



## Department of Transportation

Ydanis Rodriguez, Commissioner

March 1, 2024

Rachel Frumin  
Director of Concessions and Franchises  
New York City Department of Transportation  
55 Water Street, 9<sup>th</sup> Floor  
New York, NY 10041

Re: Designation of New York City Department of Transportation's Director of Concessions and Franchises, Rachel Frumin to Serve on the MTA's Advisory Committee on Transit Accessibility ("ACTA") Pursuant to COIB Rule 1-13(e)

Dear Ms. Frumin,

I am pleased to be informed that you have been asked by the MTA's Advisory Committee on Transit Accessibility ("ACTA") to join its board as a voluntary member. According to its website, ACTA was established in the 2019 and serves as "an all volunteer group of community members committed to working with the MTA on a range of accessibility issues. The goal of ACTA is to represent many forms of disability and include persons from across the spectrum of disabilities."

ACTA solicits and collects community and rider feedback on accessibility issues and communicates that feedback to the MTA. This includes the riding public's thoughts and comments on accessibility issues it has with the subways, buses and Access-A- Ride paratransit. ACTA suggests accessibility initiatives to the MTA and advises the MTA on how to best implement these initiatives in a way that best serves the disabled community of the City and the other tri-state areas that the MTA services.

As the Director of Franchises and Concessions at NYCDOT you have the following duties:

1. Oversee the solicitation and approval of DOT's concessionaires and franchisees, including concessionaires serving the NYC Plaza Program and historic utility franchisees;
2. Manage compliance of all concession and franchise agreements and set up a process for short term activations on public plazas; and
3. Coordinate project and reporting reviews and approvals as needed with a variety of stakeholders, including community boards, elected officials, community groups, other City agencies, and other DOT units.

I have determined on behalf of NYCDOT Commissioner Ydanis Rodriguez, for the reasons below, in accordance with Conflicts of Interest Board Rule 1-13(e), to designate you to serve as a member of the Board.



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Ydanis Rodriguez, Commissioner

Under COIB Rule 1-13(e) a public servant may be designated by an agency head perform work on behalf of a not-for-profit corporation, association or other such entity that operates on a not-for-profit basis, including serving as a board member or other position with fiduciary responsibilities provided that:

1. There is a demonstrated nexus between the proposed work, the public servant's City job and the mission of the public servant's agency;
2. Such work furthers the agency's mission and is not undertaken primarily for the benefit or interests of the not-for-profit;
3. The designated public servant takes not part in the entity's business dealings with the City at the entity or at his or her agency, except that Council Members may sponsor and vote on discretionary funding; and
4. Within 30 days the written designation is disclosed to the Conflicts of Interest Board.

Here there is a direct connection between the mission of DOT to provide better transportation accessibility to people with disabilities and the MTA's efforts to facilitate and ease the navigation of its complex transit system for the disabled segment of the commuting public. For example the MTA, as part of its 2020-24 Capital Program committed \$5.2 billion to make its subway stations newly accessible to the disabled public by installing elevators that are largely located on City streets under NYCDOT jurisdiction and another \$600 million to modernized those elevators that already exist. The construction and renovation of these elevators often requires the cooperation of DOT which is committed to making its own streets more user friendly to the disabled community through such initiatives as: (1) Making NYCT bus stops more accessible to wheelchair bound commuters; (2) Constructing ADA compliant pedestrian ramps throughout the City and (3) Installing Accessible Pedestrian Signals at traffic intersections throughout the City to make the crossing of busy City streets safer the hearing and visually impaired community.

Your participation on the ACTA Board will directly further and benefit the City's goal of providing better transportation services for the disabled community in conjunction with the MTA. As a member of the Board, you will directly serve the City's interest by informing and providing the MTA with DOT's views on critical accessibility issues that may help guide them in providing ADA services consistent with the needs of the City.

The reasons stated above in support of your membership on the Board and your agreement to recuse yourself from reviewing MTA issues while serving as NYCDOT's Director of Franchises and Concessions, leads me, on behalf of Commissioner Rodriguez, to approve your designation as an ACTA Board member in compliance with COIB Rule 1-13(e).



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Ydanis Rodriguez, Commissioner

Within 30 days of my designation of you to serve on the Board, this letter must be submitted to the Conflicts of Interest Board which will then post this designation on its website.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Forgione", is written over a horizontal line.

Margaret Forgione  
First Deputy Commissioner

c: R. Lynch, M. Dean, M. Craven, J. Fuccillo, D. Fenichel, J. Caldarella, P. Browne



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, NY 10007

August 7, 2024

New York City Conflicts of Interest Board  
2 Lafayette Street, Suite 1010  
New York, NY 10007

Dear Conflicts of Interest Board Members:

In accordance with Section 1-13(e) of Title 53 of the Rules of the City of New York, and pursuant to the authority granted to me to supervise and coordinate the Department of Transportation by Executive Order 40<sup>1</sup>, I hereby designate Ydanis Rodriguez, Commissioner of the Department of Transportation ("DOT"), to perform work on behalf of the City University of New York's Remote Sensing Earth Systems ("CUNY CREST") Institute's External Advisory Board ("CEAB").

There is a demonstrated nexus between Commissioner Rodriguez's proposed work as an CUNY CREST External Advisory Board member and his work at and the mission of DOT.

According to the CUNY CREST the Institute's mission is "To develop environmental information and technical capabilities to study processes affecting the Earth System at multiple scales and assimilate Remote Sensing Observations and Modeling Resources into sets of Scientific Data Products and support CUNY CREST's Educational Mission by fostering Local, National, and international partnerships".

Among CUNY CREST's 'Six Pillars' is Research and Application which, according to its website includes being the "... top research leader in New York City for climate resiliency, coastal hazards and urban environmental challenges" and promoting "...interdisciplinary research to address local, national and international challenges". The CEAB will be composed of experts from local, state and federal agencies, NGOs, private industry, and national and international organizations as well as relevant stakeholders. Like other CEAB members, the Commissioner would serve a three-year term. The duties of an Advisory Board member include:

Pursuant to COIB Rule 1-13(e) a public servant may be designated to perform work on behalf of a not-for-profit corporation, association or other such entity that operates on a not-for-profit basis,

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<sup>1</sup> Signed February 23, 2024.



including serving as a board member or other position with fiduciary responsibilities provided that:

1. there is a demonstrated nexus between the proposed work, the public servant's City job and the mission of the public servant's agency;
2. such work furthers the agency's mission and is not undertaken primarily for the benefit or interests of the not-for-profit;
3. the designated public servant takes no part in the entity's business dealings with the City at the entity or at his or her agency, except that Council Members may sponsor and vote on discretionary funding; and
4. within 30 days the written designation is disclosed to the Conflicts of Interest Board.

Here there is a direct connection between the mission of DOT and the work of the CUNY CREST Institute. NYC DOT's mission is to provide for the safe, efficient, and environmentally responsible movement of people and goods in the City of New York and to maintain and enhance the transportation infrastructure crucial to the economic vitality and quality of life of our primary customers, City residents. CUNY's Crest Institute's mission is to develop technical capabilities needed to conduct research that impacts the Earth's System to help create a sustainable society. NYC DOT's work to create sustainable transportation options via supporting walkable, bikeable, and transit friendly communities is integral to combatting climate change as well as enhancing resiliency aligns perfectly and Commissioner Rodriguez' participation on the Board can ensure the connection between transportation and climate change are appropriately considered in CUNY's Crest Institute's work.

Commissioner Rodriguez expects that this time commitment will involve four hours of time annually (two meetings, each lasting two hours). He will not be compensated for this activity but will use reasonable and incidental City time and City resources.

In his role as Commissioner of the Department of Transportation, Commissioner Rodriguez is not involved with any business matters related to CUNY CREST. In the event that any business dealings with the City should arise as part of his Board Membership, Commissioner Rodriguez would recuse himself from any such dealings and seek guidance from the Conflicts of Interest Board.

Please note that as Commissioner of the Department of Transportation, Commissioner Rodriguez has business dealings with the City University of New York ("CUNY"), the parent organization of CUNY CREST. The Commissioner is responsible for approving recommendations made by CUNY in relation to open street plazas that affect CUNY campuses and is involved in the CUNY Job Pipeline, which encourages CUNY students to pursue career opportunities with DOT. The Commissioner intends to continue this work with CUNY as it is unrelated to his service on the CUNY CREST Advisory Board and in the best interest of the City.

Based upon information presented to me, I have determined that there is a demonstrated nexus between the mission of DOT, Commissioner Rodriguez's job and the work and activities

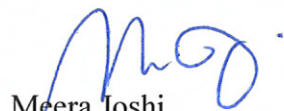
Commissioner Ydanis Rodriguez

July 31, 2024

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performed by CUNY CREST, and that such work and activities would further DOT's mission and is not undertaken primarily for the benefit or interests of CUNY CREST.

Sincerely,



Meera Joshi

Deputy Mayor for Operations

cc. M. Forgione, R. Lynch, M. Dean, P. Ruiz R. Wanttaja, P. Browne, D. Fenichel

