

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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MARCH 30, 2023
Start: 1:00 P.M.
Recess: 1:22 P.M.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: SANDRA UNG, CHAIRPERSON

COUNCIL MEMBERS: GALE A. BREWER
SHAHANA K. HANIF
LINCOLN RESTLER
LYNN C. SCHULMAN

A P P E A R A N C E S (CONTINUED)

1 COMMITTEE ON GOVERNMENTAL OPERATIONS 3

2 SGT. BRADLEY: Test, test, test, test.

3 This is a test. Today is March 30th, 2023. This is
4 being recorded by Sakeem Bradley. This is the
5 Committee on Governmental Operations.

6 SERGEANT AT ARMS: Good afternoon.

7 Welcome to today's New York City Council Hearing for
8 the Committee on Governmental Operations. At this
9 time we ask that you silence cellphone and electronic
10 devices to minimize disruption throughout the
11 hearing. If you have testimony you wish to submit
12 for the record you may do so via email at
13 testimony@council.NYC.gov. Once again that is
14 testimony@council.NYC.gov. We thank you for your
15 cooperation. Chair we are ready to begin.

16 CHAIRPERSON SANDRA UNG: (Gavel pounding)
17 Good afternoon. I am City Council Member Sandra Ung,
18 Chair of the Committee on Governmental Operations.
19 At today's hearing the Committee will be hearing
20 several bills, plus a resolution designed to improve
21 government efficiency and streamline to clarify laws
22 of the City. This Legislation we will be hearing
23 today will repeal a number of revisions that will
24 waive by the report and the advisory board review
25 commission in 2012. Pursuant to section 1113 of the

2 Charter the Commission reviews and assess the
3 continued use of the requirement of the Charter and
4 the issuant code. Issuing to reports of the
5 establishment of advisory bodies and issues
6 determination we are not to waste the requirements.
7 Within 120 days of receiving the Commissions
8 determination the Council may either approve or
9 disapprove such determination. If the Council fails
10 to act, the Council shall deem to have approved the
11 determination as such determination shall take
12 effect. If the Council did not vote on the
13 Commission determination issued in 2012 and thus the
14 determinations were deemed approved and irrelevant
15 reporting and meeting requirements were waived.
16 Accordingly the provision setting forth those
17 reporting and meeting requirements would be repealed
18 if they are obsolete. In addition to repealing a
19 selection report and advisory bodies that were waived
20 by the RABRC. The proposed bills will also repeal
21 several other provisions identified by the Council as
22 being obsolete due to a variety of changing
23 conditions. These include a pre-considered
24 introduction by Council Member Farias which repealed
25 the provisions of the Charter and Administrative Code

2 establishing certain advisory bodies, task forces or
3 Commission. A pre-considered introduction by Council
4 Member Williams which repealed 24 provisions of the
5 Charter Administrative Code requiring certain reports
6 and studies. Such provisions will be repealed for at
7 least one of the following reasons: The due date for
8 the submission report or study has passed and no
9 further reporting has been required. The report is
10 duplicative of other mandated reporting and the
11 report is no longer necessary in light of reporting
12 circumstances. Other provisions as waived by the
13 report and Advisory Board Review Commission. A pre-
14 considered introduction by Council Member Brewer
15 which repeals the outdated, unnecessary, temporary
16 pilot programs unconstitutional provisions to other
17 outdated provisions. And finally a resolution that I
18 am proud to sponsor that will approve the waiver of
19 eight reporting requirements done at the Report
20 Advisory Board Review Commission in accordance to the
21 requirements voted to approve at the meeting on
22 January 11th, 2023. Each of these requirements is
23 described in details in Commissions determination
24 which is part of the Committee report from review by
25 the Committee members and the public. And with that

2 I would like to thank the members of the public and
3 I'd like to thank Malcom Butehorn and Erica Cohen,
4 essential staff for their work in putting this
5 hearing together as well as Xin Wu, my Budget
6 Director who is here today. I would also like to
7 welcome Coun-, well sorry. And now I would like to
8 turn it over to Moderator Malcolm Butehorn to swear
9 in the witnesses.

10 MALCOLM BUTEHORN: We will hear from Dan
11 Steinberg from the Mayor's Office of Operations. Do
12 you swear to tell the whole truth, and nothing but
13 the truth before this Committee and to answer Council
14 Member questions honestly?

15 DAN STEINBERG: Yes.

16 MALCOLM BUTEHORN: Then you may begin when
17 ready.

18 DAN STEINBERG: Thank you. Good
19 afternoon Chair Ung. My name is Dan Steinberg, a
20 Service Director at the Mayor's Office of Operations
21 and Chair of the Report Advisor Board Review
22 Commission which I will refer to RABRC for short.
23 Joining me today is Kevin Tschirhart, Senior Strategy
24 and Engagement Advisor at the Mayor's Office of
25 Operations who supported this work over the past year

2 and will oversee RABRC efforts moving forward.

3 RABRC which was created in 2010 following a

4 referendum under Charter Review Commission proposal

5 is a vital activity at the Mayor's Office of

6 Operations. The Commission chaired by the Director

7 of the Mayor's Office of Operations is comprised of

8 representatives from the City Council Law Department,

9 Department of Information and Technology

10 Telecommunications, now known as the Office of

11 Technology and Innovation and the Office of

12 Management and Budget. RABRC's mission is to review

13 and assess the continued usefulness of reporting

14 requirements and advisory boards established by the

15 City Charter, Administrative Code and unsolicited

16 provisions of local law. RABRC's focus is on

17 identifying and eliminating outdated duplicative and

18 unnecessary reporting and Advisory Board Requirements

19 with the goal of enhancing government efficiency and

20 productivity. In weighing whether to grant or report

21 waiver RABRC considers four primary criteria that are

22 outlined in the Charter which are utility,

23 redundancy, relevance and overall benefit. The

24 recent RABRC cycle began in February 2022 when we

25 contacted agencies and solicited reported they would

2 have considered for waiver by March, agencies and
3 submitted 62 waiver requests. The Mayor's Office of
4 Operations compiled information on the reports held
5 at RABRC hearing in March 2022, selected reported.
6 RABRC then held meetings in June and September of
7 2022 where RABRC Commissioners asked agencies about
8 the reports. Finally in January 2023, the Commission
9 held a hearing to vote on the waivers and the
10 Commission voted unanimously to waive the reports we
11 are here to discuss today. I would like to take this
12 morning to thank our RABRC Commissioner for their
13 collaboration and partnership throughout the process.
14 We are looking forward to continued work with you to
15 streamline government by eliminating redundant and
16 unnecessary reporting requirements. I hope this
17 information provides you with an overview of the
18 important work being done by the Mayor's Office on
19 RABRC. Thank you for the opportunity to testify
20 today and I am very happy to answer your questions.

21 CHAIRPERSON SANDRA UNG: Thank you.

22 We've also been joined by Council Member Hanif. I do
23 have a few questions. So of the eight waiver
24 determinations voted by the Commission is there any
25 information being lost by repealing any of these

2 eight reporting requirements? Or can the public
3 access information in new ways?

4 DAN STEINBERG: So the vast majority of
5 the data available in these reports is either
6 available on open data and improved data formats or
7 it doesn't exist because it measures an obsolete
8 function of city government. For instance everything
9 is available on open data from the reports end,
10 directory assistance calls, service request calls,
11 small purchases, and, and small purchases is also
12 available on passport public and checkbook NYC and in
13 terms of the other reports that where we start to see
14 obsolete functions of government. There is an
15 article 214 closings report that the OB doesn't issue
16 Article 214 actions anymore. The Neighborhoods Slow
17 Zones report has moved because we lowered the speed
18 limit so there is no longer a slow zone to oppose to
19 the rest of the city and Vision Zero has replaced
20 obviously a lot of that data and work through its
21 program, website and open data. The ship work
22 gambling report isn't needed because the city hasn't
23 considered a single application for ship work
24 gambling in over two decades. And so there are
25 several data points from the other three reports that

2 RABRC Commission determined were either higher
3 quality data or more meaningful data appearing in the
4 Mayor's Management Report or other data resources.
5 But to the extent we wanted to discuss any of those
6 very granular data points we are very happy to.

7 CHAIRPERSON SANDRA UNG: Thank you. And
8 are RABRCs required to hold public hearings on these
9 potential waivers before holding the vote? Was there
10 any comments received by the Commission in favor of
11 any of the eight waivers?

12 DAN STEINBERG: Yes. Re-Invent Albany
13 submitted testimony in support of the eight waivers.
14 And we also, you know, obviously it's sort of it is
15 all governed by the open meetings slot which means
16 that we advertise the hearings in, in the newspaper
17 and city record but we also conducted some proactive
18 outreach to the government groups because this
19 Commission had been dormant for some time and we
20 really wanted to sort of make sure that we were being
21 as transparent as possible. And so I have a list of
22 other groups who we solicited from but Albany was the
23 one that submitted testimony.

24

25

2 CHAIRPERSON SANDRA UNG: Thank you. Was
3 there any comments that was in opposition to the
4 eight waivers?

5 DAN STEINBERG: No. There was no
6 opposition.

7 CHAIRPERSON SANDRA UNG: Okay. That's
8 good.

9 DAN STEINBERG: Yeah.

10 CHAIRPERSON SANDRA UNG: Thank you. And
11 the last question for me is based on experience in
12 the past what process improvements are you looking to
13 make for the next cycle?

14 DAN STEINBERG: Yeah. Well, just to say
15 it again, we really consider this a sort of mile of
16 collaboration and transparency between the
17 Administration and the Council that we, we're really
18 working on it's a sort of joint inquiry you know
19 where we apply this criteria and so, we we're very
20 pleased with the partnership and want to maintain
21 that. To allow agencies, operation staff and RABRC
22 to make sure there is more time to formulate and
23 review waiver requests, we anticipate RABRC will
24 operate on a two year cycle moving forward. We
25 tentatively plan to open the waiver request window

2 this spring and hold a hearing this fall. We plan to
3 hold two RABRC hearings with agencies for Q and A in
4 early 2024 before holding a RABRC hearing in the fall
5 of 2024 to vote on the selected reports and happy to
6 elaborate on the rest.

7 CHAIRPERSON SANDRA UNG: No, no. I'm
8 good. Thank you. Council Member Hanif?

9 SHAHANA HANIF: Thank you so much Chair
10 Ung and it's really wonderful to be here for this
11 hearing which I find very unique and area of our work
12 that is in the weeds. And so I'm really excited to
13 join you all and thank you for being here. So
14 Council Central Staff did their own due diligence in
15 identifying outdated, temporary, duplicative and
16 unnecessary provisions in both the chart and Admin
17 Code. This work began last session and involved
18 extensive collaboration with the Administration and
19 the Law Department and these Bills also contain
20 measures identified by the RABRC Commission. For the
21 record could you please explain how the Commission
22 identifies reporting provisions to be submitted as
23 candidates for waiver?

24 DAN STEINBERG: Sure. So the Commission
25 conducts out-, starts by conducting outreach to the

2 City agencies and soliciting sort of nominations
3 regarding reporting requirements that meet the
4 criteria. And then we internally vet them and the
5 last agency survey was conducted in February to March
6 2022 and that's what yielded the Universe of 62
7 candidates. And from there it gets whittled down to
8 the sort of collective inquiry. So the agency
9 submitted these 62 we review each and consider the
10 criteria, utility, redundancy, relevance and benefit.
11 We then share this 62 reports with the RABRCs
12 Commissioners including, which includes the Council
13 representatives along with our recommendation. But
14 that's really the kickoff for, for the work because
15 from there the Commissioners often have lots of
16 questions for the agencies which are required and it
17 really takes due diligence to make sure that we're
18 not elevating, reporting, that isn't otherwise
19 available. And, and really assessing the, the merit,
20 you know up against this criteria. You really have
21 to understand you know, you have to get in the weeds.
22 It's the only way.

23 SHAHANA HANIF: Absolutely.

24 DAN STEINBERG: Yeah. So, so, we then
25 prevent the -- we provide this information to the

2 Commissioners, we go back and forth through the
3 agencies with the follow up questions. So it's
4 really kind of an exhaustive collaborative process
5 and, and we work for it as a Commission because there
6 is no point in retiring old reports when the Council
7 has every right and ability to restore them
8 afterwards. So the whole sort of point of the
9 commission work is to bill consensusing and that was
10 sort of the process by which we arrived at eight.

11 SHAHANA HANIF: That's really good. And
12 how long is this process of evaluation and vetting
13 and the consensus building?

14 DAN STEINBERG: About a year. And one
15 that is one of the reasons we wanted to do it every
16 two years is because otherwise we end up looking at
17 the same reports potentially every year.

18 SHAHANA HANIF: So every two years is
19 when this . . .

20 DAN STEINBERG: It's been every, we've
21 been, well so, actually RABRC went dormant for almost
22 a decade and the office of operations and the current
23 administration sort of restored it.

24 SHAHANA HANIF: Uh-huh.

2 DAN STEINBERG: And, and so we did it,
3 when we restored it we did it two consecutive years
4 annually and now that we've sort of gone through this
5 long list you know because of this sort of negligence
6 of the previous administration not to keep this going
7 we feel like we've sort of exhausted the top current
8 pool of candidates and moving to an interior cycle is
9 more rational because otherwise we would just be
10 considering the same reports.

11 SHAHANA HANIF: So every two year cycles?

12 DAN STEINBERG: Yes.

13 SHAHANA HANIF: Got it. And could you
14 share how many Commissioners there are?

15 DAN STEINBERG: Sure. The Commissioners
16 include me as the Chair, the Council, the Law
17 Department, OTI and I'm missing someone, Doris is an
18 advisory member. Yeah, so seven total Commissioners.
19 Yeah. So seven total Commissioners. Yeah.

20 SHAHANA HANIF: Got it. And then through
21 this process of vetting and evaluations is there like
22 an equity component? How do you address the equity
23 piece for some of the reporting that I know exits to
24 center a more equitable reporting of issues of the
25 city?

2 DAN STEINBERG: That's a really good
3 question. Equity is a very important criteria or
4 lens by which we sort of approach all of our work and
5 operations and I think in this case obviously having
6 a public comment process is one way so we did, you
7 know, practically reach out to the government groups.

8 SHAHANA HANIF: Uh-huh.

9 DAN STEINBERG: One of which at least
10 submitted testimony so we felt like you know I think
11 from an equity perspective it is important to
12 publicize this work and make sure that there is
13 general awareness of it. I think that we are sort of
14 very focused on the desegregation of data as an
15 office in terms of you know really measuring
16 disparities across populations and in really trying
17 to understand how every issue has had implications
18 and so I think with this work, you know equity isn't
19 one of the four formal criteria but I think as part
20 of the general assessment and as we sort of debate
21 the merits of any report that equity is clearly one
22 of the benefits that should be considered. And if we
23 are eliminating something that undermines the city's
24 ability to develop inequitable policy then it is
25 something that would be lagged along the process.

2 SHAHANA HANIF: This would be excellent
3 to hear. And my final question is could you share
4 how the entire RABRCs Commissions process can
5 actually enhance compliance work with respect to
6 getting agencies to comply with reporting laws that
7 currently exist?

8 DAN STEINBERG: Yeah. I think actually
9 just by having a formal process by which all of the
10 reports are documented, you know, endorsed with the
11 department of records was a partner in making sure
12 that we had the full documentation of all the
13 mandated reports which do get lost between the cracks
14 over the years. I think we are bringing a lot of
15 attention to mandated reported and have discovered
16 some reports that along the way that were valuable
17 and needed to be sort of publicized more in order to
18 be meaningful. And so I think generally it just
19 creates a lot of work and attention around reporting
20 which is a good thing.

21 SHAHANA HANIF: That's really great.
22 Well thank you so much Commissioner and I am really
23 grateful to the Commissions work. Thank you.

24 DAN STEINBERG: Thank you.
25

2 CHAIRPERSON SANDRA UNG: Dan, thank you
3 all of you for testifying today.

4 DAN STEINBERG: Thank you.

5 CHAIRPERSON SANDRA UNG: I look forward
6 to working with all of you in the future.

7 DAN STEINBERG: Thank you so much.

8 CHAIRPERSON SANDRA UNG: And now the
9 hearing is concluded.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date APRIL 12, 2023