensive planning, zoning, and ULURP review — has been excluded from the BMT process. The community's conclusion is hard to avoid: the GPP pathway was chosen specifically to

Resilient Red Hook COGE Testimony B...

Date Submitted July 13, 2026 11:46pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic Waterfront/maritime policy

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Every protection just named exists on paper. None of them is functioning. The BMT process demonstrates, in real time, the structural gaps in city governance that this Commission has the power to address through the Charter. A commission on government efficiency should sit with this fact: nothing is less efficient than a government that spends decades adopting laws, plans, and protective designations, and then watches its own instruments bypass all of them.

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avoid the agency whose job is to evaluate land use consistency with the city's own adopted plans.

- **Public assets were swapped without independent valuation.** The 2024 Howland Hook–BMT land swap traded a fully operational, income-generating, rail-connected container port — conservatively valued in the billions — for a site the EDC itself has characterized as having 'negative value' without rezoning. No independent fair market value appraisals accompanied the transaction, raising questions under Public Authorities Law §2897 and the city's fiduciary duty to its residents.
- **Engagement was performative.** The EDC's advisory Task Force excluded the Columbia Street Waterfront — roughly 3,000 residents and dozens of industrial and maritime businesses directly adjacent to BMT — while Task Force meetings were closed to the public. EDC staff dominated engagement sessions, materials were not shared in advance, and at no point did the EDC provide accessible education on the process itself. These are documented failures, not impressions.
- **We know how this ends, because it has ended this way before.** Atlantic Yards is the cautionary tale: the State's development corporation approved a plan on a 10-year build schedule while the actual agreements allowed 25 years, a reliance the court found arbitrary and capricious. Demolished blocks sat as parking lots for years; community benefits were deferred and diluted. The community lost not because its arguments were weak, but because the process was bypassed before the substance could be contested.

When the City and EDC failed at each of these junctures, the community organized its own process. Voices of the Waterfront — a coalition of Red Hook residents, NYCHA tenants, maritime workers, small business owners, and neighbors from Cobble Hill, Carroll Gardens, the Columbia Waterfront, and Sunset Park — held its own public meetings, teach-ins, listening sessions, and collaborative webinars with independent technical experts, and adopted seven Community Planning Principles: protect and expand maritime industry; ensure environmental justice; guarantee affordable housing and anti-displacement; build climate resilience; improve transportation and reduce truck traffic; create good jobs for local residents; and ensure democratic governance and community control. The fact that the community had to build its own planning process is itself a finding about the adequacy of the city's.

Why this belongs before a Charter commission

Our full scoping testimony — twelve parts, with exhibits including the City Club of New York's Blue Highway Hub plan, a John Jay College review documenting more than twenty years of unfulfilled City and State planning commitments to Red Hook, and our own community energy network proposal with NYC 2030 District — asks the environmental review to do what the law already requires. But the deeper lesson is structural, and it is the Commission's to act on. The NYC Commission to Strengthen Local Democracy has already found that checks and balances, budget transparency, and community-centered planning need reinforcement. BMT is the test case. We urge this Commission to consider Charter changes that would:

- **Close the democratic bypass on public land.** If a project will reshape a neighborhood for fifty years, the people of that neighborhood — through their Community Board, Borough President, and Council member — must have a formal, structural role, not an advisory one. The Charter should require that disposition or redevelopment of City-owned land proceed through ULURP or an equivalent process, and should constrain the City from sponsoring or consenting to state mechanisms whose purpose is to route around the Charter's own review. If a project is good for Red Hook, it should be able to survive the democratic process.
- **Make public asset managers accountable to the public.** The EDC is the project proponent at BMT, yet the City Council does not vote on its budget, and its record on the

very assets at issue — the loss of the Manhattan Cruise Terminal piers, the MSC debacle at the Brooklyn Cruise Terminal and MSC's departure from NYC after three years, the NYC Ferry subsidy crisis, a shorepower system left broken for roughly a decade beside public housing — has never been examined in any forum with consequences. The Charter should ensure that any entity managing City assets, whatever its corporate form, is subject to Council oversight, budget transparency, and binding compliance with the city's adopted plans and laws.

- **Give protective designations teeth.** SMIA, IBZ, PMAZ, Environmental Zone, state Disadvantaged Community — Red Hook holds several protective designations the City and State offer, and at BMT none of them has slowed the conversion of protected industrial waterfront by a single day. The Charter should give these designations procedural teeth: heightened review, mandatory consistency findings against the Waterfront Revitalization Program and adopted community plans, and structured community consent mechanisms before protected land is converted.
- **Build fiscal guardrails around public asset deals.** The city's own structural conflict of interest — the EDC and City Hall acting simultaneously as project sponsor, as the entity holding enforcement obligations in the same sewer sheds and harbor, and as gatekeeper of the review process — cannot be policed from inside the projects it compromises. The Charter should guarantee the independence and minimum funding of the Comptroller and Department of Investigation, and require independent fair market value appraisal before any swap or disposition of significant public assets.
- **Make community benefits enforceable and sequenced.** Community benefits promised in planning processes should be delivered through legally enforceable agreements negotiated with recognized community coalitions — with local hiring including NYCHA resident preference, anti-displacement covenants, independent monitoring, and real penalties — and infrastructure must be sequenced as a condition precedent to occupancy, not a promise that follows it. Gowanus, Williamsburg, and Atlantic Yards all teach the same lesson: unsequenced commitments are undelivered commitments — and who benefits and who is burdened must be considered. “Displacement's consequences are foreseeable, and it does not always arrive as an eviction notice. Sometimes it comes as exhaustion: repeated moves, construction dust, broken social networks, inaccessible temporary apartments, lost neighbors, missed medical appointments, and years of uncertainty.” Layla Law-Gisiko
- **Raise the Charter's floor for community-led planning.** When community engagement amounts to 'inform' or 'consult' — where the agency gathers input it has no obligation to act on — communities are an audience, not participants. The Charter should codify a higher standard for city-sponsored projects: scope review groups with community sign-off, as the Downtown Brooklyn rezoning precedent established and the multitude of NY Rising programs demonstrated, and recognition of community-developed plans as material the city must answer on the record.

Fund comprehensive planning that is proactive, not reactive

The Charter already imagines community-based planning: Section 197-a allows communities to develop their own comprehensive plans, and Red Hook did exactly that, adopting one of the first 197-a plans in the city. But 197-a plans come with no funding, no technical support, and no binding force — and the BMT process shows how little weight they carry when a determined sponsor arrives. Everything else communities do is reactive and unpaid. Voices of the Waterfront ran public meetings, teach-ins, and technical webinars entirely on volunteer time, racing a sponsor's schedule to respond to a plan whose direction was already set. Communities should not have to crowdsource, in crisis, the planning their government owed them years earlier.

We know the proactive model works because Red Hook has lived it. After Sandy, the NY Rising Community Reconstruction Program funded community-led planning — residents were resourced, supported by professional planners and engineers, and produced implementable plans on the community's own terms, before the next disaster rather than after it. That is what planning looks like when it is treated as public infrastructure rather than as a public relations exercise.

We can go further: community coalitions build resilience itself. Participatory processes provide tangible resources for improving the resilience of a community's built environment while producing innovative, locally sensitive knowledge. They reinforce human relations, build on social capital and increase its availability within the community, promote cooperation among neighbors, and deepen people's sense of belonging and connection to the surrounding environment. The more individuals and groups relate to their community — and Red Hook's working waterfront is part of our heritage and that is why it is in our 197A plan and continues to be part if our advocacy.

Participatory processes are highly effective in disaster reconstruction, but their value runs longer: they reduce risk in the medium term, enhance local culture through the reactivation of memory and know-how, and set the basis for regular interaction between residents, experts, and local government. In the long run, a participative community is more resilient — in the face of natural disasters, and of socio-economic and other threats — because the social fabric is strengthened by reconnecting people with their neighbors, their territory, and their shared history. A resilient community is aware of its own strength, knows that they belong to the community, and is willing to preserve it for the common well-being. There are no humble actions when summoning the community to participate: whether by co-designing solutions, recovering local knowledge and memory, improving awareness, or developing skills and projects, participatory processes build a society capable of finding its own solutions in the face of forthcoming future both positive and negative. For this Commission the implication is direct: funding participation is funding resilience. That capital is priceless.

The Charter should establish and fund proactive, community-based comprehensive planning: dedicated funding for communities (not a hand picked Task Force) — through community boards and recognized community coalitions — to develop and regularly update comprehensive neighborhood plans with professional planning, legal, and engineering support, before megaprojects arrive, with planning resources weighted toward environmental justice communities carrying the heaviest burdens. Adopted community plans must then carry real weight: city land use actions should be required to demonstrate consistency with them or explain every departure on the record. This is the efficiency argument in its purest form — proactive planning costs a fraction of the conflict, delay, litigation, and failed projects that predetermined plans reliably produce.

Conclusion

Red Hook is not asking for an exception. We are asking for the Charter to work — for the flood-vulnerable, majority-public-housing, designated environmental justice community on the working waterfront, which is exactly where it is failing now. The BMT process shows what happens in the gap between the city's stated commitments and its governance structure along with the largest political manipulator at the helm of this city; real estate influence: the public's land converted outside the public's review, the public's watchdog agencies sidelined, the public's designations ignored, and the community left to build for itself the space to be heard its government owed it. This Commission can close that gap. Efficiency is not just doing things faster; it is a government whose own laws bind its own instruments and is accountable to the people.

We also note that we have submitted companion testimony to this Commission supporting the restoration of dedicated public maritime management for the city's waterfront, which addresses the EDC's two-decade record in Red Hook in further detail.

Thank you for your consideration. I can be reached at [redacted] with any follow-up questions.

Respectfully submitted,

Victoria Alexander

Chair, Resilient Red Hook

[redacted]

Name

Brenda Levin

Email [redacted]

Public Comment

Mr. Chair, Ms. Vice Chair, Distinguished Commissioners - Chapter 8, 191.a - of the Charter specifies that there shall be a Director of the Department of City Planning and the Director shall be the Chair and a Member of the City Planning Commission. The 2 previous Mayors appointed or tried to appoint 2 different people for the 2 significant positions, only to be informed that the Charter specified one person for the 2 positions. I believe that this is an indication that a future Mayor may think that he or she would benefit from appointing 2 people.

This Commission can amend the Charter to allow an option: each Mayor can decide one person the Director and one person the Chair or the traditional one person to both positions, whichever would be advantageous for his or her administration.

Thank you for your consideration, Brenda Levin

Attachment(s)

Drop files here or click to browse

Date Submitted July 14, 2026 12:54am

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic City planning commission

Show 4 hidden fields

Name

Jessie Fields

Email [redacted]

Public Comment

Let All Voters Vote: Independents and the Expansion of Voting Rights in the United States by Michael A. Hardy, Jeremy Gruber and Harry Kresky

https://digitalcommons.tourolaw.edu/cgi/viewcontent.cgi?article_2967&context_lawreview

Dr. Jessie Fields, Testimony, Charter Revision Commission July 8, 2026
Good evening, Chairman Gaspard and Commissioners.
Thank you for the opportunity to testify for a second time. I came today as many
independent voters have come before you. I wanted to show up again. As you know independent voters are excluded from voting in primary elections in New
York City. We want to show up to advocate for equal voting rights.
For many independent voters their political independence carries great meaning.
For me it is such a courageous example of political independence, as Dr. Martin
Luther King Jr.'s independence of the Democratic Party and President Lyndon B.
Johnson, when he spoke out against the Vietnam War. Dr. King was assassinated
one year to the day that he gave his "Beyond Vietnam: A Time to Break Silence"
speech right here in this sanctuary of Riverside Church on April 4, 1967.
The late Attorney Michael Hardy, who was Executive Vice President and General
Counsel to the National Action Network co-authored a 2019 Law Review article
entitled "Let All Voters Vote: Independents and the Expansion of Voting Rights in
the United States." I would like to submit this Law Review article for the record. I
quote from the article: "Segregating unaffiliated voters, preventing them from
meaningful participation in the primaries, is inherently unequal and deprives them
of what is due them under the Constitution." unquote.
Young people are registering as independent voters. I believe we should let them,
as well as all unaffiliated independents, vote in New York City primary elections.
Putting forth a ballot initiative to allow unaffiliated independents in New York City
vote in primary elections extends equal voting rights for all. It is an assertion of
voting rights at a time when these rights are being undermined by the Supreme
Court, by voter suppression and restrictive voter identification laws. I call for a

simple initiative that would give unaffiliated voters the right to vote in New York
City primary elections.
I quote historian Taylor Branch, the author of the three volume "America in the
King Years": "..every ballot is a piece of nonviolence, signifying hard won consent
to raise politics above fire power and bloody conquest...the whole architecture of
representative democracy springs from the handiwork of nonviolence."
Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 14, 2026 4:04am

Topic: Open Primaries

Charter Related: Yes

Topic Simplified: Elections

Subtopic: Open primaries

Show 4 hidden fields

Name

Paul Sonn

Email [redacted]

Public Comment

On behalf of a group of labor policy experts -- Paul Sonn, National Employment Law Project, Karla Walter and David Madland, Center for American Progress, Professors Stephanie Luce and Samir Sonti, City University of New York, and Professor Alexander W. Hertel Fernandez, Columbia University -- I write to submit the attached recommendations to the COGE Charter Revision Commission. We would be delighted to discuss our recommendations and the options we outline with Commission staff. Thank you very much.

Attachment(s)



Labor Policy Experts' Recommendation...

Date Submitted July 14, 2026 4:11am

Topic Miscellaneous

Charter Related No

Topic Simplified Labor

Subtopic	Labor standards for city contracted workforce

Show 4 hidden fields

Name

Alvin Carter

Email [redacted]

Public Comment

See attached the full version of the comments I was unable to complete in my allotted time at last night's hearing.

Attachment(s)



32BJ COGE Testimony 7-13-26.docx

Date Submitted July 14, 2026 8:05am

Topic Miscellaneous

Charter Related Yes

Topic Simplified Procurement

Subtopic Speeding up payments to contractors

Show 4 hidden fields

Recommendations to the Commission on Government Efficiency (COGE)
New York City Charter Revision Commission
on Key Strategies for Empowering and Protecting Workers

Paul Sonn, National Employment Law Project
Karla Walter and David Madland, Center for American Progress
Stephanie Luce and Samir Sonti, City University of New York
Alexander W. Hertel-Fernandez, Columbia University

July 13, 2026

We congratulate the Mamdani Administration for convening the Commission on Government Efficiency (COGE) to recommend revisions to New York City's charter aimed at making City government work better for New Yorkers. Helping make government more effective and responsive is vital for maintaining public confidence and ensuring that the City is able to deliver on its promise of making New Yorkers' lives better.

As the COGE Commission's Preliminary Report explains, "An efficient government is not one that cuts services or workers, but one that listens to its workforce and empowers them to deliver."[1] We write to recommend to the Commission two key strategies that we believe should be part of that approach for empowering the City and the City-funded workforce to deliver. The first is establishing strong labor standards for City-contracted jobs -- which ample evidence shows go hand in hand with delivering high quality services and results. The second is empowering the City to establish sectoral labor standard boards and use them to bring workers, employers, and the City together to hammer out industry-based labor standards.

High Road Labor Standards. Strong labor standards–including, for example, living or prevailing wages, decent benefits, training, and safeguards that workers are retained when contracts change hands–are important for ensuring that City spending creates the types of good jobs that our communities need. But equally important, and not as well understood, is that high road labor standards are key for ensuring that City contractors are able to recruit and retain a qualified workforce and deliver effective and reliable services for the City and its residents.

A large body of research has documented how low wages, inadequate benefits, and poor working conditions result in high employee turnover and lower experience levels that undermine the quality and reliability of public services being provided.[2] Conversely, research shows that high road standards for government-supported work boost worker productivity, reduce injury rates, and increase apprenticeship training, which in turn helps to address the shortage of skilled labor in construction.[3] In the service sector, these sorts of standards decrease turnover and improve service quality.[4] And, research shows that high road standards generate positive impacts for public budgets by ensuring that projects are delivered on time and on budget, increasing the amount of work performed by local contractors, boosting state and local tax

revenues, and making workers less reliant on government income support programs such as the Supplemental Nutrition Assistance Program (SNAP).[5]

In addition to improving the quality of public services, high road labor standards of course serve the additional key function of ensuring that government operations do not entrench poverty and instead create good family supporting jobs that are a source of opportunity for residents from low-income communities.[6] Research reveals that workers in sectors covered by similar wage requirements earn more, are more likely to receive employer-provided health care, and can afford other middle-class necessities, such as buying a home and saving for retirement.[7] While civil service government jobs have long played that role, too often government service contractors have operated on low-paid jobs with inadequate benefits that counter-productively promote poverty.

Finally, establishing fair, market-based pay and benefits standards for government supported work signals to high road employers that they can compete for and win government contracts. Experience shows that by raising standards for workers, governments can encourage more companies to bid for contracts, increasing competition.[8]

In light of this recognition of the important role that high road labor standards play in promoting effective government operations while fighting poverty and promoting worker voice, they have become a key strategy at the federal, state, and local levels. Reaching back to the New Deal with the Davis-Bacon Act[9] and continuing through President Biden's Good Jobs Executive Order, the federal government has promoted labor standards for government contracting and investments.[10] State and local governments including New York State have long been leaders in using this important strategy.[11] And New York City has long established minimum wage and other labor standards for City contractors, from the time of Mayor Robert Wagner in the 1960s through more recent years when the City has set minimum wages for City contractors;[12] established prevailing wage standards for building service workers;[13] and adopted wage standards for construction workers on affordable housing projects.[14]

But while New York City has long promoted labor standards as part of its system for delivering public services, more work remains to be done. Pay levels in the City's vast system of contracted human services programs are still quite low–a vital sector that has long been a major source of employment for women of color in the city.[15] Similarly, most of the human services workforce does not have a meaningful voice at work and there are concerns that the City's 2021 labor peace law for the sector has not been effective and needs updating.[16]

Moreover, as technology and our economy change, there are important new labor safeguards that the City should explore for its contracted workforce–such as ensuring that as more city human services contractors use technology to manage their workforces and deliver services that they adopt best practice guardrails against abusive uses of worker surveillance and "bossware."[17]

We therefore urge the Commission and the administration to make continuing to strengthen the City's labor standards a key part of its strategy for its contracted workforce.

In particular, we urge that in implementing streamlining measures to help City government be more nimble and effective that the Commission be mindful that efficiency must not come at the expense of worker protection. Proposals to limit paperwork requirements and simplify questionnaires for small contractors and not-for profits have understandable aims but may undermine compliance with existing labor standards. Violations of prevailing wage standards and of the City's Displaced Building Service Workers Protection Act[18] persist among City security contractors and Department of Homeless Services-contracted shelter providers. Security contractors, especially smaller and less capitalized firms, are not always aware of their obligations under these hard-fought laws, which have been crucial for lifting standards in and stabilizing the City-contracted security workforce. As the City seeks to streamline paperwork, it must also ensure that it provides its contractors and subcontractors with the notice and tools they need to understand their legal responsibilities, and it must provide meaningful oversight to guard against violations.

Sectoral Labor Standards Boards. As the Commission and policymakers look beyond the City's own operations, another key role the City increasingly plays is in setting labor standards to improve working conditions and ensure fair competition in industries that drive the City's economy and prosperity. With national labor standards enforcers under attack and the states often hesitant to act, cities like New York have been playing an increasingly large role in developing new and effective approaches for protecting workers in our evolving economy. In recent years, New York has pioneered the nation's strongest protections for app-based ride hail and delivery workers–establishing minimum wages, protections against unfair discharge, and protections against tip stealing and other abuses. It has protected fast food workers with fair scheduling standards and safeguards against unfair firings. And it has enacted other sectoral protections for property service workers, hotel workers, freelancers, and many others.[19]

As important as these sectoral protections have been, the process of legislating them can be slow and cumbersome. Developing a more flexible and adaptable system of regulation is important in a rapidly changing environment. We therefore urge the Commission and policymakers to consider a key new best practice for setting labor standards that are tailored to the needs of specific sectors: sectoral standards boards.[20] These bodies, which the City's Department of Consumer and Worker Protection could be empowered to convene, bring together representatives of employers, workers, and the City to work together to develop legally enforceable labor standards on an industry basis. They are a key new approach that states and cities are now deploying to improve job conditions and curb abusive practices at the industry level.[21] Minnesota is currently using such boards to set standards for the nursing home industry, California for the fast food industry, and Seattle for domestic workers, among others.[22]

In New York City, sectoral standards boards could enable employers and workers to partner with the City to hammer out protections for key industries where new protections are needed–whether it's the delivery or e-commerce warehousing sectors where rapid work pace demands

are endangering workers and the public,[23] or the domestic work sector where advance notice of lay-offs and severance pay are key concerns.[24]

Sectoral standards boards could be especially well-suited for setting industry-based guardrails for use of AI and bossware in the workplace. Not only are such technologies evolving rapidly, but their uses can vary significantly by industry. Guardrails for the use of such technology in the workplace that are developed on an industry basis by a sectoral standards board with direct participation from workers and employers, reviewed and revised as appropriate, and then implemented by a City agency can provide an effective, nimble way to implement protections against abuses of these technologies that are tailored to the risks posed in specific industries.[25] For example, a sectoral standards board for the health care sector could set guardrails on the myriad emerging technologies that hospitals increasingly use to surveil and manage healthcare workers.[26] Or a standards board for e-commerce warehousing could regulate the opaque workforce scheduling, management, and surveillance technologies that are resulting in high injury rates, overwork, and unstable schedules in the sector.[27]

Protecting workers and rebuilding democracy in the 21st century is going to take new policies and institutions. State and local sectoral labor standards, negotiated between employers and workers with government assistance, are an important new approach for flexible and collaborative policy innovation in this sphere. This practice is common in other parts of the world, and research has found that sectoral wage bargaining and other standards have a positive correlation with stronger macroeconomic outcomes, such as lower unemployment and inequality, and greater equality through reduced pay discrimination and more inclusive labor markets.[28]

We therefore urge the Commission and the administration to explore empowering the Department of Consumer and Worker Protection to convene sectoral labor standards boards as part of a strategy for strengthening New York's economy and promoting the growth of jobs where all New Yorkers can thrive.

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Email [redacted]

Public Comment

I applaud the COGE's goal of improving government efficiency by reviewing and updating slow, outdated government processes. However, I am deeply concerned about the lack of clarity in these proposals; transparency regarding the COGE's decision making process; and the substance of the proposals themselves.

I worry that a relatively unknown, unelected group is proposing putting sweeping policy changes on the ballot with such a short time scale, and that so few specifics were included in the report. I feel ill equipped to analyze COGE's proposals overall, because there has simply not been enough information provided to the public.

It is also concerning that the majority of these proposals focus on improving government efficiency by entirely removing or significantly decreasing the role of City Council in the legislative and rulemaking processes. I share COGE's desire to speed up government processes and acknowledge that the community representation emphasis of City Council can make implementation of change less agile. However, it is disingenuous to place all the responsibility for inefficiencies at the door of City Council.

All too often, it is NYC agencies, not City Council, delaying the process whether it's developers left waiting for City agency signoff to start building affordable housing; restaurants waiting for City approvals before starting operation on sidewalk cafes; or Council waiting on the City to send proposed rulemaking changes for votes. City Council has consistently shown a willingness to revisit legislation; fix unintended consequences from policy; or update a process, such as with agency reporting requirements.

For a case study of why the continuing shift of power to the Executive is so dangerous, we only need to look at the financial corruption and blatant politically motivated activities of the past Mayoral administration. Giving the Executive more power not only removes a lever for fighting corruption, but creates a damaging political back and forth of Executive Orders between administrations. I have great respect for Mayor Mamdani and his administration, but we cannot make rule changes assuming all future Mayoral administrations will use their expanded power only for the good of the City.

Though I share COGE's goal for finding creative ways to improve government efficiency, I remain concerned about the lack of transparency, and the emphasis on removing City Council and the communities we represent from government processes.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 14, 2026 10:23am
Topic	Unnecessary Bureaucracy, Reporting Requirements, Budget Issues, Miscellaneous
Charter Related	No
Topic Simplified	Feedback
Subtopic	COGE not transparent enough

Show 4 hidden fields

Name

Jasmine Marrero

Email [redacted]

Public Comment

I work in construction management and am currently working on a NYCHA renovation project. I attended New York City public schools, and as a student ambassador in junior high school, I had the opportunity to travel to Europe and represent New York City.

I support opening the primaries to independent voters because I believe we should have the same right to vote in primary elections as everyone else. We deserve a voice in choosing the people who will govern us, and primary elections often determine who those leaders will be.

I was originally registered as a Democrat but later decided to become an independent. When I went to vote, as I always had, I was told I couldn't because I was registered as an independent. I didn't realize that changing my registration meant giving up my right to vote in the primary. I was born here, and I was astonished. It didn't seem right.

It felt like I was being penalized simply because I wanted to think for myself and make my own decisions about the candidates. I want to evaluate each candidate based on who will improve my life and strengthen my community not based on a political party.

I believe every U.S. citizen should have the right to participate in primary elections. Why should those of us who choose not to be Team Red or Team Blue be excluded? Where does it say that independent voters shouldn't have a voice? As independents, we often take the time to question, research, and make thoughtful decisions rather than simply following a party line. That is all the more reason to open the primaries to independent voters.

I hope you will open the primaries and allow independent voters to participate. I believe doing so will encourage broader participation, improve the quality of our elections, and elevate the level of public dialogue.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 14, 2026 1:17pm
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

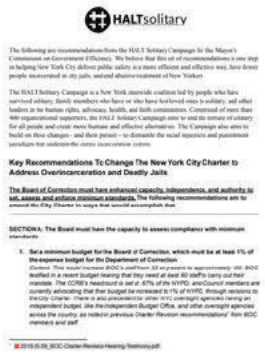
HALT Solitary Campaign

Email [redacted]

Public Comment

Please see attachment.

Attachment(s)


HALTsolitary

Key Recommendations To Change The New York City Charter to Address Overincarceration and Deadly Jails

HALT Solitary Campaign Recommendati...

Date Submitted July 14, 2026 1:37pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Public Safety

Subtopic

Board of Correction reforms

Show 4 hidden fields

The following are recommendations from the HALT Solitary Campaign for the Mayor's Commission on Government Efficiency. We believe that this set of recommendations is one step in helping New York City deliver public safety in a more efficient and effective way, have fewer people incarcerated in city jails, and end abusive treatment of New Yorkers.

The HALT Solitary Campaign is a New York statewide coalition led by people who have survived solitary, family members who have or who have lost loved ones to solitary, and other leaders in the human rights, advocacy, health, and faith communities. Comprised of more than 400 organizational supporters, the HALT Solitary Campaign aims to end the torture of solitary for all people and create more humane and effective alternatives. The Campaign also aims to build on these changes – and their pursuit – to dismantle the racial injustices and punishment paradigm that underpin the entire incarceration system.

Key Recommendations To Change The New York City Charter to Address Overincarceration and Deadly Jails

The Board of Correction must have enhanced capacity, independence, and authority to set, assess and enforce minimum standards. The following recommendations aim to amend the City Charter in ways that would accomplish that.

SECTION A: The Board must have the capacity to assess compliance with minimum standards

1. **Set a minimum budget for the Board of Correction, which must be at least 1% of the expense budget for the Department of Correction**
   Context: This would increase BOC's staff from 33 at present to approximately 100. BOC testified in a recent budget hearing that they need at least 60 staff to carry out their mandate. The CCRB's headcount is set at .67% of the NYPD, and Council members are currently advocating that their budget be increased to 1% of NYPD, through revisions to the City Charter. There is also precedent for other NYC oversight agencies having an independent budget, like the Independent Budget Office, and other oversight agencies across the country, as noted in previous Charter Revision recommendations[1] from BOC members and staff.

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[1] 2019.05.09_BOC-Charter-Revision-Hearing-Testimony.pdf

2. **The Board and its members must carry out a minimum set of functions including:**
    a. The Board shall hold monthly meetings which include time for public comment related to jail conditions.
    b. All members of the Board must tour the jails at least quarterly, and at least two members of Board must tour the jails upon the death of an incarcerated person. Quarterly tours must include mental health housing and any restrictive housing.
    c. The Board shall convene, on a semi-annual basis, representatives of the District Attorneys, defense organizations, and justices of the criminal and supreme courts to present reports on current jail conditions including but not limited to compliance with minimum standards; in addition the board shall invite criminal court justices
    d. The Board, or Board staff if so requested by the Board, shall invite, on a semi-annual basis, criminal court justices to tour the jails accompanied by members of the Board and/or Board staff,
    e. As part of the evaluation of departmental performance, the Board will submit an annual inspection report about each departmental facility itemizing compliance with all minimum standards;
    f. The Board must conduct a periodic survey of visitors to departmental facilities to survey the impact of pre-trial detention on families of detained individuals, the results of which must be made public.

    Context: There are currently no requirements for Board members or staff to carry out the specific duties outlined above.

SECTION B: The Board must have enhanced independence to set, assess and enforce minimum standards

3. **The Board shall consist of nine members who will be appointed as follows: 3 by the Mayor, 3 by the City Council, 1 by the Public Advocate, 1 by the Comptroller, and 1 appointed on a rotating basis by the longest serving Borough President**
    a. The board must include at least two people who have been detained in DOC facilities, and at least one person whose immediate family member has been detained or is currently detained in DOC facilities
    b. The Board must include at least two additional people who are medical professionals, including doctors, nurse practitioners, physicians assistants, and nurses, at least one of whom shall have expertise in mental health.
    c. The Board should reflect the diversity of experiences of people impacted by incarceration in New York City including people of all genders, people of color, people with mental health diagnoses, people with disabilities, and LGBTQIA people
    d. The Board should include people with a demonstrated commitment to equitable treatment of people and/or communities disproportionately impacted by the criminal legal system
    e. Board members shall receive compensation on a per-session basis, though some board members may choose to serve pro bono.[2]

[2] Matches provision for CCRB members.

Context: Currently, the Mayor has appointment or approval power over the majority of board members[3], and selects the chair. There are currently no requirements for lived experience or any other relevant experience.

4. **The chair of the Board shall be appointed jointly by the Mayor and the City Council**
   Context: The Chair is currently appointed by the Mayor
5. **The Board shall establish such committees as it deems necessary.** The Board shall appoint members of each committee, taking into account the preferences and expertise of Board members and shall designate one committee member as chair. Board Committees cannot be dissolved, or their members removed, without a majority vote of the Board
6. **The Board shall appoint an executive director, taking into account diverse needs of the organization, who can only be hired and removed by a majority vote of the board, after a hearing and a finding of good cause.**
   a. A member of the Board cannot be the Executive Director
   b. The executive director shall have the power to hire and fire and plan the budget utilization other staff as necessary within appropriations, taking into account diverse needs of the organization,

   Context: The current Chair has dissolved committees and removed members who are critical of DOC, and attempted to limit the power and independence of the Executive Director, and has also attempted to direct BOC staff himself.
7. **The Board may retain outside Counsel to carry out its duties[4]**

SECTION C: The Board must have the authority to enforce its minimum standards

8. **The Board shall be authorized to close facilities that fail to comply with minimum standards**
   a. The Board shall have, and shall exercise, the authority to close any jail, facility, or unit which does not meet the Board's minimum standards; or which is unsafe, unsanitary or inadequate to provide for the safety, health, well-being, and programming of people in its custody required by law or the Board's rules; or which has consistently failed to adhere to or comply with the Board's rules, regulations, or recommendations. Upon a finding that a jail, facility, or unit meets these criteria, or a finding that there is a reasonably foreseeable risk that failing to close a jail, facility, or unit will cause significant harm to, or death of, incarcerated persons, the Board shall direct the closure of the facility.

   Context: The State Commission of Correction has parallel powers related to enforcing its minimum standards

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[3] The Mayor appoints 3 members directly, and plays a role in the approval of 3 other members. In 2024 , Mayor Adams blocked the reappointment of board member nominated by the judiciary, Jacqueline Sherman, as described here NYC Board of Correction to vote on rules barring solitary confinement

[4] This is important for situations when the City Law department may have a conflict of interest, such as when they are also representing DOC.

9. **The Board shall be authorized to release people subjected to inhumane treatment**
    a. The Board shall have, and shall exercise, the authority to release any person or persons in city custody who has been been incarcerated for excessive periods of time or who has been subjected to treatment or conditions that do not meet the Board's minimum standards; or that are unsafe, unsanitary, or inadequate to provide for the safety, health, well-being, and programming of the person or persons required by law or the Board's rules; or that have consistently failed to adhere to or comply with the Board's rules, regulations, or recommendations. Upon a finding that a person has been subjected to treatment or conditions that meet this criteria, the Board shall provide notice to the Department of Correction and the Court about the violation and provide the Department the opportunity to correct the violation. If the Department fails to correct the violation in an expeditious manner, the Board shall direct the person to be released from city custody.

Name

Brendan Griffith

Email [redacted]

Public Comment

Please see the attached PDF.

Attachment(s)



NEW YORK CITY
CENTRAL LABOR COUNCIL, AFL-CIO

Testimony of President Brendan Griffith

Commission of Government Efficiency

July 13, 2026

Good evening, my name is Brendan Griffith, and I'm President of the New York City Central Labor Council, AFL-CIO, the largest local Labor federation in the country, representing over 1 million workers and over 300 unions in the five boroughs. We're proud to be here today engaging on this topic and offering a holistic point of view on these efforts.

"Government efficiency" can be a coded term it can be a euphemism for austerity.Efficiency can't simply mean fewer workers, fewer services, and a privatization of our public resources. Efficiency should measure the City's ability to deliver services, protect public money, and maintain a qualified, professional workforce that delivers for working families.

First, we encourage the city to make partnerships with the workers and unions in government a cornerstone of its approach. If the city consults unions when thinking about contracts, agency re-organization, or tech implementation, it can get a strong, value-added perspective. Workers understand when systems break-down and where unnecessary, duplicative processes exist. Their insight can help ensure that reforms are successful.

Early engagement with the unionized workforce will reduce disruption and strengthen accountability. The city could demonstrate such cooperation by standardizing Labor impact reviews, co-developing agency restructuring protocols, and promoting clear, written explanations of how workforce concerns are not only taken into consideration, but addressed.

Second, stabilizing the public workforce is critical because of what our members have to offer. If the city requires agencies to incorporate staffing retention, training, and morale into operational and capital planning, the impact of what those agencies can accomplish would improve. On the other hand, understaffing can hurt the most vulnerable, including those in public housing and those relying on healthcare, transportation, and consumer and worker protections. The civil service was designed to maintain institutional knowledge, and that should transcend government reorganization.

Third, we encourage strengthening procurement and contract oversight. Too often, vendors use scope, cost, duration, and funding sources to find ways to charge our government and our taxpayers more while padding profits. The city could review contracts for duplicative work, overlapping deliverables, and unnecessary outside consulting. Savings could be redirected towards services and enforcement of the laws already on the books that could put money back into the city's coffers. It should also be said that fiscal stewardship must take job quality into consideration.

DRAFT COGE Commission Testimony D...

Date Submitted July 14, 2026 2:10pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Labor

Subtopic Against commission addressing open primaries

Show 4 hidden fields

NEW YORK CITY
CENTRAL LABOR COUNCIL, AFL-CIO

President
BRENDAN GRIFFITH
Secretary-Treasurer
JANELLA T. HINDS

Testimony of President Brendan Griffith

Commission of Government Efficiency

July 13, 2026

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First, we encourage the city to make partnerships with the workers and unions in government a cornerstone of its approach. If the city consults unions when thinking about contracts, agency re-organization, or tech implementation, it can get a strong, value-added perspective. Workers understand when systems break-down and where unnecessary, duplicative processes exist. Their insight can help ensure that reforms are successful.

Early engagement with the unionized workforce will reduce disruption and strengthen accountability. The city could demonstrate such cooperation by standardizing Labor impact reviews, co-developing agency restructuring protocols, and providing clear, written explanations of how workforce concerns are not only taken into consideration, but addressed.

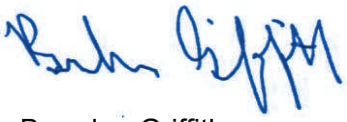
Second, stabilizing the public workforce is critical because of what our members have to offer. If the city requires agencies to incorporate staffing retention, training, and morale into operational and capital planning, the impact of what those agencies can accomplish would improve. On the other hand, understaffing can hurt the most vulnerable, including those in public housing and those relying on healthcare, transportation, and consumer and worker protections. The civil service was designed to maintain institutional knowledge, and that should transcend government reorganization.

Third, we encourage strengthening procurement and contract oversight. Too often, vendors use scope, cost, duration, and funding sources to find ways to charge our government and our taxpayers more while padding profits. The city could review contracts for duplicative work, overlapping deliverables, and unnecessary outside consulting. Savings could be redirected towards services and enforcement of the laws already on the books that could put money back into the city's coffers. It should also be said that fiscal stewardship must take job quality into consideration.

Finally, we know there are many questions concerning open primaries. However, I would encourage this commission to maintain its focus. Any discussions about open primaries should proceed carefully, with transparency, and full consideration of how changes would affect marginalized communities.

Economic development, procurement, capital investment, all involve wages and jobs. If working people can't afford to live and work safely in NYC, if efficiency efforts don't provide pathways to apprenticeships and strong worker safety standards, if high road procurement and standards aren't being followed by the government, we are only providing cheap, sub-standard services and NYers deserve better. We should take a strong stance against public dollars subsidizing low road employment or undermining the public unionized workforce.

Sincerely,



Brendan Griffith
President
New York City Central Labor Council, AFL-CIO

BG:di
Opeiu:153

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E-mail: info@nycclc.org • www.nycclc.org

Name

Michelle Yanche

Email [redacted]

Public Comment

Submitting written testimony that was provided in person at Queens hearing 7-13-26

Attachment(s)



Charter Revision Commission Testimon...

Date Submitted July 14, 2026 2:37pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Procurement

Subtopic Address Procurement, Contract Registration, and Payment Delays

Show 4 hidden fields

GOOD SHEPHERD SERVICES

We see what can be.

The New York City Commission on Government Efficiency (COGE)
Charter Revision Commission
Monday, July 13, 2026
Testimony of Michelle Yanche, CEO

Thank you to the Commission on Government Efficiency Chair Gaspard, Commission members, and staff for the opportunity to testify today.

My name is Michelle Yanche, CEO of Good Shepherd Services, a youth development, education, and family service organization serving over 30,000 New Yorkers each year. Personally, I have served in the not-for-profit human services sector in New York City for more than 30 years.

Good Shepherd Services urges the commission to consider changes to the Charter that would address some of the most daunting challenges faced by non-profit human service organizations that contract with the City of New York to provide essential services to our fellow New Yorkers. Chief among these, which are addressed in this testimony, are:

- (1) Procurement and contract payment delays that undermine effective service delivery, jeopardize the financial stability of service providing organizations (especially smaller and mid-size non-profits), and add millions of dollars in un-reimbursable interest costs to the already unsustainable costs of doing business; and

- (2) Insufficient rates and lack of automatic cost escalators in contracts that work directly against the provision of high-quality services and ability to pay the workers providing those services a wage that aligns with the actual cost of living.

Address Procurement, Contract Registration, and Payment Delays

According to the February, 2022 report *A Better Contract for New York*, prepared by a joint Task Force convened by the Comptroller's and Mayor's Offices upon which I served: "In Fiscal Year 2022, over three-quarters of the City's contracts with nonprofit organizations were registered after the start date. As a result, nonprofits were forced to take out loans and incurred substantial costs to keep their organizations afloat, putting themselves–and the New Yorkers that they serve–at risk."

This is important because human service providers are not even able to be paid until after the contracts are registered, creating a risky situation where providers are forced either to start the work without a registered contract, or to delay starting the work, which affects the clients dependent on our services. Delays are further exacerbated by what are too often significant lag times in payment on invoices.
In short, the City's delays both before and after contract registration cost non-profits real money while also jeopardizing the quality of services by diverting funds away from programs to pay interest on lines of credit. In short, we urge the Commission to identify ways to address this directly, including considering the recommendations below.

Action Steps:

- Require yearly public reporting on contract retroactivity. This transparency is crucial to being able to identify and address delays in contracting, both for the public and for vendors who work with the City. While the PASSPort system should contain much of this information, there is no requirement for the system to be used or for the information to be shared publicly. The Charter is the correct place to mandate this reporting and would ensure that accurate data is available to the public which in turn would support accountability.

- Establish and enforce timeframes, and track actual data, for every step of the contracting life-cycle, from procurement to registration to payment on invoices. This includes identifying and streamlining pain points and bottlenecks in the current system, better targeting vetting and safeguarding processes to align with contract organization track records and measurable risks, and shifting more time-consuming review processes to the year-end audit, and better leverage and utilize emerging technology wherever possible.

- Ensure that contract rates reflect the actual costs of service delivery including wages that are aligned with the true cost of living in New York City, incorporate cost escalators in contracts, allow for interest on loans that are directly connected to city payment delays to be a reimbursable cost, and addressing any unfunded mandates that are not tackled in the contract or budget. (Further outlined below)

Amend the NYC Charter to require the funding and maintaining of human service contracts at a true cost of living

In 2022, 80% of voters passed a New York City Charter amendment to establish and annually report on "a citywide measure of the average amount necessary to cover the cost of essential needs at an adequate level."[1] This measure is called the True Cost of Living. It is comprised of, but is not limited to, the costs of housing, childcare, food, transportation, healthcare, clothing and shoes, menstrual products, general hygiene products, cleaning products and telephone and internet service.[2] In other words, the true cost of living measurement is the absolute minimum set of expenses that residents incur just to live, take care of their families and achieve economic security in New York City.

In New York City, approximately 425,000 people are employed as human service workers.[3] Every day, these individuals are responding to, supporting, advocating and caring for New York City's most vulnerable residents in every borough and every neighborhood. This workforce delivers physically and emotionally challenging services that support child welfare, behavioral health, homelessness, intellectual and developmental disabilities, special education, older adults and high-risk youth, etc. In short, the human services workforce is dedicated to assisting and supporting individuals and families living in poverty. **Yet, nearly 90% of New York City single-adult human services workers earn below the true cost of living themselves, and 16% live below the poverty line. [4]**

A single-adult New York City human services worker earns an average annual wage of approximately $40,000.[5] This is significantly below the cost of living in New York City. Based on Urban Institute's True Cost of Economic Security Measure and findings for New York City, a salary of $40,000 means that **a single person household is under-resourced by as much as $30,000 per year.[6]**

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[1] https://www.nytimes.com/interactive/2022/11/08/us/elections/results-new-york.html?action=click&pgtype=Article&state=default&module=election-results&context=election_recirc&region=RaceLink

[2] See Section 16c.1.(c), The New York City Charter, https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-5697

[3] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.

[4] Sustainable Services, Economic Growth, Living Wages: Estimating the Impact of Increasing Wages for the Lowest Paid Human Service Workers, November 2025. https://islg.cuny.edu/resources/sustainable-services-living-wages

[5] CUNY ISLG analysis of data from the U.S. Bureau of Labor and U.S. Census Bureau.

[6] Urban Institute's True Cost of Living (TCOL) measure and data capturing costs and resources for all five New York City boroughs. https://www.urban.org/sites/default/files/2026-05/Bridging-the-True-Cost-of-Living-Gap-in-New-York-City-final%20%282%29.pdf

Prior efforts to address low- and poverty-level wages in the human services sector, primarily cost of living adjustments (COLAs), have not raised wages to a true cost of living. While a COLA will always be necessary to keep wages in step with inflation, a COLA alone is not sufficient to lift human services workers out of poverty. Historically in NYC, COLAs have been applied arbitrarily in value and frequency. Moreover, if base wages are at or below poverty levels, a COLA is limited in its impact. For example, a 3% COLA on the average single-adult New York City human services salary of $40,000 only raises this by an additional $1,200 per year.

In 2022, voters also ushered in a New York City Charter preamble that sets "the collective values" to "guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter." Such rights include having the "resources necessary to prosper economically and build wealth." A key city authority is contracting for human services, referred to as "client services contracts" in the Charter – it is nearly two-fifths (2/5) of the city's annual procurement portfolio.[7] The city essentially contracts-out all of its human services delivery to nonprofit organizations. Accordingly, the nonprofit human services workforce is effectively an extension of city government. As the foregoing data illuminates, the current level of human services contract wages is not only inadequate to pay a true cost of living, but impossible for the workforce to realize their right to economic prosperity and wealth building.

The residents impacted are people that the Charter identifies as "historically marginalized." The human services workforce identifies as approximately 90% people of color, 87% female and 63% foreign born.[8] It is for these individuals that the New York City Charter's preamble demands that we "act intentionally" to reverse the loss of economic opportunity and intergenerational wealth for 425,000 human services workers.

Occupation Profile for the New York City Human Services Workforce**

	New York City
Average Wage for Human Services Occupations*	$41,663
% Asian/Pacific Islander	15%
% Black	33%
% Hispanic	33%
% White	14%
% Female	87%
% Foreign Born	63%
% Asian/Pacific Islander and Foreign Born	13%
% Black and Foreign Born	19%
% Hispanic and Foreign Born	21%
% White and Foreign Born	6%
% Below Poverty Line	16%
% No Health Insurance	7%
% SNAP Recipient	29%

**Only available for New York metro area.*

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[7] 2025 Citywide Indicators Report, Mayor's Office of Contract Services. https://www.nyc.gov/assets/mocs/images/2025reports/2025_Indicators_Citywide.svg

[8] See ISLG Report, page 13 for example.

Now Is The Time To Act. With the introduction of a true cost of living measure in 2022, the City now has a standard on which to base human services contracted wages to uphold the right of New Yorkers to economic prosperity, to dignify the critical services provided by 425,000 New York City human service workers and stop ongoing inequitable, systemic harms.

Action Steps:

- **The Charter should require human services contracts to be funded at a true cost of living, and such funding be reported annually.** In Section 16 of the Charter, the mayor must report on social indicators and equity including "budgetary resources allocated to reduce poverty." The city's current under-resourcing of human services contracts is poverty-inducing; not poverty-reducing.

- **Further, the Charter Section 2-04 should be amended to require that multi-term client services contracts include annual wage escalators that maintain contract wages at a true cost of living.** Once human services contract wages are tied to the Charter's true cost of living measurement, this wage level must be maintained in multi-term contracts. New York City Charter's Rules of the City of New York Section 2-04 outlines requirements for multi-year client service contracts, including contracts for nine-plus years. A human services contract that does not foster economic prosperity in year one certainly erodes personal wealth and generational wealth by year nine.

Good Shepherd Services greatly values the work of the Commission to foster a transparent, accountable and responsive City government. Thank you for considering the above outlined recommendations; I would be happy to speak with you further about these issues at any time. I can be reached at [redacted] or [redacted]

***Sources: Occupational Employment and Wage Statistics (2023); CUNY ISLG's calculation of US Census Bureau's American Community Survey microdata accessed via IPUMS USA (2022). Measures are aggregated for all human services-related occupations including: Child, Family, and School Social Workers; Childcare Workers; Community Health Workers; Educational, Guidance, and Career Counselors and Advisors; Healthcare Social Workers; Home Health Aides; Mental Health and Substance Abuse Social Workers; Nursing Assistants; Preschool Teachers, Except Special Education; Probation Officers and Correctional Treatment Specialists; Rehabilitation Counselors; Social and Human Service Assistants; and Substance Abuse, Behavioral Disorder, and Mental Health Counselors. The OEWS and IPUMS do not differentiate between private and government sectors.*

Name

Selvena Brooks-Powers

Email [redacted]

Public Comment

Please see the attached testimony, submitted on behalf of Council Member Selvena Brooks-Powers.

Attachment(s)



New York City Council Member Selvena N. Brooks-Powers' Testimony to the Commission on Government Efficiency (COGE)

2026_0713_COGE Testimony Brooks-Po...

Date Submitted July 14, 2026 3:06pm

Topic Miscellaneous

Charter Related No

Topic Simplified Feedback

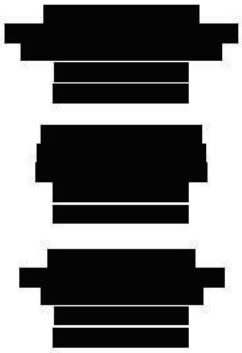
Subtopic COGE not transparent enough

Show 4 hidden fields

CHAIR
CRIMINAL JUSTICE

COMMITTEES
FINANCE
HOSPITALS
LAND USE
SMALL BUSINESS
TRANSPORTATION AND INFRASTRUCTURE

THE COUNCIL
OF
THE CITY OF NEW YORK
SELVENA N. BROOKS-POWERS
COUNCIL MEMBER
31ST DISTRICT, QUEENS



New York City Council Member Selvena N. Brooks-Powers' Testimony to the Commission on Government Efficiency (COGE)

Submitted: July 14, 2026

Thank you for the opportunity to testify on the Commission's preliminary report and its consideration of changes to New York City's Charter.

As the Council Member representing parts of Southeast Queens and the eastern part of the Rockaway Peninsula, I know firsthand what happens when decisions are made without meaningful engagement from the communities they affect. My constituents deserve faster service delivery, streamlined permitting, and a government that works better. And, we should absolutely pursue reforms that eliminate unnecessary bureaucracy and modernize how our City operates.

Whether it's a major transportation project, land use decisions, or quality-of-life issues, the best outcomes come when residents, community boards, and elected representatives are brought into the process early—not after decisions have already been made. Efficiency cannot come at the expense of accountability, transparency, or the balance of powers established in our Charter.

Several of the concepts outlined in the preliminary report appear to do more than streamline government—they would shift authority away from the elected City Council and concentrate greater power within the executive branch. The Council's role is not simply procedural. We legislate, conduct oversight, ensure transparency, and serve as the public's voice in government. Those responsibilities exist to provide checks and balances, not obstacles. I'd note that during this process, while attempting to deliver these written remarks at a hearing, my testimony was cut short, as I was muted during my response to one of the Commission members. If elected officials cannot be heard in this process, it raises my own concerns about whether the public will be.

For example, the report contemplates making recommendations to eliminate reporting requirements without Council approval and giving executive agencies greater authority over matters that have traditionally required legislative action, including amendments to the Building Code. Yet the record shows the Council has consistently acted to repeal outdated reporting requirements and has moved expeditiously when building code updates have been transmitted for consideration.

The report also raises concerns about reducing notice and engagement requirements for major transportation projects and limiting the Council's role in reviewing City office leases. These are not unnecessary layers of government—they are safeguards that promote transparency, accountability, and public confidence in decisions that directly affect New Yorkers.

Equally concerning is the process itself. The preliminary report repeatedly states that the Commission "may consider" various proposals but provides few specifics about what will ultimately appear on the ballot. The Commission must submit ballot proposals by August 3, yet the public, stakeholders, and the Council still do not know the full scope of the proposed Charter amendments. Transparency has been a stated priority of this Commission, but of the eleven public hearings and meetings held, six still do not have transcripts available at the time of this writing. Additionally, the public does not know who is shaping these recommendations: the Commission's website currently lists only one of its staff members, while previous charter commissions have established a precedent for this information being publicly available.

Charter amendments are not temporary policy changes—they can permanently reshape how our City is governed. Before New Yorkers are asked to vote on those changes, they deserve a transparent process, clearly defined proposals, and meaningful opportunities for public engagement. The Council, as the legislative body most directly affected, should also have the opportunity to fully evaluate and provide input on any proposal that would alter its constitutional role.

I stand ready to work with this Commission and the Administration on reforms that make government more effective. But those reforms should strengthen—not weaken—transparency, accountability, and the voice of both the public and their elected representatives.

Thank you.

Name

Carolina Salguero

Email [redacted]

Public Comment

We submitted a version of this on 7/13/26 and then discovered some glitchs from when the PDF was made from the Word doc, and also some errors due to our racing what we thought was a 7/13 deadline. We hope you use this 7/14 version. It will be an easier read for you too!

Thanks for your work on COGE!

Attachment(s)



2026-07-14 PortSide NewYork testimon...

Date Submitted July 14, 2026 3:28pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic Waterfront/maritime policy

Show 4 hidden fields

14 July 2026

To: Commission on Government Efficiency (COGE)

Re: recommendation to re-create a City agency for maritime and take all maritime from NYC EDC

Dear COGE Commissioners:

I testified before you on June 30, 2026 at Medgar Evers College. Here, I will expand on that testimony as three minutes was not enough time to substantiate the need for the new city agency for maritime. In short, NYC has a mess of overlapping and/or disconnected bureaucracies that needs pruning and the benefit of centralized management by a single competent city agency for maritime – and we need all maritime taken from the NYC EDC.

Again, I am the founder and ED of the award-winning maritime nonprofit PortSide NewYork. Before that, I was an award-winning, freelance photojournalist, and my specialty was doing in-depth features, mostly overseas before returning to NYC for good in 1997 and finding this harbor as my subject. When reporting overseas, I specialized in covering dysfunctional countries, many of them were pivoting to democracy after years of oppressive governments. I mention this because I was shocked to return home to find some aspects of NYC's waterfront being managed in ways that reminded me of Soviet-era dysfunction in Eastern Europe, the NYC EDC in particular.

As I will substantiate below, the EDC is are prone to failed projects and site management that leads to idle or under-used facilities, while trumpeting their success and promising community benefits via performative community engagement with self-justifying disinformation and a steady output of glossy PR.

As a landlord (PortSide's for many years), the EDC management style alternates between a stultifying over-control and unresponsiveness. I am reminded of tables in restaurants in East Germany and Romania that would have signs "reserved" for patrons that never came, a theater of success executed by the management, but a theater that prevented people from getting served. It was a rigged game that the people resented but were obliged to suffer. Voila how it is to try and do maritime things in NYC. The system is a theater that does not work. The latter part of this testimony documents problems to substantiate the need for change.

PortSide and friends are calling for a pro-growth maritime policy, for a new city agency for Maritime, so maritime is no longer straining to grow. NYC had a maritime agency under changing names for 100 plus years. The last one closed in 1991.

Now, the waterfront is no longer managed by maritime experts. This means the "blue highway" initiative (a revival of moving freight locally by water), needs to retrofit itself into spaces that should have been designed for it from the start – as I and other maritime voices advised. Last year, the Department of Buildings created a code for waterfront structures, and they had to create a special maritime committee.

For the 4th of July and our nation's 250th , we had great tall ship and navy vessel parades. Those plans were challenged by a lack of pier space and a lack of town docks where dinghies and harbor launches could bring passengers out to boats at anchor due to the lack of piers. NYC has literally built new park piers for views and land sports rather than boats, THE water-dependent users of piers.

NYC maritime management is chopped up between big new waterfront parks such as Hudson River Park, Brooklyn Bridge Park, and Governors Island (none of which have centered maritime in their plans), and the work of a quasi-governmental nonprofit, the Economic Development Corporation. The EDC's work to develop housing conflicts with the City's maritime functions. The Brooklyn Marine Terminal is under threat that way.

PortSide analyzed many ways the EDC fails in our 2022 campaign #rethinkEDC (See https://portsidenewyork.org/portsidetanke/2025/2/27/rethinkedc) including the EDC's waste of public funds through avoidable mistakes, tangible harm to tenant businesses and nonprofits, unwillingness to work with communities and lack of follow through to create promised jobs and benefits – including NOT delivering the permanent home the EDC promised for PortSide, a space big enough for a maritime hub, something the EDC recommended in their 2008 maritime support services study and DCP recommended in their 2016 Waterfront Revitalization Program.

NYC deserves better - a waterfront planned, designed, built, and managed by maritime people. We need a pro-growth maritime policy in a new city agency, **a waterfront that works for all.**

We salute Mayor Mamdani for identifying that the EDC needs to evolve via the new position of a Deputy Mayor for Economic Justice. PortSide and others go further and say maritime should be taken away from the EDC.

We also support the proposal of the group Save Our Seaport for the creation of a maritime community board so maritime voices have grassroots representation.

NYC is an archipelago. An archipelago needs a maritime manager. Let's have a City agency for maritime again. Let's have **a waterfront that works for all.**

This new agency should have an operations department staffed by professionals with expertise in maritime facility management, including waterside and landside systems. It should be an agency not a Mayor's office so staff are directly managing assets, not being Mayor's office liaison between entities managing assets, e.g. creating more bureaucracy with another layer. The agency staff should have training/credentials related to waterborne transportation, through training at maritime academies, Coast Guard, US Navy and/or direct industry experience with extensive operational experience. This new agency would increase efficiency by consolidating expertise that can be shared citywide and:

- **Manage the assets.** Take charge of all aspects of management and development of maritime facilities currently in the SBS portfolio and assets controlled by NYCEDC, including the Brooklyn Marine Terminal, both cruise terminals (Manhattan and Brooklyn), NYC Ferry, and the DockNYC portfolio of berthing sites. The last two should be directly managed by City agency staff, not outsourced via contract.

- **Reduce red tape** There is a lot of it preventing all types of maritime activity on diverse sites (parks, industrial land managed by the EDC, private property). All of it could use an advocate for maritime interests before the NYS Department of Environmental Conservation (DEC) which has prevented repair and construction of maritime infrastructure in industrial and parks locations.

- **Work with the State** agencies to grow sustainable maritime activity and help NYS create its own maritime agency. Discuss the possibilities of tax incentives for maritime use of waterfront properties. None of NYC's current zoning tools relating to maritime (IBZ and SMIA) actually protect/ensure maritime uses or incentivize them. Compare to Baltimore which instituted in 2004 the **Maritime Industrial Zoning Overlay District (MIZOD).** "The Maritime Industrial Overlay District is designed to ensure the preservation of limited deep water frontage of the Port of Baltimore for maritime use. The intent is to delineate an area where maritime shipping can be conducted without the intrusion of non-industrial uses and where investment in maritime infrastructure is encouraged."

- **Serve as NYC maritime experts.** Advise the Parks Department and the waterfront parks run by authorities — Hudson River Park, Brooklyn Bridge Park, Governors Island — to show them how and why to grow maritime capacity and help them stop making avoidable errors like bad pier design or buying a useless ferry as Governors Island did in 2007. Write the waterfront design codes, instead of having the Department of Buildings create a temporary experts advisory committee to do it. This agency would be a

clearinghouse of expertise also available to the private sector so that government and business work hand in hand in a pro-maritime climate.

- **Simplify red tape for docking.** This should lead to an increase in #piers4boats as PortSide calls for on social media. For example, last year, as part of the 200th anniversary of organized Norwegian immigration to the USA a replica historic sloop for Norway, the Restauration, came up the coast using an app https://dockwa.com that had a simple form to complete to reserve a berth. In comparison, the EDC and their dockmaster DockNYC offered their standard 27-page permit to come to PortSide as part of our visiting vessels program – and insisted on charging a fee. The sloop went to New Jersey instead where they were offered a free berth and less paperwork – a once-in-a-lifetime opportunity that did not visit the former "Little Norway" here.
- **Grow waterborne transportation.** Expand movement of people and freight by water, maybe combining the two as is done for islands in Maine. Grow the blue highway more rapidly than is happening under the current planning and management structure.
- **Build emergency capacity.** Expand maritime emergency response facilities and protocols, so that the next boatlift is planned rather than improvised like the on 9/11.
- **Advise on resiliency** in general and consider putting the Bureau of Coastal Resilience in the maritime department rather than the DEP (though the DEP has a maritime department with vessels and manages stormwater) since harborside resiliency design and construction uses marine construction trade skills.
- **Support offshore wind**, especially by understanding the role of jobs afloat, on boats. When the EDC announced the winner of the SBMT RFP that led to that facility becoming an offshore wind site, PortSide, as a member of the original Sunset Park Task Force which shaped the RFP, tried to advise the EDC to think about the maritime aspects of the project, work on vessels and not just count "jobs on site." I said, if not, vessels from New England and the Gulf of Mexico would come get the work not local marine companies. The EDC focused on job counts on land at SBMT.
- **Develop a real marine career pipeline.** The EDC has a one-day marine career day which PortSide has attended for years. The attending high school students, from schools selected by the EDC, are not even allowed on the vessels that participate. Most of the event is talking to people at tables, an especially poor way to provide a taste of what it's like to work on a boat (while recognizing that not all maritime work is on boats, there's desk work too.) This event is not the best way to introduce youth to maritime, especially not to NYC youth where so few have experience with boats or even the waterfront.

NYC needs this charter revision now because the harbor needed change many yesterdays ago, AND other efforts to get improvement have failed.

1) The 2010 process that created the Vision 2020 comprehensive waterfront plan embraced the waterways, using terms like sixth borough and blue network. But Sandy hit NYC less than two years after the rollout of the plan, and the focus shifted to resiliency projects. The historic ship docking protocol of WAVES that was part of Vision 2020 was tasked to the EDC who created a Kafkaesque document used by no one.
2) In 2025, some of us tried to get this agency established with last year's City Council charter revision commission "The Commission to Strengthen Local Democracy." I and others sparked interest in the commissioners, but their land use director emailed me some weeks later to say that the "*Commission is focusing on recommendations that cannot be accomplished through local law. See page 98-99 in our recent report for more details on our rationale for why we believe this idea does not require a ballot initiative, thus will not be a focus for this Commission. To be clear, we do not disagree with the idea of a Waterfront Agency that you and others have described in your testimony, it just does not meet our criteria for continued exploration.*"
3) Lastly, an agency could be created via legislation, but two councilmembers in a row from the north short of Staten Island (Debby Rose and Kamillah Hanks) have submitted bills to create "an office of the waterfront" and the Council – to our great frustration – considers this too similar to an agency for maritime to allow interested Councilmembers to submit such a bill. We do NOT support the creation of a Mayor's office of the waterfront as a solution. That just adds another layer, is just a liaison, is too subject to the whims of whoever is Mayor (who only have two years terms, not a recipe for long-term stability and staff expertise).

About NYC maritime

After the decline of finger piers all around the city, local maritime became too invisible; but NYC is home to a large, diverse maritime ecosystem that includes two container ports (in BMT in Red Hook and at Howland Hook, Staten Island); two cruise terminals (in BMT in Red Hook and in Manhattan); ferries; workboats of all types including many tugboat companies; boats in the tourism industry offering whale watching, fishing cruises, harbor tours and dinner/party boats; historic/cultural vessels; and recreational boating - plus, the companies that build and maintain the maritime infrastructure, dredge harbor channels and rescue ships (marine salvage) as well as shipyards that repair vessels of all sizes.

NYC is part of a bi-state cargo port that is one of the largest containerports in the USA, a port that imports cars, sand/stone, chemicals and orange juice, and is one of the largest

petroleum through-ports in the country. Multiple companies distribute fuel out of here by tug and barge. Work boats move back and forth between both sides of this bi-state harbor.

NYC's own government has an extensive fleet for the FDNY, NYPD, DEP, DOT and the NYC Ferry. Ships are actually so essential to NYC's sewage system that the DEP has boats to move sewage between wastewater treatment plants.

Federal work boats of the Coast Guard and Army Corps also operate here. There is a major Coast Guard base in NYC.

What wrong with the current system?

NYC urgently needs a new way to manage the waterfront to support maritime of all types.

Maritime activity is diverse and occurs on sites managed by private property owners, managed by the NYC EDC for the City, on Parks Department property (mostly cultural and educational maritime) and within new major waterfront parks managed by authorities (Hudson River Park, Brooklyn Bridge Park, Governors Island). There are other new waterfront parks that are NYS-run and not covered here. A City maritime agency would be a source of expertise for these parks which have lacked maritime people in senior positions. Here are some maritime failures from those parks.

1. Some of these new parks fail maritime by not centering it in their plans (so there is a lack of maritime activity), by not building piers for boats at all, by taking piers out of maritime use that had been in use as Port Authority piers (Brooklyn Bridge Park), or by building piers badly for boats (pier 25 in Hudson River Park).

2. The permitting process to use piers in Hudson River Park and Brooklyn Bridge Park is so complex that it is a shock to vessels visiting from other places, domestic and international, and can be a deterrent to the piers being used. Hudson River Park has then cited the lack of visiting vessels to say there is no market demand to build the two additional historic ship piers that are part of their charter.

3. In 2007, Governors Island (while still NYS-controlled) bought the ferry MV Islander ferry from the Massachusetts Steamship Authority even though the ferry was being sold for scrap. Governors Island ended up not using the ferry and selling it on eBay, wasting $922,645. Despite being a former Coast Guard base, Governors Island (now City controlled) has made no maritime use of its waterfront for public programs until the recent SailGP races where the shoreline holds the audience during one summer weekend. They are letting two piers in the Buttermilk Channel rot away.

failed maritime projects described above cost NYC more than the money expended, the cost includes the lost business, cultural, and educational activity that did not occur, plus (in the case of the EDC) lower revenue from the site which leads to lower payments to the City via the "maritime contract."

PROBLEMS WITH THE NYC EDC

PortSide NewYork's saga with the EDC

The following provides evidence that PortSide's saga is not a bug but a feature, and I lead with this before the long section on EDC issues so our story is less buried as we need – and merit - urgent relief. There is so much more than the following, but we're out of time.

PortSide responded to the NYC EDC's 2006 RFEI for Atlantic Basin and the follow-up 2007 RFP. From 2008 to Spring 2011, the NYC EDC promised PortSide a home in Atlantic Basin as a give-back to Red Hook after the community uproar about the EDC's renting a large part of Atlantic Basin to Phoenix Beverage. The EDC promised Red Hook that PortSide's home would be: 600' of pier to program, about 6,500 sqft in the Pier 11 Shed warehouse (we had asked for more than 2x that), use of the parking lot south of that building when no cruise ships were in (they use that space for parking when ships are here).

From 2008 through 2010, the NYC EDC made PortSide do "interim programs" and then made us do an architect building code review for the office suite inside the promised building space. The NYC EDC then backed out on the deal. PortSide remained quasi-homeless and locked up in the Red Hook Container Terminal on the historic ship Mary A. Whalen for most of a decade.

May 29, 2015, PortSide returned to Atlantic Basin thanks to the NYC EDC's needing the approval of Councilman Carlos Menchaca to get a long-term lease for SBMT in Sunset Park. Menchaca made the EDC sign an LOI covering community benefits, and we got space for the ship back in Atlantic Basin that way. Once here, we began asking for the formerly-promised building space. The pier was fully rented, so we could not get more pier space.

November 2017, the NYC EDC said we had to do a new business plan for the same building space during 2018 –then-President of the EDC James Patchett lying to us. He said that the EDC could not provide the space as our prior RFP response was so old. However, in 2008, an EDC SVP told us that the EDC had decided that they could sole-source in Atlantic Basin since it is not City property, it is Port Authority property, and we had seen the EDC rent multiple times without an RFP. We had not choice and did the intense work of the business plan during 2018 and presented it in January 2019.

During 2019, Menchaca and Congresswoman Nydia Velazquez tried to negotiate with the NYC EDC to get what PortSide needed. By September, we learned that they failed. In 2020, we planned to go public with this story, but the pandemic hit. In late 2022, we did go public with this story as part of a campaign calling for EDC reform called #rethinkEDC. More at https://portsidenewyork.org/portsidetanke/2025/2/27/rethinkedc

Note that the EDC promised this PortSide home as a benefit to Red Hook and the maritime community – AND the EDC took our idea and used it in their 2008 *Maritime Support Services Study* as a recommendation for Maritime Support Service Hubs. In 2016 the Department of City Planning recommended maritime hubs in their Waterfront Revitalization Plan (WFP) on 27. PortSide created an idea that became City policy and has been prevented from executing it! Let's fix this!

Worse, in the past few years, the EDC has been an abuse landlord to us.

1. They have often lied to us, especially during Andrew Kimball's tenure as EDC president, saying that the EDC could not satisfy PortSide request X, Y or Z "because it violates our lease with the Port Authority." I would check with Beth Rooney, the head of the Port Authority Port Department who said every time (3 or 4) that I asked that what I was told was wrong and then asked me to FOIL the lease between them. We did that October 2022 and got the lease on 6/28/23.
2. Most years starting in 2019, the EDC delivers our annual permit late, well into the year, via their DockNYC dockmaster Billybey Marina Services, LLC*. They change the terms each year, and while we try and negotiate, they say we can't deliver programs. They have raised our marine insurance unreasonably the past 3 years adding a total of $15,000 in unnecessary costs (according to our insurance broker who makes money from selling us insurance!). In 2023, they made us get marine insurance based on a Code of Federal Regulations (CFR) for small cruise ships with overnight accommodations for 50+ sailing from US ports. Our retired, coastal oil tanker does not sail and has only 4 bunks at present. The CFR is irrelevant, but we were forced to comply.
3. The EDC refuses to stop demanding that we submit a permit for every event despite our having an annual permit. After years of asking for a change, the EDC raised the audience limit from 20 to 50 – a classic hollow EDC exercise as that still applies to all our events. In their typical Kafkaesque fashion, the EDC justified this *"as being consistent across our portfolio"* even though we pointed out that other EDC tenants such as the South Street Seaport Museum and the National Lighthouse Museum don't need EDC approval of every program. And also justified this with completely different language saying about us, "there's nothing else like this."

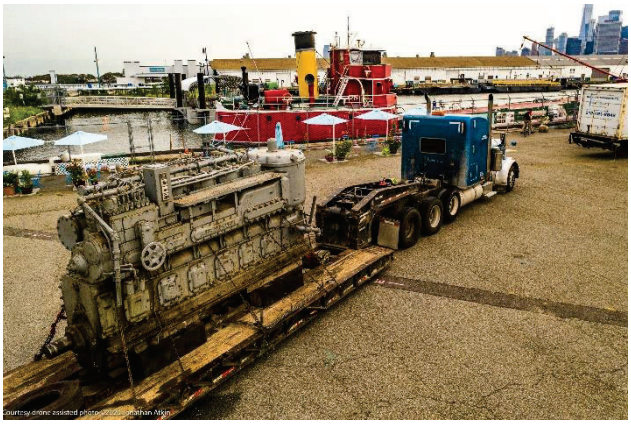
4. The EDC has also, since 2024, said that visiting vessels to PortSide have to pay landing fees, even the nonprofit educational ones. In comparison, other towns and cities often pay an appearance fee for special vessels to visit. NYC drives them away with bad pier design, too much red tape and fees. NYC's own Parks Department does not charge the sloop Clearwater. The EDC even insisted on this policy in 2024 while the Clearwater had just announced that they needed to raise $250,000 in six weeks or they would close. The Clearwater was the lead voice in cleaning up the Hudson River and very influential in getting the federal Clean Water Act passed. They were the USA's flagship of the environmental movement in the late 1960s and the 1970s. The EDC is NYC's largest landlord and did NOT need the $165 a day the EDC was charging, but the Clearwater needed that money. The landing fee also prevented the Norwegian sloop Restauration from coming, as mentioned earlier, and the local historic ship rockstar, the fireboat John J. Harvey.

* Note that the EDC's dockmaster for the DockNYC program BillyBey is in New Jersey. Why does NYC have a New Jersey company as a dockmaster? How is that economic development for NYC to have an out-of-state company as dockmaster? Furthermore, note that the company is now competing with some of the DockNYC tenants since their affiliated company NY Waterway has launched harbor tours. Having NYC piers run by a City agency for maritime would avoid all of this.

PortSide asks for ASAP for the following

See more info our website with illustrations at
https://portsidenewyork.org/portsideneedsahome

1. 20,000 sq ft. in the Pier 11 shed. That is more than promised in the past, but we're asking for less pier space in 2 below. DutchX has stopped operations in there. We seek immediate access to use the space to get the vintage engine we acquired in 2020 out of the weather (it is stored outside in the Red Hook Container Terminal where we cannot access it at will to retarp it) and also store other vintage engine room parts under tarps outside. We can then start the marine engineering training partnership with SUNY Maritime and the NY Harbor High School.



2. on Pier 11, berth space for our 172' long flagship, the Mary Whalen plus 150' of pier space for visiting vessels. 70' of that would be used for tugboat dock-n-shop and other B-to-B services for them and other workboats. That's about half of the 600' of pier the EDC originally promised us here. In the new BMT, we could be on the east side of Pier 12 all that more pier space, in a new building.
3. Space for a small wet lab structure that the Red Hook firm MADE offered to design. Phase 1, at the south end of the Pier 11.
4. Permission to create a Nature Center by adding amenities for wildlife on land and water, plus interpretation of them and the history of Atlantic Basin, to make the weed patch south of our ship into an education center next to the wet lab.
5. Return of our pandemic PortSide Park adjacent to the wet lab. Use of the rest of the "cellphone parking lot" when cruise ships are not using it (most of the year).
6. Permission for a subtenant boat alongside the Mary Whalen with a running engine to be used for maritime training.

The outdoor space in 3, 4, and 5 was promised to us by the EDC in the past.

OTHER PROBLEMS WITH THE EDC AFFECTING MARITIME

Bad, self-interested financial management of the EDC

The EDC is supposed to manage City property to generate revenue and economic development for the City, however, the EDC is often acting more in their own interest. Because the EDC is not a City agency, it is a quasi-governmental nonprofit, the City Council does not vote on its budget as part of the annual City budget process. Problems are thus not prevented but found after the fact when City Comptrollers conduct audits. There is a pattern to problems found by multiple Comptrollers: The EDC covers up projects that are not benefitting the City as promised and diverts revenue from City property it manages (money that would go to the City budget where the Council has an oversight role) and used it to subsidize preferred projects or to hide failures of their own.

In this way, the EDC hid how, during the depths of the pandemic, they used revenue from Times Square properties to subsidize the NYC Ferry. That followed the EDC's hiding about a year before, the ridership survey for the NYC Ferry that showed that the ferry was not addressing transit desert problems in low-income communities as promised; the ferry was used overwhelmingly by wealthy white residents and tourists. During a very angry April 2019, Council hearing, Councilmembers discussed the creation of an Office of the

Waterfront and taking ferry management away from the EDC. No action ended up being taken, but the fury speaks to the problem.

The EDC planned a second homeport for the NYC Ferry in Atlantic Basin, Red Hook (since sometime 2024, called The Brooklyn Marine Terminal or BMT). Construction occurred in 2023, but the facility remains unused. Credible, prior EDC employees say that the pilings between the ferry berths have shifted. The EDC themselves created a presentation for the BMT Task Force *2024.10.15_Task Force Meeting #2 Pre-Read.pdf,* that on page 8 said in a text box "Assuming Home Port 2 is fixed. When asked about that text box, the EDC denied that there is any problem, but the facility remains unused since the 10/15/24 date of that presentation. More related to this ferry homeport below.

The EDC is an Abusive Landlord

Mayor Zohran Mamdani has made addressing abusive residential landlords a priority. It must be understood that NYC's largest landlord, the NYC EDC, managing by their own description managing "65 million square feet of space, 225 managed properties, and 170 projects" is often abusive. The situations below create instability, stunt growth, reduce business profitability and revenue paid to the city. Such practices also damage nonprofit renting space from or in contracts with the EDC.

Examples of how the EDC damages tenants

Some examples from Atlantic Basin, Red Hook, Brooklyn, part of BMT:

1. In 2017, the EDC introduced the Formula E car race into the marine industrial park of Atlantic Basin (now called BMT) which was deeply disruptive to tenants for 5-7 weeks every summer during every year the race occurred. This caused many tenants to leave including the Master Subtenant Phoenix Beverage.
2. DockNYC berth permits for Pier 11 say the EDC can displace boat tenants on 30-days' notice with no reason given. September 2023, the EDC evicted three companies and multiple ships on 4-days' notice to build the NYC Ferry Homeport 2. Below, see what happened to them in Sunset Park about a year later. This also means hundreds of feet of pier have been taken out of economic use.
3. Sometime in early 2025, the EDC did some work on the stalled NYC Ferry Homeport 2 in Atlantic Basin. They put a travel lift on the two new finger piers and fenced off the upland area with a chain link fence and green scrim. As part of that, the bathroom used by tenants at the north end was no longer accessible to them. The bathroom offered is three blocks down the loading dock at the SE corner of the warehouse. One tenant started using what they called "the piss bike" to bike three

blocks down the loading dock. Once DutchX rented the office suite there (the same one for which PortSide did the architect's building code review in late 2010), DutchX learned that they did not have a private bathroom once other tenants started showing up.

4. Similarly, the EDC did not tell Ports America, the operators of BCT, that DutchX would have a driveway carved out of the "cellphone lot" in Ports America's lease. That cellphone lot at the south end of the Pier 11 warehouse is packed the mornings that cruise ships are in; there is no space to spare; but key here is that the EDC did not negotiate with Ports America in advance. In short, a lease with the EDC guarantees you nothing; the EDC will do as they want.

5. In August 2025, DutchX moved into the Pier 11 warehouse. In late 2025, the EDC touted the DutchX blue highway service moving Sephora cosmetics to Pier 79 on Manhattan's west side. By 12/31/25, the electrical problems in the warehouse (low voltage and fluctuating power) prevent DutchX from using the roll-up door at the south end and to soon rent a generator to charge their EV vans. The EDC made some electrical repairs; but by June, DutchX had moved out due to the electrical issues. All extant tenants knew that the building was historically underpowered, so the EDC rented to DutchX in bad faith or out of operational ignorance. This story also shows that DutchX had a significant last mile operation on land and was not just a blue highway operator.

In Sunset Park, in 2024, the EDC began regularly renting the Brooklyn Army Terminal (BAT) Pier 4 deck for major commercial events. The EDC told the dinner/party boats docked on the north side of the pier that they could not pick up and drop off passengers during such events (instead of providing an access corridor along the edge of the pier for passengers). This change was made after the boat tenants signed their annual contract, and these events occur on summer weekends when the boats do most of their business. Some of these boats were ones evicted from Red Hook's Pier 11 on 4-days' notice in late 2022 to create the ferry homeport as in #1 above.

The EDC's unfair and extractive RFEI and RFP processes

Mayor Mamdani has created the new position of Deputy Mayor for Economic Justice and appointed Julie Su to create ways for NYC's economy to work more for workers (not only for major corporations) and to reform the EDC as part of that work.

A basic principle of economic justice is to be fairly paid for your work. The EDC often violates that.

The often uses Request for Expressions of Interest (RFEI)s and Request for Proposal (RFP)s to “test the market” as they themselves have said, and then often use ideas harvested this way without awarding the contract to whoever created the ideas. This is extractive, unpaid, unfair use. By now, many NYC maritime companies will NOT respond to EDC RFEIs and RFP which means that this EDC practice is also not really testing the market.

Even if the EDC does award an RFP, these often contain unrealistic demands and limitations which then prevent the facilities from being used and subject RFP applicants to prolonged negotiations (and time is money).

From 2002 through 2023, the EDC ran seven planning processes for the Atlantic Basin in Red Hook, netting zero long-term tenants. Meanwhile, businesses, especially maritime ones, are always seeking space, and all forms of maritime activity in the port of NY have been straining to grow for decades. See https://portsidenewyork.org/edc-plans for more info on the following:

1. 2002 Piers 6-12 study
2. 2006 Atlantic Basin RFEI
3. 2007 Atlantic Basin RFP. In 2008, the EDC said that PortSide would get a permanent home but did not. Phoenix Beverage got a long term lease from this RFP, but left in 2018, after a year of Formula E race disruptions.
4. 2011 Atlantic Basin wharfage RFP for tugboats. Vane Line Bunkering won this RFP but spent about 2 years negotiating with the EDC who said “we couldn’t make the numbers work” suggesting they were asking too high a rent. After this, Vane spent another two years trying to get space from the EDC on the south side of Brooklyn Army Terminal Pier 4. In the end, Vane spent about four years working with the EDC to get no berth space at all.
5. 2012 Sublease for Atlantic Basin warehouse.
6. 2023 RFP for Atlantic Basin Master Subtenant. This was cancelled the day after the announcement of the BMT process below, so respondents wasted their time.
7. 2024, the Brooklyn Marine Terminal (BMT) planning process starts. This problematic process merits a deep analysis of its own, which we don’t have time for here.

The EDC plays favorites and the game is often rigged

1. May's Shipyard had the first contract to build NYC Ferry docks. For years, they received ongoing work to build new docks as the routes expanded via "change orders" instead of the EDC's releasing a new RFP for dock construction.
2. The way the EDC ran the RFP process that created the NYC Ferry system suggests an evasion of fair process. The RFP description did not include providing a homeport or building boats. Two of the ferry respondents told PortSide they would have responded differently if those options were on the table in the RFP description. Those two options, however, were offered to Hornblower, a company headquartered out of NY, which won the RFP, leading to the demise of two ferry companies in this harbor, the East River Ferry and the New York Water Taxi.
3. On 9/24/18, Dwayne Braithwaite filed a Notice of Claim to sue the EDC for $15 million dollars for collusion with Hornblower to control the NYC charter boat market. They settled.

The EDC often does not fulfill promises to communities

Contrary to an economic justice model sought by the Mamdani administration, the EDC approach is extractive, often making profits for the EDC without engaging in real economic or community development (though that is promised) for the neighborhood where the EDC is working and making the promises. Note that these EDC promises are often their means to get approval for projects from elected officials, community boards and community members.

The EDC's poor performance in Red Hook, Brooklyn merits special consideration give the plans for the City to take over the property (it is still Port Authority property) and the EDC's planning process for what's now called the Brooklyn Marine Terminal. The EDC has a high failure rate for the 20 years they have managed the Atlantic Basin and have inspired a lot of community rage.

The EDC makes money in Red Hook but has not shared the revenue via investment or donations with the neighborhood. Compare this to the 20% of the MCT rent that the EDC pays to Hudson River Park. Red Hook has received no share of the revenue from BCT, Atlantic Basin, or the Formula E car race that occurred there for several years

The benefits promised by the EDC often don't occur (especially job counts). Worse, in many cases, the EDC makes no effort to fulfill the promises. For example, since 2005, when the EDC rented Red Hook's Atlantic Basin from the Port , this has meant:

1. No permanent home for the award-winning, maritime nonprofit PortSide NewYork
2. A much lower permanent job count at the Brooklyn Cruise Terminal (BCT) than the 290 permanent jobs promised in a 2006 press release. Only 8-10 permanent jobs were created as of a 2007 Observer article. The EDC never publishes job fairs to the Red Hook community. ILA work depends on ship calls, and the number of ships a year has varied hugely.
3. BCT's promised benefits to local retail did not occur, and the EDC installed no Red Hook promotional info in BCT until 2023. The EDC did not allow PortSide to install such info despite our years of asking to do so.
4. The promised conference overflow from the Manhattan Cruise Terminal (MCT) that was supposed to be a boon to the Red Hook economy did not occur. Special events at BCT were not advertised to local businesses, so they couldn't prepare for potential business upticks or promote specials to event participants.

EDC Operational Cluelessness

The EDC has not had staff members with maritime experience in the president's office where decisions are made nor on its board of directors.

This lack of operational knowledge at senior levels leads to wasted public funds on projects that fail, RFPs that lead to no activity, sites that remain unused or under-used thus reducing City revenue, and can actively harm businesses who are struggling with an uninformed landlord (such as DutchX who moved out due to the lack of electrical capacity).

As a result, frustrating and time-wasting situations are created for EDC tenants and contractors who are forced to try and explain things that are considered obvious or standard operating procedure.

Even simple operational solutions can be hard to get. PortSide has told the EDC for years that there needs to be a "you are here map" for Atlantic Basin at the pedestrian gate at Pioneer and Conver Streets to help people find (in order of most often needed) the NYC Ferry dock, the Brooklyn Cruise Terminal, and tenant businesses. It's a simple ask that never gets satisfied.

This cluelessness and deafness to input can also lead to dangerous conditions:

1. There was no working fire suppression system in Pier 11 Shed (a warehouse 3 blocks long) for over 10 years in Atlantic Basin, Red Hook. A lumber yard moved in as a

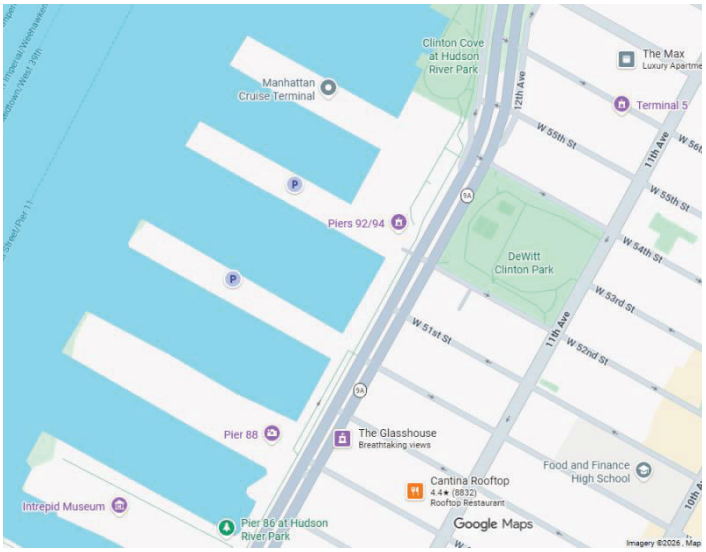
tenant in September 2023. Repairs were being made to the fire suppression system in 2025- 2026.

2. EDC installed shorepower for ships on Pier 11, leaving the cables lying in the roadway, in puddles with trucks driving over them. PortSide reported this to the Port Authority in 2017, and they trenched all the power cords.

Cruise terminal issues

The EDC did not renovate the Manhattan Cruise Terminal (MCT) after the cruise industry submitted a report in 1991 calling for that investment. The chronic lack of maintenance has driven cruise lines away from 2003 until now.

1. EDC began removing MCT Piers 92/94 from primary cruise activity in favor of events in 1998 as larger cruise ships began calling on NYC.



Post 9/11, the NYC cruise industry grew even stronger with Royal Caribbean (RCCL) lobbying EDC to develop Piers 92/94. EDC leased piers 92/94 to Vornado. As a result, Bayonne built a new cruise terminal, and RCCL moved there in 2004 and carries almost one million passengers annually now.

In response, the EDC built the new Brooklyn Cruise Terminal (BCT) and invested in MCT piers 88 and 90. Eventually, Vornado gave 92 back to EDC and developed 94 into a movie studio; but events and movie studios are not water-dependent. More recently, in 2018, Pier 92 was condemned. As of 2026, Pier 90 has been removed from service and is facing a similar fate as 92 due to the lack of substructure maintenance by EDC. BCT has had significant substructural issues due to lack of maintenance; the EDC is currently starting to address those.

The result is cruise lines are experiencing significant market losses and losing confidence in homeporting in NYC. MSC left the city in 2026 after just three years operating at BCT. Norwegian Cruise Line is deploying to other homeports such as Boston and Philadelphia.

2. In 2023, EDC committed to improve MCT's Pier 90 and provide shorepower after passage of a City Council bill mandating the latter. However, the EDC delayed electrification and announced a multi-billion dollar rebuild of MCT that will remove Pier 90 and extend Piers 88 and 92 further into the river without having applied for the federal authorization to extend the piers – so it is a plan that may not be approved – while the mandated shorepower is delayed.

3. Circa 2016, the wrong jib/crane was bought for BCT shorepower, as the EDC admitted to the Red Hook community spring of 2019, after years of silence about what was wrong. April 2021, Brooklyn Borough President Eric Adams announced that Borough Hall would contribute $750,000 to fix the shorepower. That allocation means that more NYC funds were allocated to compensate for an EDC error; BUT those funds were not invested at BCT. The jib was not fixed until early 2026.

4. In late 2022, the EDC made a deal with MSC to sail out of NYC. The EDC expected them to use MCT, not realizing they had not capacity there; so the EDC moved them to BCT without doing any study as to whether a ship of that huge size and with that passenger profile (passengers coming in individual cars not bundled in buses from Manhattan) could fit through Red Hook's small streets. They did not. Councilmember Alexa Aviles ran weekly working group meetings with the EDC and Red Hook community members for 2.5 months to identify problems and solutions. This also informed the Council bill Intro 4, co-authored by Aviles and CM Eric Bottcher which passed unanimously in the City Council and mandated that the EDC create traffic mitigation plans and install shorepower in both terminals. The MSC experience was bad for the community, the passengers, and the company; and MSC decided to leave NYC completely by late 2025, after less than three years of operating at BCT.

Problems with other EDC maritime projects

1. Late 2022, the Coney Island NYC Ferry dock in Coney Island Creek was removed under the cover of darkness. It had been installed by the EDC despite community protests. The installation had also generated fines for environmental damage.

2. By 2026, the EDC is managing all of what is now called the Brooklyn Marine Terminal, which means they are managing a container port for the first time. The EDC bought a crane for BMT Pier 10 without assessing the load-bearing capacity of the pier. The crane is too heavy and the pier needs to be reinforced. Similarly, the land under where the NYC Ferry homeport above would go was not assessed for load-bearing limits, and it needs to be reinforced too.

3. Sunset Park's South Brooklyn Marine Terminal (SBMT) was a succession of failures:

a) The AXIS car importing by barge never got off the ground
b) SBMT as a staging area for New York Wheel failed when the whole project on Staten Island failed.
c) The 2015 SBMT RFP that led to plans for an offshore wind facility moved so slowly that, 11 years later, the facility was not completely built out which made it vulnerable to President Trump's attacks on offshore wind.

EDC failures with other major waterfront real estate developments

1. Staten Island north shore: the New York Wheel Ferris wheel project was never completed, and Empire Outlets Mall did not garner the business that was promised and failed.

2. The EDC built a $60MM garage to serve the New York Wheel. Once that failed, the EDC tried to get parking revenue for the garage by using the mall (then that failed), the Ferry Hawks ballpark, and Staten Island ferry riders. All that failed. It's now used by the NYPD.

In addition to wasting public funds, these EDC sagas also waste the time of community members, community boards, and elected officials, a negative impact to be considered.

An assessment of the level of rage at the EDC around the city indicates that change is needed.

EDC dishonesty

As mentioned above, the EDC has often lied to PortSide. They also lied about us to CBS when saying that the EDC had to evict our pandemic PortSide Park because it violated the EDC's lease with the Port Authority. However, Beth Rooney, the Port Director of the Port Authority had praised the park and commissioned their blog team to write a blogpost about it. The EDC also fibbed in saying that construction of the ferry homeport (3 blocks to the north) would increase truck traffic near our park creating hazards for children. See https://www.cbsnews.com/newyork/news/red-hook-pandemic-pop-up-park-portside-new-york/

The EDC likes to blame things at BMT on the Port Authority (PANYNJ) such as the EDC claim during the BMT planning process that the decrepitude is all the fault of the PANYNJ. First, there was a tri-party agreement so the City should have upheld its part of the deal and made the PANYNJ maintain the container port better, and the EDC, due to having the annual maritime contract, would be the entity to call for such investment. Furthermore, for twenty years, the EDC had rented the area south of the container port, and maintenance

here is the EDC's responsibility as I know having FOILed the lease as mentioned above. See https://static1.squarespace.com/static/50dcbaa5e4b00220dc74e81f/t/64ade2c5e3edb916a6104ec3/1689117388161/Response+Letter+PRA+No.+202212543+PANYNJ%2BEDC+lease+original+copy+rcvd.pdf

The EDC regularly uses disinformation and spin. The following video excerpt where the EDC rebuts my statement that there's a big need for maritime space reminds me of the Soviet-style propaganda I covered in Eastern Europe. Here, Jennifer Sun of the EDC is saying the equivalent of all Soviet peasants are all happy, even though the store shelves are bare. https://bit.ly/EDCsaysnolackofmaritimespace This is from a meeting of the BMT "All Hands" meaning all the Task Force and Advisory Group members the EDC appointed, i.e. experts.

Also referring to the BMT process, it became impossible to fact check the high volume of decks produced by the EDC, but I have spotted enough errors to be concerned about the whole exercise. Here are some examples.

1) Erased info includes many BMT tenants (including PortSide and maritime uses) , exaggerating the inactivity to suit their narrative.
2) Wrong info in 2024.10.15_Task Force Meeting #2 Pre-Read.pdf:
    a) Pg 2, a lot of Pier 12 is pile supported though the document claims there are no piles there.
    b) Pg 5, RHCR does NOT reduce flood risk since BMT is on the flood side of the barrier.
    c) Pg 8 says "Assuming Home Port 2 is fixed" but when I later ask if there are problems with it, I am told there are none.

Compare the BMT's presumably State planning process with the NYS Sandy recovery program NY Rising where NYS paid top-tier consultants to work with community members in weekly meetings over months, the consultants researching concepts/solutions that the community proposed over weekly meetings over many months. THAT was economic justice in operation. I was a state-appointed member of the Red Hook NY Rising committee. More at https://redhookwaterstories.org/items/show/1509

In comparison, for BMT, the EDC budgeted $10MM for BMT consultants with no funding being allocated for community planning. The BMT consultants are not working for and with the community in any way like NY Rising. A "true community led" process, as the EDC touts theirs, would have asked the community for ideas on how to do the planning. No such thing has happened.

Here are 2 examples that reveal much.

1. In our first BMT Advisory Group meeting, I asked for EDC revenue, gross and net, for each year of the 20 years they had managed Atlantic Basin, including the Formula E car race. I never got an answer. Note that I had asked that question at a 1/16/23 meeting with the EDC about the Brooklyn Cruise Terminal hosted by Councilmember Alexa Aviles. Having the EDC's answer to that question would help assess their management effectiveness, prove the loss of tenants over time I have observed, and reveal how extractive the EDC relationship to Red Hook has been since they did not invest in this community, as far as we know, save for one post-Sandy grant to RHI for their Red Hook Wifi, until the EDC had this BMT process. In 2025, the EDC is suddenly sponsoring nonprofit fundraisers in Red Hook which looks like an effort to buy friends to support the BMT plan since the EDC did nothing like that for two decades.
2. February 7, 2025, I emailed the EDC to ask for the full, original MegaGrant application to the federal DOT. Nate Gray emailed back on February 11 sending only part of the application or a summary of the application (I could not tell) and saying "We would appreciate it if you did not distribute these documents." My ability to be an Advisory Group member is impaired if I can't share the info to discuss it. I wrote back and never got an answer to the following:

   I don't understand your request to not distribute these documents since I am requesting an application for public funds so there should be transparency to the public – in comparison to a request for a private company's RFP response that would have confidential, proprietary information.

   What's the reason for asking that what you sent not be distributed?

   Also, what you sent does not look like the full original application – I don't see a budget. Is there more?

   I brought up the MegaGrant with the EDC's Mikelle Adgate as we walked out of Brooklyn Borough President Antonio Reynoso's June 2025 BMT Town Hall. The next day I received what looks like it could be what I requested in February, but it came too late to advise before the EDC created their "preferred plan." When I raised this issue in the last "All Hands" meeting, I was told that what I got and when I got it was acceptable. THAT kind of talk reminds me of the totalitarian regimes I documented as a photojournalist as in "you WILL be happy with what we tell you and you WILL agree to what we tell you."

is PortSide's blog about the BMT process. It needs updating to include the CEQR testimony we received. We have not get updating this since the BMTDC and ATF started meeting as we consider it a waste of time, a sham process built on disinformation and faulty data. https://portsidenewyork.org/portsidetanke/2024brooklynportlandswap

These problems are hard to rectify due to EDC institutional culture.

The EDC evades accountability.

The EDC institutional culture makes it hard to improve things as they are resistant to input and tend to approach the world as if the EDC is always right.

The EDC operates with a culture of dishonesty. Sometimes that is telling a direct lie; sometimes, it is a non-answer or partial answer; sometimes, it is manipulating appearances. The EDC often won't answer reasonable questions, uses spin to obfuscate, and sometimes outright lies. When FOILed, the EDC often still does not answer, delays answering, and/or provides partial answers.

In 2012, the NYS AG determined that the EDC had engaged in illegal lobbying by astroturfing (faking community support) in Willets Point and Coney Island.

There is high staff turnover in the departments dealing with Asset Management and maritime. Staff often work on planning and capital projects for too short a time to see them completed.

All decisions are made in the president's office, so staff dealing with tenants and contractors, even if they are SVPs, are not decision-makers and cannot inject operational knowledge into the system to improve it. It's a top down, self-interested culture.

Many believe that EDC staffers often choose inaction because the cost of doing the wrong thing is high for them personally inside the EDC whose institutional culture seems to accept inaction regarding the world outside the EDC. It is safer for the staffer to do nothing than to do the wrong thing. All this leads to lots of process (studies and RFPs) with too little action. The EDC has talked about the blue highway for years.

Someone should study EDC staff turnover, staff experience for the projects they are assigned, and how projects are internally managed. Staff often leave after 2, 4 and 6 years whether they are low-ranking project managers, VPs and SVPs or even the President/CEO. This means many EDC staff do not have long experience with any site they manage or with the EDC itself. There is generally greater stability of staff at City agencies.

The background of many staff is mismatched to maritime operations; they often have educational and work backgrounds in planning, real estate development, and business school rather than maritime. They are rarely COOs or site managers.

The EDC deals with this lack of content expertise by soliciting expertise via many RFEIs and RFPs or by getting grants to do studies. However, this means that people who don't know the content are making decisions about which consultant to select and then reviewing their work; plus, this is extractive as described earlier. This mismatch of projects and skills is how you get a BCT shorepower jib that is the wrong kind, or Pier 11 Red Hook shorepower cords lying in the driveway, or a Pier 11 shed fire suppression system that does not work.

All this negatively affects tenants, contractors, RFP respondents and communities where the EDC works as described in the case histories above.

Lastly, under other matters, we recommend that the system for nonprofits to register contracts and get paid be improved. MOCS Passport is a maze. The process of the DYCD is notoriously complex and slow. They pay years late. The level or reporting requirements for DYCD is not scaled to the size of the grant. They are inflexible, since we are a maritime nonprofit on a ship, we carry different insurance than nonprofits in buildings, and it was hard to iron that all out with DYCD.

Thanks for your work on the commission and the consideration of all the testimony!

Do not hesitate to contact me if you have any questions or wish to discuss any of this. We have considerable documentation of all the waterfront, maritime, EDC content.

Sincerely,



Carolina Salguero
Founder + Executive Director
PortSide NewYork
aboard the tanker MARY A. WHALEN
[redacted]

Name

George Osuii

Email [redacted]

Public Comment

George Osuii - Testimony

My name is George Osuii. I am a consultant in tech and live in New York City. I was a Democrat most of my life and switched to independent in 2020 when I began to question what I truly believed in. I also play soccer.

I think the primaries should be open. Nothing is static. Things are supposed to evolve, not necessarily the way you think it might or should. We need to get outside of our own bias and ask what's best for the people of this city.

NYC is the biggest and greatest city in America and one of the greatest cities in the world. It is a center of global finance, politics and culture. I think a diversity of thought and opinion in solving the social and political problems of the day should be reflected in a city like NYC. Instead, it is a lot more close-minded than one would think in such a vibrant and sophisticated place.

It doesn't feel good to be denied the right to vote in the most meaningful elections. I would like my voice to be heard. I should have an equal say. It doesn't make sense to me that you should eliminate the brain power you need to solve problems. You get the best solutions by involving a diversity of opinions and viewpoints.

Trying to solve problems the same old way hasn't worked and won't work going forward. I think independent minded people, people who are comfortable asking questions and pursuing inquiry, would be a welcome addition to the conversation.

I hope that you will put open primaries on the ballot and include all of our minds and hearts in the process of taking this great city forward.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 14, 2026 3:48pm
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Becky Yurek

Email [redacted]

Public Comment

My name is Becky Yurek, and I serve as the Chief of Park Operations and Capital Planning for the Prospect Park Alliance (PPA), the nonprofit partner that works alongside NYC Parks to sustain, restore, and advance Prospect Park. I am here today to share PPA's perspective on how reforming city processes can empower both public agencies and nonprofit partners to more effectively serve our communities. In my role, I see firsthand the deep dedication of our city's public servants—yet they, and we, are constantly bottlenecked by systemic red tape. By modernizing and streamlining the capital design and construction process, this Commission has a historic opportunity to eliminate these barriers and ensure New Yorkers receive the high-quality public infrastructure they deserve.

Prospect Park Alliance was founded 40 years ago to sustain, advance, and restore Prospect Park, and from our early days we have led capital planning, design, and construction in Prospect Park. In the spirit of delivering high-quality landscapes, buildings, and infrastructure for the public good, we urge this Commission to advance charter reforms that establish a strategic blueprint to reduce capital project durations by at least 25 percent through common-sense changes to the process, including budget, procurement, and permitting.
Additionally, we advocate for charter level commitments that require the City to secure and expand permanent alternative delivery authority for all municipal agencies, including design-build, progressive design-build, and CM-build.

One of the biggest challenges in capital project delivery is the traditional design-bid-build model that requires the City to complete design, undertake a year-long procurement process, and then award a construction contract to the lowest qualified bidder. This legacy system struggles to efficiently deliver the high performing infrastructure our city requires. While the 2019 NYS Public Works Investment Act granted several city agencies the ability to use design-build delivery, the 2024 expansion was limited to DDC only - and has a sunset provision that requires agencies to continuously seek reauthorization.

All capital agencies, including NYC Parks, should have access to a full toolkit of modern, effective project delivery methods with the flexibility to select the best tool for the job. We encourage this Commission to make permanent revisions to the Charter that authorize quality based and best value selection for construction. We also encourage the City to continue to work with the State to support legislation that permanently extends alternative delivery authorization to all agencies, without limitations for project type. Alternative delivery methods will save months on small projects and years on large ones, allowing limited infrastructure dollars to stretch further—especially crucial for our parks.

In late 2024, the Capital Process Reform Task Force documented major improvements to the capital delivery process but highlighted that significant work remains. We call on Mayor Mamdani to reconvene a City-Industry task force with the mandate to align capital investments, cut bureaucratic red tape,

and integrate new technology across all capital and oversight agencies. And, rather than relying on temporary, administration dependent initiatives, we urge the Commission to permanently codify a capital process coordination body within the City Charter to continuously align capital investments, cut bureaucratic red tape, and integrate new technology across all capital and oversight agencies.

Finally, we must remember that a blueprint is only effective if there are people to execute it. Since 2023, the Parks Capital division has lost 60 staffing lines, making it nearly impossible to advance hundreds of millions of dollars in projects without adequate personnel. We urge the Administration to provide additional staff for both capital project management and to continue to increase funding for maintenance and operations and we thank the Administration for baselining nearly 300 NYC Parks staff lines in the FY27 budget. Without adequate maintenance staff, newly completed capital projects quickly fall into disrepair, forcing the City into a cycle of starting new capital projects simply to restore previous ones. New Yorkers wait too long and pay too much for projects that deliver less value than they deserve. By passing these measures and properly staffing our agencies, we can ensure that our public works serve as the resilient foundation our city requires.

Attachment(s)


Prospect Park Alliance

Written Testimony of Becky Yurek
Chief Park Operations Officer for Prospect Park Alliance
Public Testimony: Commission on Government Efficiency
July 14, 2026

PPA_BY_Testimony_COGE_Public_Hearin...

Date Submitted: July 14, 2026 4:43pm

Topic: Procurement Reform ✕ | Unnecessary Bureaucracy ✕ | Budget Issues ✕ | Technology ✕ | Support Oversight Agencies ✕ | Real Estate and Development ✕

Charter Related: Yes

Topic Simplified: Unnecessary Bureaucracy

Subtopic	Speed up capital project delivery

Show 4 hidden fields

Prospect Park Alliance

Written Testimony of Becky Yurek
Chief Park Operations Officer for Prospect Park Alliance
Public Testimony: Commission on Government Efficiency
July 14, 2026

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Name

Jessica Ordenana

Email [redacted]

Public Comment

Good day Chairs and Commissioners,

My name is Jessica, and I am a restaurant worker here in New York City. Thank you for giving me the opportunity to speak today.

Every day, restaurant workers help make New York the city that people from around the world come to experience. We greet customers with a smile, serve families celebrating milestones, work long shifts on our feet, clean, cook, bus tables, and keep restaurants running. But too many of us go home wondering how we're going to pay rent, buy groceries, or make it to our next shift.

I am here today to ask you to recommend a Charter amendment that says New York City cannot issue or renew business licenses for businesses that do not pay a living wage.

A business license is a privilege, not a right. The City already requires businesses to meet health and safety standards before they can open their doors. Paying workers enough to survive should be just as fundamental.

Too many restaurant workers are expected to rely on tips or work multiple jobs just to scrape by. We shouldn't have to depend on whether it's a busy night or whether customers are generous to know if we'll be able to pay our bills. Our wages should provide stability, not uncertainty.

When businesses pay poverty wages, workers pay the price but so do taxpayers. Many workers who are employed full time still need public assistance to afford housing, food, or healthcare. That means the public is subsidizing businesses that refuse to pay enough to live on. The city government shouldn't reward that with a business license.

There are restaurant owners across New York who prove every day that paying fair wages is possible. They treat their workers with dignity, experience lower turnover, provide better service, and build stronger businesses. Those are the kinds of businesses our City should encourage.

The Charter is the foundation of how our City operates. If we believe New York should work for everyone, then it should include a simple principle: businesses that receive the privilege of operating in our city must also meet the responsibility of paying a living wage.

As someone who works hard every day, I'm not asking for special treatment. I'm asking for fairness. I'm asking for the chance to earn enough from my job to live in the city I help serve every single day.

I urge the Commission to put this question before the voters and let New Yorkers decide whether City business licenses should be reserved for employers who pay a living wage.

Thank you for your time and for listening to the voices of workers.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 14, 2026 6:09pm

Topic: Procurement Reform, Reporting Requirements, Enforcement, Tenant Protection

Charter Related: Yes

Topic Simplified: Labor

Subtopic: Living wages for new businesses

Show 4 hidden fields

Name

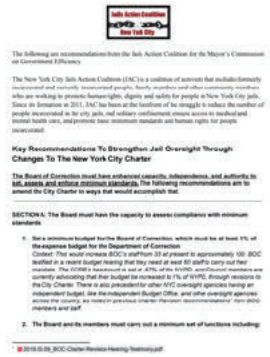
Jails Action Coalition

Email [redacted]

Public Comment

Please see attachment

Attachment(s)



Jails Action Coalition Recommendation...

Date Submitted July 14, 2026 7:44pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Public Safety

Subtopic

Board of Correction reforms

Show 4 hidden fields

The following are recommendations from the Jails Action Coalition for the Mayor's Commission on Government Efficiency.

The New York City Jails Action Coalition (JAC) is a coalition of activists that includes formerly incarcerated and currently incarcerated people, family members and other community members who are working to promote human rights, dignity and safety for people in New York City jails. Since its formation in 2011, JAC has been at the forefront of the struggle to reduce the number of people incarcerated in the city jails, end solitary confinement, ensure access to medical and mental health care, and promote basic minimum standards and human rights for people incarcerated.

Key Recommendations To Strengthen Jail Oversight Through Changes To The New York City Charter

The Board of Correction must have enhanced capacity, independence, and authority to set, assess and enforce minimum standards. The following recommendations aim to amend the City Charter in ways that would accomplish that.

SECTION A: The Board must have the capacity to assess compliance with minimum standards

1. **Set a minimum budget for the Board of Correction, which must be at least 1% of the expense budget for the Department of Correction**
   Context: This would increase BOC's staff from 33 at present to approximately 100. BOC testified in a recent budget hearing that they need at least 60 staff to carry out their mandate. The CCRB's headcount is set at .67% of the NYPD, and Council members are currently advocating that their budget be increased to 1% of NYPD, through revisions to the City Charter. There is also precedent for other NYC oversight agencies having an independent budget, like the Independent Budget Office, and other oversight agencies across the country, as noted in previous Charter Revision recommendations[1] from BOC members and staff.

2. **The Board and its members must carry out a minimum set of functions including:**

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[1] 2019.05.09_BOC-Charter-Revision-Hearing-Testimony.pdf

a. The Board shall hold monthly meetings which include time for public comment related to jail conditions.
b. All members of the Board must tour the jails at least quarterly, and at least two members of Board must tour the jails upon the death of an incarcerated person. Quarterly tours must include mental health housing and any restrictive housing.
c. The Board shall convene, on a semi-annual basis, representatives of the District Attorneys, defense organizations, and justices of the criminal and supreme courts to present reports on current jail conditions including but not limited to compliance with minimum standards; in addition the board shall invite criminal court justices
d. The Board, or Board staff if so requested by the Board, shall invite, on a semi-annual basis, criminal court justices to tour the jails accompanied by members of the Board and/or Board staff,
e. As part of the evaluation of departmental performance, the Board will submit an annual inspection report about each departmental facility itemizing compliance with all minimum standards;
f. The Board must conduct a periodic survey of visitors to departmental facilities to survey the impact of pre-trial detention on families of detained individuals, the results of which must be made public.

Context: There are currently no requirements for Board members or staff to carry out the specific duties outlined above.

SECTION B: The Board must have enhanced independence to set, assess and enforce minimum standards

3. **The Board shall consist of nine members who will be appointed as follows: 3 by the Mayor, 3 by the City Council, 1 by the Public Advocate, 1 by the Comptroller, and 1 appointed on a rotating basis by the longest serving Borough President**
    a. The board must include at least two people who have been detained in DOC facilities, and at least one person whose immediate family member has been detained or is currently detained in DOC facilities
    b. The Board must include at least two additional people who are medical professionals, including doctors, nurse practitioners, physicians assistants, and nurses, at least one of whom shall have expertise in mental health.
    c. The Board should reflect the diversity of experiences of people impacted by incarceration in New York City including people of all genders, people of color, people with mental health diagnoses, people with disabilities, and LGBTQIA people
    d. The Board should include people with a demonstrated commitment to equitable treatment of people and/or communities disproportionately impacted by the criminal legal system
    e. Board members shall receive compensation on a per-session basis, though some board members may choose to serve pro bono.[2]

[2] Matches provision for CCRB members.

Context: Currently, the Mayor has appointment or approval power over the majority of board members[3], and selects the chair. There are currently no requirements for lived experience or any other relevant experience.

4. **The chair of the Board shall be appointed jointly by the Mayor and the City Council**
   Context: The Chair is currently appointed by the Mayor
5. **The Board shall establish such committees as it deems necessary.** The Board shall appoint members of each committee, taking into account the preferences and expertise of Board members and shall designate one committee member as chair. Board Committees cannot be dissolved, or their members removed, without a majority vote of the Board
6. **The Board shall appoint an executive director, taking into account diverse needs of the organization, who can only be hired and removed by a majority vote of the board, after a hearing and a finding of good cause.**
   a. A member of the Board cannot be the Executive Director
   b. The executive director shall have the power to hire and fire and plan the budget utilization other staff as necessary within appropriations, taking into account diverse needs of the organization,

   Context: The current Chair has dissolved committees and removed members who are critical of DOC, and attempted to limit the power and independence of the Executive Director, and has also attempted to direct BOC staff himself.
7. **The Board may retain outside Counsel to carry out its duties[4]**

SECTION C: The Board must have the authority to enforce its minimum standards

8. **The Board shall be authorized to close facilities that fail to comply with minimum standards**
   a. The Board shall have, and shall exercise, the authority to close any jail, facility, or unit which does not meet the Board's minimum standards; or which is unsafe, unsanitary or inadequate to provide for the safety, health, well-being, and programming of people in its custody required by law or the Board's rules; or which has consistently failed to adhere to or comply with the Board's rules, regulations, or recommendations. Upon a finding that a jail, facility, or unit meets these criteria, or a finding that there is a reasonably foreseeable risk that failing to close a jail, facility, or unit will cause significant harm to, or death of, incarcerated persons, the Board shall direct the closure of the facility.

   Context: The State Commission of Correction has parallel powers related to enforcing its minimum standards

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[3] The Mayor appoints 3 members directly, and plays a role in the approval of 3 other members. In 2024 , Mayor Adams blocked the reappointment of board member nominated by the judiciary, Jacqueline Sherman, as described here NYC Board of Correction to vote on rules barring solitary confinement

[4] This is important for situations when the City Law department may have a conflict of interest, such as when they are also representing DOC.

9. **The Board shall be authorized to release people subjected to inhumane treatment**
    a. The Board shall have, and shall exercise, the authority to release any person or persons in city custody who has been been incarcerated for excessive periods of time or who has been subjected to treatment or conditions that do not meet the Board's minimum standards; or that are unsafe, unsanitary, or inadequate to provide for the safety, health, well-being, and programming of the person or persons required by law or the Board's rules; or that have consistently failed to adhere to or comply with the Board's rules, regulations, or recommendations. Upon a finding that a person has been subjected to treatment or conditions that meet this criteria, the Board shall provide notice to the Department of Correction and the Court about the violation and provide the Department the opportunity to correct the violation. If the Department fails to correct the violation in an expeditious manner, the Board shall direct the person to be released from city custody.

Name

Darwin

Email [redacted]

Public Comment: We need minimun wage 25-30 per hour in NYC because the cost live is to much spensive now in 2026

Attachment(s): Drop files here or click to browse

Date Submitted: July 14, 2026 7:52pm

Topic: Miscellaneous

Charter Related: No

Topic Simplified: Cost of living

Subtopic: Raise the minimum wage

Show 4 hidden fields

Name

Patricia ferguson

Email [redacted]

Public Comment

Hi we need a living wage of 25 to 30 an hour because this is modern day slavery rent is sky high transportation u cant survive off 17 18 20 a hour WHERE WEALTHY ROBBING THE POOR ALWAYS DID AND PPL ARE HOMELESS NYC IS BIGGEST HOMELESS RATE UNEMPLOYMENT AND OVERWORKED AND OVERPAID

Attachment(s)

Drop files here or click to browse

Date Submitted July 14, 2026 8:54pm

Topic Budget Issues × Tenant Protection × Miscellaneous ×

Charter Related No

Topic Simplified Cost of living

Subtopic Raise the minimum wage

Show 4 hidden fields

Name

Erick

Email [redacted]

Public Comment

En mi opinión en Nueva York se necesita ganar
más de 25 dólares la hora aparte de las propinas por la razón de que las propinas no son exactamente garantizadas a tener un salario fijo. Cuando el negocio tiene outdoor dining, el servicio requiere más trabajo en sacar las mesas y las sillas al igual al final de el servicio en aguardarlas. También nuestro salario afecta mucho cuando el negocio no está lo suficientemente ocupado para poder tener un salarios de propinas justo, más si hay exceso de personal. Tener por lo menos ese sueldo de 25$ la hora aparte de las propinas ayudaría a darnos un poco más de alivio en ocasiones cuando el negocio no está ocupado e incluso sería más justo en los trabajos extra que requiere el trabajo.

Attachment(s)

Drop files here or click to browse

Date Submitted July 14, 2026 9:05pm

Topic Budget Issues × Unnecessary Bureaucracy × Tenant Protection ×

Charter Related No

Topic Simplified Cost of living

Subtopic Raise the minimum wage

Show 4 hidden fields

Name

Leah Cantor

Email [redacted]

Public Comment

Good evening, Commissioners, and thank you for the opportunity to testify.

My name is Leah Cantor, and I recently graduated from Columbia University with a Master's degree in Sustainability Management, where I studied climate resilience and urban sustainability.

I know today's hearing is focused on streamlining permitting, and I'd like to offer a broader perspective on streamlining government. New York City has become very good at planning for climate resilience through PlaNYC and the Office of Long Term Planning and Sustainability, which is now developing a citywide climate adaptation plan with other agencies. I applaud these efforts. But I believe there is an important gap between planning for resilience and governing for resilience.

My research has shown how siloed governance can make climate investments less effective, less efficient, and more expensive over time. For example, the City invests in both tree planting to reduce urban heat and stormwater infrastructure to reduce flooding. Yet these investments are often planned separately, even though integrating trees into stormwater infrastructure would make both systems more effective. An NYU study found that only 13% of stormwater bioswales include trees, even where it is technically feasible. Trees planted within these systems would be healthier during droughts and heat waves because they would have access to stormwater, while the infrastructure would capture more runoff. We would get more public benefit from the same public investment.

The broader question is this: How do we ensure capital projects across agencies are designed to maximize multiple public benefits?

Climate change is no longer just an environmental issue; it is an operational challenge for every City agency. Last year, as many New Yorkers died from heat-related causes as from homicides and traffic crashes combined. During recent heat waves in Europe, highways cracked, and hospitals and nuclear power plants shut down due to heat related equipment failures. In NYY, every agency should understand how climate change will affect its mission, infrastructure, and ability to deliver services.

I encourage the Commission to amend the Charter to require every City agency to assess climate risks and incorporate resilience into its strategic planning, capital planning, and operations. Agencies should also evaluate opportunities to coordinate across agency boundaries and maximize resilience, public health, and other co benefits whenever they make major capital investments.

The Office of Long Term Planning and Sustainability should continue to provide citywide leadership by setting standards, coordinating agencies, providing technical expertise, and reporting on progress. But resilience should become a shared responsibility across government, not the responsibility of a single office.

If we're serious about making government more effective, we should ensure that every capital investment delivers as much value as possible. Our Charter should help New York optimize not just for agency mandates, but for the greatest public benefit.

Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 15, 2026 12:44am

Topic: Unnecessary Bureaucracy, Reporting Requirements, Real Estate and Development, Department of Buildings (DOB) Issues, Miscellaneous

Charter Related: Yes

Topic Simplified: Environment

Subtopic: Include a requirement for climate assessment within all strategic planning, capital planning, and operations

Show 4 hidden fields

Name

Hayley Gorenberg

Email [redacted]

Public Comment

(attached pdf includes links)

Testimony of Friends of Mount Prospect Park

Prepared for the July 13, 2026 convening of the
Charter Revision Commission on Government Efficiency
to address public safety issues

Good evening. I'm Hayley Gorenberg, president of the nonprofit Friends of Mount Prospect Park and a member of Brooklyn Community Board 8's committee that reviews public park designs.

A dangerous plan lurching ahead in Brooklyn informs this testimony. One way to help head off harm is clarifying the charter so officials and community boards engage efficiently on NYC Parks projects, critical to our quality of life.

Mount Prospect Park is a beloved greenspace eligible for the National Register of Historic Places. It's built high on an old reservoir, and the flat part on top for recreation is a smallish pedestrian loop with trees around a lawn of free, flexible green space for soccer and other games throughout the day, off leash mornings, hangouts, picnics and birthday parties.

But in 2024 Eric Adams suddenly announced a plan to spend more than $11 million to pour concrete over the greenscape lawn, for a skateboard facility.

Experts and experienced New York City skateboarders point out serious safety problems like building a skate facility on this high up park with two access points: the granite staircase that would be crazy dangerous to skate, and the busy entry ramp skaters warn invites "hillbombing" into four lanes of traffic. Professional designers have published that their survey of police shows that this type of secluded location, with no sightline from the street, is tied to quoting them "significant delinquency." The pros label it, in all caps, "INCORRECT."

Brooklyn police officers agree. But people pushing the project dismiss the point or say, "Just call the police!" That's wrong. No City leader should set up New Yorkers for foreseeable, preventable run-ins with police.

Thousands of petitioning park lovers, as well as environmental health, historical, and climate conscious skateboarding groups publicly oppose the plan – and the national Rachel Carson Council this summer published detailed opposition addressed to the Mamdani Administration.

But there's hundreds of thousands of dollars of special interest lobbying in the mix, and the City is still looking to cut trees and destroy the lawn.

Where does the New York City Charter come in?

The charter says community boards review design (Chapter 70: City Government In the Community, section 2800 d(14)). But Brooklyn Community Board 8 was specifically directed to confine itself to design in isolation – not considering the site specific problems.

It makes a mockery of public engagement – and the Mamdani Administration pledged not to do that.

We propose the charter be revised to specify that design review includes:

Addressing public safety and
If the project affects a historic park, assessing impacts on the "integrity" of the park referenced in City law concerning projects in historic parks, but missing from the charter's reference to community boards.

Friends of Mount Prospect Park also requests an immediate good faith meeting with the Mamdani Administration about this project.

Thank you.

Additional background materials

Recorded excerpt from public meeting where CEO of the organization that has expended more than $400,000 lobbying New York officials stated Brooklyn Community Board 8 specified siting for the project and verified comments in support originated in the district followed by recorded excerpts from public meeting where CB8 District Manager and Chair of Parks, Youth & Education Committee flatly denied those representations (link)

Request to NYC Comptroller to investigate project for legal violations

Climate, skate, neighborhood and historical organizations' public statement of support for preserving Mount Prospect Park's green space, and shifting any construction to already-paved space

Brooklyn Community Board 9's June 2024 resolution opposing the plan to build a paved skate facility on Mount Prospect Park as "bad public policy," while welcoming construction of such a facility on already-paved space "with open arms"

Brooklyn Community Board 9's February 2026 resolution calling on Mamdani Administration to halt project pending investigation for legal violations

New York State Historic Preservation Office's determination that Mount Prospect Park is eligible for National Register of Historic Places, with virtually intact WPA-era landscape architecture

Attachment(s)



charter revision testimony of Friends of ...

Date Submitted: July 15, 2026 8:26am

Topic: Department of Buildings (DOB) Issues, Real Estate and Development, Enforcement, Tenant Protection, Reporting Requirements, Unnecessary Bureaucracy, Public Bonds, Miscellaneous

Charter Related: No

Topic Simplified: Public Realm

Subtopic: No to a skate park in Mount Prospect Park

Show 4 hidden fields

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- Request to NYC Comptroller to investigate project for legal violations

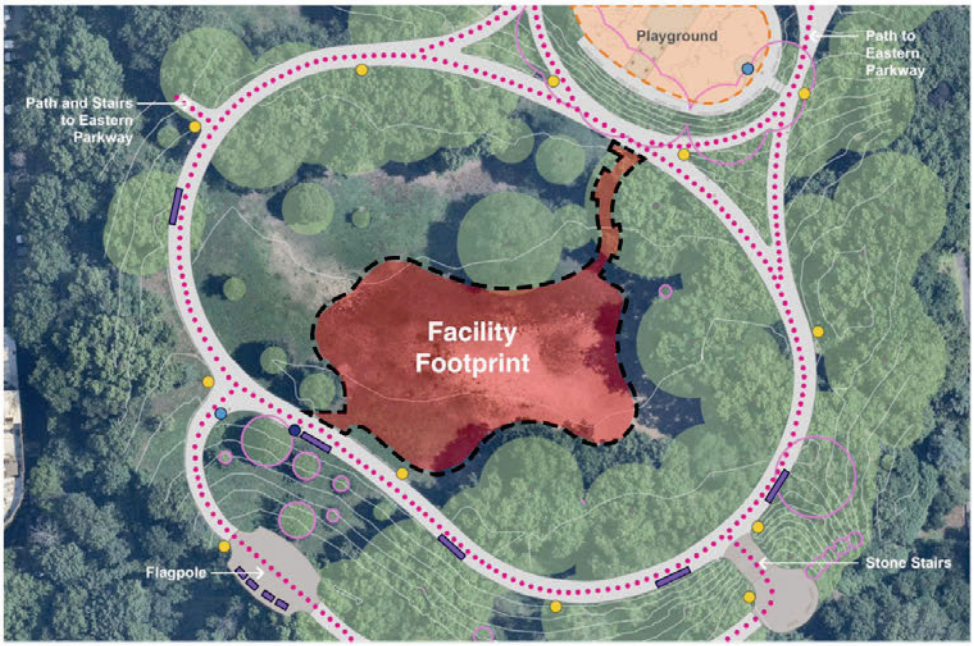
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Facility footprint (disclosed March 3, 2026)



Represented for past two years by proponents as "less than 12% of the park, referred to as an "unused section" of the park, etc., etc.

Name

Matthew Burton

Email [redacted]

Public Comment

I've spent my career in government IT, mostly at the Federal level. I was part of the founding tech team at CFPB and the creator of its recruiting program that became a model for USDS. I departed in 2014 as the CIO. I was the Senior Tech Advisor at Federal Student Aid from 2021-2023, after which I went to Treasury to lead oversight of IRS's $15B IT modernization. I have made it my mission to explain to public sector organizations why their IT woes have little to do with technology---the average government agency's tech needs are unsophisticated---and everything to do with the non-technical operational value chain: procurement, hiring, investment governance, and internal communication. I have been a leading advocate for building in house digital service capabilities and modernizing procurement to fit the realities of modern tech.

I think your preliminary report is the best government published encapsulation of the problem that I've ever read. You solicited input from some very wise people.

My one suggestion: Reframe the procurement problems on p54. Yes, technology moves faster than the process of procuring it. But a contract for a discrete technology will always leave you struggling to catch up on one end or the other: even if you succeed at procuring a particular technology quickly, you'll find yourself in a doom loop, executing one contract after another in pursuit of whatever new technology has come along, at ever-faster speeds that run your procurement teams ragged.

The answer is not to accelerate the speed at which you procure technology. Instead, change what you are procuring. The simplest example of this is in digital services procurement: Never issue an RFP full of requirements for a system that you've already envisioned. Instead, contract services to solve mission problems, and leave the definition of the technology to the vendor. Such a contract permits the vendor to choose the right technology upon award, and repeatedly reevaluate that choice throughout the performance of the contract. (Just be sure to require that vendors use open, non proprietary tech in their performance!)

You're busy, but I'm happy to talk your ear off about this topic anytime.

Thanks for the work you're doing.

[redacted]

Attachment(s)

Drop files here or click to browse

Date Submitted	July 15, 2026 9:52am
Topic	Procurement Reform ✕ Technology ✕
Charter Related	Yes
Topic Simplified	Procurement
Subtopic	Tech procurement

Show 4 hidden fields

Name

Karen Wharton

Email [redacted]

Public Comment

Please see my written testimony in opposition to Open Primaries.

Attachment(s)



Written Testimony Before the New York City Charter Revision Commission

In Opposition to Open Primaries

Karen Wharton — Legislative Director, Citizen Action of New York; Convenor, NY ROPOC Democracy Table

Submitted for the record — July 15, 2026, Queens, New York

Good evening, Commissioners, and thank you for the opportunity to testify.

My name is Karen Wharton. I am the Legislative Director at Citizen Action of New York, a statewide, membership-driven grassroots organization fighting for structural change in the lives of everyday New Yorkers. I also convene the New York ROPOC Democracy Table, a coalition of more than twenty organizations working to strengthen democracy reform across the state.

I have spent much of the last decade working to protect and expand democracy. I helped win New York's public-campaign finance program, now the largest in its nation. Before ranked choice voting was used in New York City, I organized across Brooklyn and other boroughs to help voters understand how it would work. I have consistently fought for reforms that make our democracy more representative and more accessible.

That's why I'm here today. I am not defending the status quo. Our election system needs improvement. But I do not believe this proposal is the right reform, nor is this the right way to pursue it.

Consider what is actually being asked of you. The advocates pressing this Commission have no settled proposal. Their own leadership has said they want a political commitment to changing the system first, with the design details to be worked out later.' That amounts to a blank check for the most consequential change to city elections in generations. Meanwhile, the now-disbanded commission appointed on the former mayor's last day in office advanced a top-two ballot question after hearing from exactly five members of the public.' That proposal is now being pursued through litigation racing toward an August deadline, alongside a parallel petition drive.' I watched the same playbook unfold in Buffalo. I've seen it in Albany. Now it is here in New York City.

Wharton COGE Written Testimony Fina...

Date Submitted July 15, 2026 10:53am

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic Open primaries (against)

Show 4 hidden fields

Written Testimony Before the New York City Charter Revision Commission

In Opposition to Open Primaries

Karen Wharton — Legislative Director, Citizen Action of New York; Convenor, NY BIPOC Democracy Table

Submitted for the record — July 13, 2026, Queens, New York

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[1] "As NYC votes, open primary advocates press Mamdani panel to let more than 1 million voters into primaries," amNewYork (June 2026). https://www.amny.com/news/nyc-open-primary-advocates-press-mamdani-panel/

[2] "Two charter commissions are fighting over your November ballot, and one of them is technically dead," Bushwick Daily (May 2026) (top-two open primary question advanced after testimony from five people). https://bushwickdaily.com/news/two-charter-commissions-are-fighting-over-your-november-ballot-and-one-of-them-is-technically-dead/

[3] amNewYork (July 2026), https://www.amny.com/politics/mamdani-content-nyc-primary-system-open/; Gothamist (July 6, 2026), https://gothamist.com/news/open-primary-isn'tadvocates-petition-to-force-question-on-ballot.

Different cities. Same strategy. Move quickly. Ask the harder questions later.

Everywhere, it is the same. A sweeping and potentially irreversible change is being pushed at maximum speed and with minimal deliberation. Ranked choice voting is being used as a Trojan horse for broader structural changes. That isn't the careful, evidence-based reform New Yorkers deserve.

Proponents say one million unaffiliated New Yorkers are shut out of the primary.[4] That concern is real. But look at the whole picture. More than three million New Yorkers are registered Democrats.[5] In the record-breaking June 2025 primary, more than two million of them did not vote.[6] That is twice the size of the entire unaffiliated bloc.

Open primaries do nothing for those voters. Do they not matter?

The turnout problem proponents describe is real, but they have misdiagnosed its cause. The Campaign Finance Board's own data shows that unaffiliated voters participate at lower rates even in general elections, and at the lowest rates in special elections. [7] Nothing excludes them from either. That tells us the problem runs deeper than closed primaries. The barriers include our February enrollment deadline,[8] registration hurdles, language access gaps, and chronic disinvestment in voter education. Notably, the Campaign Finance Board itself declined to endorse open primaries, recommending instead that the party enrollment deadline be aligned with the voter registration deadline.[9] We agree! Those are practical fixes that expand access without dismantling the system through which our communities organize, build power, and win.

The evidence from elsewhere should also give this Commission pause. Fourteen years into California's top-two, or "jungle" primary, a Democratic strategist has filed a ballot measure to repeal it. This comes after the recent governor's race nearly produced an all-Republican general election in the bluest state in America. California's own researchers have also found

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[4]NYC Campaign Finance Board, press release (Apr. 29, 2025) and 2024 Voter Analysis Report. https://www.nyccfb.info/media/press-releases/1-in-5-registered-nyc-voters-are-unaffiliated-new-report-from-campaign-finance-board-showsbuild,/

[5]NYPIRG, Voter Enrollment Analysis (Nov. 2025) (Democrats 65.9% of NYC registered voters, approx. 3.3 million). https://www.nypirg.org/pubs/202511/VOTER_ENROLLMENT_2025.pdf

[6]NYC Votes (CFB), "Voter Turnout in NYC's 2025 Primary Hits Decade-High" (Oct. 2025) (nearly 1.1 million ballots, 29.9% of registered voters), https://www.nycvotes.org/news-and-press/articles/2025-primary-election-turnout-soars/. Against approx. 3.3 million enrolled Democrats (n.5), over 2 million did not vote — twice the unaffiliated bloc.

[7]2024 Voter Analysis Report (n.4): 2024 general election turnout of 49.3% among unaffiliated voters vs. 63.4% among major-party voters.

[8]NYC Board of Elections, "Party Affiliation" (Feb. 14 deadline). https://vote.nyc/page/party-affiliation

[9]City & State New York (Apr. 30, 2026) (CFB "stopped short of advocating for open primaries"; recommends aligning enrollment deadline with registration deadline). https://www.cityandstateny.com/politics/2026/04/more-new-yorkers-voted-last-year-any-mayoral-election-1969/413224

that, in same-party contests, voters cannot tell the candidates apart.[10] Is that what we want for New York?

New Yorkers have already answered this question. In 2003, city voters overwhelmingly rejected nonpartisan elections at the ballot.[11] Just last year, a charter commission studied an open primaries ballot question and declined to advance it.[12] Nothing material has changed since — except who won the last mayoral election.

My greatest concern, however, is the moment we are in. The Supreme Court's decision in *Louisiana v. Callais* has gutted Section 2 of the federal Voting Rights Act.[13] The federal guardrails that protected Black and brown voters for sixty years are coming down. In a moment like this, New York should be strengthening the system through which communities of color finally built real electoral power — not experimenting on them. It speaks volumes that proponents are asking a court to preclear this change under the New York Voting Rights Act rather than first asking the communities whose voting power is at stake.

Our election system does need reform. But good reform begins with asking the right questions, not assuming we already know the answers. So here is our ask: rather than advancing any open primaries measure, this Commission should recommend that New York City create a task force to study the full range of electoral reforms. That study should include proportional representation, which this city once used to elect its most representative councils in history.[14] It should also include reforms to enrollment deadlines, same-day registration, language access, and sustained voter education. That process must include rigorous expert and racial-justice analysis. Just as important, the communities whose voting power is most at stake should have a meaningful role in it.

We built public campaign finance that way. We built ranked choice voting that way. Deliberately and together. Do reform right, or don't do it at all.

Thank you.

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[10]KQED (June 2, 2026) ("Undo the Top Two" initiative filed May 8, 2026), https://www.kqed.org/news/12083839/what-is-californias-jungle-primary-and-why-does-it-matter-so-much-for-the-governors-race; CalMatters (June 2026), https://calmatters.org/politics/2026/06/california-primary-election-top-two/.

[11]N.Y.C. Ballot Question 3 (Nov. 4, 2003), defeated by approx. 70–30. https://www.nytimes.com/2003/11/05/nyregion/the-2003-election-city-charter-city-votes-down-an-effort-to-end-party-primaries.html

[12]"Talk of open primaries dominates first COGE hearing," City & State New York (June 2026). https://www.cityandstateny.com/policy/2026/06/talk-open-primaries-dominates-first-coge-hearing/414079/

[13]Louisiana v. Callais, https://www.brennancenter.org/our-work/analysis-opinion/after-louisiana-v-callais-heres-proof-just-how-bad-voting-rights-america

[14]N.Y.C. elected its Council by proportional representation, 1937–1947. See Zeller & Bone, "The Repeal of P.R. in New York City," 42 Am. Pol. Sci. Rev. 1127 (1948).

Contact: Karen Wharton, Legislative Director, Citizen Action of New York

A Name

Corey Kunz

A Email [redacted]

Public Comment

July 15, 2026
Re: Written Comments to the Commission on Government Efficiency
On Behalf of the Hudson Square Business Improvement District

I am Samara Karasyk, President of the Hudson Square Business Improvement District (HSBID) and am writing to submit comments to members of the Commission on Government Efficiency (COGE). We support this Administration's efforts to improve government for all New Yorkers and appreciate the opportunity to provide input.

Since 2009, HSBID has overseen the transformation of Manhattan's former Printing District into a thriving creative and technology hub. The area we manage is generally bounded by Clarkson in the north, 6th Avenue in the east, Canal Street in the south, and West Street in the west. Our mission is to put Hudson Square on the map by capturing the spirit of innovation that is thriving in the commercial spaces and bringing that energy into the public realm, while promoting social, economic, and environmental sustainability. HSBID's primary function is to undertake capital and place making projects that improve the neighborhood's conditions with respect to pedestrian safety (and sanity), streetscape, and retail (ground-floor) environments.

As an organization that contracts with the City and executes capital projects on City property, we support COGE's mission to identify ways to modernize government and improve its efficiency. Through this unique perspective, we've identified a set of policy recommendations that would ease the cost and administrative burden of organizations like ours that partner with the City.

Indemnification and Liability Requirements for Nonprofit City Partners

In most contracting agreements, the City requires nonprofits to indemnify the City and hold significant liability insurance. These requirements pose a significant administrative and financial burden on nonprofits and exclude many smaller nonprofits from partnering with the City. The City made substantial progress working with the NYC BID Association to amend the NYC DOT Plaza Partner agreement to require the City to indemnify the nonprofit plaza partner and to limit liability to the nonprofit's insurance coverage. These sensible reforms should be included across all nonprofit contracts that manage public space. There is also an opportunity for nonprofit City partners to consolidate the contracts we have with multiple agencies into one umbrella agreement. Business Improvement Districts (BIDs) hold an umbrella contract with the NYC Department of Small Business Services, then sign additional contracts with multiple city agencies. We recommend that other city agency contracts be addenda to the NYC SBS contract for BIDs.

NYC DOT Art Program

Many nonprofit partners utilize the NYC DOT Art Program to install temporary artwork on eligible DOT infrastructure (asphalt, plazas, fences, medians, etc.). These art installations serve as a key tool in enhancing pedestrian safety, beatification, increasing foot traffic, and supporting local businesses. The cost and staff time required to execute these temporary art projects can be significant.

The NYC DOT Art Program currently limits the duration of art installations to 11 months. This time period is too short given the investment of time and

resources that City partners invest in these projects, in addition to the time it takes for city employees and the DOT Art Committee to review and process these applications. The time period should be extended to encourage greater participation in the program and allow the benefits of these installations to endure longer when they are maintained well.

NYC DOT Temporary Holiday Lighting Program

The DOT Temporary Holiday Lighting Program allows local nonprofit partners to install and operate seasonal displays on City streetlight poles. The program currently limits holiday displays to a maximum of 60 days.

The Business Improvement Districts and block associations that participate in the holiday lighting program do so at a significant financial cost and must apply anew every year, even when they have the same displays from one year to the next.

The City should expand the holiday lighting program to allow for seasonal displays that extend beyond 60 days. In addition, we recommend a simplified application to renew displays that have already been done in the same district at the same locations. By extending the display timeline and creating greater flexibility, more cultural holidays would be included during the winter months, and the public would have more time to enjoy the lights during the coldest and darkest months of the year. Better lighting on sidewalks is proven to reduce crime in public spaces. There are significant socio economic as well as safety benefits to the holiday lighting program, and they would be increased if lighting were permitted beyond a 60-day period.

We hope to have the opportunity to discuss these comments further and to be more involved in COGE's work moving forward. Please feel free to contact us with any questions.

Attachment(s)



July 15, 2026

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HSBID COGE testimony July 2026.pdf

Date Submitted July 15, 2026 11:29am

Topic	Unnecessary Bureaucracy ✕ Procurement Reform ✕ Real Estate and Development ✕ Technology ✕ Street Redesigns ✕
Charter Related	Yes
Topic Simplified	Public Realm
Subtopic	Insurance, DOT programs

Show 4 hidden fields

HUDSON SQUARE

Hudson Square
Business Improvement District

[redacted]

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How to move from first page to second page:

You cannot type seamlessly because text indents are different. When you reach the end of the first page, manually stop there and type on this page instead.

Name

Mark McGovern

Email

[redacted]

Public Comment

I urge the Commission to read the Citizens Housing & Planning Council's 2025 report The Elephant in the Room, attached.

It is a phenomenal, urgent clear eyed review of ULURP which speaks to exactly how it is failing our city's need for housing. Its recommendations are directly relevant to your mandate, and I was disappointed to see such little attention given to ULURP in your first report!

You are in an extremely needed and rare position, please, please use this opportunity to right a decades-long wrong and help our city. ULURP is a broken process from an era in NYC history where it was unimaginable that the city would attract new residents, let alone add 1.5 million. City Council was never meant to give local members final say on new construction. The process must change--City Council members hands are tied.

Please consider the report's recommendations for procedural relief for affordable housing. They are exceptionally aligned with your mission and the needs of all members of our city!

All the best,
Mark McGovern

Attachment(s)


THE ELEPHANT IN THE ROOM

February 2025

How ULURP's Skewed Political Incentives Prevent Housing

ULURP IS THE ELEPHANT IN THE ROOM

Elephant in the Room.pdf

Date Submitted	July 15, 2026 12:42pm
Topic	Real Estate and Development; Unnecessary Bureaucracy; Procurement Reform
Charter Related	Yes
Topic Simplified	Housing
Subtopic	ULURP reform

Show 4 hidden fields

THE ELEPHANT IN THE ROOM

February 2025

How ULURP's Skewed Political Incentives Prevent Housing

*This policy brief is part of CHPC's **This is How We Do It?!** initiative, which explores how the processes we rely on to reach our housing goals too often take us further from them.*

ULURP IS THE ELEPHANT IN THE ROOM

New York City has finally begun acknowledging the damaging consequences of its inability to supply new housing—unaffordability, homelessness, diminished economic competitiveness, and numerous other ills. The Mayor has set a "moonshot" goal of a half-million new housing units, and others have named even larger numbers. The City Council Speaker has successfully championed a requirement for the City to set targets for housing production at the citywide and Community District levels, consistent with a fair housing plan. Despite abundant disagreement on other topics, both officials have collaborated to enact wide-ranging zoning reforms and fund investments in housing and supporting infrastructure.

Yet even these reforms are not nearly enough. The recently adopted City of Yes for Housing Opportunity zoning changes could produce up to 80,000 additional units of housing over a decade—a significant increase, but a fraction of what's needed. The Speaker's Fair Housing Framework provides an argument for approval of further housing, but offers no teeth behind it; there are no procedural advantages to approving projects, or consequences for failing to do so.

To make progress toward these important goals, we need to acknowledge the elephant in the room: the process by which New York City makes land use decisions—the Uniform Land Use Review Procedure, or ULURP.

Despite a mounting consensus about the need to move forward, the path ahead is blocked by a land use review process that delays, defers, and rejects the actions needed to make new housing possible.

Acknowledging how the land use decision process contributes to NYC's housing shortage

- *ULURP contains **political incentives skewed against the approval of new housing***
- *The practice of **member deference** has broken the original ULURP approach to balancing local and citywide perspectives*
- *ULURP today makes it **too easy to prevent housing** where members don't want it, and **too difficult to approve housing** where members support it*

ULURP has many strengths—including firm deadlines and a level of transparency, public participation, and open debate that far exceed what exists in the ordinary legislative process. But it also contains political incentives skewed against housing.

Instead of helping local electeds shape decisions by citywide officials that advance broader housing goals, ULURP drops them into a Thunderdome-style battle with opponents of local proposals, where it can be politically hazardous to advocate for citywide needs. The political incentives of this process make it harder for an official to say "yes" to housing than "no" (or "not now").

The failure to balance local and citywide priorities in ULURP has curtailed the City's ability to change zoning, undermined the city's Fair Housing objectives, increased the price of housing and depleted public subsidies.

There are some elected officials who have taken heroic steps to approve housing and the zoning to enable it. We should celebrate this leadership. **But if it takes heroes to get housing built, we will never build enough housing.**

THE UNIQUE LOCALISM OF LAND USE

There's an American political aphorism that "all politics is local." Yet no political decision is quite as local as a land use decision. Local residents are uniquely positioned to comment on the particulars of place-based proposals, and provide perspective that can vastly improve decision making. There is a difference, however, between input and decision authority.

While large cities like New York were once considered to be politically driven by a pro-housing "growth machine" rather than the anti-housing "homevoters" who shape suburban land use choices, the zoning decisions made by New York City in recent decades reflect significant opposition from homeowners and other local players who typically resist new housing.[1] In other words, local opposition has been impeding the addition of housing in New York City as well as in suburban locations.

The term "NIMBYism" is a pejorative one that highlights how self-interest among neighborhood residents can defeat the construction of housing or other improvements of other broader importance to the public. But we shouldn't regard NIMBYism as a character flaw that can be avoided through personal effort (if only people would all be reasonable!). Rather, we should see it as a common and natural phenomenon to be accounted for in the design of our public processes.

Polls consistently show that residents on the whole favor new housing as a general proposition or even an urgent public priority, but the loudest, clearest message heard from nearby residents in the review of individual proposals is opposition. Numerous studies have shown that the people most likely to voice impassioned opposition, and to set aside time and resources to defeat a proposal, are the immediate neighbors, and that those who speak at public hearings, and who join Community Boards, are disproportionately homeowners, more affluent, and white.[2]

The effects of NIMBYism can be pernicious, but it would be a mistake to dismiss it as irrational. The external costs of new housing development—such as physical disruption and changes to a neighborhood's social environment that residents often resist—fall most pronouncedly on nearby residents. They are, as a rule, already housed, with the better-housed among them often more vocal and influential. The benefits of new housing are substantial, but New Yorkers in general experience them in a diffuse manner, through reconciliation of supply and demand, the easing of upward pressure on prices, and often the addition of hard-to-find lower-rent housing. A single building provides little benefit, but cumulatively many buildings provide massive benefit. Most residents who appreciate these benefits, however, do not testify about individual land use proposals. And at the time when land use approvals are being debated, the primary beneficiaries of a future residential building—the people who will actually live in the new apartments—are unknown (even to themselves!), and therefore are unable to advocate directly for their interests or rebut characterizations made by current area residents.

The key question for land use decision making is not whether residents in opposition are behaving rationally, but whether decision processes are designed rationally. Do they privilege the views of impassioned local opponents, or do they seek to reconcile them with consideration of the broader public interest? Under a system that defers to local opponents, we should expect that overall, land use decisions will fail to meet citywide or societal needs, and will reproduce geographical inequities as individual communities opt out of changes they resist.

This is a fair description of the housing outcomes New York City has experienced.

Evidence suggests that the land use review system has contributed to our housing crisis by stifling the review and approval of projects, by diminishing what is ultimately approved, and by creating increasingly restrictive and complex regulations. In a self-perpetuating cycle, this increases both the necessity of changing the zoning and the cost of doing so. Citizens Budget Commission recently estimated that process

costs raise rents by hundreds of dollars per unit[3] and reduce the amount of housing that's actually built.

So how did New York City end up embracing a land use process so misaligned with our needs? Like many problems, it was a byproduct of fixing a different problem.

LAND USE IN THE CHARTER, 1936 TO 1989

Early in the Charter history of New York City's planning function, there were efforts to ensure that citywide needs would be met by insulating land use decisions from politics, placing them in the hands of experts or "independent" appointees less accountable to voters. Later, in response to egregious failures of top-down planning, further changes reintroduced politics into land use decision making, acknowledging and even embracing the political nature of controversial decisions.

In the 1936 Charter, when the City's planning functions were established, they included requirements for the adoption of a master plan, to be used by the City Planning Commission as the basis for their decisions. The City never successfully created and ratified such a master plan (one was proposed in 1969, but it stopped well shy of traditional master planning, and was not adopted). However, the procedures for top-down, master-plan-style decision-making remained. During the 1960s, Jane Jacobs helped crystallize among urbanists a critique that top-down planning in a large city was at best out of touch with local conditions, and at worst destructive and deeply inequitable.[4] A consensus grew that, in one way or another, planning and land use decisions needed to better integrate local perspectives.

The 1975 Charter established the Uniform Land Use Review Procedure, or ULURP, as part of a set of reforms that set aside old-fashioned, top-down master planning in favor of community-informed decision making. The idea that local decisions should be judged for consistency with a master plan was scrapped (along with the requirement for the master plan itself) in favor of a process by which land use decisions would be reviewed at both the local and citywide levels.

The logic of the process was (and remains) elegant, recognizing the unique perspective and value that local voices bring as well as the need to reconcile these views with broader public priorities. Under ULURP, proposals would be reviewed first at the local level – the 1975 Charter revisions established Community Boards citywide – then at the borough-wide level by Borough Presidents, with advisory input from both. Then the City Planning Commission would review these local recommendations, reconcile them with broader policies and objectives, and vote on them. This was followed by a vote by the Board of Estimate, comprised of citywide and borough-level elected officials. This process would proceed on a "ULURP clock" that established deadlines for each stage of review. This meant that once a project began this process, it couldn't be effectively killed through delay; officials had to deliver a decision within roughly seven months.

The premise can be summarized as "local voice, citywide responsibility." The first word on proposals came from locals, who were uniquely equipped to evaluate the particulars of a project, but the officials who had binding votes were ones elected on a citywide or borough-wide basis (or appointees of such officials). The idea was to make city decision making responsive to local perspectives, but not to devolve decision-making authority to the local level. Voting bodies were expected take local perspectives seriously. For instance, the Charter requires the City Planning Commission to explain why its decisions depart from Community Board and Borough President recommendations, if they do so. But there was also an understanding that decisions delegated to local actors would not magically add up to a consistent policy that advances the citywide public interest, and that locally controversial proposals in particular would suffer in such a system.

The last stop in 1975's ULURP process, however—the Board of Estimate—was far from an exemplar of balance or fairness. Dating back to 1864 and reshaped numerous times over the ensuing century[5], the BOE exercised a mix of executive and legislative powers including power over the budget and land use decisions. But it gave each Borough President a single vote, meaning that each Staten Island voter carried more weight than each from Brooklyn. Based on the BOE's broad powers, this formulation was judged unconstitutional under the 14th Amendment's equal protection clause in a

decision finalized in 1989 at the U.S. Supreme Court. In an era before the advent of "sunshine" laws, the Board of Estimate was also regarded as the embodiment of the "smoke-filled room" in which officials brokered decisions out of view of the public.

The 1989 Charter Revision Commission scrapped the Board of Estimate for all these reasons. This required its various roles to be assigned to other bodies. The primary recipient of the old BOE powers was a newly empowered and expanded City Council, increased from 35 to 51 members in order to assure adequate representation of local communities, including racial and ethnic minorities.[6]

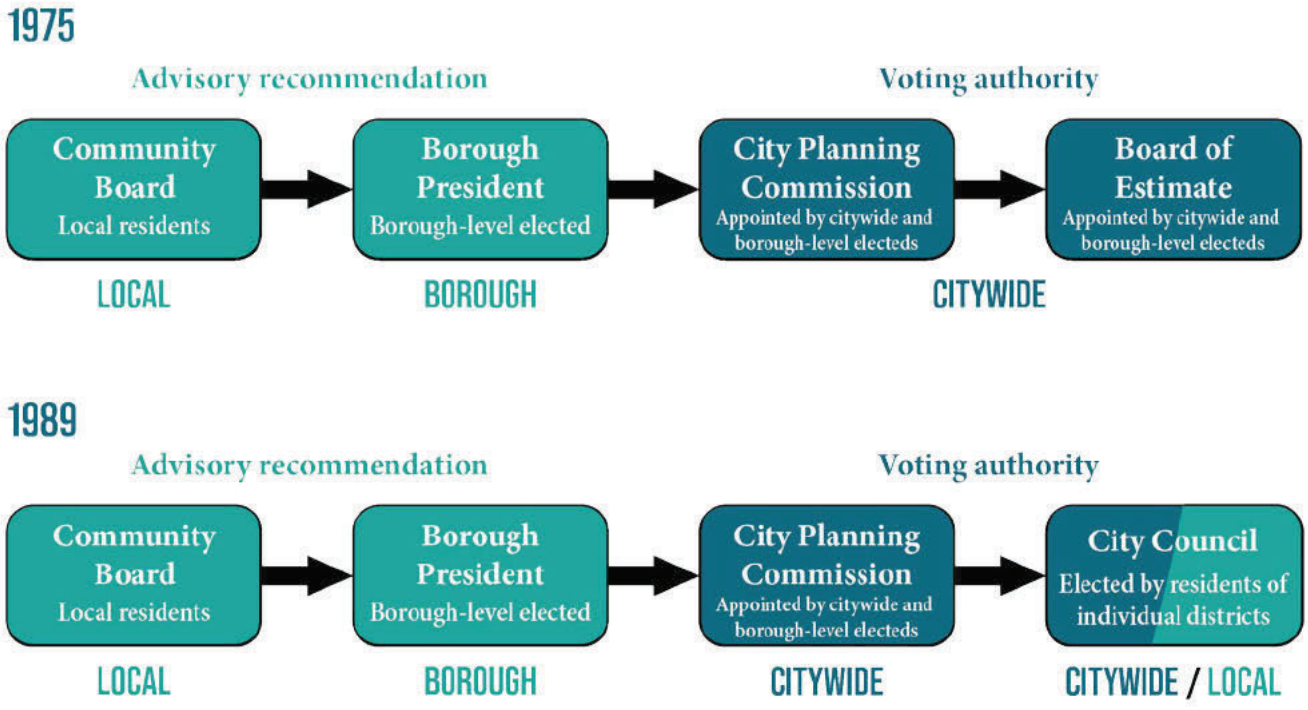
But reassigning a role in land use decisions from a body constituted of borough-wide and citywide officials to one composed of legislators representing small districts created a new set of questions about local versus citywide authority in the land use decision process.

The original proposal from the 1989 Commission would have sent only actions of a legislative nature, such as zoning text amendments, to the City Council for their review. Other actions would have been directed to a commission much like the City Planning Commission, comprised of appointees from officials elected on a citywide or borough-wide basis. (By supermajority vote the Council could "call up" a site-specific zoning action for review[7], reflecting an assumption that this would be a be a relatively rare occurrence.)

Even this proposal alarmed Mayor Edward Koch, who foresaw the Council's expanded role, and the customary practice of member deference, derailing the land use review process:

"I fear that your proposal will give legislative legitimacy to the NIMBY reaction that now threatens to block any socially responsible land use policy. The legislative tradition of comity and deference, which grants one legislator, in essence, the power to determine the collective vote on matters affecting his or her district, means that any time a member of the City Council does not like a land use decision in his or her district, that member will have no difficulty mustering the required votes to take jurisdiction and vote it down. This is a sobering thought. We would run the risk of land use paralysis."[8]

The New York Times similarly lamented that Charter revisions would make "an expanded and inevitably more parochial Council the final arbiter on most land-use issues," and that this attenuation of Mayoral authority "is so pronounced as to raise fears of political paralysis."[9]



The 1989 Charter revisions altered the balance between local and citywide perspectives in ULURP review.

On the other side of this issue were impassioned voices advocating on behalf of historically underrepresented racial and ethnic communities. Bronx Borough President Fernando Ferrer's comments to the Commission played an important role in expanding the range of land use actions on which the Council would wield the final vote.[10]

Ultimately, this debate compelled the Commission to revise its proposal into the shape of ULURP largely as we know it today. Virtually all land use applications, local and otherwise, come before the Council for its review and vote. Other land use provisions in the Charter were modified to counterbalance these changes, for instance, giving the Mayor the authority to appoint a majority of the City Planning Commission's members.

THE MEIDAS TOUCH OF MEMBER DEFERENCE

The City Council is a legislative body comprised of members each of whom represents a district, but who deliberate as a body and are expected to act in a manner that addresses the needs of the city as a whole. Members each bring to the table the needs and priorities of their own districts, as well as their own individual views, but they wield formal authority as a collective body to make laws that have citywide effect.

Except on land use.

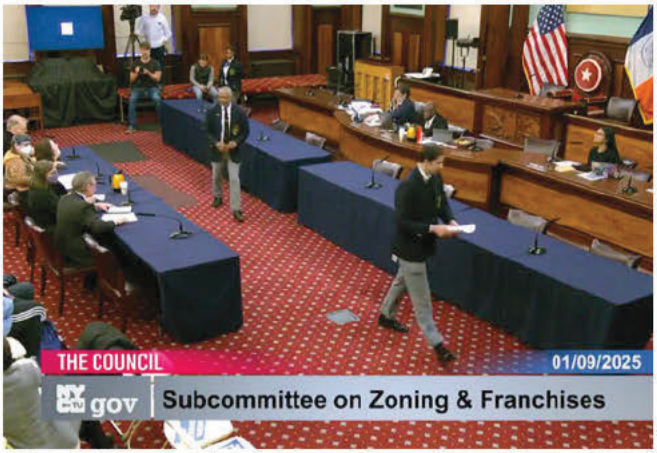
Local laws must be general in nature under the Charter, and cannot be enacted on a district-by-district basis; the same laws apply to Bay Ridge as to Baychester. Council members can direct small pots of funding toward their districts, but the Council votes up-or-down on the budget, rather than on line items. Only on land use does the Council vote on actions that are of a strictly local nature. This results in a different political dynamic.

While in theory all members could vote according to their own views on local land use items, there's a common, unwritten understanding that allows the local member to determine the Council's position. This enables each individual member to effectively wield the authority of the entire body over actions located in their own district, without interference from other members, who have a lesser stake in the particulars of a local project. The appeal of such an arrangement is inherent in the composition of the legislative body: every time members support the position of a colleague on a project in their district, it strengthens every other member's hand over matters in their own district.

The effect of this arrangement on local land use decisions is highly fraught, however. Hyperlocal control over land use decisions has been shown to perpetuate racial and economic segregation, for instance. In Chicago, where legislators wield a particularly potent form of member deference, affluent, whiter neighborhoods have rejected affordable housing and have downzoned to prevent new housing. The Shriver Center on Poverty Law has documented ways in which the practice of "aldermanic prerogative" has been discriminatory and antithetical to fair housing principles.[11]

Member deference empowers local electeds who oppose new housing to bar the door to ULURP. "Literally the first thing I do is I figure out who the Council Member is," says Kirk Goodrich of Monadnock Development, an affordable builder. "If the Council Member is resistant to an entitlement or rezoning to do a larger scale rezoning project, then it is dead on arrival."[12] The hostile member preempts the public process. No housing, no fingerprints.

And electeds who might support new housing are confronted by small but hostile local groups who threaten to vote them out of office for approving housing. Because the practice of deference is known, residents know they can target local officials and hold them accountable.



This is Thunderdome: at a recent Council hearing on a rezoning in Windsor Terrace, Brooklyn, the only members present for testimony from vocal opponents were the committee chair and the local member.

This creates the Meidas Touch of member deference: it appears to confer power on individual members, but with that power comes a political burden that can also rob them of the freedom to vote their conscience.

Consider the situation faced by a Council member engaged in the review of a housing proposal they regard as beneficial, but which is intensely opposed by neighbors. If the member chooses the outcome they think is most responsible to the public, they will incur the wrath of a small but vocal group of constituents, who may create anything from bad publicity to a legitimate reelection threat. While small blocs of votes won't influence borough-level or citywide elections, they can make a difference in a low-turnout district primary.[13]

It is far easier politically to find a pretext to reject a proposal, cut it back, or to instruct applicants to delay until after an upcoming election or even forego the application entirely, to prevent controversy.

Another way in which controversy and member deference combine to undermine broader housing priorities is what I have previously called **"Hungry Hungry Hippos zoning."**[14] This is the practice in which a Council member conditions approval of a rezoning on increasing the affordable housing component of a private development proposal beyond what is achievable with private financing; i.e., meeting this standard would be impossible without the use of public subsidy. It looks like the member has achieved more affordable housing, but really they have just grabbed resources away from someone else.

Why? No additional City subsidy is created, and there is already a long line of projects awaiting subsidy. Directing subsidy to a ULURP project means taking it away from some other, unnamed project in the pipeline. The concession doesn't increase the amount of affordable housing built citywide, just the share of subsidy going to their district. Hungry Hungry Hippos zoning is a solution to a political problem our land use process creates for local elected officials, but it is not a solution to our housing problems.

The other voting participants in ULURP, responsible to borough-wide or citywide constituencies, do not face the same political pressure a local Council member does to reject, diminish, or avoid land use applications. Yet the final decision in this process rests in the hands of the one official who can most easily be fired by opponents of new housing.

> *"Finally, I'd just like to say whatever this committee decides, it's ultimately Council Member Hanif's decision.* ***The Council almost always defers to the local council member. Whatever she decides is something she'll have to own going into her 2025 election and beyond.*** *So I ask the public to stand with us and let Council Member Hanif know what you think about this project."*
>
> *—Testimony from an area resident opposing a residential rezoning proposal on January 9, 2025, is typical of the political pressure project opponents wield against Council members under the practice of member deference.*

THE SLIPPERY SLOPE OF DEFERENCE

Since the Council was first assigned its role in ULURP, there has been an awareness of the corrosive potential of member deference, and Council Speakers have varied in the degree to which they have acknowledged or denied the practice. In recent years, however, member deference has become more blatant and difficult to suppress.

Peter Vallone, the first and longest-serving Speaker (1992 through 2001), wrote with pride in his memoir about pushing back on parochialism. Acknowledging the 1989 Charter Revision Commission's fear "that the council might adopt a small-minded attitude against development," he cited the approval of a condominium proposal on City Island over the local member's objections as evidence that his Council resisted

parochial impulses, as well as the approvals of Riverside South on the Upper West Side and an incinerator in the Brooklyn Navy Yard.[15]

During Vallone's tenure, the Speaker wielded powerful influence over members. With the imposition of term limits and other reforms, however, this authority waned. Under Speaker Melissa Mark-Viverito (from 2014 through 2017), reforms to the Council's rules empowered individual members and diminished the power the Speaker and committee chairs held over them. Whatever these reforms' merits for other legislative purposes, they made it more difficult for a Speaker to suppress member deference, and the practice became more explicit. As then-Council member Ritchie Torres said in 2018, looking back on this period, "We're part of the problem in the City Council … where we took [local] member deference to an extreme. A member essentially has veto power over a project …. As far as I'm concerned, the ULURP process is too drawn out. It's too cumbersome."[16]

Despite some efforts to put the genie back in the bottle by disclaiming the practice, and one or two exceptions that prove the rule[17], member deference continues to be a common practice, tacitly understood as a norm, and headwind to local land use decisions that serve the broader public interest.

HOW 2025 DIFFERS FROM 1989

The current ULURP process was instituted over 35 years ago. There have been many important changes since to the context in which the land use process operates.

In the late 1980s, the city certainly faced housing challenges. But the dominant challenge was still recovery from the abandonment and disinvestment of the 1970s, during which the city's population had dropped by more than 800,000. Healing and restoring devastated neighborhoods was a top priority. That the city might reattain and even exceed its all-time peak population was a distant if not fanciful notion. The city's population had peaked around 1950, since which time all older Amercian cities had shrunk. For decades, New York City urbanists had been engaged in debates over the shape of the city, with general agreement that its size would remain similar.[18] Development proposals could be controversial, but they were also often seen as a way to generate investment in facilities that weren't supported by the City's constrained capital budget.

Since then, New York City has grown by more than 1.5 million people. High and rising prices for housing and record-low vacancy rates[19] demonstrate the need for additional housing that has accumulated through decades of limited additions to supply. It's understandable that in 1989, a Charter Revision Commission might not have viewed the addition of housing as a top priority, but today it is an issue that cannot be ignored.

There have also been important demographic and political changes since 1989 – some of them attributable to the Charter change itself.

The 1989 Charter Revision debate was animated by the imperative of giving effective political voice to New Yorkers of color. Forty years ago, the city's population was becoming more diverse, but still the Census counted a majority of City residents as white and non-Hispanic. Moreover, communities of color were only beginning to achieve broader political representation. All citywide elected officials were white and non-Hispanic, as were three of five borough presidents. The destructiveness and inequity of planning decisions during the era of urban renewal were fresh, raw memories, and major economic disparities existed. Empowering local elected representatives of minority communities to push back on top-down decision making—from largely white officials—presented a compelling logic.

Today, just over 30 percent of the city's residents identify as white non-Hispanic to the Census Bureau. While disparities persist, communities of color have achieved far better representation in government, and not just within the small legislative districts established in the 1989 Charter revisions. These effects have rippled through the political world. A majority of the elected officials with citywide or borough-wide purview are people of color. Nearly all have held City Council seats.

This is of course not to suggest that the 1989 Charter revisions have healed all the wounds of racial inequity, nor even that the racial or ethnic identity of elected

officials dictates their political views. But it provides an important contrast to the vantage point of 1989. At that time, it was thought that assigning control over land use decisions to a legislature comprised of 51 small districts would empower local minority communities to resist changes driven by a majoritarian interest. This has arguably played out, though perhaps not as expected. Often today, the "minority" voice amplified in this process is the disproportionately whiter and more affluent voice of homeowners—a minority in today's city, albeit the strongest voice in opposition to development in many Community Boards—and the majoritarian interest at issue is the broad need for more housing.

There are other ways in which the 1989 Charter revisions have not played out as originally imagined.

The ULURP process allows the Mayor to veto a Council decision. But rather than serving as a check on member deference and parochial outcomes, this has proven irrelevant. There is a high bar for a Mayor to get involved in individual land use actions, particularly private applications—a much higher bar than there is for the Council to deny or modify one. And when a veto has been exercised, it has been easy for the Council to override it by a supermajority vote, under the same logic that supports member deference in the first place.

The framers of the 1989 changes did not expect the City Council to exercise its optional "call up" on every land use item; they expected that only larger or more controversial projects would be called up.[20] But in practice, everything is (perhaps because at the local level virtually everything is controversial). There also did not seem to have been consideration about the potential deterrent effect of the Council's role in the process.

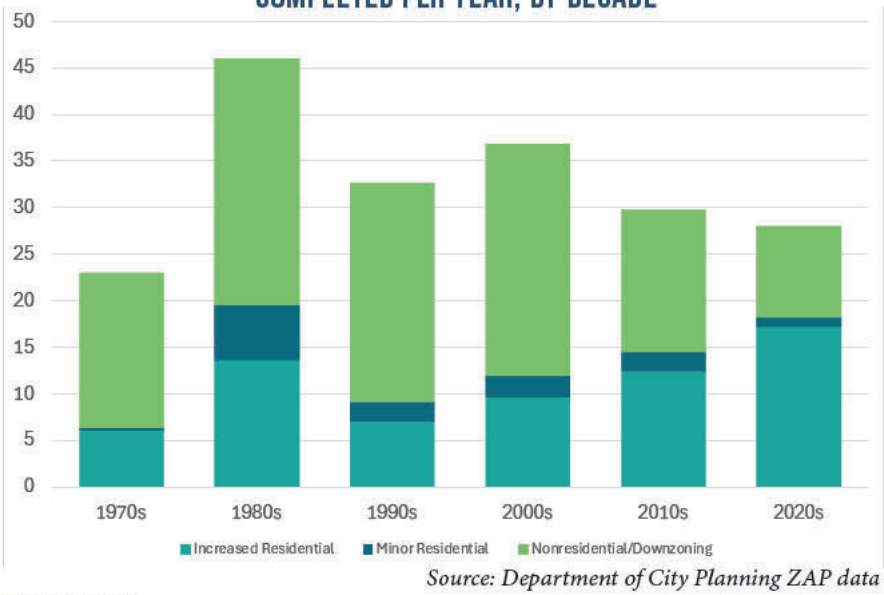
Finally, the imposition of a two-term limit on City Council members beginning in 1993 heightened incentives for members to think on a shorter time horizon that gives greater weight to existing residents than future ones. New zoning approved during a member's term will probably not result in occupied housing until a successor takes office, limiting the positive political returns to the approval of new housing. In addition, delay can be an enticing option to postpone a political challenge, leaving it to their successor.

THE DATA ON REZONING POST-1989

We examined data on land use applications tracing back to the creation of ULURP to see whether there is evidence to suggest that the 1989 revisions to the Charter affected rezoning.

Describing the throughput of the land use review process is complex. It's not just a matter of counting the number of applications processed—there are large rezonings and small rezonings, upzonings and downzonings; and stricter zoning may increase the demand for actions to

NUMBER OF ZONING MAP CHANGES AND SPECIAL PERMITS COMPLETED PER YEAR, BY DECADE



Source: Department of City Planning ZAP data

provide relief. Myriad factors can influence how many rezoning applications are introduced and where. But the volume of applications approved over time, and the geographic distribution of these applications, can offer clues about how well or poorly the process has enabled the updating of zoning and creation of housing.

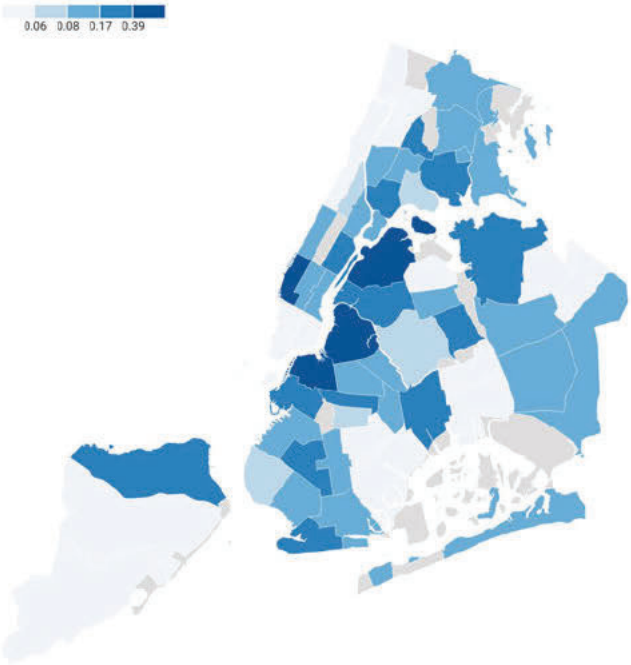
CHPC analyzed rezoning applications that have completed ULURP since the 1970s, when electronic records begin. Based on project descriptions, application records were divided into changes to facilitate housing development, minor residential applications, and nonresidential applications.

In recent decades, there has been an increase in the number of applications that aim to increase residential zoned capacity. This may reflect the intensifying housing crunch, an increasing need for changes as zoning capacity is depleted, or other factors. **However, the most striking trend shown in this analysis is a drop in rezonings completed immediately following the 1989 Charter revisions.** This drop occurred immediately after the disbanding of the Board of Estimate (which met for the last time in August 1990).

Despite an increasing share of housing-related ULURP applications, the volume of rezoning applications completed per year has never recovered to pre-1989 levels: so far this decade, rezonings are being approved at 61 percent of the pace during the 1980s, and the recent peak of the 2000s was still just 80 percent of the pre-1989 rate. This is true notwithstanding many efforts to increase efficiency, and vast technological advances that should enable faster processing of applications.

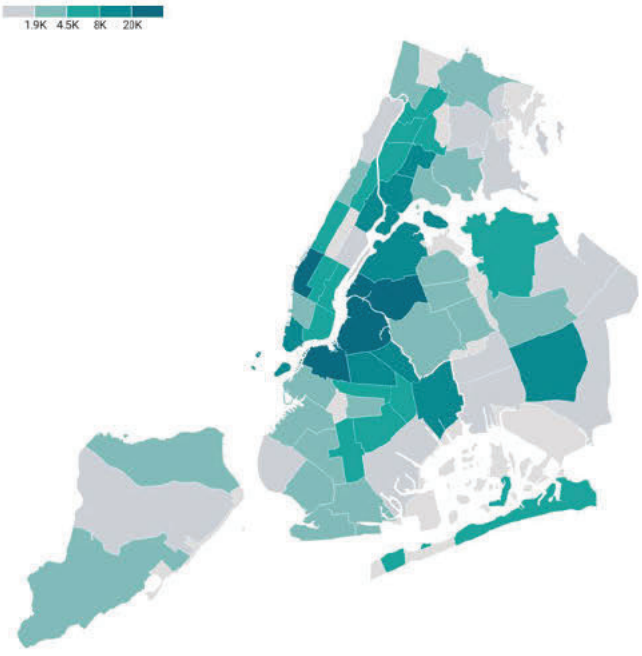
Rezoning applications have been concentrated in different locations over time, as market activity has shifted and neighborhoods evolved. But when we mapped the Community Districts in which private (non-City-initiated) residential rezonings have been approved since 1990, and the Community Districts that have added more housing in the past two decades[21], the maps (below) bear a striking resemblance. **Areas where more rezoning has occurred have added more housing.** This makes sense, of course—the local political forces that prevent rezoning are intended to prevent the addition of new housing. A system that gives local Council members an effective veto over housing proposals presents a persistent obstacle to fair housing.

NUMBER OF PRIVATE (NON-CITY) RESIDENTIAL REZONINGS PER YEAR BY COMMUNITY DISTRICT, 1990-PRESENT



Source: NYC DCP ZAP data; created with Datawrapper

NET NUMBER OF HOUSING UNITS ADDED BY COMMUNITY DISTRICT, 2010-2023



Source: NYC DCP Housing Database; created with Datawrapper

Historical data shows the similarity between geographies where rezoning has been approved and ones where more housing has been added. This highlights the equity implications of member deference.

GOALS FOR CHARTER REFORM

The following goals are offered to guide the development of targeted Charter revisions to better equip the City and its elected officials to address the need for housing:

Return to the original ULURP concept of "local voice, citywide responsibility." Decisions must consider and integrate local perspectives, but ultimate responsibility for decisions must rest with officials with geographically broader responsibility. If decisions are left to officials who can be held captive by parochial priorities, policy outcomes will fail to address citywide needs.

Build into the process a check against member deference. The problems of member deference detailed in this report should not be construed as evidence of character flaws or bad intentions among Council members, but rather as a signal that there is a design flaw in the process that short-circuits the Council's ability to act in a citywide capacity. Fixing this is not a simple matter of prohibiting member deference; the Charter cannot mandate how the legislature deliberates and makes its decisions. The Charter Revision Commission should consider adjustments to ULURP that empower officials with broader perspectives and provide them with more tools with which to prevent the practice. Council members must remain free to advocate to reject, modify, or improve proposals in their districts. But the process cannot delegate the power and burdens of approving local actions to a single member.

Promote cooperation rather than stoking conflict or rivalry. The current ULURP process does little to support agreement or cooperation between the City Planning Commission and City Council, whose review occurs in serial and in competition. The imperative to allow the Council maximal opportunity to make politically valuable changes at the end of the process makes the CPC less responsive to community input and less active in shaping projects. This dynamic also creates an incentive for Department of City Planning staff to iterate with applicants over desired changes during the pre-certification stage, which already takes longer than ULURP itself. Improving avenues for these parties to cooperate during the process could speed and smooth the path to approval.

Make minor actions faster and less resource-intensive. Sometimes small changes to zoning—extension of a commercial overlay, or other minor adjustments—are necessary to make housing possible or improve its quality. Today's cumbersome process can make this impossible, impractical, or just expensive. Establishing a simpler process for these actions can reduce the time and resources expended by the CPC and Council, as well as the cost and barriers to entry for applicants with limited resources.

Accelerate urgent affordable housing investments with procedural relief. There are a limited set of actions for which the full ULURP process is unnecessary, and shorter and more straightforward process can improve affordable housing outcomes. For instance, when **City-owned land** is disposed of for the construction of affordable housing and no zoning changes or other relief are required, there are no significant land use questions at issue. While ULURP provides an opportunity to solicit comment on the end use of properties, it is at odds with the urgency of delivering affordable housing. Eliminating the need for ULURP could cut a year or more off of the time necessary to bring affordable housing online, putting people in affordable homes more quickly and at lower initial rents. It would also put the construction of permanent affordable housing on a more equal footing with the creation of emergency shelters, which can be sited through accelerated procedures.

In addition, a streamlined land use review process for **NYCHA campus improvements conducted through a resident partnership process** could speed urgent and sorely needed improvements for NYCHA residents. Centering decisions around these residents—the current and future occupants of the housing—rather than residents of the surrounding area provides a unique opportunity to prioritize the needs of long-neglected public housing communities.

Charter revision should be undertaken with a long-term perspective, with humility, and with the pragmatic purpose of maintaining what works and fixing what doesn't. Candid examination of the ULURP process highlights obvious ways in which the process just isn't working to support the city's need for housing. We should seize the opportunity to fix it.

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21 Note that while the time frames covered by these maps differ (DCP's Housing Database includes additions and subtractions to housing only since 2010), zoning capacity is realized over time, and new housing may appear one or more market cycles after rezoning.

ACKNOWLEDGMENTS

This report was researched and written by:
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Ray Xie, Policy Analyst



CHPC NEW YORK CITY | CITIZENS HOUSING & PLANNING COUNCIL

[redacted]

Name

Jenn Scarano

Email [redacted]

Public Comment

I am submitting this comment based on my experience working for Kids in the Game, a New York City based youth development company that provides after-school programs, physical education, recess programming, and summer camps throughout the five boroughs. We partner with schools, the Department of Education, the Department of Youth and Community Development (DYCD), and other city agencies to serve thousands of children each year. As a result, we work extensively with New York City's permitting, licensing, and contracting processes.

While we fully support strong health and safety standards for children, many of the administrative processes across city agencies have become unnecessarily burdensome, duplicative, and inefficient. Rather than allowing organizations to focus on serving children, they require an extraordinary amount of time and resources to navigate red tape that often does little to improve safety or program quality.

The most significant example is the New York City Department of Health's School Age Child Care (SACC) permitting process.

Many SACC programs operate inside Department of Education school buildings that are already subject to regular inspections and maintenance. Despite this, the Department of Health frequently requires program operators to address building issues that are completely outside of their control. As tenants, we cannot make repairs or capital improvements to the facilities we lease, yet our permit can be delayed or denied because of issues that belong to the building owner.
In our experience, inspections often focus on extremely minor issues that have little or no impact on children's safety. Examples include peeling paint in an unused stairwell or measurements such as the height of a water fountain that children are already safely using every day. Schools often do not have the funding or ability to make these repairs quickly, leaving organizations that are otherwise fully prepared to operate unable to open programs.

The administrative process itself is also outdated. Applicants are still required to obtain money orders, mail documents by certified mail, and complete other manual processes that could easily be handled electronically. These outdated requirements consume valuable staff time and create unnecessary delays for both applicants and government employees.

Perhaps the greatest inefficiency is the timing of the review process. Once an application is submitted, applicants have six months to complete the permitting process. However, applications are often not meaningfully reviewed until only a few weeks before that six-month deadline. By the time inspections occur and deficiencies are identified, there is often little or no opportunity to make corrections before the application expires.

Rather than allowing applicants additional time to address the issues or keeping the application active while corrections are made, organizations are frequently required to restart the entire process from the beginning. This

results in months of duplicated work for both applicants and Department of Health staff, additional administrative costs, and delays in opening programs that families rely on. It is difficult to understand why applications are permitted to sit without review for months, only to be denied because there was insufficient time remaining to complete the requested corrections.

Another significant barrier is the current staffing requirements for after-school pre-K programs. Although these programs may only operate for approximately two hours each afternoon, organizations are still required to hire certified early childhood teachers. In practice, this makes it extremely difficult to offer pre-K programming. Most certified pre-K teachers are already working full-time in schools during those hours, leaving very few qualified candidates available for part time after school positions. As a result, many organizations that could safely provide high quality programming for younger children are unable to do so, limiting options for families across the city.

We have experienced similar inefficiencies with other city agencies.

Through our work with the Department of Youth and Community Development (DYCD), we frequently receive repeated requests to revise insurance certificates over extremely minor wording differences, even when the coverage itself fully satisfies the City's requirements. These repeated revisions consume time for both providers and city staff without improving safety or reducing risk.

We have also experienced significant delays with the Department of Education's MTAC renewal process. Our most recent renewal took approximately nine to twelve months because applications are only reviewed periodically. During that process, we were required to submit an extraordinary amount of documentation, much of which duplicated information that had already been provided elsewhere in the application. The volume of paperwork and the lengthy review timeline created substantial administrative work with little apparent benefit.

Across multiple city agencies, the same pattern emerges. Organizations are repeatedly asked to provide the same information in different formats, comply with overlapping requirements, and wait through lengthy review periods caused by administrative bottlenecks. These inefficiencies increase costs for both the City and the organizations providing services without improving safety or the quality of programming.

I respectfully recommend that New York City consider the following improvements:

Modernize permitting and licensing systems by allowing fully digital applications, payments, background check processing, and document submissions.
Begin substantive application reviews much earlier so organizations have adequate time to address deficiencies before deadlines.

Allow applications to remain active while corrections are being completed instead of requiring organizations to restart the entire process after arbitrary deadlines.
Better coordinate inspections between agencies, particularly the Department of Health and the Department of Education, so organizations are not held responsible for building conditions they do not own or have the authority to repair.
Review staffing requirements for short-duration after-school pre-K programs to determine whether more flexible standards could maintain safety while expanding access for families.
Reduce duplicative paperwork by allowing agencies to share documentation where appropriate instead of requiring organizations to repeatedly submit the same information.
Focus inspections and reviews on requirements that have a meaningful impact on health, safety, and program quality rather than minor technical or cosmetic issues.

Organizations like ours want to comply with every applicable regulation, and we appreciate the important role these agencies play in protecting children and ensuring quality programming. However, the current systems often prioritize procedural compliance over practical outcomes. By reducing duplication, modernizing outdated processes, improving coordination between agencies, and focusing resources where they have the greatest impact, New York City can make government more efficient while helping organizations deliver safe, high quality programs to the children and families who depend on them.
Message matt, wilson

Attachment(s)

Drop files here or click to browse

Date Submitted: July 15, 2026 12:55pm

Topic: Unnecessary Bureaucracy ×, Department of Buildings (DOB) Issues ×, Reporting Requirements ×, Enforcement ×, Technology ×, Tenant Protection ×

Charter Related: Yes

Topic Simplified	Unnecessary Bureaucracy
Subtopic	Permitting, forms

Show 4 hidden fields

Name

Stephanie Brown Shavuo

Email [redacted]

Public Comment

I work for a non-profit community based organization. It has been around for more than 30years. At no time has it been paid on time by the City of New York. This constant late paying causes serious financial hardships for the organization, its services and its employees. Some years ago, the State of New York implemented a prompt payment system for small companies doing business with state agencies. It would behoove the City of New York to institute a prompt payment process for not for profits receiving grants from City agencies. These are not businesses where the owner can increase prices to cover costs. Our funds are meant to provide much needed services. We are expected by the community and granting agency alike to provide carefully structure services on time and on budget. What is the sense of waiting for a year or more to be paid? Would you wait? Still we continue to manage children. senior and violence interception programs, Not fair, not economically smart. This was a problem in the 1970's. Nothing has changed in 50 years. Shame!

Attachment(s)

Drop files here or click to browse

Date Submitted July 15, 2026 1:02pm

Topic Procurement Reform × Budget Issues × Unnecessary Bureaucracy ×

Charter Related Yes

Topic Simplified Procurement

Subtopic	Delayed nonprofit payments

Show 4 hidden fields

Name

Josh Bisker

Email [redacted]

Public Comment

Josh Bisker
[redacted]

July 13, 2026

Commission on Government Efficiency

Re: Public Comment for Meeting at Queens Borough Hall, July 13, 2026

Hello everyone,

I'm here to talk about: Companies defaulting on their OATH violations.

My name is Josh Bisker. I'm an artist and on-again-off-again urban planner, and an enthusiastic participant in the Citizen Air Complaint program, administered by the DEP.

I love the air complaint program. It lets everyday people improve the air quality in our neighborhoods by helping the city identify and fine companies that dangerously pollute the air as the use streets to do business. The basic mechanics are that a person can report an idling commercial truck to the DEP, along with a video that shows the truck idling for more than three minutes, either by recording the sound of the engine or the sight of emissions belching out of the truck's tailpipe. The DEP reviews the complaint, sends a summons to the company that owns the truck, then there's an OATH hearing. If the company is found to be in violation, they're fined. When they pay the fine, you get a cut, which is a great incentive for participating.

It's an incredibly empowering program. The rewards incentivize widespread participation, and some people have been able to focus a substantial amount of time and effort on it. As a result, I've watched it dramatically improve the quality of life citywide, for years. But there's been one huge catch:

Companies can simply decline to pay the fines. There are no consequences for them doing so.

At this moment there are at least 58,000 unpaid, defaulted tickets for air complaint violations issued by the DEP since 2018—totaling $91M of unpaid fines owed to the City of New York. And that's just for this one specific violation type from just this one agency; there are likely tens of thousands of additional defaults for other violation types from the DEP and other agencies.

(Additionally, the number above ignores cases where the respondents have first defaulted on their payments, and then subsequently rescheduled their

OATH hearings, kicking the can down the road if you include those cases as well, the number is more than 68,000 unpaid, defaulted tickets, or $104 million in unpaid fines.)

For these air quality complaints, the companies responsible are primarily mega corporations like FedEx, ConEd, Amazon, and Garda. The unpaid fines mean that these corporations are profiting every day through business practices that illegally pollute our environment and harm our health. Yet because we are not holding them accountable, we are doing nothing to change their ways.

So: NYC needs an efficient mechanism for enforcing consequences on corporations who decline to pay their violations.

Please create one. There are some decent models: If a company doesn't pay its DOT summons, the DOT doesn't give you a new street closure permit. If you don't pay your business taxes, the sheriff locks your doors. But agencies like the DEP don't have a direct link to the business operations of companies they fine in this way, so they're place for them to intervene—and it's not really their purview anyway.

NYC needs a streamlined and centralized mechanism to hand down corporate consequences for ignoring fines—including closing the practice of letting huge companies negotiate for fee reductions after racking up enough debt.

When Amazon doesn't pay their fines, we need to hold them accountable. Lock their warehouses! Boot their trucks! Pull their permits! If a private citizen gets $350 in unpaid parking tickets, the city boots their car. Yet Amazon racked up $9 MILLION in unpaid defaults over more than five years, and it took a new mayoral administration to get the money moving.

I believe fines and citations are supposed to be tools for provoking behavioral change for the sake of the public good, rather than cudgels for punishing bad behavior. But behavioral change depends on carrots and sticks. In this case, the most egregious polluters – hugely powerful corporations – know that there's no stick for their illegal, harmful practices. Individual New Yorkers have no way to mediate our own relationships with these larger than life, powerful entities that's one reason I love the citizen air complaint program. So when the companies are allowed to ignore or even just reduce their fines, it represents a rupture in the government's responsibility to its people. Please: make city government responsible for keeping businesses accountable, by forcing them to pay their OATH fines or stop practicing business.

Closing this vulnerability will incentivize different corporate behaviors, reaffirm the public trust in our government, and reclaim hundreds of millions of dollars owed to the city's budget.

Please fix this problem,

Josh Bisker

Attachment(s)



2026 07 13 Josh Bisker COGE Public Tes...

Date Submitted: July 15, 2026 1:23pm

Topic: Enforcement × Unnecessary Bureaucracy × Budget Issues ×

Charter Related: No

Topic Simplified: Government Operations

Subtopic: Unpaid fines/OATH defaults

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Josh Bisker
[redacted]

July 13, 2026

Commission on Government Efficiency

Re: Public Comment for Meeting at Queens Borough Hall, July 13, 2026

Hello everyone,

I'm here to talk about: **Companies defaulting on their OATH violations.**

My name is Josh Bisker. I'm an artist and on-again-off-again urban planner, and an enthusiastic participant in the Citizen Air Complaint program, administered by the DEP.

I love the air complaint program. It lets everyday people improve the air quality in our neighborhoods by helping the city identify and fine companies that dangerously pollute the air as the use streets to do business. The basic mechanics are that a person can report an idling commercial truck to the DEP, along with a video that shows the truck idling for more than three minutes, either by recording the sound of the engine or the sight of emissions belching out of the truck's tailpipe. The DEP reviews the complaint, sends a summons to the company that owns the truck, then there's an OATH hearing. If the company is found to be in violation, they're fined. When they pay the fine, you get a cut, which is a great incentive for participating.

It's an incredibly empowering program. The rewards incentivize widespread participation, and some people have been able to focus a substantial amount of time and effort on it. As a result, I've watched it dramatically improve the quality of life citywide, for years. But there's been one huge catch:

Companies can simply decline to pay the fines. There are no consequences for them doing so.

At this moment there are at least 58,000 unpaid, defaulted tickets for air complaint violations issued by the DEP since 2018—totaling **$91M of unpaid fines** owed to the City of New York. And that's *just for this one specific violation type* from *just this one agency*; there are likely tens of thousands of additional defaults for other violation types from the DEP and other agencies.

(Additionally, the number above ignores cases where the respondents have first defaulted on their payments, and then subsequently rescheduled their OATH hearings, kicking the can down the road—if you include those cases as well, the number is more than 68,000 unpaid, defaulted tickets, or $104 million in unpaid fines.)

For these air quality complaints, the companies responsible are primarily mega-corporations like FedEx, ConEd, Amazon, and Garda. The unpaid fines mean that these corporations are profiting every day through business practices that illegally pollute our environment and harm our health. Yet because we are not holding them accountable, we are doing nothing to change their ways.

So: **NYC needs an efficient mechanism for enforcing consequences on corporations who decline to pay their violations.**

Please create one. There are some decent models: If a company doesn't pay its DOT summons, the DOT doesn't give you a new street closure permit. If you don't pay your business taxes, the sheriff locks your doors. But agencies like the DEP don't have a direct link to the business operations of companies they fine in this way, so they're place for them to intervene—and it's not really their purview anyway.

NYC needs a streamlined and centralized mechanism to hand down corporate consequences for ignoring fines—including closing the practice of letting huge companies negotiate for fee reductions after racking up enough debt.

When Amazon doesn't pay their fines, we need to hold them accountable. Lock their warehouses! Boot their trucks! Pull their permits! If a private citizen gets $350 in unpaid parking tickets, the city boots their car. Yet Amazon racked up $9 MILLION in unpaid defaults over more than five years, and it took a new mayoral administration to get the money moving.

I believe fines and citations are supposed to be tools for provoking behavioral change for the sake of the public good, rather than cudgels for punishing bad behavior. But behavioral change depends on carrots and sticks. In this case, the most egregious polluters – hugely powerful corporations – know that there's no stick for their illegal, harmful practices. Individual New Yorkers have no way to mediate our own relationships with these larger than life, powerful entities—that's one reason I love the citizen air complaint program. So when the companies are allowed to ignore or even just reduce their fines, it represents a rupture in the government's responsibility to its people. Please: make city government responsible for keeping businesses accountable, by forcing them to pay their OATH fines or stop practicing business.

Closing this vulnerability will incentivize different corporate behaviors, reaffirm the public trust in our government, and reclaim **hundreds of millions of dollars owed to** the city's budget.

Please fix this problem,

Josh Bisker

Name

Glen Baksh

Email [redacted]

Public Comment

My name is Glen Baksh. I have followed politics my entire life, at the city and community level. I have been involved as a voter and a supporter of grassroots efforts to improve the life of my community.

I have been a Democrat for most of my life, then I changed my status to independent. I was disappointed in how things were being done. I feel there is a lot of hate coming from the Democrats and Republicans, even hostility. We, as voters, are disrespected and the message is, it's either their way or no way.

As an independent I was denied the right to vote in the primaries. I feel it is a violation of my civil rights. Everyone should have a right to vote in the primaries and to be involved in choosing the candidates that best reflect their concerns.

I went to testify in person at the July 8 Charter Revision Commission hearing at Riverside Church. I was looking forward to adding my voice in support of opening the primaries to independent voters. I got there early at 4:45pm, waited 3 hours and never got the chance to testify. I was denied the right to a hearing! I feel betrayed and disrespected. I was hoping for something new, progressive minded and inclusive. It felt like the same old bureaucracy.

Is this any way to celebrate the 250th Anniversary of the founding of our country? I urge you to put open primaries to a vote by the people.

Attachment(s)

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Date Submitted July 15, 2026 1:38pm

Topic Open Primaries × Unnecessary Bureaucracy ×

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

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Name

Mara Komoska

Email [redacted]

Public Comment

My name is Mara Komoska. I live in [redacted]. I am a psychotherapist and small business owner.

I became an independent because I felt that neither of the major parties represented my views. I don't want to join a party that doesn't represent me. It feels disingenuous. I would like a chance for my view to be represented.

In NYC, the primary election basically determines the winner in November. Effectively, I have no choice and no voice. The choice is taken out of my hands.

I think it is important for the primaries to be open to independents so that other voices can be heard, other than the most extreme voices in the parties. I feel that our voices have been silenced. It's outrageous.

Being denied the right to vote makes me feel angry and frustrated. And it makes me feel sad that I can't do my civic duty. I would like to do my part. I'd love to bring my daughter to the polls. I would like her to learn more about who the candidates are and that we have some agency.

I urge you to put open primaries on the ballot for the people to decide. I think we would get more voter participation and candidates who would better represent the residents of our city. Also, they would have to appeal to a broader range of voters, not just a narrow slice of voters.

Attachment(s)

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Date Submitted July 15, 2026 1:42pm

Topic Open Primaries

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Anthony Sanchez

Email [redacted]

Public Comment

My name is Tony Sanchez and I live in [redacted]. I am a father of three and a public school teacher. I coach basketball and volunteer at my church and in my community. I am also a musician, producer and audio engineer.

I think open primaries are essential so that our Republic is continued. Every voice should be heard, and everyone should have a say in who is going to be put into office. The current system blocks 1.2 million New Yorkers from having a say. When we silence the voice of the people, it's very dangerous and it's un-American.

I feel that being denied the right to vote is like a slap in the face. I have lived in NY and [redacted] for a long time. I can remember when no one wanted to live here. My family stayed through everything. Right now, I feel that I, and many people in my community, don't have a voice.

I see open primaries as a way to continue to move us forward as a country and a leader in developing the most democratic system of government. I hope to see open primaries on the ballot in November.

Attachment(s)

Drop files here or click to browse

Date Submitted July 15, 2026 1:48pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Brooklyn Borough President Antonio Reynoso

Email [redacted]

Public Comment

Please see attached

Attachment(s)



BP Reynoso CRC Updated Testimony Ju...

Date Submitted July 15, 2026 5:40pm

Topic: Miscellaneous

Charter Related: Yes

Topic Simplified: Public Realm

Subtopic

Comprehensive Planning

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OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO
Brooklyn Borough President

NYC Charter Revision Commission on Government Efficiency
Updated Testimony
July 15, 2026

Members of the Commission on Government Efficiency: thank you for holding two hearings in Brookyln to solicit feedback from my constituents, and for your work thus far to advance proposals to serve the public in a more efficient and cost-effective manner.

Reviewing your draft report, I was pleased to see the two proposals related to outdoor dining and major transportation projects. Previously, I passed two pieces of legislation regarding these issues. These ultimately became Local Law 77 of 2020, which created the original outdoor dining program; and Local Law 3 of 2024 (co-sponsored by Council Member Restler), which consolidated notice requirements for bike lanes with other major transportation projects to make them less burdensome. In both cases, adapting the legislation further would have required Charter change. The proposals you are considering now take those needed steps to ensure that more restaurants have the opportunity to participate in outdoor dining, and that street safety projects are treated as the necessary infrastructure they are.

Secondly, I want to reiterate and expand on my comments from the June 11 Brooklyn hearing regarding comprehensive planning. As my team stated then, New York City is one of the only major cities in the world that lacks a comprehensive plan to guide its growth and development. In its absence, too many decisions are left to political whims, without consideration of efficiency in resource allocations or a citywide equity and justice framework.

Based on conversations with at least one Commissioner, my team prepared additional comments and ideas for your review. The proposed text below is **intended for discussion and consideration only** as a considered set of City Charter amendments and interventions that could advance comprehensive planning, efficiency, and equity.

The proposed text changes include:

- A new purpose and intent of planning section to ground the Charter's commitment to equity
- Updates to reference the City Planning Commission's responsibilities related to the comprehensive plan
- Clarification of the citywide statement of needs description
- Description of a comprehensive plan and its components
- Proposed expansion of the Report and Advisory Board Review Commission power to consolidate in addition to waive/eliminate reporting requirements
- Comprehensive Plan alignment with the 10-Year Capital Strategy
- A new section within the Budget Process for citywide growth management

- Edits to highlight comprehensive plan alignment with agency budgets and service statements

Cities referenced in development of the text below include:

- Austin, Texas
- Seattle, Washington
- Los Angeles, California
- Minneapolis, Minnesota
- Washington, District of Columbia
- Denver, Colorado
- Miami, Florida

Below new proposed text is indicated as underlined.

Add new language to Chapter 8: Comprehensive City Planning
Add New fronting Section 191-a. Purpose and Intent of Comprehensive Planning

The needs of comprehensive planning are not satisfied through a zoning ordinance and map alone. NY State requires local municipalities to engage in comprehensive planning to efficiently meet the needs of its largest cities and most vulnerable citizens.

Core to a comprehensive citywide plan is the idea of orienting our decision-making around the public good—the idea that what we do as individual people, as businesses, as organizations, as neighborhoods, and as boroughs affects this city as a whole. Our well-being, our safety, and our opportunity do not exist in a vacuum, but rather requires us to work hand in hand to build a balanced, well-resourced, and well-planned city that allows everyone to both contribute to and benefit from what New York City has to offer.

The mayor, city council, department of city planning, and related city agencies shall establish comprehensive city planning as a continuous and ongoing governmental function in order to promote and strengthen our resolve to build a just and equitable city for all, recognize the efforts of those New Yorkers, past and present, who fought for racial equity and social justice, honor the contributions of those New Yorkers who have suffered in the name of freedom, and acknowledge all who fought, struggled, and dreamed for a better life and a better city.

The City of New York shall prepare, adopt and implement a comprehensive plan to guide, regulate and manage policies, initiatives, investments, and future development within the five boroughs. This requires a whole-of-government approach to assure the most appropriate and equitable use of resources, consistent with the public interest, to deliver:

1. Greater government efficiency, coordination across City departments, and prioritization of City budgets and resources;
2. Integrated long-term planning, interdepartmental implementation strategies, and well-considered capital investments.
3. Partnership with the public to address needs, opportunities, and to identify specific priorities for the city's future investment, growth, and development at the lot, neighborhood, district, borough, citywide, and regional scales;
4. Strategic alignment between City departments to address urban design, transportation, economic development, racial and social equity, affordability, education, sanitation, infrastructure, plans for storm management and climate change, and other neighborhood needs through the coordination of capital investments, department resources, strategic partnerships, and inclusive mass engagement;

Add new language **to Section 192. City planning commission.**
Update and Add to Section 192-d.

The city planning commission shall be responsible for the conduct of comprehensive planning relating to the orderly growth, improvement and future development of the city, including adequate and appropriate resources for the housing, business, industry, transportation, distribution, recreation, culture, comfort, convenience, health and welfare of its population. The city planning commission shall:

1. Review and make recommendations to the council and mayor regarding the adoption and implementation of a comprehensive plan or portion thereof prepared under authorization of the city council and under the direction of the mayor, department of city planning, and responsible city planning staff;
2. After a comprehensive plan or portion thereof has been adopted in conformity with section _____:
    a) Review and make recommendations to the council on all amendments to the comprehensive plan or portion thereof;
    b) Review and make recommendations to the council on all proposals to adopt or amend land development regulations for the purpose of establishing the relationship of such proposal to, and its consistency with, the adopted comprehensive plan or portion thereof.
    c) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend bi-annually to the council any changes in or amendments to the comprehensive plan as may be desired or required; and
    d) Prepare periodic evaluation and appraisal reports on the comprehensive plan, which shall be sent to the council at least once every five years after the adoption of the comprehensive plan or portion thereof;
    e) The chair of the commission shall submit a work program for the following year to the City Council at the time the Mayor presents the following year's budget to the City Council. The city planning commission will confer with the City Council on any significant changes to the work program throughout the year.

Update Title of Section 204. Citywide statement of needs concerning city facilities.

Add a New Section 207. Comprehensive citywide plan.

Not later than the thirty-first day of December, two thousand and _____ and not less than every ten years thereafter, the mayor shall file with the city planning commission, the council, the public advocate, the borough presidents, and the community boards, a comprehensive citywide plan.
The comprehensive citywide plan shall be drafted in consultation with the appropriate city, state, and federal agencies and regulatory bodies, and with meaningful input from the public, and shall include the following elements:

1. Meaningful, ongoing mass community engagement;
2. A citywide, comprehensive needs assessment encompassing the health, welfare, and sustainable development of the city,
3. A future land use map, a long-range, advisory policy map that illustrates the comprehensive plan's vision for how land should be developed over a 10- to 20-year period. The FLUM shall designate broad categories and place types to guide future growth, infrastructure investments, and zoning amendments; consistent with the transit-oriented development and fair housing planning principles,
4. 10-year capital plan that implements this vision, focusing on historically underserved neighborhoods and addressing climate change.

5. A generalized policy map that documents the geographies of city policies with specific spatial extents
6. The following elements that operationalize the intent of the City Charter Preamble:
    a) a public services and facilities element, which shall include but not be limited to a capital improvement program;
    b) a wastewater, solid waste, drainage and potable water element;
    c) a comprehensive waterfront plan element, as outlined in section 205
    d) a traffic circulation and mass transit element;
    e) a public lands and related opportunities element;
    f) a public buildings and related facilities element;
    g) a preservation and historic resources element;
    h) a conservation and environmental resources element (A safe, healthy, and sustainable living environment);
    i) a community infrastructure and community economic development (A resilient neighborhood served by quality and accessible infrastructure and services as well as a robust local economy);
    j) an economic element for commercial and industrial development and redevelopment;
    k) a parks and open spaces element (Vibrant and welcoming public spaces throughout New York city, where everyone belongs and can move freely);
    l) an economic Justice and community economic development element, which shall include strategies in support of small businesses (Resources necessary to prosper economically and build wealth;
    m) a housing choice and stability element (Safe, secure, and affordable housing);
    n) a youth and education (Quality and culturally-relevant child and youth supports, including early childhood and pre-kindergarten through twelfth grade education);
    o) a mental, physical, and community health element (Compassionate and culturally-responsive health, trauma, and mental health care);
    p) a mass engagement element (Access and opportunity to participate meaningfully in government decision-making); and
    q) an ethical, equitable, and efficient approach to the delivery of government services element *(Humane, empathetic, and respectful treatment)*
    r) other elements as identified by the city planning commission
7. *Coordination and consolidation of reporting.* The report and advisory board review commission, consistent with Section 1113, may, for any other comprehensive planning related reporting mandated by local law, consolidate that reporting into the comprehensive plan reporting process as provided in this section, provided that the requirements of that local law reporting, aside from the date it must be completed, are met as part of consolidation.

Add new language to Section 1113. Report and advisory board review commission to add the ability to consolidate reporting requirements into the citywide comprehensive plan.

Notwithstanding any inconsistent provision of this charter, the administrative code or any local law and except as provided in this section, any requirement in this charter, the administrative code or otherwise in any local law that mandates the issuance of periodic or multiple reports by public agencies, officers or employees where at least one such report is due on or after the effective date of this section, and any requirement that mandates the establishment of a commission, committee, board, task force or other similar body that is solely advisory in nature, shall be subject to waiver or consolidation into the citywide comprehensive plan in accordance with the provisions of this section.

d-2) Prior to making any determination to waive or consolidate a requirement pursuant to this section, the commission shall, to the extent practicable, solicit the views of groups, organizations, or entities representing the interests of persons and entities that the chair or the commission reasonably determines are the subject of or are otherwise affected or benefitted by the requirement under review. Any such determination made by the commission shall include a statement that the commission has solicited input in accordance with this paragraph.

d-3) The commission shall review all requirements within its jurisdiction… Upon completing its review of each such requirement, the commission shall issue a written determination whether or not to waive or consolidate such requirement and, if the commission determines such requirement shall be waived or consolidated, stating the reasons therefor. A report waived or consolidated by the commission, subject to the review process set forth in paragraphs four and five of this subdivision…

Add new language to Chapter 9: Capital Projects and Budget

Section 215. Ten-year capital strategy.

Add new language to 215-c. *Contents of ten-year capital strategy.* Each ten-year capital strategy shall include:

(4) an assessment of alignment with the adopted comprehensive plan and any updates to portions thereof.

Add new language to Chapter 10: Budget Process

Add a new Section 225-b. Citywide growth management.

The mayor shall, consistent with this charter and other applicable law, establish a coordination between capital investment and growth management to be implemented no later than the fiscal year beginning on _____, to promote the elimination of disparities between communities, increase level of service and access to opportunity, and identify alignment of needed services and investments to be considered for inclusion in the executive budget. The council, borough presidents, community boards, and city agencies shall, to the extent practicable, coordinate with the mayor and the department of city planning to align with community district and citywide statement of needs.

Add new language to Chapter 69: Community Districts and Coterminality of Services

Section 2707. Agency budgets and service statements.

b. In preparing such statements for community districts the agencies shall consult with the respective district service cabinets, ~~and~~ community boards and Department of City Planning in coordination with a citywide comprehensive plan. In preparing such statements for the borough, the agencies shall consult with the borough service cabinet and borough board and Department of City Planning in coordination with a citywide comprehensive plan. The statements shall be filed no later than the fifteenth day of August with the mayor, council, borough president, community board and borough board.

Name

Hon. Alex M. Calabrese

Email [redacted]

Public Comment

I've known Carolina Salguero for over 26 years. She is the owner of the Mary Whalen, a beloved and historical oil tanker, the last surviving coastal oil tanker. Over the years, she has had to fight consistently for dock space in a city where every borough has access to water. Over the years, she has worked with youth programs and schools across our city - grade school through college - to offer educational tours, giving them a glimpse of different career paths. She has worked regularly with the New York Harbor School on Governor's Island giving those students a real understanding of daily life on board and the challenges of marine maintenance.

New York City is a waterfront city with a long and noble maritime history. Ms. Salguero is advocating for a New York City Maritime Agency to oversee all of the unique issues facing management of our extensive coastline. I think the challenges for the EDC are too broad to permit them to oversee such an important part of our history. For decades, our docks sat empty, unused and unavailable to our communities. As I would pass the empty docks driving under the Brooklyn cantilever, I would joke that maybe our grandchildren's grandchildren will have access to the water surrounding our city. That's what happens when government doesn't govern. I agree with Ms. Salguero that New York City's glorious maritime history and extensive waterfront requires management by a dedicated group of professionals to address the unique issues raised and to work to help small non-profits like Portside and the Waterfront Museum - also in Red Hook, managed by people who give so much of their time, energy and lives to provide special experiences to our communities. They deserve more support from our city. I advocate for a New York City Maritime Agency. Thank you.

Attachment(s)

Drop files here or click to browse

Date Submitted July 15, 2026 6:25pm

Topic Real Estate and Development ✕ Unnecessary Bureaucracy ✕ Miscellaneous ✕

Charter Related	Yes
Topic Simplified	Government Operations
Subtopic	Waterfront management

Show 4 hidden fields

Name

Wendy Frank

Email [redacted]

Public Comment

Can we address buildings that were built with construction defects where the developer changes their llc and HPD should have better protocols like hey putting $ aside in an escrow account for a certain amount of years.. The city is not tracking developer, to year of building to construction defect. People think they are getting affordable housing but it's not affordable when building were self-certified in the past and nobody is tracking all the lawsuits of developers who have caused this housing issue. AND, sit on REBNYs board.

Attachment(s)



Wendy Frank, Capstone.docx

Date Submitted July 15, 2026 6:37pm

Topic

- Department of Buildings (DOB) Issues
- Real Estate and Development
- Tenant Protection
- Enforcement
- Reporting Requirements

Charter Related: No

Topic Simplified: Building and Construction

Subtopic	Accountability when developers change

Show 4 hidden fields

Affordable Housing And Public-Private Partnerships: Is It Always Affordable When There Is A Lack Of Proper Housing Quality Oversight?

Masters Capstone

Wendy Frank

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Executive Summary

Public-private partnerships have been used as a policy tool to build affordable housing in New York City and to encourage low- and middle-income home ownership. Does affordable housing have to mean substandard building quality and chronic problems impacting the quality of life of those living in these buildings? A recent corruption investigation led to the discovery of over "26 separate bribery schemes in the past 2 years" (Jorgensen, 2015), which led to "50 people in total: 11 DOB employees, 5 HPD employees" being indicted in February of 2015. "The 26 indictments filed by Manhattan District Attorney Cyrus Vance Jr. lay out a stunning pattern of greed in which developers bought off inspectors to overlook code violations and speed their developments to completion". (Erik Badia, 2015) The size of the corruption investigation indicates that there is a problem with code enforcement.

According to the 2014 NYC Housing Vacancy Survey, 0.4 percent of all occupied units (renter-occupied and owner-occupied collectively) have construction defects. This small percentage increased significantly from 6,745 to 12,640 units between 2011 and 2014. The issue of construction defects has become a serious problem, which is directly linked to the building boom over the past decade. Affected owners not only have to live in substandard, and at times, hazardous environments, but, also face the financial burden of spending their own money to repair the construction defects. Homeowners

face an uphill struggle to recover their repair costs from the builders and to avoid a plunge in their property values.

My research findings indicate the following major causes of construction defects in New York City:

Lack of Comprehensive Tracking of Construction Defects

The testimony of Manhattan Borough President Gale Brewer indicates that there is no comprehensive centralized data tracking of building information such as the type of construction defects, or how the 421-a tax abatement is spent on each project . (Brewer, 2015). The tax abatement is not spent – it is a waiver on the property taxes for the developer.

Lack of Housing Quality Enforcement Transparency

The lack of transparency in NYC Department of Building (NYCDOB) inspection process and results has lead to various housing quality issues and widespread housing oversight corruption. While recent efforts to increase transparency at the New York City Department of Housing Preservation and Development (HPD) such as the Local Law 44 are a step in the right direction, the 2012 law falls short of promoting true accountability. Local law 44 sets out to require HPD to post or link to various data collection enabling access to public information and put it at the fingertips of homeowners, tenants, landlords, developers, elected officials, housing advocates, and other interested parties. Local law 44 also requires HPD to divulge more about the contractors involved in producing subsidized apartments. Full development budgets should be easily accessible online to ensure that public officials operate under the

assumption that good-government watchdog groups and housing advocates can monitor exactly what the City is spending taxpayer dollars on. With greater transparency would come greater efficiency, and HPD will need to operate more efficiently if Mayor de Blasio hopes to maximize the City's limited resources to produce truly equitable community development.

In 2008, Jennifer Benepe from the *Real Deal* reported on shoddy construction defects in cooperatives: "Information Act request from The Real Deal, the AG's office said the number of shoddy construction or fraud complaints by new owners submitted to the office increased 2 percent from 1,242 in 2006 to 1,267 in 2007". However, in reality, the number is much higher, according to lawyers interviewed by Jennifer Benepe, who said they don't even bother contacting the Attorney General's office anymore, since they rarely receive a response.

The number of offering plans submitted to and quoted by the State Attorney General's Office, an indication of the growth in the condo sector has grown by more than 300 percent over the past five years, rising from 299 in 2002 to 929 in 2006. (Benepe, http://therealdeal.com/issues_articles/fighting-back-when-a-new-condo-roof-leaks/, 2009) I spoke with Ms. Benepe, who advised me to (FOIL) request the Attorney General's office for this paper, asking the same information but, for data from 2007-2015. (Benepe, Journalist , 2015) I followed her recommendations and, to date, have received no response to my (FOIL) request. It seems obvious that the numbers never

significantly change from interviews of shareholders of cooperatives I interviewed, and the data at the DOB showing an increase of scaffolding requests.

Lack of Proper Protective Legislation

The New York Property Condition Disclosure Act (PCDA) requires sellers of one-to-four dwelling buildings to disclose known construction defects to the buyers, yet this requirement does not apply to condominiums or co-operatives. "The (PCDA) has been in existence since 2002. A seller of property, pursuant to Article 14 of the New York State Real Property Law, is required to provide buyers with a $500 credit at the time of closing of a sale." (Law) The reason behind this law is to protect the buyer from any manufacturer deficiencies. The PCDA requires, for instance, that the seller disclose whether the property has any defects. Based on the research of Philip Lucrezia from St. John's University, a $500 credit toward the purchasing price at closing to the buyers is too low to offer significant protection for condominium and co-operative buyers against known construction defects.

The New York Housing Merchant Warranty Act (HMWA) provides for a housing merchant warranty into all contracts for the sale or construction of new homes. However, Amy McDaniel in the *Cornell Law Review*, indicates that the statute limits the builders' liability to their own shoddy workmanship. [1]Builders are not legally liable for the defects caused by other people such as architects and/or subcontractors if the

[1] Cornell Law Review, March 1990, New York Housing Merchant Warranty Statute: Analysis and Proposals, Amy L. McDaniel

buyers pay or deal with these professionals directly, according to the Cornell Law Review document.

Recommendations

1) The New York City Council should earmark funds for NYC's Office of Information Technology to create a comprehensive centralized database of problematic developers to allow permanent availability of critical information to the public.

2) The New York City Council should enact a housing quality enforcement transparency provision that applies to the city's housing agencies, especially the DOB.

3) The New York City Council require a final punch list, which is a term the building trades use for the final list of correction to get the job completed. Inspection requirements along with the approval authority's information should be easily available to public.

4) The New York City Council should impose higher financial penalties, upwards of $50,000, on builders who fail to disclose each known construction defect.

5) The New York City Council should enact a new law that extends warranty protection to all construction defects with emphasis on builder fault.

6) A pending bill to create a HPD homeowners improvement trust fund and a HPD homeowner standard warranty.

7) The city should create and maintain a database of licensed builders and give them a grade in the same manner that the Department of Health grades the cleanliness of restaurants and food services. This database should be openly available and should include such information as the builder's history with respect to labor safety, prior issues with building quality, and defects, as well as labor type: union or non-union, the number of buildings the builder has built, along with information about the architect, contractors, and subcontractors.

Literature Review

The issue of construction defects has not been subject to any significant quantitative analysis in New York City. Newly constructed units, built during the latest housing boom, have many defects. Much of the existing evidence can be found in newspaper reporting. (Toy V. S., 2009) However, conducting such analysis is made more difficult due to a confusing range of city agency websites. These include: Acris, managed by NYC Department of Finance or (search using this tool) from the Department of Finance to search by address or block and lot. There are also separate websites for HPD and the DOB.

What is missing is collaboration between these agencies. NYC public information departments don't use technology effectively, leading to inaccurate details and incomplete and wrong information. Lack of technology affects many outcomes. The failure of city government to spend money on new technology leads to the poor maintenance of too many databases. A good example of better constituent communication is the city Council's CouncilStat. Its technology enables the City Council to compare and analyze constituent issues within and across districts in order to improve the Council's response to community needs and improve communication with their constituents. This enables tracking where you can develop legislative agenda and budget priorities that address issues

Other than newspaper coverage, which is usually related to a specific building or developer, there has been little systematic review of the entire development process. The premier study was prepared by Betsy Gotbaum, a former New York City Public Advocate, in partnership with Association for Neighborhood and Housing Development. "Inequitable Enforcement, The Crisis of Housing Code Enforcement in New York City" (Gottbaum, 2008) was report-based evidence collected from 1999 to 2002 and includes areas in the South Bronx, Central Brooklyn, and Upper Manhattan. The report covered the neighborhoods with the most severe housing issues and tenant complaints. Evidence from this report showed there was no cohesive, comprehensive code enforcement procedure in place. The process lacks teeth since violations issued by HPD were not tracked or tied to fines for the developer and contractors, as indicated by the report.

I spoke with real estate attorney Adam Leitman Bailey, (Adam Leitman Bailey, 2015)[2] who said there are no checks or balances if anything goes wrong, no punitive measures, and the day-to-day oversight, in his opinion, was getting worse at DOB and HPD compared to years past for his clients. The lawyer described the licensing process with the NYC Consumer Affairs office, one in which anyone can become a contractor if you pay the application fee. He made a very valid point in saying that real estate legislation by our elected officials is reactionary, and not proactive. Bricks fall, cranes collapse, facades fall down, and then legislators have hearings, and if you are lucky

[2] May 5, 2015, Interview with Adam Leitman Bailey via telephone

legislation is drafted and the bill is enacted to law. The kind of oversight waits until after damages and injuries have occurred.

Melissa Shetler, a strategic campaigns coordinator for Laborers-Employers Cooperation And Education Trust (LECET), confirmed in an interview with me[3] that HPD does not have a system in place that will ensure that new affordable housing is built with sufficient oversight. Four years ago, Shetler went door-to-door knocked and surveyed over 200 buildings financed by HPD, and she provided me with the excel spreadsheet tracking her efforts.[4] What she discovered was a range of contractors that had poor standards, and which were non-union contracted. Yet, they were contracted by HPD. There no transparency when it came to the bidding process in which HPD decided on their developers and the contractors. Issues in the buildings she observed ranged from backed-up sewers, leaky roofs, mold, faulty elevators and structural issues. LECET found over $14 million in wage theft, no employment insurance and many taxpayer-funded developments that required their subcontractors to pay prevailing wages. LECET found there were buildings, for instance, where taxpayer funded developments failed to pay prevailing wage, as required by law.

Also, in a Capital New York article, Pat Purcell, executive director of the Greater New York Laborers-Employers Cooperation and Education Trust, said, "Transparency and full disclosure in the discourse of government business is vital to ensure that taxpayers' money is being spent properly and that honest, responsible businesses are

[3] Melissa Shetler, Strategic Campaigns Coordinator, LECET phone interview. June 11,2015
[4] Melissa Shetler, Strategic Campaigns Coordinator, LECET email, June 12, 2015

charged with fulfilling the commitments made by our elected officials." (Goldenberg, 2015) Shetler said that, regarding the housing procurement process, HPD makes little public assessment of whether its programs and contractors are working effectively, even though many union groups have often requested improved transparency. In addition, when asked about the four previous HPD commissioners, as well as the current commissioner, she noted that all agency commissioners had been aware of the rampant corruption in the affordable housing industry in New York City and yet the public has been voicing concerns about mismanagement and corruption for some time with no results.

Shetler made numerous FOIL requests, and HPD was unable to provide accurate documentation on how they monitored the code enforcement process, including removal of code violations and agency follow through. (Shetler, 2015) The LECET recommended that HPD increase the number of code inspectors and conduct inspections in at-risk areas with the most violations. “She believes that, regarding the housing procurement process, the agency often does it ‘behind closed doors’ and more accountability needs to be made.” (Gronda, 2014)

During our lengthy conversation, Shetler recommended that HPD should “develop a flagging system” in their database that would notify the agency when a building had numerous violations by doing so, the agency would be proactive instead of reactive. She advocated for better data collection from city agencies. The central

takeaway is that good analysis will not only get the attention of New Yorkers but that it will, more importantly, help city agencies make New York City a better place to live.

I also met with the Jennifer Levy, General Counsel-Litigation and Brendan Brosh, Deputy Director of Communication from the NYC Public Advocate's Office. I asked how periodically monitored or updated the annual worst landlord list is compiled throughout the year. Unfortunately, it's not. I asked if moderate income areas receive the same services as the wealthy neighborhoods? How data are collected on a regular basis? What future technology suggestions were being created or suggested to the Mayor's office? How the Public Advocates handles the many housing issues that their office fields on a daily basis? What I gathered was that the Public Advocate's budget is very small, and they have limited staff with approximately 30 employees to help serve over 8 million constituents.

With limited resources and technology, the office is essentially engaged in triage. They address the issues they can fix and set aside those they can't. Is this a failure of the city to enforce its building and safety regulations via good data collection between agencies? What I wanted to know in my interview with the staff is was: is there a plan to improve urban planning, and address constituent complaints with the available data? From my interview it seemed there is very little reaching out to other cities like, Chicago or Los Angeles, for the purpose of comparing how other large US cities improve how they maintain better code enforcement and housing data. Was there another municipality who were the showcase of best practices in housing data

collection? I even asked if they had limited resources would they consider partnering with a new start-up by Avishai Weiss the founder of the website, Apartable. This new website was created by a disgruntled tenant who wanted to know the history of his building owner, property manager and landlord. While landlords, cooperatives and condos often require personal information from future purchasers about their finances, employment and past housing history, purchasers have a hard time finding out much about their property manager or building. To my astonishment, the staff at the Public Advocates office had not been aware of the recent press coverage of Weiss's work, but diligently wrote down the address of the website.

Anecdotal Research

As a tenant and shareholder in a subsidized Harlem co-operative, I have experienced problems first hand with the city's failure to properly inspect a brand new cooperative. In a 2005 HPD lottery, I won the opportunity to purchase a two bedroom co-op. The street was "blighted" – it was along the ruins of a long-abandoned New York City public school and adjoining vacant lots. Years earlier HPD and Harlem Congregations for Community Improvement, Inc. (HCCI) banked on a community turnaround caused by new middle class residents that were to be homeowners with the assistance of HPD, BFC Construction & L&M Management. To accelerate that process, HPD sold off the remaining buildings to developers along the block in that area (which

the agency dubs “sponsors”) for a dollar a piece and an “entire block for $20.” (Shetfield, 2010)

When my building was complete, I visited after having received the winning notification. I performed due diligence by doing a walk-through of my unit and felt assured, so I purchased the property. My neighbors and I saw the downside of the city’s construction rush when the first rainstorm caused leak throughout our new building. In the months that followed, rainfalls found their way through the roof and into walls and, dangerously, into lighting fixtures and electrical wiring. Mold grew in the basement of the complex. In time, our front entrance and handicap access ramps started to crumble. Deterioration became a health risk, and affordable housing became a form of passive discrimination of subpar construction in a poor neighborhood.

These issues were raised in a meeting of the co-operative board. I called the managing agent, who was picked by HPD, and wrote to HPD and the sponsor. I showed photographs of the damage and defects to authorities. The developer proved particularly difficult to reach because the company changed its contact information after all the units were sold. Unfortunately, my experience was not unique in New York City. Numerous articles have been written, such as Vivian Toy's article in the *Times,* ("Your New Condo Leaks? Join the Club,” (Toy V. S., 2009) The other shareholders and I learned the bitter lesson that housing is not affordable when repair costs for construction defects and poor workmanship on a newly refurbished building total over millions of dollars.

My letters and calls to HPD were joined by those of other residents and the property manager. State Assembly Member Herman Denny Farrell, who at the time sat on the Assembly Housing Committee, wrote a letter to the Attorney General's office on our behalf. Then HPD sent an asset manager, whose expertise was in finance and not construction, to inspect the building. Our board questioned why they would send an asset manager and not an engineer. We received no response. It turns out that HPD inspects their own buildings, and an HPD staffer told me that they send an asset manager rather than a qualified inspector because the matter is "a cost benefit issue."

To make things even more complicated, as a co-operative we cannot go to the Buildings Department and inform them of our problems because that would cause the co-operative to be fined for any violations, a penalty that discourages accountability to contractors that HPD selects or had a role in.

Sometimes the quest for a response turned comical. The coop board was so frustrated that I ended up calling on their behalf the HPD Commissioner, Wendell Walters, and invited him to inspect the coop building first-hand since I found out he lived about ten blocks away. Months later, we scheduled an appointment, he arrived and toured only one section of the building and left after five minutes. I wrote him a thank you letter and invited him again for a second tour of the building with the coop president, and called his assistant to schedule. Days later, the commissioner made headlines (Gardiner, 2015) for being escorted out of his office by the FBI, accused of fraud.

I then had a futile exchange with the then Borough President, Scott Stringer. The Deputy Director of Policy and Research eventually wrote a letter to the HPD Commissioner, only to land on the commissioner's desk the day he resigned to go work for the developer of our building.

Who should owners go to for assistance: sponsors, city agencies, elected officials, building management? Even the letter request from Assembly Member Farrell was ignored by HPD. Part of the difficulty in demonstrating the need for developer responsibility is the city's dependence on separate websites rather than a centralized database. Even the NYC Independent Budget Office, in their recent report, "Funding Added to Buildings Department for Reform Measure, Speed Processing of Affordable Housing Plans" [i] This paper attempts to address these gaps in oversight and consumer access to information and the permit process.

Centralized Information

> Once a building is completed (new construction or rehab), the Borrower's architect and a construction engineer sign off on the work that was done. After this sign off, each building is inspected once a year; any defects would be noted in that building's annual physical inspection report. Otherwise, defects are not tracked by HDC. HDC does not maintain a tracking list of repair loans only.
>
> Melissa Barkan, Esq.
> Records Access Officer
> New York City Housing Development Corporation

There is evidence that centralizing information improves consumer protection. Governmental authorities do not treat real estate information as being consumer protection related, so for many people, there is more information about their defective appliance than about their own apartment. A Brooking Institute report; "Getting Smart About Cities," does not comment on real estate or housing consumer protection information, for example, even though such a report should.

In order to give the tenants and shareholders a viable resource, the full names, addresses and contact information for all companies responsible for a building (developer, architect, general contractor, subcontractors, major suppliers, etc.) should be made permanently available and continuously updated for free on a public website, perhaps in a building's offering plan (along with such things as declarations, by-laws, house rules, etc; perhaps on the website of the NYS Attorney General and/or DOB). Included in that information should be the year of incorporation for each of those companies and buyers can see if they're dealing with a new or an established company. If constituents must face municipal and state officers, which abdicate their responsibility, then information should exist for residents to be able to undertake their own remedies or attempts to cure construction defects.

Consumer Protection Policy

> I have continuously called for transparency for all projects receiving 421-a tax benefits. Any reform to 421-a must include the requirement that comprehensive data be collected, maintained and made publicly available, tracking each project that receives 421-a benefits. Only then can it be

> determined whether the subsidies are effective and serving the program's purpose.

Gale A. Brewer, Manhattan Borough President
Testimony for the City Council Committee on Housing and Buildings
June 1, 2015

Is information about housing quality a public good? For any other product you buy there is a consumer protection policy. If you buy a Toyota, you can at least go back to Toyota and say, "Hey my brakes don't work." Lemon laws were enacted to protect the consumer. In housing, it is buyer beware. The consumer's only protection would be hiring a structural engineer on their own. The engineer would need to be given permission by the sponsor/developer to inspect the building prior to purchase at the buyers expense, and this inspection would need to be done in a timely manner, mindful of the constraints on a property's bidding process. This additional expense is a financial burden to the buyer, and if HPD is promoting homeownership "affordable" to low-income, middle-class households, it is important that buyers are given notice of these provisions prior to closing.

There is no way of knowing what structural or maintenance issues a given building currently has. There is no way of determining the individual developer's or sponsor's track record in other buildings. HPD tracks some complaints, but that online information relates to building and environmental violations that are usually specific to the construction phase of a building's development. Some of this information on violations could relate to inspections of existing buildings, but not much. Nevertheless,

this information is organized by building address and does not roll up to developers or contractors.

Between the lack of information at some oversight agencies, like New York State Homes & Renewal, DOB, NYCHDC; the limited information at others, like HPD; and the lack of a centralized database showing violation information that could be sorted by developers and contractors, tenants, buyers, and prospects are not accessible to the public. New York City should aim toward higher standards. The Internet has served to educate the consumer, including resources such as: Habitat magazine, Yelp and a plethora of other housing review websites that can help coop and condo owners.

Consumer Reports commented on the rise of the web in "How the Internet, the Sharing Economy, and Reputational Feedback Mechanisms Solve the Lemons Problem." [5] It is time that the City of New York embraced new technologies in a way that would benefit the consumers. Considering that HPD is the largest municipal developer of affordable housing in the United States,[ii] housing advocates worry that the agency maybe relying on bad data. HPD will make public presentations about code enforcement on their social media pages, (https://www.facebook.com/events/721061708020518/), but HPD fails to make information available to the public about the violation records of developers and contractors, leaving tenants in the dark particularly when tenants are already in the

[5]Adam Thierer, Christopher Koopman,Anne Hobson, and Chris Kuiper, How the Internet, the Sharing Economy, and Reputational Feedback Mechanisms Solve the"Lemons Problem"

precarious, buyer beware market for real estate. It's a lot like filling up your car with only sufficient gas to get to your next destination.

What is the city's next destination when it comes to technology? Over the years, there has been no effort to link the housing violations with developers to see if this was a recurring problem. DOB and HPD have no idea whether the same developer and contractors were recidivating, or committing similar violations over and over. The digital and technical skills deficit is prevalent in the many agencies. For this paper, I also interviewed Anita Larmont, General Counsel for the NYC Planning Department who said the agencies application process was still manual. (Larmont, 2015) Larmont said they would like to see modernized technology, but at the end of the day, this measure has to be approved in the annual operating budget by the legislative body. I also reached out to New York State Assembly Housing Chair, Keith Wright for this report via phone calls and emails to his scheduler and Chief of Staff, they did not reply by print time to a request for comment, and I was told they don't have to answer my questions since I don't live in the Assembly Members district. In addition, I also reached out to Dominick Williams, Chief of Staff to the First Deputy Mayor Anthony Shorris and they did not reply by print time to questions submitted.

Buyers throughout New York City have discovered that their new dream homes have serious defects and that they have more consumer protections when purchasing household appliances than the largest investment many will make in their lifetime, namely their homes.

Public Money, Oversight & Accountability

Oversight and accountability could be improved through a centralized database. The City of New York is burdening consumers, taxpayers, and homeowners with enormous costs when city, state, HUD and 421a subsidy monies are used for substandard building projects. Developers received tax incentives to build in blighted neighborhoods purportedly to further the core mission of city housing policy to provide quality housing and livable neighborhoods for all New Yorkers, but the reality burdens the homeowner with a sub-standard product and limited to no recourse. Yet, the same developers are not tracked in any significant way so as to determine if their actions are in compliance with the law.

Developers are allowed to keep building shoddy buildings seemingly without accountability. Additional vetting needs to happen when it comes to city oversight in certifying which developers and contractors are allowed to work on development projects, particularly when city agencies, like HPD, have a role in selecting those developers and contractors when it comes to building affordable or subsidized housing projects.

One Brooklyn co-operative board president, who, for this report will remain anonymous, reported that the developer of their co-operative left them with numerous problems, which led to a lawsuit with the sponsor. Shareholders were finally forced to work with the State Attorney General's Office to rectify the issue. The executive of the

sponsor of the building has left the industry and is now heading a kidney donation non-profit organization.

What is a Developer?

Can anyone call themselves developers? Well, if you have the financial capital, make friends with some private equity companies, learn how a boiler operates, hire and purchase property management software, which tracks your tenants, you can become a developer or managing agent. In a number of other states, including Florida, property managers must be registered by law and be licensed. New York doesn't require property managers to register, and your local barber or beautician goes through more requirements to cut your hair than does the person overseeing the building you live in. (Debra A. Estock, 2006)

How is the City of New York and its housing representatives vetting searches with more on-line documentation when choosing vendors to build housing for their constituents?

Another New York co-operative owner, on the condition of anonymity said it was obvious to anyone familiar with housing litigation that purchasers need to be advised that they will spend a great deal of time and money to get reimbursed for building expenses. In some cases all units in the building were sold, and often the sponsoring entity will distribute all of its assets, change or dissolve its special purpose LLC, or have lost money on other developments and have filed bankruptcy. Holding the sponsor personally liable, purchasers may, after years of law suits and expenditures

recover nothing, while residents wait years to get their leaky roofs and other defects fixed.

Better Enforcement

One solution could be better code enforcement and oversight by the Buildings Department. The city's enforcement system is based on tenant complaints received by HPD through the 311 system. After a complaint is made, an HPD inspector evaluates the building and issues a Notice of Violation (NOV) if Code violations are found. The NOV informs the owner of the violation and requires a repair within a certain timeframe. However, the NOV is not an enforceable judgment and HPD is not required to inform residents of building violations, unless constituents are in the habit of continuously checking their building's entry in the HPD's website. If tenants are left in the dark, they may not know that they are living in a building with potentially dangerous or hazardous conditions.

Co-operative or condominium owners have no protection and end up with the responsibilities for the violation since they are the ultimate owners of the property. Since the owner must return a form to certify that the repair has been made, this creates another obstacle for co-operative and condominium owners. What usually follows is that HPD initiates litigation in Housing Court to collect fines. When it comes to code enforcement, all HPD does is track the amount of complaints in condominium and co-

operatives. Furthermore, there are no statistics to measure code enforcement successes since there is no system in place.

Currently, HPD is inspecting its buildings, which is troubling because self-inspection is always questionable. Would it be better to contract this service to an outside engineering company? Could there be better practices in place for oversight, as there are no white papers on better practices for the DOB? When I called DOB's offices the only document provided to me was a recent May 15th, 2015 press release titled, "Commissioner Rick Chandler Announces Transformative Blueprint for Change at the Department of Buildings." [6] The press release states, "Regulatory transparency and industry outreach and engagement remain necessary for promoting safe and sustainable development. By clarifying existing regulations and building awareness of best practices within the development community, the Department will be better able to ensure industry compliance with regulations, and reduce delays in the plan exam and inspection process. Transparency change will include: Consolidate the Building Codes to Enhance Compliance: The Department of Buildings currently administers multiple construction codes applicable to alterations of buildings based on the code in place at the time of initial construction."
(http://www.nyc.gov/html/dob/html/news/pr_blueprint.shtml, 2015)

If some oversight agencies, like the State Attorney General's office, are becoming inundated with lawsuit after lawsuit, then we really need to reevaluate our

[6] http://www.nyc.gov/html/dob/html/news/pr_blueprint.shtml

construction practices when it comes to affordable housing units built with taxpayer subsidies. I submitted a FOIL request to the State Attorney General's office, requesting housing complaint data based on a 2011 article in *Brickunderground* that indicated that Attorney General's office was "faced with a tsunami of construction defect complaints." (Rogers, 2011) The response I received from the State Attorney General's Office indicated that the state's top law enforcement officials did not track complaints filed by tenants or homeowners living in 421-a affordable housing units.

As previously mentioned in report, former Public Advocate Betsy Gotbaum's detailed report about this issue titled, "Inequitable Enforcement, The Crisis of Housing Code Enforcement in NYC," (Gottbaum, 2008) identified the need for better cohesiveness when it comes to code enforcement. Interconnected agency communications can be created through better technology. The report does not evaluate alternative software or whether to hire information architecture staff or to use experienced designers. (Gottbaum, 2008) It was also suggested that inspectors be provided adequate technology to conduct inspections. Technology has drastically changed since 2003. Today, schedule routes and inspections can be tracked by computer, and inspectors carry their government-issued phones, which have GPS technology. These and other technological innovations, along with data sharing between agencies and a centralized database that rolls up by developers and contractors, can lead to improvements in how city agencies provide information to tenants, buyer and prospects in the buyer beware market for real estate.

Communications

This is an examination of the internal and external communication process when it comes to housing in NYC. My analysis includes an interview with the NYC Public Advocate's Office and many failed attempts to speak with staff at HPD, DOB, several elected officials, the Mayor's office staff and other housing affiliated organizations.

My questions were these:

1) How is information transmitted and received to housing tenant organizations, elected officials, and various stakeholders?

2) Does the City have any way to help condominium and co-operative owners after the expiration of 1 year statutory limitation ("NYS Housing Merchant Implied Warranty") to sue the developers for construction defects?

3) Do you think that making the DOB inspection result (the punch list) publicly available will increase the oversight effectiveness?

4) Do you think that freezing the city tax abatement programs 421-a and J-51 is an effective policy tool to hold the developers accountable for failing to repair the construction defects?

5) Can you point the public some good resources on the topic of construction extended warranty?

6) Does HPD track complaints that are focused on construction defects? If so, can HPD track which developers have such complaints filed against them?

7) It is my understanding that HDC allocates loans to new buildings that have construction defects. If so, does HDC track these loans and the outcomes?

8) What plans are in place at HPD so the consumer doesn't have to go to Acris, DOB, HPD, and the Department of Finances websites?

There is no overarching plan for communications at each housing agency. Institutionalization of data collection and transparency reforms will aid in building valuable partnerships with housing advocates, business owners, and all types of occupants from owners to renters. Other states are embracing the promise of big data, and Los Angeles recently put on-line 13 million records dating from 1905, which can be searched using an address, parcel number and other key information. Chicago now has their Bad Landlord List published on-line, and includes the names of property owners who have been taken to court at least three times in the past 24 months.

In NYC, just what kind of data information are we currently collecting, and how are we collecting this data is not yet known or shared across the many city agencies? From all these agencies, there seemed to be a lot of people with data, but no collective collaboration. The NY State Comptroller's office has audited HPD numerous times. Reports showed there were not set specific quantitative targets or benchmarks. Auditors found HPD did not have any tracking method to evaluate the effectiveness of its programs.[7] Some of the solutions to poor or no data issues involve spending money to replace and update antiquated technology in government offices, something that has not happened yet.

The investment of better technology can be addressed, and a good example of modernizing record keeping is how the New York State Parks, Recreation & Historical Preservation Launched a new Cultural Resource Information System (CRIS), which now

[7] http://osc.state.ny.us/audits/allaudits/093014/13n4.pdf

provides users with access to more than 1.5 million pages of digital images including, historic documents, building and archaeological inventory and a wide variety of additional legacy data. It is anticipated that the new system will enable the agency to become more proactive and efficient in its work and to make its extensive and valuable legacy data more widely available and usable to professionals and the public. This project, from application, award, bidding, development and launch, began in 2008. Daniel McEneny, Community Preservation Services Bureau – National Register & Outreach told me the cost was roughly 2 million. One point eight million dollars from a grant and other funding from NYS Parks. [8] Mr. McEnemy told me it was very time consuming and is still far from over. They just began a year-long service contact with the developers to iron out all the bugs.

Three components of a plan are advocacy, mobilizations and behavior change communication, which involves more face-to face dialogue with residents and community groups. I reached out to the HPD's Office of Neighborhood Strategies, which works to ensure that HPD's investments leverage broader community objectives. The office combines HPD's city planner, Inclusionary Housing, and Community Partnerships Division. The commissioner's voice mail has been full for months, and my email requests to interview him were ignored. According to his secretary, the Assistant Commissioner likes to keep his voice mail full, which in effect means he's unreachable. I concluded that there had to be a better way to reach staff at HPD.

[8] http://nysparks.com/newsroom/press-releases/release.aspx?r=1171

Communications/Mission Statements

Ad hoc efforts to communicate to the public are not coordinated and the consequence is mixed messages. The public has no understanding of the mission of HPD, DOB, and the Department of City Planning. There are no advertising, branding, marketing, media or communication efforts to promote these agencies, and with the constant change of administrations, the messaging has not been defined. Currently HPD's mission says the agency, "works to promote quality housing and viable neighborhoods for New Yorkers through development programs and enforcement of housing quality standards." [9] DCP promotes housing production and affordability, fosters economic development and coordinated investments in infrastructure and services, and supports resilient, sustainable communities across the five boroughs for a more equitable New York City."[10] According to DCP's website and social media page they indicate the agency contributes toward development of the 10-year Capital Strategy will ensure investments in New York City's neighborhoods and aligns strategic planning priorities with community needs.[11] The DOB mission statement says that it "enforces the City's building codes and zoning regulations, issues building permits, licenses, registers and disciplines certain construction trades, responds to structural emergencies and inspects over 1,000,000 new and existing buildings."[12]

[9] http://nysparks.com/newsroom/press-releases/release.aspx?r=1171
[10] http://www.nyc.gov/html/dcp/html/about/strategy.shtml
[11] http://www.nyc.gov/html/dcp/html/about/strategy.shtml
[12] http://www.nyc.gov/html/dob/html/about/mission.shtml

Using Technology To Make Government More Effective

All these agencies should develop an overall unified Customer Relations System (CRS) to ensure effectiveness. The failure of the communications effort can be seen by each agency's media page and website. Information is hard to find, duplicative, and not centralized. The agencies' mission should have more long-term plans when it comes to financing better technology to implement a better CRI system. Presently, if someone has an HPD complaint there is no way to directly address this issue to HPD. NYC 311 is the intake mechanism for HPD complaints. But what if your complaint has nothing to do with HPD, but may involve questions about the going after the developer (for when you now know HPD has no tracking information). How does the 311 system route that question to the other agencies? I was unable to get any type of answer of how 311 and HPD perform that function. Does the city have a flow chart or some kind of guide that gives tenants or home owners an idea "who to go to for what" across the housing-related agencies?

We can now automate tax bill payment systems. We can streamline how governments collect and manage taxpayer data. We can build sophisticated data-tracking systems to detect fraud. When these changes happen, taxpayers and constituents are more likely to know more about the world they live in. New York City systems are currently designed for a 20th century world. They don't work for today's service-driven, electronic, global technology world. So how do we update those

systems? By adopting better technology and other reforms can make our housing systems technology more user friendly.

HPD's mission is "preserving the stability and affordability of our existing housing stock." (http://www1.nyc.gov/site/hpd/about/about-us.page) What is most disturbing is that HPD overlooks many cases of inferior construction and workmanship in all the boroughs. The Attorney General's Office is inundated with these cases. In fact, there are so many, there is little reduction in caseload. (Rogers, 2011) Mayor Bill deBlasio has made affordable, quality housing a promise of his administration's agenda. However, the parameters by which we judge the quality of such housing developments are commonly hidden from consumer view.

A number of widely read newspaper articles have referred to using the power of the Internet to make government work better for New Yorkers. (Schneier, 2013) When it came to one of the biggest issues, housing, and the Bloomberg administration expanded the availability of government information and services to the public. However, there is no system to track building defects by negligent contractors and developers. To achieve these results, Customer Service Management software could centralize and improve responsiveness, accountability and efficiency. CRM software would enable staff to spend more time strengthening existing business relationships and prospecting future housing needs.

The Background; Public Private Partnerships

Public-private partnership serve as an approach that has been used most visibly since the post World War II era (The Stuyvesant Town and Peter Cooper Village developments in Manhattan were built with a public-private partnerships, too. The city used eminent domain to seize the land, a tax abatement was provided, and in order the right to discriminate in the selection of the developments' tenants was also granted, to build affordable housing in New York City. Over the years, the names of and the laws that have created these public-private partnerships have changed, but the packages of economic benefits generally remains the same.

In these partnerships, private developers, non-profit agencies, and in some cases faith-based agencies, receive funds and tax abatements from the municipal, state, or federal government (or all three, in some cases) in order to build or renovate and manage affordable housing. This approach can be used as a policy tool to encourage low- and moderate-income apartment rental or home ownership. As a result, this arrangement helped plus low cost mortgages fuel the housing boom of the past decade. For example, HPD, through its Affordable Homes Program, partnered with Abyssinian Development Corporation, Harlem Congregations for Community Improvement, Inc. (HCCI), and Settlement Housing Fund, Inc., to assist in building new and expensive housing construction by big-name developers--many of whom received either dirt-cheap land or subsidies from the city.

Mayor Bloomberg made affordable housing, a leading social welfare indicator, a centerpiece of his economic development strategy. In July, 2003, the mayor's

administration launched the New Housing Marketplace programs, which aimed to create affordable housing for 500,000 New Yorkers through the construction of 165,000 units. The agency charged with this mission, HPD, claims that it manages the "largest municipal housing plan in the nation" (http://www1.nyc.gov/site/hpd/index.page) With $7.5 billion in funding from the Bloomberg Administration, the city has funded 103,639 of these units. Mayor deBlasio announced his vision to build 80,000 new units of affordable housing over the next 10 years while preserving another 120,000 units. The de Blasio administration has two new programs to encourage building on vacant sites: the Neighborhood Construction Program (NCP) and the New Infill Homeownership Opportunities Program. The New Infill Homeownership Opportunities Program will allow sponsors to purchase city-owned land and construct condominiums or co-ops where at least one-third of the units are affordable to low-, moderate- or middle-income households.[13]

Part 1 - The Issue

The effectiveness of public-private partnerships in the management of affordable housing development is controversial. According to the 2014 NYC Housing Vacancy Survey, housing defects increased from 6,745 to 12, 640 units between 2011 and 2014, indicating that a 0.4 percent of all occupied units had construction defects, but that percentage was not fully defined what neighbors were most effective. (http://www1.nyc.gov/site/hpd/about/nyc-housing-vacancy-report.page, 2014) It's

[13] http://www1.nyc.gov/site/hpd/developers/private-site-new-construction.page

important to explore that this survey is based on an estimate sampling based on census data vacancy rates. Such a small percentage looks inaccurate, given that in some areas, like in Colorado, state legislatures have been discussing a condo construction defects bill,and given all the anecdotal horror stories. (http://www.denverpost.com/news/ci_27739800/construction-defects-issue-gets-lengthy-hearing-colorado-senate)

In fact, there have been a number of different journalistic accounts of the issue of increased construction defects and the lack of proper housing quality oversight written by the New York Daily News, New York Post, and City Limits. Over the past decade, during the building boom, the real estate industry became an example of how quality, and the overall inspection process takes, a back seat to profit. The online real estate blog, *Brickunderground* back in 2010, and again in 2013, published the seven most common construction defects that plague buyers.

Some of the biggest flaws reported have been inferior quality of oversight, architectural integrity from rendering to what was actually built, poor workmanship, the use of non-conforming materials, and the failure of government inspections from the roof to sub-basement. The structural integrity of these buildings could be compromised by substitutions of cheaper materials, and this is hard to discover until tenants or homeowners have lived in their dwelling for some period. Bait-and-switch is common in real estate. Offering plans don't usually reveal the make and model of a particular feature, and surveying engineers often find things aren't quite as they were

intended in the original plans for the building. Standard offering plans include a disclaimer that allows the developer to make changes that are of equal or better quality. Whether something is equal or better is a tricky point to prove.

As a result, the tenants or owners who are forced to live in substandard housing caused by construction defects face risks, like lead poisoning, asthma and even accidental injury (Cohen, 2011). If the owners seek legal intervention, the litigation carries a stigma, since buyers are often reluctant to bid on an apartment in a condominium that has been labeled defective. Furthermore, banks will rarely refinance a loan or lend to a buyer in a building with ongoing litigation. While the legal fees and repair costs pile up, the owners fear that property values will plunge if word gets out that their building has defects, based on personal experience of the cooperative board members I interviewed.

The Causes Of The Issue

1) Lack Of Comprehensive Building Information Tracking

The high cost of construction in New York City often requires affordable housing developers to combine multiple tax and other financing incentives to make the affordable housing project economically feasible. The 421-a tax abatement program is the major policy tool that promotes new construction of multifamily, rental apartments and condominiums on underutilized or vacant land. According to HPD, before the current negotiations, the tax abatement lasts for 10 years, giving owners a 100%

exemption from any increases in their real estate taxes for two years, then phasing out the exemption by 20% every two years over the remaining eight years.

While HPD is supposed to track the number of developments receiving these subsidies funded by the city, it is the Department of Finance that tracks the development agreements with affordable unit information. Affordable units are registered with NYS Homes and Community Renewal (Brewer, 2015). During testimony on a review of the 421-a tax abatement program Brewer indicated that "affordable housing information isn't always readily available from the agency." (Brewer, 2015) The Borough President also attested that "no single database exists that can definitely show how many affordable units have been constructed under the aide of 421-a" (Brewer, 2015) and neither does a system exist for tracking construction defects in the construction of these affordable units.

2) Lack of Housing Quality Enforcement Transparency

The DOB's role is only to provide Certificates of Occupancy, without inspecting buildings from roof to basement before residents move in. If residents of condominium or co-operatives bring structural or construction issues to the DOB, the building, now owned by residents, could be cited and fined for violations, as indicated in the *Times* article by Vivian Toy. (Toy V. , 2009) The public interest issue is that HPD promotes this process as affordable housing development. However, the ambiguity over jurisdiction between agencies with over-lapping mandates is very frustrating for new homeowners

because no agency has accepted responsibility for the construction defects and poor workmanship issues not addressed citywide.

The issue of construction defects and poor workmanship goes beyond esthetics, since some defects may actually violate the city's building code, revealing that the city's code enforcement and municipal regulatory oversight by city agencies are failing. (Toy V., 2009) The homeowners are then left navigating unresponsive city agencies, and elected officials to try and resolve these problems.

Lower income homeowners often do not have the life experience or financial resources to do battle with developers or the municipal agencies involved. This problem has become such an epidemic that an organization, the United Coalition of HPD Homeowners, had to be formed. This organization now represents homeowners and tenants throughout the five boroughs who have purchased or are renting in a newly constructed home through HPD programs that have been found to have major flaws. HPD homeowners have experienced various construction problems and have been ignored by city agencies, elected officials, and the developers who built their homes. New homeowners from condominium and co-operative boards are learning to navigate the bureaucracy of government agencies. Savvier building boards, with more funding, have documented the problems and hired their own engineers. Many of the new homeowners decided to purchase their homes as an opportunity to leave public housing or other rent regulated apartments. These homeowners wanted to live the American dream by owning their own homes.

I interviewed Judith Febbraro, board member of the Madison Park Co-Operative located in Harlem. (Febbraro, 2015) Shareholders of this co-operative are frustrated homeowners who have tried to seek public enforcement intervention in respect to their construction issues, but the shareholders ended up being sued by the developer for defamation and interference for $2.25 million dollars. Ms. Febbraro is the board president of her co-operative, a member of her local community board and very active in her community. She has been trying to address her buildings construction concerns (Beekman, 2014). Febbraro has been advocating for years for her developer to fix the on-going construction issues that her building has had and, in return, she was sued by the developer for "complaining" to politicians. (Beekman, 2014) This is known in the legal field as a strategic lawsuit against public participation (SLAPP) lawsuit, which is inherently unfair to people who don't have the financial resources to stand-up to the deep pocked real estate powers that be. She had written to elected officials in a hope of finding a good place to address these constituent concerns. Her building's problems were a very typical issue in every borough by the same developer. Exasperated by the entire ordeal, she said that, "it was outrageous that our local state legislators and the City Council which have committees on housing, commissions on housing and housing task forces are ignoring this issue." (Febbraro, 2015)

Ms. Febrarro and the homeowners say the lawsuit was a bullying tactic by the developer Donald Capoccia, who is president of the New York State Association for Affordable Housing and owner of BFC Partners. BFC Partners already had a history of

poor quality construction at multiple developments, as well as documented irresponsible construction contractors who broke the law and undermined wages, benefits and standards for workers. [14] Justice for Homeowners, a community and labor partnership, was instrumental in creating a on-line change petition addressing this issue. Justice for Homeowners and coordinated with labor unions and provided legal representation. Febbraro's case was thrown out by the judge, but from the time she moved in her building had leaks, roof flashing were left out, and air conditioners were pitched improperly. According to Febbraro:

> The building has had issues with the developer trying to get them to rectify these issues. At this point the building went to HPD with NCB Bank for a loan of over 1 million dollars to fix what hasn't been done. We were turned down by HPD/NCB Bank. The buildings management then decided to go to HDC, we are under HDC/HPD Regulatory Agreement, under a 421-a. HDC said they would loan us the money at 6% interest rate and we have to pay the full 6% interest on the loan when approved. Under the agreement the building sends a payment of approximately 3,000 a month to HDC/HPD that is being held until the abatement is over, this is supposed to help with the then real estate taxes we will incur. We have a mortgage on the building at a low interest rate. Will this loan at 6% alter the low interest rate we have on our mortgage? (Febbraro, 2015)

Febbraro also said that she is concerned "the money that is being held for us (which should accrue interest), yet we cannot seem to get appropriate answers. Why is HDC willing to give us this loan, when HPD/NCB Bank was not? This is a slippery slope. HDC will hold the money ($1.2 million) and make the payments as required or

[14] http://www.nydailynews.com/blogs/dailypolitics/nycha-defends-plan-sell-stakes-housing-projects-blog-entry-1.2109821

requested. Who is overseeing HDC, especially when it's so difficult to get information from them? This could become a potential problem for the residents." (Febbraro, 2015)

The New York State Assembly has a Committee on Housing, the New York State Senate has a Housing, Construction and Community Development Committee, and the City Council has a Committee on Housing and Buildings. Yet, tenants and homeowners, equally frustrated by their experiences with construction defects and poor workmanship, as well as with regulatory failure and official abdication of responsibilities, are left asking why is there is no Lemon Law to protect new homeowners?

Based on experiences like those of Febbraro and others the only citywide force motivated to tackle these problems might be the HPD residents themselves. Some issues are endemic to co-operative and condominium ownership. In 2010, State Senator Liz Kruger proposed legislation to create an ombudsman system for dealing with co-op complaints. (Krueger, 2010)

In addition, a couple of years ago the Alliance of Condominium & Co-op Owners (ACCO) formed as a grassroots activist owners' movement to lobby for city-wide and state-wide legislative. ACCO envisioned an Office of the Co-operative and Condominium Ombudsman to educate co-operative and condominium dwellers and professionals about their legal rights and responsibilities. (http://condocoopowners.org/)

There are now the United Coalition of HPD Homeowners and the Justice 4 Homeowners, which are organizations advocating for affordable housing and addressing poor quality construction at multiple developments, as well the on-going issue of irresponsible construction contractors, which violate the laws pertaining to wages, benefits and training standards for workers.

New home owners and housing organizations that promote affordable home-buying programs need to provide education for prospective buyers before they move into a new building. Given our understanding that prospective new homeowners are to a certain degree responsible for diligent research, they still very often find themselves victims of deceptive tactics by developers, architects and contractors. Most people searching for a new home do not know to research the builder, the architect, the construction company; the non-profit affiliated with the building on how to check to see if there are violations with the DOB. It would be very beneficial to buyers and tenants if there was a way of indentifying developers, who have had no construction defects and other complaints about their buildings.

Unfortunately, while construction issues often come up in new buildings, problems sometimes don't surface until several years down the road. There should there be an escrow account or a form of a surety bond that obligate developers, and contractors to cover future building issues if they arise from errors or negligence. Cutting costs, bad oversight and on-going maintenance repairs are burdens to homeowners.

On December 8, 2015, I attended a public hearing held by State Assembly Housing Chair Keith Wright on HPD oversight. The room was packed, and the focus of the hearing was the current state of companies receiving Housing Development Fund (HDF) loans and the lessons which could be drawn from those that had experienced success, as well as those that have run into difficulties. Not surprisingly, there were not many success stories, and the hearing examined the lack of oversight mechanisms. Speakers ranged from the Deputy Commissioner of the Office of Asset and Property Management, an official from New York State Association for Affordable Housing, and tenants and shareholders of many HDF homes, including Section 8 tenants, and new homeowners.

Most hardships stories were from local longtime Harlem residents addressing the economic injustice of how housing stock is maintained and built. The abdication of responsibility by elected officials was apparent following the State Assembly housing committee hearing, I reached out to conduct a follow-up report from Assembly Member Keith Wright's office via email and phone I was told by his staff, "we don't have to answer your questions, since you are not a constituent."

Special interest groups, like the Real Estate Board of New York (REBNY) wield tremendous power, and influence, particularly in political circles. (Mahoney, 2015) For its part, HPD has had a revolving door of Commissioners and staff, which makes for no no continuity at the agency. Tenants and owners need someone to address these issues and to see to it that the economic impact of poorly constructed units and the burden

they create are justly addressed. Besides REBNY, other special interest groups include: real estate lobbyists, unions and construction trade industry groups. They have a lot at stake when they receive city contracts and other subsidies given that the dwellers of affordable housing face disproportionate housing and economic hardships resulting from construction defects, some wonder whether there are class implications to regulatory failures. It makes you wonder if the high-end dwellers of the Dakota or the Woolworth Building had leaks when occupants moved in. Over time, there have been changes in the public participation in the public-private partnership that constructs affordable housing.

In the 1920s, trade unions sponsored the construction of affordable housing. The Amalgamated Housing Cooperatives in The Bronx, Electchester built by the IBEW in Queens and the Cooperative Village in the Lower East Side were built by trade unions, for example.(http://www.nytimes.com/1994/07/03/realestate/streetscapes-amalgamated-dwellings-built-1931-idealism-threatened-now-reality.html) This level of public participation to provide shelter is not matched now, since the private sector seeks only financial incentives from the public in exchange for building affordable housing, as evidenced by the real estate lobby's heavy reliance on the 421-a tax abatement program. Some large developers of affordable housing, like BFC Partners and L+M Management, won't even use unionized construction workers on development projects. This signals a severe decline in the role of unions representing the public in today's public-private partnership to construct affordable housing. The

civic pride of the 1920s, seemed a natural bond between the trade-unionism on the Lower East Side, particularly when they built the Amalgamated Housing Cooperatives. Have our standards changed by using non-union workers in the construction trades? Given how complicated it is to build housing with approvals needed by city agencies and community boards, we need better auditing between the building presentation and the final product.

The newly created United Coalition of HPD Homeowners, as well as the ACCO, have adopted the missions to create awareness by building a grassroots activist owners' movement, by lobbying for city-wide and state-wide legislative changes, and work by directly for constructive change through advocacy, mediation, and intervention. The ACCO held forums, to packed houses, where homeowners are uniting and are actively lobbying for a new State Office of the Cooperative and Condominium Ombudsman. This office would seek to educate co-op condominium dwellers and professionals about their legal rights and responsibilities. [15] Senator Liz Krueger is the bill's sponsor. While doing my research and from witnessing the State Assembly housing committee hearing, I spoke with numerous reporters, elected officials, community organizers, and housing advocates and everyone is in agreement that HPD doesn't track housing issues properly and there are no mechanisms in place for repairs.

The communities hurt the most are the ones who don't have the financial resources to take on the real estate interests, which are moving into the neighborhoods of Harlem, Brooklyn and the Bronx.

[15] http://www.mediate.com/mobile/article.cfm?id=6424

In addition, Lynn Levine from LPE Engineering PC said that her firm has encountered defects like façade and roof leaks, roofs not pitched correctly, faulty intercom systems, inadequate window and flooring, poor insulation, crumbling handicap ramps and various concrete issues. (Levine, 2015) She suggested that DOB inspection results (the punch list) be made publicly available. The punch list would allow prospective buyers to know about unresolved issues regarding the completion of the building. For example, if the elevator has punch list items, that may be an indication that it was designed or installed improperly. Further complicating the engineer's task is DOB's antiquated record-keeping system, one that leaves the hired engineers unable to conduct an easy search of building permits for current construction projects or records on completed buildings.

Levine explained that engineering and architectural evaluations of conditions in buildings are often as much an art they are a science. In many cases, there are two sides to the dispute with evaluations of conditions, both written by highly qualified people, sometimes making it difficult to judge who is wrong. Construction defects Levine has seen in her practice included roof leaks (the most common problem), façade leaks and other façade problems, lack of fireproofing (the materials that prevent fire from spreading from one apartment to another), errors in the installation of plumbing, flooring problems, inadequate heating and poorly functioning sewer lines. The builder or sponsor's position is usually that these problems are due to fairly minor errors in construction. The purchasers of these units usually complain that there have usually

had already been extensive delays, that repairs that have been made were ultimately inadequate and that the repairs that were needed were more extensive than what the sponsor was willing to do. The purchasers of affordable housing often end up with very high cost of repairs to fairly new buildings, as this has been written about, but there is no tracking mechanism in place for an accurate figure. As the *Times* article pointed out, much of what we know is anecdotal. (Toy V. S., 2009) To confirm Levine's observations, I reached out to the records access officer at HDC. The result of my outreach confirms that HDC does not maintain a tracking list of construction defects on buildings that received their repair loans.

This lack of tracking keeps tenants and homebuyers in the dark about the quality of the construction and workmanship in buildings. Lack of housing quality enforcement transparency leads to widespread housing fraud and bribery schemes. The recent massive arrest of 11 DOB employees, 5 HPD employees (including one HPD Assistant Commissioner), 22 property managers, six expeditors, two contractors for $450,000 housing oversight bribes confirms the extent of this serious issue.

Building Quality/Building Green

Communities in which many low-income housing projects are built can also get benefits from affordable housing projects. If they are built correctly, green buildings are not only sustainable, energy efficient, and good for the environment, but they can also be aesthetically attractive. What HPD fails to recognize is that when building with tax dollars, it is essential to be good stewards of public money. Housing needs to fit in with

the rest of the neighborhood and be buildings that people are proud of adding to their communities. One of the obstacles to improving building quality and code compliance is that developers are allowed to self-inspect their own work, leaving them with no motivation to build correctly at the outset, because developers can certify that their building was made to code. There is no oversight when it comes to inspection of new buildings because the buildings do not have a final inspection by the DOB and developers are allowed to self-inspect. Self-inspection by HPD is fraught with conflicts of interest and sister agencies, like the DOB, are not aggressive about the lack of oversight. Self-certification allows architects and developers to bypass plan examiners, the people at the department who inspect project plans before issuing a permit. This process was introduced in 1995, under the Giuliani administration, to alleviate a backlog from short-staffing at DOB that coincided with a construction boom.

In the heavily subsidized public service mission of affordable housing, code compliance is critical. That oversight has been compromised reveals that one must be watchful of the undue interest og real estate lobbyists, unions, and the construction trade industries throughout the process.

Housing Conditions & Health Conditions

Consideration of the health impacts of our built environments—the places where we live, work, play, shop, attend school and more—has been a key element in the ongoing evolution of the livable cities. Poor housing conditions are associated with a wide range of health conditions, including respiratory infections, asthma and various

safety issues. Public health has long been involved in housing issues. In the 19th century, health officials targeted poor sanitation, crowding, and inadequate ventilation to reduce infectious diseases as well as fire hazards to decrease injuries. NYC's Health Department can use multiple strategies to improve housing, such as developing and enforcing housing guidelines and codes, implementing healthy homes programs to improve indoor environmental quality, assessing housing conditions, and advocating for healthy, affordable housing. Now is the time for public health officials to address healthier homes by confronting substandard housing. Today, it is not only poor families but many middle class families who are furiously also running to address to the *Tale of Two Cities* in the city's housing crisis.

New Yorkers are working hard to move forward, or just to make ends meet, and anyone who wishes to address poverty and strengthen economic opportunity needs to connect the dots between the needs of the working poor and those of the middle class with housing issues we currently are dealing with in our daily lives. Much of that effort has focused on poor neighbors, for example low-income Bronx and Queens communities plagued by poor air quality due to heavy diesel truck traffic from the local highways dissecting the community (Major Deegan, Bruckner Boulevard, I-95, Grand Central Parkway), and a mix of industries where residences in close proximity to one another. The land in these neighborhoods can be vacant, since the industries once bustling have relocated. Zoning changes have been made to build new housing, but community benefits with developers need to negotiated for improvements involving

assessing aspects of the built environment: housing conditions, sidewalk conditions, land use, sewers, concentrations of airborne particulate matter if the land, soil testing, especially if the property was a former Superfund site, and other possible improvements that would positively impact quality of life. HPD and its developers are addressing design issues such as layout, walkability and building near wetlands, watershed protection areas and evacuation zone areas, which is a big issue in areas like the Rockaways and other geographically-challenged areas in other boroughs.

3) *Lack Of Proper Protective Legislation*

In New York State, one-to four-family dwelling owners can pursue litigation against the sellers for failing to disclose known defects under PCDA. PCDA requires sellers of real estate to complete a standard form disclosure statement that contains answers to 48 questions with in the following areas: a) general information b) environmental, c) structural, and d) mechanical systems. If sellers fail to timely complete and deliver the disclosure statement, they must pay buyers a $500 credit toward the purchase price at the closing (Nolo, 2015).

There are two major loopholes in this statute. Firstly, New York is the only state that excludes condominiums and co-operatives from the scope of this statute among the thirty-six states legislating in this area (Lucrezia, 2003). With the exclusion of coverage on these units, prospective buyers (typically low-and moderate income first-time home buyers) are left with no protective legislation, as the condominium association or co-operativeerative corporation has no duty to disclose anything to them. Thus, a defect

discovered after closing would present not only a financial burden to the new owner but also creates inconveniences and burdens of scheduling of repairs, possibly including planning for seeking the necessity of alternate housing while repairs are performed.

Secondly, the apparent consensus is that attorneys representing sellers advise their clients to simply provide the $500 credit to buyers rather than subject themselves to potential litigation from misstatement in filling the PCDA disclosure form. Comparing the high purchase prices of homes in today's market, $500 means almost nothing for this "buy-out provision" that offers sellers an affordable way to avoid proper disclosure. The low-cost of the $500 acts as a disincentive to do the right thing this thwarts the legislative intent and seriously undermines the statute's effectiveness in protecting owners against construction defects.

New York State Housing Merchant Warranty Act

On the other hand, another state law, HMWA holds that a warranty of habitability needs not be written into the contract, but exists within every contract for the construction and sale of a single family house or a unit in a multifamily residential building of five stories or less in New York State. The first part of the statute imposes liability on a builder for defects caused by the builder's failure to construct a new home in a skillful manner and raised during the first year after the warranty date, which is the date that title is passed from the seller to the buyer. The second part of the statute imposes a two-year period of liability on a builder for any defects in installing a home's

major systems. The last part covers material defects for six years after the warranty date.

Although the statute protects buyers from many defects by imposing liability on builders for their own mistakes, the builders are not legally obligated to correct defects caused by other people (McDaniel, 1990). This provision contravenes the statute's underlying policy of protecting consumers' justified reliance in two ways. First, the statute entices builders to avoid liability by requiring the homebuyer to pay architects and suppliers directly. Builders who recommend a particular architect implicitly, encourage buyers to rely on their professional knowledge about the quality of that architect's work. Builders are exempted from liability for defective design as long as the buyer pays the architect directly. So is the case when the buyer deals with the major suppliers directly. Second, the statute imposes no builder liability for subcontractor's faulty installation. Thus, builders are not liable for faulty installation by using subcontractors, rather than their own employees.

Recommendations

Create a comprehensive centralized database

The City Council should earmark funds for creating a comprehensive building information tracking database. This critical task should be managed by NYC's Office of Information Technology and Telecommunications (OITT). OITT needs to coordinate with other City departments, such as DOB, HPD, HDC and the Department of Finance, and streamline scattered data into one centralized database. Due to elected officials' claims of limited

funding resources, it makes sense to integrate all these information into the existing building information system at DOB in order to be economical.

The new database should include the full names, addresses, and contact information of the responsible parties involved in the development and building process (from developer, architect, general contractor, subcontractors to major suppliers), the type of construction defects, and the status of subsidy spent on each affordable building. The information should be made continually updated and be permanently available to the public and presented in a user-friendly format. Since this solution requires inputs from multiple city housing agencies, it is recommended that the City Council's Committee on Technology commissions a further study of the cost of implementing such comprehensive centralized database.

Enact a housing quality enforcement transparency act

The City Council should enact a housing quality enforcement transparency act that applies to the city's housing agencies. In particular, DOB should be required to complete a final punch list inspection for every new home or apartment building that is built. This documentation would then be scanned and added to the profile of the building on the new comprehensive centralized database. Tenants and homeowners would then be able to check the validity of the entire building as certification inspections. Approval process from city officials for sign off should include the Chief Building Inspector in each borough. This would show greater accountability and oversight.

Ongoing probes of HPD corruption at its work sites have brought considerable scrutiny to HPD over the years. It has led to exposés and editorials, hearings and harangues in every newspaper. (Murphy, 2015) Scandals have included the highest ranking HPD official being arrested on public corruption charges for accepting more than $2.5 million in bribes, and federal prosecutors have arrested the DOB Director of Construction Services in 2012 .The most significant attempts at progress so far was a bill at the City Council, Intro 730. Known as the HPD Transparency Act, the bill would require HPD to make public a number of its operational procedures leading to improvement in transparency. The City Council voted on this bill requiring HPD to be more transparent about city funding towards affordable housing developments. The bill passed 46-0 by City Council in July of 2012, but it was vetoed by Mayor Bloomberg. [16] Support for this bill came from the biggest construction union groups, including the Building and Construction Trades Council, the District Council of Carpenters, and the Mason Tenders District Council. What is still not understood is why the unions have no involvement with HPD. A comparison on buildings built by unions reveals a drastic difference in construction quality, but there are no statistical analysis demonstrated union built housing is better or worse than non-union.

Enact a local property condition disclosure act

The City Council should also enact a new law that imposes higher financial penalties on builders, which fail to disclose the known construction conditions,

[16] http://www.law360.com/articles/373056/bloomberg-vetoes-affordable-housing-disclosure-bill

regardless of property's type of ownership. The failure to disclose each defect should cost $50,000, instead of $500 required by the current state law under PCDA. The higher opportunity cost of forgoing the disclosure of patent defects should incentivize builders to be more transparent.

Enact a local housing merchant warranty act

The City Council should enact a new law that would extend warranty protection to all construction defects, regardless of builder fault, since the builder can more easily guard against defects in the home and more easily protect themselves against potential but unknown defects than can the owner. Failure in complying with this proposed law results the forgone 421-a tax abatement benefits up to the date of the court ruling. The law backs of the recaptured 421-a property taxes will be used for a fund for repairing of the construction defects on affordable housing.

Conclusion

When it comes to private and public partnerships to build more affordable units, New York City government agencies need more accountability and to improve the process of choosing more reliable developers. Since there are large amounts of public money involved, there needs to be better oversight on many levels. How do you build housing that will last for decades? This is a business where the deleterious economic outcomes for quality housing have long term effects when it comes to affordability, sustainable and vibrant communities.

The anecdotal horror stories of tenants and homeowners of affordable housing should not be allowed to have happened in vain. The public-private partnerships are failing today with a lack of up-to-date housing data, as an ongoing issue, I wondered, how did journalist break stories if there was no data? Jarrett Murphy, Editor, City Limits told me researching records in city housing years ago you had to go to a dreary building in Queens, wait in line for a creaky dot-matrix computer and then sweet-talk the records keepers in the records room to see a deed or a mortgage. Now he can do in three minutes. Even Ede Fox, head of the City Council's Economic and Community Development Division, told me that in her 10 years working in government there has been improvements, but there are still documents on microfiche.

At a minimum, the crafting of a sound and socially equitable public policy, along the NYC's economically complex and ethnically diverse social ecology requires detailed analysis on how to proceed from current circumstances to proposed outcomes. In this sense, the proposal to have better online detailed public building information, more effective oversight mechanism and proper legislative protection for consumers, which is necessary to achieve Mayor de Blasio's ambitious affordable housing plan outcomes, must be put in place.

To quote Attorney General Eric Schneiderman himself, "Transparency reduces the likelihood of corruption". [17]

[17] http://www.ag.ny.gov/press-release/ag-schneiderman-adopts-new-disclosure-requirements-nonprofits-engage-electioneering

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12) http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1026&context=institutes

[i] *See page 2,* New York City Independent Budget Office, June 2015, "Funding Added to Buildings Department for Reform Measures, Speed Processing of Affordable Housing Plans"

[ii] NYC Housing and Preservation, about-us, home page

Name

Aaron Vanek

Email [redacted]

Public Comment

As a long-time new york city resident, I'm deeply concerned about the possibility of implementing an alternative electoral system without due consideration of possible alternatives. The city at a minimum should study different proportional representation systems before considering alternative systems.

Attachment(s)

Drop files here or click to browse

Date Submitted July 15, 2026 7:05pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic Open primaries (against)

Show 4 hidden fields

Name

Tyler Yandrofski

Email [redacted]

Public Comment

I'd like to submit comment against open primaries since a number of people have testified in favor of it. Instead I urge the commission to initiate a study of a proportional representation system for the NYC Council. I agree with the sentiment of open primary supporters that independent and right-leaning voters in NYC are not meaningfully represented. Under our current first past the post (FPTP) system, any vote for a candidate that does not win is wasted, earning zero representation, which often happens for Republicans as the political minority in the city. The FPTP system also prevents independent candidates from having any impact on a race aside from acting as a spoiler that undermines whichever major party candidate they are closer to ideologically. These are devastating problems that create these feelings of not being represented and not having a meaningful opportunity to participate in elections that open primaries supporters speak about.

However, despite my agreement with the sentiments of open primaries supporters, I disagree with their proposed solution. Open primaries do not solve the problems I described above, and there is not meaningful evidence that they increase turnout. In fact I would argue they would decrease engagement in politics. The vision of open primaries as more democratic is one that believes that the best way to represent a constituency is to elect a candidate who is in the exact center of the constituents' views. Candidates in the exact center are not exciting. They don't drive turnout and they don't drive grassroots political participation such as canvassing or small-dollar donations. They tend to represent the status quo and therefore lack a positive vision for change that would motivate people to get involved in politics. Open primaries, by incentivizing these "exact center" candidates, do not improve representation, they just represent a different range of the political spectrum.

The real solution to these issues, that actually increases representation, turnout, and voter empowerment, is proportional representation (PR). New York City is one of the most diverse places in the world and has a wide range of political views to match. The diversity of a City Council district cannot be represented with one candidate. To engage the full range of New Yorkers in politics, we need a system that allows political minorities to achieve representation that matches their level support, including Republicans, Conservatives, and socialists. Empowering voters no matter where they lie on the political spectrum is the only way to improve turnout and engagement and vitalize city politics in the face of the failing and widely disliked two party FPTP system.

COGE should initiate a study on how PR could be implemented in NYC and should not consider putting open primaries on the ballot.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 15, 2026 8:55pm
Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries (against)

Show 4 hidden fields

Name

Hayden Brockett

Email [redacted]

Public Comment

See attached PDF.

Attachment(s)



COGE Brockett Testimony 2.pdf

Date Submitted July 16, 2026 7:00am

Topic Miscellaneous

Charter Related Yes

Topic Simplified Government Operations

Subtopic

Citizen complaint programs and creation of a Department of Civilian Enforcement

Show 4 hidden fields

Testimony of Hayden Brockett before the
Commission on Government Efficiency – July 8, 2026

Good evening, my name is Hayden Brockett. I am a father, husband, union member, and lawyer. And while I am speaking for myself tonight, I am a member of Community Board 7, which extends up to 110th Street. So I want to thank the Commission for coming up to our neighborhood!

I am also a volunteer with the nonprofit New York Clean Air Collective, representing participants in the Citizens Air Complaint Program (CACP), which is the City's hugely successful environmental whistleblower program. The Citizens Air Complaint Program *is* government efficiency. It empowers ordinary New Yorkers to help enforce our environmental laws, in partnership with the Department of Environmental Protection (DEP), thereby ensuring the enforcement environmental laws that had been moribund for nearly five decades.

Here's my message tonight: **The City must strengthen the Citizens Air Complaint Program and use it as a model to make City government more efficient and effective, particularly for protecting our public space and making streets safer and more efficient.** Specifically, the Commission should propose a charter amendment to create a Department of Civilian Enforcement. The CACP model can be used to stop illegal parking, end illegal dumping, and make our buses FAST by doing what ACE cameras cannot–catching drivers who block their license plates in bus lanes. Civilian enforcement helps expand City agencies' reach and hold corporations accountable for violating our environmental, sanitation, and street safety laws.

Let me emphasize that, while the CACP needs strengthening, this program actually works really well right now! It works because of the hard work of thousands of ordinary New Yorkers, and a unique whistleblower model. I believe Commissioner Wylde said at the CRC's inaugural meeting that when it comes to improving government efficiency, there is no philosophical fix to this question, it takes grinding work every day. I believe the CACP illustrates that sometimes you need both the grinding work, as well as a philosophical shift, to make government work again.

First, the CACP rewards ordinary New Yorkers' grinding work to clean up our air. Since 2018, more than 2,500 individuals have submitted citizen complaints, leading to over 330,000 illegal idling violations. Each one of those

violations requires a citizen to 1) learn the Air Code and DEP's often arcane rules; 2) spend time on the streets; 3) observe and successfully record a violation; 4) process the video and submit it to the city; and 5) follow up with DEP and OATH to ensure that the violation is successfully pursued and award received. Thanks to this work, the City has collected $135 million from those idling violations, with more unpaid fines yet to collect. In fact, this May, the Mayor announced in May that the City had collected $9 million from Amazon in unpaid idling fines—all of them from civilian complaints.

Several people here have criticized 311, and I want to emphasize that the CACP grew out of the failure of 311 to address environmental violations. The Air Code was on the books for nearly 50 years, and it has included a citizens' complaint and 25% citizen reward component from the beginning. But it wasn't until the Council required the DEP to publicize the program in 2018—and required DEP to pay citizens 25% of the fines—that the program really took off.

These New Yorkers' work is hugely important, because air pollution in New York is deadly. This year, more than 3,200 New Yorkers will die prematurely from a single type of air pollution, PM2.5. But the Citizens Air Complaint Program is working. For five decades, the law against illegal engine idling went virtually unenforced by City agencies. Once the Council created the Citizens Air Complaint Program in 2018, however, violations went from 473 in 2017 (just one per day) to nearly 120,000 in 2024.

The neighborhood where we're meeting tonight offers a perfect example of how civilian enforcement works. For years, Amazon trucks double-parked and idled their engines all day, every three blocks, all up and down Broadway, from 59th Street to 168th Street. Regardless of weather, Amazon trucks spewed huge amounts of pollution into our air and blocked our streets. But regular New Yorkers, including me, made Amazon stop idling in our neighborhood, virtually overnight in June 2023. How?

By simply showing up, every day, to record a three-minute video of each truck, and doing the work of processing those videos, looking up past offenses, sending the videos to DEP, and tracking the resulting hearings. All of that work took time, and it would not have happened if the Citizens Air Complaint Program didn't provide for 25% of the ultimate fine revenue being paid to citizens. But the work added up: Amazon received thousands of tickets, which finally got the largest retailer in the

world to change its behavior, at least in this neighborhood. Recently, Citizens Air Complaint Program participants achieved similar success in Queens and Brooklyn.

So that's the hard work. Now let's talk about the philosophical shift the CACP embodies. **The CACP is a shining example of using technology to democratize enforcement of our laws.** I encourage the Commission to consider additional areas of civilian enforcement of our quality of life and environmental laws, up to and including amending the charter to create a Department of Civilian Enforcement.

The CACP is not just a wildly successful program. It empowers citizens to do what the NYPD and other city agencies won't do—enforce our environmental laws against illegal idling by trucks and buses and dust pollution by trash and construction companies. The CACP works because it properly incentivizes participation by awarding 25% of fines collected to each complainant. When the city faces a climate crisis and multiple air quality emergencies, the CACP represents about 95% of Air Code Enforcement

The Commission should expand this model of civilian enforcement to other quality of life laws. Illegal double-parking is deadly. Yet it goes widely unenforced. Blocking the bus lane slows down the millions of New Yorkers who rely on our buses. Littering and trash are epidemics in our city. But DOT and Sanitation cannot be everywhere. Civilian enforcement can help solve all of these problems by expanding agencies' reach.

The Commission should strongly consider amending the Charter to create a Department of Civilian Enforcement to 1) manage and improve civilian enforcement programs like the CACP and the Department of Sanitation's illegal dumping program; 2) identify additional areas for expanded civilian enforcement in areas like transportation, health, and sanitation; and 3) audit existing enforcement programs to ensure that they are meeting the goals set by City Council and the Mayor.

Let's take the example of vehicles illegally blocking bus lanes. While ACE cameras work well in some instances, scofflaws have learned to adapt. They block their license plates with cardboard or rags. They open their trunks to hide their license plates. As a result, ACE cameras (which only work on the front of buses) cannot capture license plates. That's a perfect example where civilian enforcement can work—just walk around the front of the car, snap a photo or record a video, and send it to a DOT portal.

There is currently legislation before the Council to implement a CACP-model program for civilian enforcement of traffic laws. Intro. 0654-2026 would prohibit all hazardous obstruction of a bus lane, bike lane, fire hydrant, sidewalk, or crosswalk, and it would create a civilian reporting program with a 25% award for successful reports. Unfortunately, the bill seems to have stalled, with only seven sponsors.

It is important to note that programs like CACP increase City revenues. In the case of the CACP, for every dollar paid as a reward to a citizen reporter, the City collects at least $4 more in revenue. The CACP is thus a huge revenue positive, even before you account for the program's lowering of pollution and associated health and hospital costs, which are the real environmental goals.

In expanding the civilian enforcement model, however, there are some pitfalls to watch out for. Unfortunately, the Department of Environmental Protection, the agency that reviews citizen complaints, does not receive any of the fine revenues. As a result, this program started as effectively an unfunded mandate for DEP—which has to review citizen complaints and received no extra funds to implement it. I personally have testified at multiple City Council hearings to try to fix this, and fortunately Mayor Mamdani's recent budget has increased Air Inspector head count at the DEP, in part based on recognizing that the CACP is revenue positive. But the Commissioner and the Council both are hamstrung by policies that, while well-intentioned, prevent them from using these revenues to make the program work better.

The CACP could still be strengthened. I am including in my testimony a letter the New York Clean Air Collective sent to Commissioner Garcia in February, which can serve as a cautionary tale for the Commission. As set forth in the letter, the DEP should get the resources it needs to make the program work better, and it should fix some inefficient and illegal policies that are holdovers from the Adams Administration, like immunizing trucks from the idling laws if the owner illegally puts a passenger plate on the truck.

In particular, I want to direct Commissioner Garrido's attention to the fact that this is also a worker justice issue. DEP's employees get a huge chunk of the credit—and they deserve higher pay. Citizen participants likewise deserve fair compensation for this serious work. As the Commission does its important work, it should consider additional flexibility to align enforcement priorities like the CACP with budgetary policies.

New York
Clean Air
Collective
https://www.nycair.org/

Commissioner Lisa Garcia
New York City Department of Environmental Protection
New York, NY

February 23, 2026

Dear Commissioner Garcia:

As regular New Yorkers who help stop air pollution from illegal engine idling and dust dispersal, we write to congratulate you on your appointment as New York's DEP Commissioner and to request a meeting with you and your staff. The New York Clean Air Collective represents the thousands of participants in the Citizens Air Complaint Program ("CACP")—the world's most successful grassroots environmental enforcement program. We are eager to share with you important facts about this inspiring program and key ways to make it even more effective.

We are heartened that the Mayor's preliminary budget more than doubles the headcount of "Idling Unit" DEP personnel from 17 to 38 and takes into account the significant revenue generated by citizens' and DEP's cooperative efforts to clean our air. We hope these changes help DEP catch up on the significant backlog of idling complaints, which hurts both the City's budget and its air quality.

We also applaud DEP's February 13, 2026 revocation of the ill-conceived variance granted to Garda CL Atlantic, Inc. We know first-hand that these corporate variance giveaways have failed to produce compliance and have instead hurt New Yorkers with little corresponding benefit.

As discussed below, there are several more simple ways the DEP under your leadership can and should improve the CACP:

- Reverse the discriminatory practice of past DEP leadership that locks New Yorkers with limited English proficiency out of the CACP;
- Lower barriers to entry that hinder new and historically disadvantaged New Yorkers from participating; and
- Reject the highly problematic Intro. 561, which was opposed in the last Council session by numerous citizens, by groups like WE-ACT for

Environmental Justice, New York Lawyers for the Public Interest, the NYCLU, and NYLCV, and by leaders including Majority Leader Shaun Abreu and Manhattan Borough President Brad Hoylman-Sigal.

Background

As you know, the CACP is the City's single-largest source of enforcement of its environmental laws, with over 160,000 citizen complaints in 2025 and over $105 million in lifetime revenues already received from polluting corporations. The City can also anticipate significant additional revenue from pending violations and unpaid penalties. The CACP has achieved international recognition and inspired other cities like Los Angeles and Washington DC to explore similar programs. Through its innovative linking of environmental advocacy to fine revenue, the CACP has empowered thousands of New Yorkers to take local action on the climate crisis by holding polluting companies like Amazon and ConEd accountable.

Importantly, the CACP provides immediate material benefits to all New Yorkers. By the City's own report, the PM2.5 component of air pollution alone causes 3,200 premature deaths each year in New York and 8,120 hospital admissions and/or emergency department visits,[1] and the legacy of environmental racism means that burden falls more heavily on black and brown communities. Together, CACP participants and the DEP have helped lower ozone, nitrous oxide, and PM2.5 pollution in our City, both in high-density and high-pollution areas like Midtown Manhattan and Hell's Kitchen and also in industrial areas like Hunts Point (where Clean Air Collective volunteers partnered with a local nonprofit for trainings).



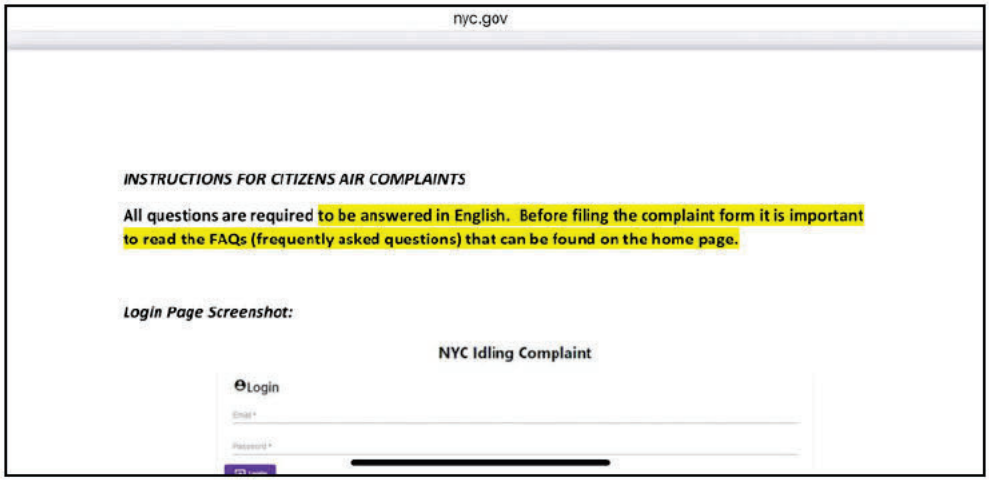
Each dot represents one of more than 3,000 complaints in Hunts Point.

[1] https://www.nyc.gov/assets/doh/downloads/pdf/eode/eode-air-quality-impact.pdf (chart at p.3)

The CACP has already changed polluting companies' behavior, causing them to more frequently turn off their engines, to retrain drivers, and, best of all, to convert to electric vehicles. But by taking the following steps, DEP can help make the CACP accessible to the many New Yorkers, especially in the Bronx, Staten Island, and parts of Brooklyn and Queens, who are currently deterred from participating.

Take Complaints from New Yorkers with Limited English Proficiency

While the CACP has seen record growth, from 9,232 violations in 2019 to more than 117,000 in 2024, the DEP under Mayor Adams's leadership locked citizens in many DACs out of the Program. Indeed, DEP's discriminatory policies introduced under the Adams administration explicitly require that CACP complaints be submitted only in English. See below from DEP's website:



Council Member Alexa Avilés repeatedly introduced bills, which achieved supermajority support, to require the DEP to accept complaints in the 12 designated city-wide languages.[2] But access in these languages is *already* legally required for city services, and thus it was the Adams Administration's discriminatory policy that was and is illegal.

Under your leadership, this discrimination can end today. The Office of Administrative Trials and Hearings ("OATH") provides translations for all city-wide languages every single day in its hearings. DEP has already provided instructions in the 12 city-wide languages, it simply will not permit New Yorkers to submit complaints that are not in English. There is no legal barrier to using the city-wide languages in OATH proceedings, and there is no justification for preventing non-English speakers from participating in the CACP.

[2] Intros. 0005-2024, 0898-2023, and 0048-2026.

DEP Must Decrease Barriers to Entry for New Users

The City issued more than 118,000 idling violations for offenses in 2024, overwhelmingly as a result of citizen complaints submitted through the CACP. But too few New Yorkers know about the CACP, and those who do discover it too often find it hard to get started and hard to keep participating, due to high barriers to entry thrown up by the Adams Administration.

In addition to fixing the prohibition on non-English complaints, your DEP can lower barriers to entry by doing the following:

- Restore Self-Prosecution Form Accessibility. City Council, via Admin. Code § 24-182, provided for optional "self-prosecution" when DEP lacks resources to timely review citizen submissions within 45 days. This law ensures speedy prosecution, fairness to citizens, timely notice to respondents, and ultimately, quickly improved air quality. Unfortunately, beginning at the tail end of your predecessor's tenure, and despite DEP complaint review periods stretching as long as **one year**, DEP began artificially limiting easily-printable blank "self-prosecution" forms to only 10 or 20 per month—and requiring citizens to travel during business hours to the DEP's offices (a near-impossibility for many New Yorkers). This policy created sizable backlongs (sometimes years-long) for citizens who opted to self-prosecute, undermining speedy resolution of air quality violations. **We respectfully submit that DEP should promptly provide the legally-required number of forms when it falls behind on reviews and citizens choose to self-prosecute, and that, when requested, DEP mail those forms to the citizen**.
- Automatically look up repeat offenses. Right now, DEP refuses to look up whether a vehicle has previously received an idling summons and is thus eligible for higher penalties. Instead, DEP requires citizens to find such prior offenses—and if they do not, a polluting corporation will only receive a lower fine than is required by law. **This short-sighted policy has already cost the City more than $2 million in under-assessed fines and disproportionately affects new program participants. DEP can and should immediately begin automatically listing prior offenses.**
- Reverse arcane and illegal rules about license plates. Towards the latter part of your predecessor's tenure, DEP began refusing to implement the anti-idling law as written and issue tickets to trucks that illegally bear non-commercial license plates (even though it had previously issued such tickets with success

at OATH). This is extremely confusing to new users, undermines the spirit of the law, sends conflicting signals to companies, delays reaching the goal of company compliance with idling, and reduces NYC revenue for no justifiable reason. By way of example, the DEP has refused to issue tickets to these trucks, simply because their owners illegally placed "passenger" license plates on them:



Fixing this policy would end a major frustration to new participants.

- Reverse harmful policies that encourage illegal bus idling next to schools. As a New York Lawyers for the Public Interest report has shown, diesel bus engine idling is a chronic problem next to schools—where students are most concentrated and uniquely vulnerable.[3] Indeed, the danger of diesel fumes at schools is partly why the City Council made the legal limit for idling adjacent to a school just one minute, versus three minutes city-wide. Chronic bus idling also raises pollutants to dangerous levels within the bus itself, harming drivers and riders. But DEP has recently refused to accept citizen complaints documenting illegal idling by school buses on any school block if the violation occurs within 15 minutes of a school start or end time—which the citizen must themselves negate with documentation. This evidentiary hurdle discourages new participants and harms children. **Your DEP can reverse this hurdle today and simply enforce the law as written.**
- Partner with the New York Clean Air Collective on outreach and technical improvements. DEP currently does zero outreach to any New Yorkers to encourage participation in the CACP. The last serious outreach by City government was during the de Blasio administration, namely the pre-Covid "Billy Never Idles" campaign. By contrast, the New York Clean Air Collective has experience in training new participants and a wealth of expertise to share with DEP. The New York Clean Air Collective would welcome partnering with DEP to recruit new participants and end illegal idling forever. More experienced members of the community could also advise DEP on eliminating arcane and confusing complaint submission requirements that are not

[3] https://www.nylpi.org/wp-content/uploads/2023/11/Idling-School-Buses-Report_English_FINAL.pdf

required under OATH idling decision precedent, to make the submission process simpler for new participants.

Reject Intro. 561

In the past Council session, Intro. 0941-2024 garnered significant and sustained opposition from both citizens and environmental groups. Although the text is not available on the Council website yet, we understand that Intro. 561 (sponsored only by Council Member Gennaro) will essentially be the same complicated bill as Intro. 941. This bill would drastically complicate the CACP, creating roadblocks to participation, particularly by new participants, and eroding enforcement in DACs. Given the complexity of the bill, it is beyond the scope of this letter to explain all of its defects.[4] But environmental groups and political leaders roundly rejected this anti-environmental, pro-pollution and anti-civil rights bill, including, among others, the following:

- New York Lawyers for the Public Interest (NYLPI);
- The New York League of Conservation Voters (NYLCV);
- WE ACT for Environmental Justice;
- The New York Civil Liberties Union (ACLU of New York);
- 350Brooklyn;
- Manhattan Community Board 4;
- Current Manhattan Borough President Brad Hoylman-Sigal;
- Samara Swanston (City Council legislative drafter of the 2018 citizen complaint legislation); and
- numerous members of the public.

Conversely, no hearing testimony in favor of this bill has been submitted by any environmental or community group. We would be delighted to provide additional materials, including testimony from the above entities and persons, regarding this harmful bill.

Conclusion

As a member-led, grassroots environmental advocacy non-profit, the New York Clean Air Collective stands ready to work with you and Mayor Mamdani to implement these

[4] A detailed discussion of the problems with Intro. 941 may be found here: https://static1.squarespace.com/static/6587c92d4aef2b4be055a2a0/t/66cfe068a3eeee331f8afe67/1724899687995/941.pdf

improvements to the CACP, strengthen it even further, and to broaden citizen enforcement of our environmental laws.

Please do not hesitate to contact Founding Member Hayden Brockett at [redacted] or through our website [redacted]

Sincerely,

/s/ Michael Streeter

Michael Streeter
President
New York Clean Air Collective

Name

Carlos Eduardo Beato, Esq.

Email [redacted]

Public Comment

Submitting on behalf of ATU Local 1181.

Attachment(s)

COMMISSION Testimony Local 1181



COMMISSION 20260716084150.pdf

Date Submitted July 16, 2026 10:39am

Topic Miscellaneous

Charter Related Yes

Topic Simplified Streets

Subtopic

Considerations of labor in street safety planning.

Show 4 hidden fields

Local 1181-1061
Amalgamated Transit Union A.F.L.-C.I.O.

[redacted]

[redacted]

Written Testimony of Tomas Fret
On Behalf of Amalgamated Transit Union (ATU) Local 1181
Submitted to the New York City Commission on Government Efficiency (COGE)
Chair Patrick Gaspard and Members of the Commission

Dear Chairman Gaspard and Members of the Commission:

On behalf of the more than 14,000 members of ATU- Local 1181, thank you for the opportunity to submit this testimony for the record regarding the Commission's consideration of potential New York City Charter revisions affecting transportation planning and project approvals.

ATU Local 1181 proudly represents including thousands of school bus workers, public transit operators, mechanics, maintenance workers, and more across New York City, Westchester, Rockland County, NJ, and Long Island. Our members are entrusted with transporting some of the City's most vulnerable residents, including many students with disabilities who rely upon specialized transportation services. Every school day, Local 1181 members navigate one of the most challenging urban transportation systems in the world while ensuring that students arrive at school safely and on time.

Our union generally supports thoughtful efforts to modernize government, improve efficiency, eliminate unnecessary bureaucracy, and deliver public services more effectively. We recognize that New York City should continuously evaluate how government operates and identify opportunities to streamline processes while maintaining accountability, transparency, and public safety.

At the same time, we respectfully urge the Commission to ensure that any potential Charter revisions affecting transportation preserve meaningful opportunities for organized labor and transportation professionals to participate in the planning and implementation of changes to the City's transportation network.

The daily work performed by our members demonstrates that New York City's streets have become significantly more complex. The rapid expansion of protected bicycle lanes, bus lanes, pedestrian infrastructure, e-bikes, scooters, commercial delivery activity, and

the potential introduction of automated vehicle technology have fundamentally changed the operating environment for professional drivers. These changes present important policy considerations that deserve careful evaluation, particularly for those responsible for safely transporting children.

School bus workers face responsibilities unlike those of most other motorists. They transport children under strict schedules, comply with extensive state and local safety requirements, coordinate with schools and families, and operate large vehicles through congested neighborhoods during the busiest times of the day. Even seemingly minor modifications to street design, traffic patterns, curb access, or roadway operations can have significant impacts on safety, route efficiency, and the ability to deliver students to school on time.

For these reasons, Local 1181 believes that transportation workers and organizations with direct expertise in pupil transportation should continue to have a meaningful voice whenever the City considers changes to transportation governance, street design, or project approval processes. The practical experience of the workforce who operate on New York City's streets every day provides an important perspective that should complement the work of planners, engineers, and policymakers.

Local 1181 and the broader pupil transportation community stand ready to work collaboratively with City agencies, elected officials, transportation planners, and the Commission to help shape policies that improve mobility while protecting safety and ensuring reliable student transportation.

Our members share the Commission's goal of creating a more effective and efficient government. We simply ask that efforts to streamline government never come at the expense of public safety or create unintended obstacles that make it more difficult to transport New York City's children safely and on time. By working together, we can modernize government while preserving the operational expertise that keeps our students safe every day.

Thank you for your consideration of our views and for including this testimony in the official record.

Respectfully submitted,

Tomas Fret

Tomas Fret

President/Business Agent
On Behalf of Amalgamated Transit Union Local 1181

Name

Trevor Goodwin

Email [redacted]

Public Comment

As a city worker and resident, I'm deeply concerned about the possibility of implementing an alternative electoral system without due consideration of possible alternatives. The city at a minimum should study different proportional representation systems before considering alternative systems.

Attachment(s)

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Date Submitted July 16, 2026 2:20pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic Open primaries (against)

Show 4 hidden fields

Name

Yvette Doldron

Email [redacted]

Public Comment

My name is Yvette Doldron. I live in [redacted] and I work as an immigration service provider.

I am registered Democrat and I support opening the primaries to independent voters in NYC. Voting is a right. It should not have restrictions. If you are a US citizen you have the right to vote.

Most importantly, generations of Americans have fought for the right to vote. That is the responsibility and right of all citizens. Voters should not be denied the right to vote in any election. It's especially important for the younger generation, 56% of whom are choosing not to join a party when they register. It would be a big mistake to discourage them from voting as they enter the electorate.

My understanding is that, if you are a citizen, naturalized or native born, voting is your right. If that promise is broken people will feel betrayed and possibly lose interest in participating.

In my community I have seen a lot of people discouraged with the current political situation. Sometimes they say they are not going to vote because of it. But I say, if we don't vote we will not see the changes we need and want. We may not see the changes immediately but down the road they will be able to see that they made a difference. It's heartbreaking to think that independents are being denied a voice in choosing the candidates they want to represent them.

I urge the Commission to put open primaries on the ballot in November. Independents have the right to be included.

Attachment(s)

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Date Submitted July 16, 2026 2:52pm

Topic	Open Primaries
Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

[redacted]

Email [redacted]

Public Comment

My name is Octavius Caesar. I live in [redacted]. I'm currently on disability. I work in maintenance and custodial work.

I am a registered Democrat but I think that independents should have the right to vote in the primaries . We all have the legal right to vote. I think that independents should help decide who will be in office just as much as anybody else.

A lot of our youth are independent and I think it's sad and upsetting that they are being kept out of voting in the primary. As US citizens we have the right to vote. When I think of turning the youth away, I don't what to say. Taking away the rights of young people to vote could turn them off to participating. That would be a bad thing for this country. Young people are the future of this country.

It's mind boggling to me that independents are not allowed to vote in the primary. People not being free to vote? As Americans we have the right. We should be able to vote for who can do the best job, not whether they are Dem or Rep. It's wrong.

In closing I would urge the Commission to put open primaries on the ballot. Let's include everyone's voice. It's our right as Americans.

Attachment(s)

Drop files here or click to browse

Date Submitted July 16, 2026 3:11pm

Topic Open Primaries

Charter Related Yes

Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Agapito Rodriguez

Email [redacted]

Public Comment

My name is Agapito Rodriguez. I was born and raised in [redacted] I served in the army for 23 years, from [redacted]. I still work for the army in the Department of Justice.

I am an independent. I want to vote for the best person, and not be chained to one party. Some candidates have good ideas, some say good things but do differently. We should have the freedom to vote for who we want.

When I went to the polls on primary day I was told I couldn't vote. I didn't get to vote. I couldn't believe it. I wanted to put my vote in. When I asked why, I was told because I didn't affiliate with any party. I thought, "are you trying to handcuff me to some party." I don't believe it.

It shouldn't be that way. We're Americans because we love freedom. How can we be free if we can't make free choices? I felt like they cheated me out of my opportunity. It shouldn't be that only registered party members get the advantage of voting.

America is about freedom of choices. Then we say this is the best we can offer? That's not right. You tell your children how to live a good and honest life. And then you expose them to this? This is not freedom of choice.

I urge the Commissioners to support freedom of choice by putting open primaries on the ballot and letting the people of NYC decide yes or no.

Attachment(s) Drop files here or click to browse

Date Submitted July 16, 2026 3:24pm

Topic Open Primaries

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields

Name

Katty Garces

Email [redacted]

Public Comment

I am deeply concerned about the continued operation of illegal smoke shops throughout New York City. While I appreciate the enforcement efforts of the Sheriff's Office and other agencies, I have repeatedly seen shops that are shut down for selling illegal cannabis and other illicit products simply reopen days—or even the very next day—under different management or ownership while continuing the same illegal activity.

This undermines the City's enforcement efforts and sends the message that there are few meaningful consequences for violating the law. It is frustrating for residents, legitimate businesses, and community organizations that work hard to improve the quality of life in our neighborhoods.

These illegal smoke shops do more than sell unauthorized products. They often become magnets for criminal activity, including drug trafficking, gang activity, and violence, creating an environment that makes residents and business owners feel unsafe. Communities should not have to experience the same problems repeatedly because operators can easily reopen in the same location under a different name.

I urge the City to strengthen its policies and enforcement by preventing locations that have been repeatedly found selling illegal drugs from simply reopening under new management. There should be stronger penalties for repeat violations tied to the location and operators, increased coordination among enforcement agencies, and mechanisms to ensure that businesses engaging in illegal activity cannot continue operating with minimal interruption.

Our neighborhoods deserve safe commercial corridors where lawful businesses can thrive and residents can feel secure. I encourage the City to adopt stronger measures that permanently address repeat offenders rather than allowing this cycle to continue.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 16, 2026 3:37pm
Topic	Enforcement × Tenant Protection × Unnecessary Bureaucracy ×
Charter Related	No
Topic Simplified	Public Safety
Subtopic	Illegal smoke shops

Show 4 hidden fields

Name

Amaha Kassa

Email [redacted]

Public Comment

Commissioners,

The COGE should consider amending the provision of the City Charter which currently excludes many immigrant-owned businesses from being designated minority owned business enterprises and women owned business enterprises (M/WBE).

Sec. 1304 a(6)(b) of the Charter states:

b. For the purposes of such certification, "minority owned business enterprise" and "women owned business enterprise" shall mean business enterprises authorized to do business in this state, including sole proprietorships, partnerships and corporations, in which (i) at least fifty one percent of the ownership interest is held by United States citizens or lawful permanent residents who are either minority group members or women; (ii) the ownership interest of such individuals is real, substantial and continuing; and (iii) such individuals have and exercise the authority to control independently the day to day business decisions of the enterprise;

Limiting M/WBE certification to U.S. citizens and permanent residents not only excludes many immigrant New Yorkers who are fully undocumented. It also excludes many immigrants who have work authorization under a legal status that is considered temporary or contingent, including Deferred Action for Childhood Arrivals (DACA, sometimes called "Dreamers"), Temporary Protected Status (TPS), withholding of removal, and a pending asylum application. While it is legal for these immigrant New Yorkers to start and own a business. they are nonetheless excluded from the M/WBE program. Because the M/WBE program is an important economic accelerator for many small businesses that face barriers to opportunity, the limitation of the M/WBE program to citizens and permanent residents needlessly limits the growth of many immigrant businesses in New York.

I respectfully propose that this provision of the Charter be amended as follows:

b. For the purposes of such certification, "minority owned business enterprise" and "women owned business enterprise" shall mean business enterprises authorized to do business in this state, including sole proprietorships, partnerships and corporations, in which (i) at least fifty-one percent of the ownership interest is held by United States citizens, lawful permanent residents, or residents of New York City who are either minority group members or women; (ii) the ownership interest of such individuals is real, substantial and continuing; and (iii) such individuals have and exercise the authority to control independently the day to day business decisions of the enterprise;

Note that elsewhere the Charter defines "resident of New York City" in Sec. 1057-aa (a) according to its plain meaning:

Resident of New York city. The term "resident of New York city" means a person who resides within the city of New York.

Such a change to the Charter would ensure that M/WBE status is accessible to immigrant New Yorkers while preventing corporations with no meaningful connection to New York City from taking advantage of the program.

I believe that this change to the Charter would advance the charge of the Commission on Government Efficiency to review "the entire City Charter to identify ways to improve efficiency, modernize city government, and ensure government keeps pace with New Yorkers' needs."

Thank you for your consideration.

Sincerely,

Amaha Kassa, Esq.

Attachment(s)

Drop files here or click to browse

Date Submitted: July 16, 2026 9:19pm

Topic: Procurement Reform, Unnecessary Bureaucracy

Charter Related: Yes

Topic Simplified: Small Business

Subtopic: Expand MWBE definition to include immigrants.

Show 4 hidden fields

Name

Marion Yuen

Email [redacted]

Public Comment

Kindly see the attached file. Thanks.

On July 8, I waited but did not get the opportunity to testify in person. I went home at 8 pm..
Actually, that was fortunate since I am now writing you a fuller testimony.

I come before this Commission to advocate for a Charter Amendment that Establishes Nature and our City's environment as Regenerative Critical Infrastructure.

My name is Marion Yuen from [redacted]. I have a small business focused on ecological restoration to return Nature to urban neighborhoods. In my practice, I have developed proofs of concept for the points that I will use to illustrate Regenerative Critical Infrastructure.

Continued in the attached file.

Attachment(s)



COGE testimony Marion Yuen (7 17 ...

Date Submitted July 17, 2026 10:46am

Topic Real Estate and Development Miscellaneous

Charter Related	Yes
Topic Simplified	Environment
Subtopic	Define nature and City's environment as Regenerative Critical Infrastructure

Show 4 hidden fields

July 17, 2026

To: Commissioners, 2026 Commission on Government Efficiency (COGE)

From: Marion Yuen [redacted]

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I come before this Commission to *advocate* for a *Charter Amendment* that
Establishes Nature and our City's environment as Regenerative Critical Infrastructure.

My name is Marion Yuen from Flatbush, Brooklyn. I have a small business focused on ecological restoration to return Nature to urban neighborhoods.
In my practice, I have developed proofs of concept for the points that I will use to illustrate **Regenerative Critical Infrastructure**.

In East Flatbush, we mobilized 1,000 CY of salvaged soil-based materials to restore the land and created 10,000 sf of food gardens & the beginnings of food forests.
Over a period of three years, a social service agency provided us with a total of $42,000 for material expenses (because our work helped its clients), and we further engaged the collaboration of 50 entities around the city.
In summary, we estimated that a value of about half a million dollars was created in ecosystem services. ***Yes***, money does grow on trees!

Based on this experience, we are now creating a demonstration micro stock pile of clean upcycled soil-based materials to support other gardens, in collaboration with an organization that has extensive ongoing hyperlocal community relationships.

Therefore, in a framework of **Regenerative Critical Infrastructure**, City government should prioritize initiatives such as:

- **Neighborhood Resilience Resource Centers** to support residents in urban agriculture, tree planting, pollinator strips, and plant-related greening.
  Healthy, productive and affordable eco projects will become possible because these centers can provide cost-free locally sourced soil-based materials that are salvaged & upcycled from clean waste streams.

- A citywide **Urban Material Exchange**, proposed by Daniel Walsh.

- An **Office of Circularity**, proposed by Anna Sacks.

- NYS Legislation to permanently protect community gardens on publicly owned land through designation as **Critical Environment Areas**, proposed by Raymond Figueroa Jr. in collaboration with Earth Justice and based on research by Samuel Pressman. (2023 bills were vetoed by Gov. Hochul.)

In reading the COGE Preliminary Report, I understand that the Commission's **aim** is to facilitate a more vibrant economy where everyday life is easier for all New Yorkers, business moves more smoothly, more taxes are collected, and City Government is more fiscally stable.

Please note that these **objectives of economic abundance and financial wealth *critically & ultimately* depend on our society's relationship with Nature and the health of the city's environment.** The evidence is everywhere:

- *World Economic Forum*: The Coming El Niño is more than a climate event. It is a system shock. (June 4, 2026)
- *MSN-New York Post*: We recorded the temps of NYC subway stations during 100-degree heatwave — the results blew our minds: 'Dante's Inferno' – It's station hot 101.5. (July 3, 2026)
- Smoke from Canadian wildfires blanketing NYC (July 16, 2026)

To *illustrate* this crucial link, below are ***attempts*** at rewriting a few section titles in the Table of Contents (pg. 2) of the Preliminary Report.

Chapter 1: Accelerate Access to Public Space and Infrastructure Improvements

- Facilitate vibrant streets and ease burdens for small businesses by streamlining the process for unlocking public space and the innovation it fosters
- Make the streets safer by streamlining street infrastructure projects
- Streamline outdated requirements that impede the City's ability to activate city property
  - Institute Land-use & Ecosystem Service Assessment as the **first, foundational step** to provide the basis for efficiency of accelerating access and efficacy of the resultant space uses
  - Issue solicitations for transformations or contracting on the basis of Land-use & Ecosystem Service Assessments

  (***Note*** that the above two points are the ***opposite*** of current standard practice in which landscape and green infrastructure professionals are among the last to be brought into the process).
- 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

Chapter 2: Accelerate Permitting and Contracting

- Speed up construction by streamlining permitting
- Enable the City to respond more quickly to evolving safety standards by vesting DOB with rulemaking authority for some construction codes
- Speed up and **guarantee quality** contracting by reforming procurement –
  - Implement "with teeth" the recommendations of the NYC Urban Forest Plan:
    - 8.2 Ensure that all City capital projects consider trees by incorporating urban forestry into the Climate Resiliency Design Guidelines and prioritizing tree preservation, planting, and maintenance as a design strategy for addressing extreme heat and stormwater flood risk.

- Ensure the establishment of pathways to **allow natural water cycles to work** and specifically, channel reusable building-related water runoffs to enhance viability/well-being of planted areas.

Chapter 3: Modernize Outdated Systems and Requirements to Bolster Innovation

- Make maximal use of technology to fuel innovation across government
- Make better use of taxpayer dollars by eliminating outdated reporting requirements
- Incorporate nature's technology and nature-aligned practices & methodologies – together with the **requirement of multi-generational protection** – into the **official NYC definition of technology and innovation**.
- Increase access to public service by fixing antiquated public officer bond requirement
- Streamline waterfront permitting by consolidating it within DOB

Chapter 4: Ensure the City's Fiscal Stability

- 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
- Develop and implement a budgeting model to a) prioritize ***plus*** protect investment in infrastructure that regenerates ecosystem service values and b) record such values alongside with financial value.

Dear Commissioners,

Within the City government, there are excellent professionals who love nature. Daily, they work in a **patchwork of siloed departments/roles** in which knowledge of nature is regarded as state secrets to be kept from ordinary New Yorkers. Climate adaptation projects have destroyed beloved gardens & earth-healing projects, and stormwater-overflow mitigation projects are often known to nearby residents only as those annoying months-long muddy roadwork projects or trash-laden rain gardens.

Please do not use COGE to reinforce the current de facto framework under which City government relates to nature. It is a framework set up when humans endeavored to master & segment nature and extract its assets to serve a few people, starting with the industrial revolution. Under this framework, process efficiency has evolved with the assembly line, the just-in-time supply chain and now, unguided AI.

Right here in this City, many experienced practitioners and increasing numbers of nature-loving earth stewards are eager & ready to contribute to the Commission's work – *should you decide* to recommend **establishing Nature and our City's environment as Regenerative Critical Infrastructure**. Already, we are doing <u>what we can</u> ***outside*** of the City government in this direction.

July 17, 2026

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Name

Ann LaVelle

Email [redacted]

Public Comment

Since Henry Garrido is part of the machine that moved to force us into Medicare Advantage, assessed the copays on everyone to create a finding source and misused money in the Health Insurance Stabilization Fund, he should not be on COGE.

Attachment(s)

Drop files here or click to browse

Date Submitted July 17, 2026 12:48pm

Topic Budget Issues × Miscellaneous ×

Charter Related No

Topic Simplified Feedback

Subtopic Complaint about a Commissioner

Show 4 hidden fields

Name

Rosa Chang

Email [redacted]

Public Comment

See attached.

Attachment(s)



20260715 Rosa Chang COGE Testimony....

Date Submitted July 17, 2026 2:09pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Public Realm

Subtopic

Reform public realm processes

Show 4 hidden fields

GOTHAM PARK

New York City Commission on Government Efficiency

July 15 2026

Testimony of Rosa Chang, Gotham Park

Chair Gaspard and Members of the Commission,

My name is Rosa Chang, and I am the Co-Founder and President of Gotham Park, a community-led nonprofit and Plaza Partner of NYC DOT, formed in 2021 to transform nine acres of long-neglected public land beneath the Manhattan side of the Brooklyn Bridge into a place of community thriving.

Gotham Park exists because New Yorkers saw possibility where bureaucracy had accepted abandonment.

For more than a decade, extraordinary public spaces beneath one of the most iconic structures in the world remained fenced, fragmented and inaccessible. These spaces sit at the intersection of Chinatown, the Civic Center, NYCHA's Alfred E. Smith Houses, the Financial District and the Brooklyn Bridge—surrounded by diverse communities with remarkably little open space.

Working in partnership with the City and DOT, we currently have four open acres under management, and assembled more than $55 million in public capital to reimagine this space for community benefit. Since 2023 children are playing, skaters have returned, older adults are gathering - oftentimes with their grandchildren, native gardens are growing and New Yorkers are rediscovering a place that belonged to them all along.

This is what government and community can accomplish together.

But it should not have been this difficult—and it should not remain this difficult to keep these spaces open and active.

Community partnership should not require surviving City bureaucracy

Gotham Park operates on public property governed by multiple agencies, jurisdictions, approval processes and contracting systems. Even modest improvements or free community programs and events can require repeated reviews, duplicative submissions, unclear lines of authority and enormous investments of time from both nonprofit and City staff.

The Street Activity Permit Office process is a clear example. SAPO is intended to coordinate event approvals, but too often it functions as another layer placed on top of multiple agency requirements. Applicants may need separate approvals from SAPO, the managing agency, NYPD (we sit inside the Civic Center Security Zone closed to private traffic since 9/11, and therefore coordinate with NYPD's 5th Precinct, Counterterrorism and Headquarters Security), FDNY, EDC, MOCEJ, DEP, DOB,

Community Boards 1 and 3, and others—with no single person empowered to reconcile conflicting requirements or move an application toward resolution.
The process frequently fails to distinguish meaningfully between a commercial event and free programming organized by a community member or nonprofit for the public benefit. A neighborhood group trying to offer a community block party, skate jam, cultural performance, etc.. should not encounter a process designed as though it were producing a major commercial festival.
The result is predictable: experienced and well-resourced organizations may eventually navigate the system at considerable cost, while smaller or newer community groups simply give up. The people closest to a public space—and often best positioned to bring it to life—are effectively excluded from contributing to it.
New York should make it easier for responsible community organizations to care for and activate public space, not test their ability to survive bureaucracy.

Nonprofits should not have to finance the City

The City relies on nonprofit organizations to provide essential public services and benefits, but routinely fails to pay them on time.
Nonprofits can wait years—to be paid for services already rendered. Meanwhile, we must dedicate precious staff hours to emailing, calling, following up and repeatedly nudging the ball forward simply to receive money that is already contractually owed. Those hours should be spent serving communities. Instead, they are consumed by navigating the City's payment system.
During these delays, nonprofits must still cover payroll, insurance, supplies and program costs. We borrow money, draw down reserves or defer other priorities. We then bear the interest cost of funding the City's obligations while the City retains the full benefit of our work.
This is not simply inefficient. It transfers the financial cost of the City's dysfunction onto the very organizations delivering its essential public benefits. Smaller and community-rooted nonprofits—particularly those without large reserves or access to affordable credit—are placed at the greatest disadvantage.
Contracts should be registered and funds made available before services begin whenever possible. Payments should be issued according to firm, enforceable deadlines. When the City pays late, it should automatically pay interest. Nonprofits should not need to complete another application or claims process to recover the cost of financing the City.

The procurement system is broken

The City's procurement system is not designed for nonprofit partners that manage public property on the City's behalf. If nonprofits are maintaining and operating City land for public benefit at the nonprofit's cost, they should be able to benefit from the

City's bulk purchasing power and negotiated pricing for essential goods and services. We should not be paying retail prices for maintenance supplies, sanitation equipment, utilities, security systems, insurance and other basic operational needs when those purchases could be made available through City contracts at significantly lower cost. Every unnecessary retail dollar is a dollar diverted from programming, maintenance and direct public benefit, and frankly requires our investment of time and funding internally to fundraise.

The City must also recognize the intellectual, financial and community investment nonprofits make long before a capital project receives public support. Organizations like Gotham Park develop the vision, build community trust, conduct engagement, assemble technical teams, establish agency relationships and bring projects to the point at which the City is prepared to invest. Yet once capital funding arrives, the nonprofit that created and advanced the vision can be pushed to the margins of consultant selection, design decisions and construction management. Nonprofits responsible for managing public spaces must have a formal seat at the table in selecting consultants and overseeing capital construction. Where legally and competitively appropriate, they should be able to continue working with the qualified consultants who helped develop the community-supported vision, under the nonprofit's direction, instead of expecting that the winning ideas that got a yes from City Hall must now be thrown out and the project started from scratch with a new team. Continuity preserves institutional knowledge, protects design intent and avoids paying new teams to relearn years of work. Public investment should reinforce community leadership, not displace it.

Public-space operators need the ability to generate revenue

Nonprofits that assume responsibility for managing City public spaces should receive presumptive concession authority, subject to clear public-interest standards.

The City should not ask nonprofits to clean, program, maintain and steward public land while denying them practical tools to generate operating revenue from that space to pay for these services. Concessions can support maintenance, free programming, security, staffing, utility costs and public amenities while also creating opportunities for local vendors, workforce and small businesses.

The current system separates concession authority from the responsibility to operate a space. That makes little sense. Concession capability should be incorporated into public-space management agreements from the beginning, with a streamlined approval process for community-serving uses and appropriate protections for free public access.

Nonprofit public-space stewards should also have access to thoughtfully designed sponsorship and advertising opportunities that generate reliable operating revenue without compromising the character, accessibility or civic purpose of the space. With

clear standards governing scale, placement, duration and content, responsible sponsorship can help fund maintenance, free programming, staffing and public amenities while recognizing businesses and institutions that invest in their communities. Most importantly, revenue generated within a park or plaza should remain dedicated to that space and its nonprofit steward—not disappear into the City's general fund—so that the public can see a direct and transparent connection between sponsorship and a cleaner, safer, more active and welcoming public realm.
Gotham Park currently manages four acres of City land. We have provided daily maintenance, monthly power washing, weekly art and active recreation programming, and major community events (~7,500 people at our May 2026 Community Block Party) while also raising the money required to perform all of this work. For more than three years, we have done so largely at our own expense. Our operations are approximately 98 percent privately funded, even though we are maintaining and activating public land for the City and providing free public benefit to New Yorkers.
That model is neither equitable nor sustainable. The City cannot build a strong public realm by relying on community organizations to privately subsidize municipal responsibilities indefinitely, and without providing a path to fiscal self-sufficiency through a site-generated revenue stream for the nonprofits stewarding these spaces.

The City must carry responsibility for insuring City land

Nonprofit public-space partners should not be required to obtain onerous, duplicative or commercially unreasonable insurance coverage for City-owned land.
The City owns the property, controls many of its underlying conditions and retains significant authority over how it can be used. Yet nonprofit partners are expected to assume broad liability and purchase expensive coverage as though they owned and completely controlled the site.
These requirements can include multiple policies, high coverage limits, broad indemnification and additional insurance for activities already contemplated by the nonprofit's agreement with the City. Requirements may vary among agencies, permits and activities, even when the underlying work and risks remain substantially the same. For a small or growing nonprofit, insurance premiums consume funding that should pay for maintenance, programming and direct community benefit. Some requirements may be difficult—or even impossible—to secure in the commercial market. They can prevent responsible organizations and community groups from offering free public programming altogether. The City should retain appropriate responsibility for the land it owns and the underlying conditions it controls. Nonprofit partners should insure their own operations, employees and activities at reasonable levels proportionate to demonstrated risk. They should not be asked to function as the City's insurer or absorb liabilities that properly belong to the property owner.

The City should establish consistent, risk-based insurance standards for nonprofit public-space partners; eliminate duplicative coverage across agencies and permits; provide access to pooled or City-supported insurance options; and prohibit agencies from transferring uninsurable or commercially unreasonable risks to community organizations.

City Hall needs empowered public-realm leadership

These problems reflect a larger structural failure: no one holds sufficient authority over the public realm as a whole.

Streets, sidewalks, plazas, parks, bridges and other shared spaces are divided among agencies with different mandates, rules, calendars and risk tolerances. Coordination too often depends on personal relationships, informal intervention or the extraordinary persistence of an outside partner.

New York City needs a single point of leadership for the public realm within City Hall. This cannot be merely an advisory or coordinating title. The position must carry real authority to convene and direct agencies, resolve conflicts, establish deadlines, assign responsibility and hold agencies accountable for delivering a unified outcome.

When a project crosses agency boundaries, that leader should be able to say: this is the objective, this agency is responsible, these decisions must be made by this date, and this is where conflicts will be resolved. That leader should have a budget and staff to do the work required.

Without that authority, funding and a team, “coordination” simply becomes another meeting, delays, bureaucracy, while projects remain stuck for decades.

New York must confront cumulative red tape

We urge the Commission to recommend a comprehensive, citywide analysis of cumulative red tape.

Our legislative and regulatory systems contain a structural imbalance. Public officials are regularly incentivized to add a new rule, report, review, certification or approval in response to a particular concern. No one is responsible—or rewarded—for examining the accumulation of those requirements and removing provisions that are duplicative, outdated or no longer proportionate to the risk they were created to address.

Nothing comes off the books. Everything becomes more complex.

Every additional review takes time. Time costs money. Project teams expand, consultants multiply, financing and construction costs rise, and budgets balloon far beyond what New Yorkers reasonably expect. Small organizations are shut out, while even major public projects take years longer than they should and cost 10X what private sector work does for a substandard result.

GOTHAM PARK

Our bureaucracy is mired in quicksand: the harder committed public servants and community partners work to move forward, the more process seems to pull them back. This is insanity.
Efficiency does not mean less accountability, diminished safety or reduced public investment. It means that safeguards are proportionate, responsibility is clear, decisions are timely and public resources produce visible results.

Gotham Park's recommendations
We urge the Commission to advance the following reforms:

- Establish an empowered public-realm leadership position within City Hall, with authority to direct agencies, resolve disputes and enforce deadlines.
- Designate one accountable lead agency and decision-maker for every public-realm project involving multiple City entities.
- Reform SAPO to create a proportionate, transparent and coordinated approval system, including an expedited pathway for free, nonprofit and community-led programming.
- Establish firm deadlines for contract registration and payment, with automatic interest owed to nonprofits when the City pays late.
- Provide nonprofit operators of City property access to the City's bulk purchasing contracts, negotiated prices and shared services.
- Give nonprofit public-space partners a formal role in consultant selection, design and capital construction, including pathways to retain qualified project teams and preserve continuity.
- Incorporate presumptive concession authority into nonprofit public-space management agreements so operators can generate revenue for maintenance and programming.
- Update sponsorship and advertising rules in public spaces and allow for revenues generated on-site to stay on-site.
- Establish consistent, proportionate insurance and indemnification standards, with the City retaining responsibility for City-owned land and underlying site conditions and providing access to pooled or City-supported coverage.
- Give agencies such as DOT flexible authority to make grants and enter into appropriately scaled agreements with nonprofit public-space partners.
- Require every major public-space capital investment to include a realistic, funded plan for long-term operations, programming and maintenance.
- Establish a recurring independent review of the Charter, Administrative Code, agency rules and approval processes to eliminate obsolete, duplicative and unnecessarily burdensome requirements.

GOTHAM PARK

Success should be measured not simply by whether every procedure was followed, but by whether the public received the promised result. Is the space open? Is it safe and cared for? Are community members using it? Did the project arrive within a reasonable time and budget? Did public investment reach neighborhoods that have historically gone without it?

New York does not suffer from a shortage of imagination, committed public servants or communities willing to lead. Too often, the obstacle is a framework that makes saying "no" easier than building a responsible path to "yes."

The Brooklyn Bridge was a love letter to New York City written in stone nearly a century and a half ago. The spaces beneath it are our opportunity to write the next sentence—one that says our government can work with its people to turn forgotten land into connection, vitality and joy. The Brooklyn Bridge is an example of audacious dreaming and daring to say "yes".

We ask the Commission to make community partnership a core operating principle of City government—and to give someone inside City Hall the responsibility and real power to make that partnership work.

I stand in awe every single day of the dedication and deep care that our public servants and our nonprofits bring to their work in the city.

We can do better. We must do better with the limited and deeply precious resources we have at hand. New Yorkers deserve better, and I am so hopeful that this Commission on Government Efficiency is able to value, respect and return to New Yorkers the commonsense efficiency we all need to thrive.

Thank you for undertaking this critical work to course-correct, so that the City uses our precious limited resources in the full service of creating a thriving environment for New Yorkers today and tomorrow.

Rosa Chang
Co-Founder and President
Gotham Park
[redacted]

Name

Harry Weiner

Email [redacted]

Public Comment

The Commission on Government Efficiency has issued a Preliminary Report. It reveals no outreach to retirees and glosses over health benefits.

COGE is "keen on a comprehensive external engagement approach to reach people from all corners of the city."

While noting that "City workers are the experts in the processes they run," COGE ignores that retirees are also experts, e.g., on the consequences of the drained Health Insurance Stabilization Fund, which has resulted in burdensome copays and the attempted push into Medicare Advantage.

The announcement of public hearings in The City Record stated that "New Yorkers from any of the five boroughs may testify" in person or via Zoom, ignoring that many retirees live elsewhere.

The Office of Mass Engagement's "Organize NYC" initiative mobilized residents to attend Rent Guidelines Board public hearings, but failed to target anyone to attend COGE hearings.

Tascha Van Auken, the OME Commissioner, told the New Yorker of the importance of "Treating people like smart people who have agency, who can be there or not..." So why marginalize retirees?

In the Budget chapter, only two sentences are devoted to health benefits: "In 2007 the City created the Retiree Health Benefits Trust to officially hold funds 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." (No mention that it was raided for budget relief.)

Also omitted is that an audit found the Health Insurance Stabilization Fund to be mismanaged and insolvent. This may spare COGE member Henry Garrido embarrassment, as the Municipal Labor Commitee bears some responsibility for this, for which he serves as the Acting Chair. (Mr. Garrido called the audit "a political stunt" and the MLC disagreed with the findings.)

COGE could do better.

Attachment(s)

Drop files here or click to browse

Date Submitted	July 17, 2026 3:24pm
Topic	Budget Issues × Reporting Requirements × Unnecessary Bureaucracy × Miscellaneous ×
Charter Related	No
Topic Simplified	Feedback
Subtopic	Complaint about retiree benefits

Show 4 hidden fields

Name

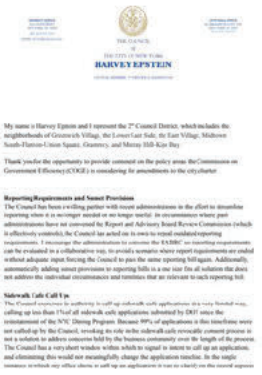
Harvey Epstein

Email [redacted]

Public Comment

Please see attachment

Attachment(s)



CM Epstein COGE Testimony 7 26.pdf

Date Submitted July 17, 2026 3:53pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Procurement

Subtopic

Multiple topics including procurement reform

Show 4 hidden fields

[redacted]

[redacted]

THE COUNCIL
OF
THE CITY OF NEW YORK
HARVEY EPSTEIN
COUNCIL MEMBER, 2ND DISTRICT, MANHATTAN

My name is Harvey Epstein and I represent the 2nd Council District, which includes the neighborhoods of Greenwich Village, the Lower East Side, the East Village, Midtown South-Flatiron-Union Square, Gramercy, and Murray Hill-Kips Bay.

Thank you for the opportunity to provide comment on the policy areas the Commission on Government Efficiency (COGE) is considering for amendments to the city charter.

Reporting Requirements and Sunset Provisions

The Council has been a willing partner with recent administrations in the effort to streamline reporting when it is no longer needed or no longer useful. In circumstances where past administrations have not convened the Report and Advisory Board Review Commission (which it effectively controls), the Council has acted on its own to repeal outdated reporting requirements. I encourage the administration to convene the RABRC so reporting requirements can be evaluated in a collaborative way, to avoid a scenario where report requirements are ended without adequate input, forcing the Council to pass the same reporting bill again. Additionally, automatically adding sunset provisions to reporting bills is a one size fits all solution that does not address the individual circumstances and timelines that are relevant to each reporting bill.

Sidewalk Cafe Call Ups

The Council exercises its authority to call up sidewalk cafe applications in a very limited way, calling up less than 1% of all sidewalk cafe applications submitted by DOT since the reinstatement of the NYC Dining Program. Because 99% of applications in this timeframe were not called-up by the Council, revoking its role in the sidewalk cafe revocable consent process is not a solution to address concerns held by the business community over the length of the process. The Council has a very short window within which to signal its intent to call up an application, and eliminating this would not meaningfully change the application timeline. In the single instance in which my office chose to call up an application it was to clarify on the record aspects

of an application that DOT had approved despite the applicant putting incorrect information on their application, creating confusion. The outcome of the hearing was clarity for all stakeholders.

Building Code Rulemaking
The proposal to remove legislative oversight by the Council on building code updates on the basis that the process is too lengthy does not consider that, for the past four instances construction codes were updated, the average time the Council acted to approve them was four months, and sometimes only took as little as one month. This was often after years of work by DOB prior to submitting the updates to the Council. The rulemaking process that is proposed in place of Council adoption is not inherently faster than the status quo and in fact, could be longer.

Major Transportation Projects
Any changes to the current process of notifying community boards and elected officials in whose districts a major transportation project is being initiated should be approached with caution. The intent of this process is to inform stakeholders early to prevent delays later in the process. We are all concerned with ensuring projects with the goal to enhance New Yorkers' safety on our streets are completed as quickly as possible. Removing or reducing notification requirements would likely hinder the progression of these projects by keeping key stakeholders uninformed. Lastly, this is a requirement in the administrative code, not the charter, so its potential amendment through the charter process does not seem appropriate.

Council Authority to Reject City Office Leases
Removing this authority, especially without creating an alternative oversight process of the same rigor, opens the door for corruption. Awarding a city lease can be a major benefit to a landlord, and therefore deserves appropriate oversight by the Council.

Rainy Day Fund
We all agree that a rainy day fund is an important part of ensuring the City's financial and economic stability, and that such a fund is only as useful as our deposits into it. That said, a formula-based system might not always capture the true economic realities of the fiscal year, leading to larger or smaller deposits than may be fiscally prudent. Given the flexibility needed for a rainy day fund to serve its purpose, the legislative rather than the charter process is a better way to ensure a successful and transparent model to mandate contributions is realized. The Council, administration, and the public have ample opportunity for input in the development of legislation.

Procurement Reform
The Commission is wise to consider ways to streamline the City's procurement process, including by revising vendor questionnaires to make it easier for small businesses to complete them (and save staff time in their review), reevaluating the $100,000 threshold for agencies to hold a hearing before entering into contracts, and creating opportunities for public comment rather than hearings.

I fully support the Commission's goal to make government work better for New Yorkers by improving its efficiency. In certain cases, I believe the limited proposals shared by the

Commission in its preliminary report could reduce government efficiency by removing key stakeholders. Transparency and collaboration do not detract from efficiency–in fact, they can increase it. I hope the Commission will consider this testimony as it fulfills its responsibilities.

Name

Michael Sisitzky

Email [redacted]

Public Comment

The NYCLU's comments are attached

Attachment(s)



NYCLU Comments on COGE Preliminary...

Date Submitted July 17, 2026 8:32pm

Topic Miscellaneous

Charter Related Yes

Topic Simplified Procurement

Subtopic

Considerations of civil liberties and rights in procurement

Show 4 hidden fields



Comments of the New York Civil Liberties Union
Regarding the Preliminary Report of the Commission on Government Efficiency

July 17, 2026

The New York Civil Liberties Union (NYCLU), the New York State affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices across the state and over 100,000 members and supporters. The NYCLU defends and promotes the fundamental principles and valued embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, through an integrated program of litigation, legislative advocacy, public education, and community organizing. We also work to promote principles of good government and the health of our democratic institutions, including at the local level in New York City. To that end, we have a long history of engaging with the City Charter and past charter revision commissions.

We write to offer our perspective with respect to three topics that the Commission on Government Efficiency noted as areas to explore in its preliminary report,[1] namely reforms to the technology procurement process, combining information technology (IT) systems across City agencies, and so-called reporting bill guardrails. The Commission describes each of these reforms as ones aimed at "moderniz[ing]" our government and "bolster[ing] innovation." We urge the Commission to consider the tangible civil liberties concerns that these recommendations raise and ensure any such measures advance and protect civil rights and government transparency.

I. The Commission Must Ensure that Recommendations About the Use of Technology Protect the Rights and Privacy of City Residents.

The NYCLU is concerned with the overarching framing used to recommend changes in how technology is procured and how IT systems should operate across agencies. Describing these recommendations as designed to "make maximal use of technology to fuel innovation across government"[2] uncritically regurgitates tech-solutionist marketing language and neglects to consider the serious risks and discriminatory impacts associated with such an approach, particularly given the lack of existing protections and guardrails. We urge the Commission to not rush prematurely into the adoption of unproven technologies and to meaningfully examine the respective privacy, accuracy, bias, equity, and due process impacts.

[1] Commission on Government Efficiency, Preliminary Report (2026), https://www.nyc.gov/assets/charter/downloads/pdf/2026/COGE-Preliminary-Report-2026.pdf.
[2] *Id.* at 50-55.

A. Technology Procurement

The Commission has expressed interest in reforms to the technology procurement process, finding that its complexity often benefits larger and more established tech companies.[3] We note that the complexity of technology procurement also too often prevents the public from being able to meaningfully engage—and voice concerns—with the procurement of technologies that could have adverse impacts on their communities.

Earlier this year, the NYCLU testified on the need for greater scrutiny and transparency with respect to the procurement of various education technologies in testimony before the City Council.[4] We highlighted that the lack of community engagement or oversight has enabled the expansion of invasive surveillance technologies that invite more policing and criminalization of young people and that negatively impact their learning outcomes.

We have also long supported—and worked to strengthen—measures like the Public Oversight of Surveillance Technology (POST) Act, which requires the NYPD to engage in a process by which it must first solicit public input on new surveillance technologies before they are acquired and deployed.[5] While an important measure, we note that the POST Act is far weaker than similar models in place in localities like Seattle and Oakland, which provide a clearer avenue for local legislators to review proposed surveillance technology procurements, weigh public input, and to ultimately reject proposed procurements where they find that the harms to civil rights and liberties outweigh the purported benefits.[6]

And we have long highlighted the need for greater transparency with respect the City's acquisition and use of automated decision systems (ADS), which, left unchecked, pose serious risks to New Yorkers' privacy rights, due process, and even access to essential government services.[7] These are all the more pertinent as the City is severely lagging in its establishment of the Office of Algorithmic Accountability and the implementation of the Guaranteeing Unbiased AI Regulation and Disclosure (GUARD) Act per Local Laws 188, 193, and 195 of 2025.

As the Commission considers potential changes to technology procurement processes, we urge this body to consider reforms that would (i) allow for more intentional and accessible community input

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[3] *Id.* at 54.
[4] NYCLU, *Testimony Before the New York City Council Committee on Education Preliminary Budget Hearing – Education*, Mar. 23, 2026, https://www.nyclu.org/uploads/2026/04/260323-Testimony-NYCEducationCommittee-EdTech.pdf.
[5] N.Y.C. Admin. Code § 14-188.
[6] *See* ACLU of Washington, *Seattle Adopts Nation's Strongest Regulations for Surveillance Technology*, Aug. 8, 2017, https://www.aclu-wa.org/press-releases/seattle-city-council-passes-ordinance-regulate-surveillance-technology/; City of Oakland, *PAC Surveillance Technology Ordinance*, https://www.oaklandca.gov/Government/Codes-Ordinances/PAC-Surveillance-Technology-Ordinance.
[7] NYCLU, *Testimony Before the New York City Council Committee on Technology Regarding the Use of Automated Decision Systems and Artificial Intelligence by New York City Agencies*, Oct. 28, 2024, https://www.nyclu.org/uploads/2024/11/NYCLU-Testimony-NYC-Council-Tech-Committee-AI-20241028.pdf; NYCLU, *Testimony Before the New York City Council Committee on Technology in Relation to Automated Decision Systems Used by Agencies*, Jan. 22, 2020, https://www.nyclu.org/uploads/2020/01/20200122-nyclu-testimony-automateddecisionsystems.pdf.

and review of proposed technology procurements and (ii) require meaningful consideration of the potential adverse impacts on civil rights and liberties before any such contracts are approved.

B. Combining Information Technology Systems

The Commission's report also includes a recommendation to consider combining IT systems across city agencies, noting that a unified system would enable more collaboration and cohesion.[8] Should the Commission pursue this area further, it must ensure that there are meaningful guardrails against the sharing of data between City agencies. City agencies maintain vast amounts of personal data on New Yorkers, including sensitive medical information, educational records, and criminal legal system involvement. And there are good reasons to ensure that these systems do not interface with one another.[9]

Data silos are an informal privacy safeguard; consolidating these systems creates immense surveillance risks, enables mission creep (secondary uses) and function creep (secondary features), which is particularly concerning for immigrant communities, benefit recipients, shelter residents, and other marginalized communities. While the Commission attempts to point to several examples that provide narrow beneficial use cases of consolidation (such as "figur[ing] out how to find every New Yorker living in a basement apartment, whether legal or not, [to] notify them where there is a flood"[10]), what is proposed would also establish an invasive surveillance system that could be weaponized in a multitude of ways for evictions and code enforcement, as well as by law enforcement and immigration enforcement.

Any proposal for a unified IT system across agencies must include clearly defined firewalls and parameters to protect against the unwarranted sharing of or access to this data.

II. Reporting Bill "Guardrails" Threaten to Undermine Necessary Transparency into Government Operations.

Lastly, the Commission has expressed interest in what it refers to as "reporting bill guardrails," and suggests consideration of automatic sunset provisions for any local law that adds a reporting requirement.[11] The Commission expressed concern over the number of existing reporting mandates and the amount of agency staff time and resources needed to comply with these measures. While we understand the rationale behind this proposal, the NYCLU strongly opposes an across-the-board automatic sunset on any new reporting requirement. Reporting requirements are an essential tool for legislative and public oversight of City agencies. They often provide the baseline level of transparency necessary to assess whether and how communities across the City are impacted by government actions and policies.

Take, for instance, the local laws that require reporting on NYPD interactions with the public. One such law,[12] first passed in response to the 1999 killing of Amadou Diallo, required the NYPD to

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[8] Preliminary Report, *supra* note 1, at 55.
[9] NYCLU, *Testimony Before the New York City Council Committee on Technology Regarding the Oversight of MyCity*, Sept.30, 2024, https://www.nyclu.org/uploads/2024/09/NYCLU-Testimony-MyCity-Committee-on-Tech-20240930-final.pdf.
[10] Preliminary Report, *supra* note 1, at 50.
[11] *Id.* at 58.
[12] 2001 N.Y.C. Local Law No. 55, Intro. 910-2001 (Vallone),

report data on its stop-and-frisk practices as a check against patterns of racial profiling and overly aggressive tactics. Not long after, the NYPD stopped complying with that reporting mandate, and when public pressure and threats of legal challenges finally forced the publication of that data in 2007, the public learned that NYPD stops had skyrocketed, with overwhelming racial disparities.[13] That data played a crucial role in subsequent legal challenges resulting in the NYPD's stop-and-frisk practices being deemed unconstitutional. Another law, passed by City Council in 2021, requires that the NYPD collect and report information on its traffic stops.[14] The data that has been reported in response to this revealed alarming racial disparities in vehicle stops, particularly with respect to which drivers are subjected to searches following a stop.[15] Again, that data played a critical role in litigation, with the NYCLU currently challenging the NYPD's practice of "stop-and-frisk on wheels" in federal court.[16]

Particularly in the policing and criminal justice sectors, communities and advocates make significant investments in often years-long campaigns for basic transparency measures. Agencies like the NYPD so often push back on these measures because they know that once this data is public, they will no longer be able to hide the evidence of abusive and discriminatory tactics. And they know that once the public has the data, communities and policymakers alike can actually take steps to challenge those tactics and to evaluate progress toward reforms in the long term. Automatic sunset provisions would take away that tool for ongoing oversight and force communities to continually relitigate fights for the most basic transparency measures.

We appreciate that the Commission is motivated by a desire to eliminate redundancies and free up staff time and resources with this recommendation, but imposing an automatic sunset on reporting measures paints with far too broad a brush. We urge to Commission to not proceed with such a blunt measure here that, if enacted, will likely result in the long-term erosion of transparency and oversight.

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The NYCLU thanks the Commission for the opportunity to provide comment, and we welcome the chance to engage with the Commission further as it completes its work.

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https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=435969&GUID=8C26CFAB-49F2-41FC-A019-457D520D9FE2.

[13] NYCLU, *In Wake of Bell Shooting, NYCLU Protests NYPD Failure to Comply with Racial-Profiling Reform Mandated After Diallo Shooting*, Nov. 30, 2006, https://www.nyclu.org/en/press-releases/wake-bell-shooting-nyclu-protests-nypd-failure-comply-racial-profiling-reform; NYCLU, Stop-and-Frisk Data, https://www.nyclu.org/data/stop-and-frisk-data.

[14] 2021 N.Y.C. Local Law No. 45, Intro. 1671-2019 (Adams), https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4085844&GUID=E5D5D03D-7DAB-4F2E-9B44-CE091B8D30D0.

[15] NYCLU, *NYPD Vehicle Stops Data*, https://www.nyclu.org/data/nypd-vehicle-stops-data.

[16] NYCLU, *Stop-and-Frisk on Wheels: NYCLU, NAACP, The Bronx Defenders Sue NYPD for Illegal Racial Profiling, Searches of NYC Drivers*, Jan. 28, 2026, https://www.nyclu.org/press-release/stop-and-frisk-on-wheels-nyclu-naacp-the-bronx-defenders-sue-nypd-for-illegal-racial-profiling-searches-of-nyc-drivers.

Name

Janet Holden

Email [redacted]

Public Comment

My name is Janet Holden. I live in [redacted] and work for [redacted] [redacted] I'm a senior but I still have to work.

I have lived long enough to see things go awry. I am not in favor of either the Democrat or Republican parties. I was a Democrat all my life but I changed to Independent.

I support opening the primaries because we should have a choice. I believe that everyone, if they are a US citizen, should have the right to vote. A lot of people have left the parties, but that shouldn't mean that they can't vote. I want to know why I can't vote. We are not supposed to be questioned when we go into the voting booth or before we go in to vote.

As Americans it's our right to choose who to vote for and the party we want to vote for. It's not complicated. You're taking away my rights the right to vote for who I want.

Attachment(s)

Drop files here or click to browse

Date Submitted July 17, 2026 8:45pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Bob Marte

Email [redacted]

Public Comment

My name is Bob Marte. I live in Astoria, Queens. I am retired and live on Social Security. Before retirement, I was a software developer. I wrote and fixed software for over 40 years.

I support opening the primaries to independent voters because I don't think it's right to ban some people from voting and give preferential treatment to a particular group of voters. Independents should have the same choice as others.

I think independents as a group are more open-minded. They are people like you and me not just the super rich, well connected, billionaire class. They can relate to ordinary people and they know what's going on. It would benefit the city to have us involved in choosing the candidates who represent us.

I find it interesting that politicians are allowed to run on 2 parties but don't want to hear from people outside their party. I hope you, the Commissioners, will put open primaries on the ballot and protect freedom of choice. It's an American value.

Attachment(s)

Drop files here or click to browse

Date Submitted July 17, 2026 8:48pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Bob Marte

Email [redacted]

Public Comment

My name is Bob Marte. I live in [redacted]. I am retired and live on Social Security. Before retirement, I was a software developer. I wrote and fixed software for [redacted].

I support opening the primaries to independent voters because I don't think it's right to ban some people from voting and give preferential treatment to a particular group of voters. Independents should have the same choice as others.

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Attachment(s) Drop files here or click to browse

Date Submitted July 17, 2026 8:48pm

Topic Open Primaries

Charter Related Yes

Topic Simplified Elections

Subtopic	Open primaries

Show 4 hidden fields

Name

Mark Aponte

Email [redacted]

Public Comment

My name is Mark Aponte. I live in [redacted] and I am a [redacted] I'm 54 years old.

When I went to vote in the primaries, they said I had to pick a side that I had to fill out a paper ballot and pick a side in order to vote in the primary. I've lived here all my life and they are telling me I can't vote because I'm an independent. Unbelievable.

I don't choose on the basis of party. A lot of politicians, Democrat and Republican, can't be trusted. I listen for what they say. I vote right or wrong. I do the best I can to pick the best. I don't want to have to defend a party even when they are wrong. The politicians work for us, not the other way around. We pay them to do a job.

I support opening the primaries to independent voters because more voices will be heard a lot more voices would be heard.

As an independent, I feel left out. Like my voice means nothing. I pay my taxes. It's like paying union dues and the union doesn't represent you.

I feel like politicians are scared that independents are not going to vote for them. Right now, they control things, but that's not fair to regular citizens who pay taxes.
I hope that you will do the right thing and put open primaries on the ballot so that those of us who pay taxes can decide yes or no.

Attachment(s)

Drop files here or click to browse

Date Submitted July 17, 2026 9:51pm

Topic Open Primaries

Charter Related	Yes
Topic Simplified	Elections
Subtopic	Open primaries

Show 4 hidden fields