

Committee on Government Operations, State & Federal Legislation "Increasing Government Efficiency and Access to City Facilities" Testimony of Ya-Ting Liu, Chief Public Realm Officer September 19, 2024

Good morning, Chair Restler and members of the New York City Council Committee on Governmental Operations, State and Federal Legislation. My name is Ya-Ting Liu, and I am the Chief Public Realm Officer for the City of New York. Thank you for the opportunity to testify today regarding Intro. 694 sponsored by Council Member Sandy Nurse, which would require the City to create a long-term strategic planning process for a citywide public bathroom network. Our teams are working diligently on this issue and we look forward to working with you on the details of how we implement and operationalize such a plan.

As Chief Public Realm Officer, my role is to lead and coordinate internally across government agencies and with external partners to create vibrant public spaces throughout the city. Three key areas define our public space work:

- Hardware: Expanding the public space footprint across the five boroughs, especially in underserved communities with the least access to open space.
- Software: Cutting red tape for partners so they can help city government clean, maintain, and activate public spaces.
- Org-ware: Coordinating, planning, and managing public space projects and policies across government agencies and offices to ensure we deliver improvements on time and on budget.

Public restrooms are an essential part of public space and an important public health and equity issue. Access to public bathrooms is not a new issue in New York City. Similar to the scaffolding issue, administrations in the past have tried to tackle this seemingly intractable concern for residents and visitors alike. I would like to take the opportunity today to share what we have done to expand public access and provide a more user-friendly experience.

As announced by the Mayor in June, the City recently launched "UR in Luck," a new effort to expand New Yorkers' access to public restrooms across all five boroughs. As part of this initiative, the City has made significant progress in public restroom access:



- The City has announced 82 new and refurbished restrooms in the next five years, including 14 potential Automatic Public Toilets in the next two years. We are laser focused on siting DOT's 14 Automatic Public Toilets on our city streets, as well as ensuring the suite of 82 parks restrooms in their capital pipeline are delivered on time and on budget.
- Parks has also recently completed the expansion of changing tables in all feasible public restrooms, three years ahead of schedule.
- We published a Google Map layer that identifies all public restrooms in parks, plazas, train terminals, libraries, and privately owned public spaces to help people find the nearest restroom when they have to go, on the go. It currently has 5.5M views and you can access this map at on **nyc.gov/restroom**
- To keep these initiatives on track, my team leads an inter-agency task force to track progress on the public restroom projects we have in the pipeline and explore other policy ideas for moving the needle to increase public restroom access.

Expanding access to public restrooms in New York City is a challenging endeavor that will require the Council's support and help. We are thankful for the body's continued interest in this topic and happy to be here today to discuss this work. We support the intent of Intro. 694 and would like to have more detailed conversations with you about how to bridge the gap between the policy goals we share and the tools, processes, and resources we have in place for implementation. Four main constraints faced by the City today:

- 1. Siting challenges are real, and we need to consider where restrooms are needed most
 - a. The legislation's proposed target ratio is 1 restroom for every 2,000 New Yorkers which is more than 4,000 restrooms (more than 4x our current stock).
 - b. While we all want more restrooms, in a city as dense as New York, there are various siting challenges when it comes to finding spots for new restrooms, let alone 4,000 new locations.
 - c. As an administration, we are focused on siting restrooms in high foot traffic areas and in areas that currently have less access to public restrooms, but finding, scoping, and approving these sites require intensive work.



- d. We need the help of council members and community boards to find and approve these locations for new restrooms.
- 2. Existing restroom upgrades must be balanced with building new restrooms and maintaining existing bathroom inventory
 - a. Parks is proud to have the largest stock of public restrooms in the city, with over 700 restroom buildings.
 - b. This footprint is no small task to maintain. Parks recently received funding for second shift cleaning to help maintain parks, including public restrooms. If the restroom stock increases, the legislation should account for additional resources required to maintain additional sites.

3. Building public restrooms are cost and time intensive

a. Parks restrooms cost about \$5M per restroom and take 3-4 years to build. DOT APT's take more than a year to move through a time intensive5-step public approval process.

4. City government alone cannot solve the public restroom access issue

- a. New York City has almost a thousand public restrooms and we are looking to add more. But we cannot build our way out of this problem due to high building costs and high operations & maintenance costs.
- b. Many other cities have found creative incentive programs. Munich and London are paying businesses to open their toilets to the public. We welcome creative ways to collaborate and partner with the private sector to make more restroom facilities available to the public.

We are committed to working with you all to identify acceptable sites for public restrooms in your districts, secure community buy-in, and reform the capital project delivery process. Together these steps will allow us to deliver the resources that New York City residents and visitors, alike, deserve. We thank the Council for the opportunity to testify on the City's plans to expand bathroom access across the city and welcome any questions.

I will now pass it on to my colleague Joe Morrisroe from OTI.



NEW YORK CITY 311 TESTIMONY BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENTAL OPERATIONS, STATE & FEDERAL LEGISLATION

Int 0523-2024 by Justin L. Brannan in relation to procedures to be adopted by the 311 call center for responding to certain repeat anonymous complaints against the same property.

Int 0587-2024 by Eric Dinowitz in relation to requiring the 311 customer service center to conduct customer satisfaction surveys after each 311 call intake is closed and to publish agency report cards.

Int 0744-2024 by Eric Dinowitz in relation to duplicate 311 requests for service and complaints.

September 19, 2024

Good morning, Chair Restler and members of the City Council Committee on Governmental Operations, State and Federal Legislation. My name is Joe Morrisroe, and I am Deputy Commissioner of New York City 311 (NYC311), under the Office of Technology and Innovation (OTI). Thank you for the opportunity to testify today regarding legislation that would impact NYC311 operations.

As NYC311's Deputy Commissioner since 2008, I oversee all aspects of 311, from the operation of the most familiar component – the call center – to the creation and implementation of multiple customer-facing channels, performance results and quality control measures; interaction with city agencies; and data collection.

As you all know, NYC311 delivers fast and easy access to government services and information to all New Yorkers. NYC311 is available 24 hours a day, 7 days a week, 365 days a year through multiple channels, including the call center, online portal, text, mobile application, and social media. Originally launched as a call center, NYC311 has evolved into the most comprehensive municipal government customer service platforms in the nation. NYC311 received 37 million customer contacts in 2023, and on an annual basis receives more calls than all other U.S. city 311 call centers combined.

I'm pleased to share that a recent independent report shows NYC311 call center representatives achieved a customer satisfaction rating of 94%, placing us in the top 10% of similar services and even outperforming some private sector companies. This high level of public satisfaction reflects the dedication of the NYC311 team to serving New Yorkers every day.

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It is important to note that NYC311 serves as the *platform* to provide information and services to the public. With few exceptions, public interactions with NYC311 services result in one of the following outcomes:

- Information Request (e.g. when is my trash pick-up day?)
- Referral to an external entity (e.g. NY State Department of Labor, FCC)
- Service Request (e.g. submitting a ticket)

We rely on our collaborative relationships with each city agency to build out the service request forms and information pages (also known as "knowledge articles") that properly reflect the mission and services for each agency or office. If an agency makes a service request available to the public, there is a duty and expectation for the agency to be able to respond to it and provide a resolution within a reasonable service level agreement (SLA) timeframe.

That said, once a service request is submitted with NYC311, it becomes that agency's responsibility. The bills before the Committee today all attempt to address issues that NYC311 customers have with agency response. We'd be happy to hear from Council Members on ways we can work with individual agencies on how responses may be improved through the NYC311 feedback loop with respect to specific problems that may not necessitate wholesale changes to how service requests are accepted, investigated, and resolved.

I will now turn to the bills associated with this hearing.

Int 0523-2024 would require 311 to stop referring non-emergency, anonymous calls about harassed properties to agencies for follow-up. Harassed properties under this bill would be considered those that have had repeated anonymous complaints to 311 that cannot be substantiated or that are substantiated but are not illegal. As discussed above, 311 is simply the platform that other agencies use to provide information and facilitate service requests. 311 does not make determinations about whether repeat service requests are considered harassment, nor should we. If an agency accepts a service request type, the act of creating a service request results in a follow-up action. Repeated complaints against the same property that do not result in a summons or other enforcement action does not mean that an individual should be barred from making the complaint. Examples of difficult-to-enforce service requests include noise complaints or illegal apartment reports. Importantly, this policy shift would be easy to abuse, and could have unintended consequences.

Int 0587-2024 would require 311 to conduct customer satisfaction surveys after each 311 call intake is closed and to publish agency report cards. While we appreciate the Council's shared



interest in this, we feel that legislation is not needed since we are already working on such a survey. We will certainly keep Council informed of its progress.

Finally, Int 0744-2024 would prohibit agencies from closing 311 requests for service or complaints solely because they have been identified as duplicates of previous 311 requests for service or complaints. Each agency may have a reason for why they may prefer not to have duplicate service requests. So, a one-size-fits-all approach is not ideal. We'd like to hear from the Council about what service requests have been closed for being duplicates, and how we may be able to work with the agencies that have this policy.

Thank you for the opportunity to testify today. I will now take any questions you may have.

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I will now pass it on to Commissioner Toole from DORIS for her testimony.



Committee on Governmental Operations, State & Federal Legislation Increasing Government Efficiency and Access to City Facilities Thursday, September 19, 2024

Introduction

Good morning, Chair Restler and members of the Committee on Governmental Operations, State and Federal Legislation. I am Laura Ringelheim, executive deputy commissioner of Internal Operations at the Department of Citywide Administrative Services – commonly known as DCAS. Across our agency, we work strategically to enact plans that support the management, maintenance and operation of the City's real estate portfolio, including city-owned office and court buildings.

I'd like to first begin by thanking all of you for the opportunity to discuss this package of bills that will have an impact on municipal operations. DCAS remains committed to ensuring that we are increasing equity, access, and efficiency in all facets of city government.

As such, we value the Council's input and welcome discussion related to the proposed legislation being considered today.

Proposed Legislation

Introduction 162-2024 (City Building Bicycle Storage)

This Administration has a history of supporting policies that encourage New Yorkers to live healthier lifestyles and promote sustainability. In alignment with that goal, this bill would require that certain city-owned buildings of at least 10,000 square feet or more in size provide bicycle storage space for city employees or visitors. It is worth noting that for non-court facilities, DCAS currently has an existing bike policy available to any tenant that wishes to explore bike storage.

We appreciate the City Council's interest in promoting such policies and recognize that, by increasing bike storage, we are making it more practical for New Yorkers visiting city buildings to use bikes.

DCAS welcomes a conversation with the City Council about the practical means by which this goal can be achieved. Additionally, we would also like to engage in further dialogue about DCAS' authority when it comes to managing city-owned properties and some of the limitations that can potentially impede our ability to enforce compliance.

Introduction 191-2024 (Lease Expiration Two-Year Notice)

The David N. Dinkins Municipal Building 1 Centre Street, New York, NY 10007 <u>nyc.gov/dcas</u> As part of our role, DCAS manages the disposition of city-owned real estate for private use. We currently provide customary notification to our tenants of a lease's pending expiration in accordance with that agreement's terms. This proposed legislation would require DCAS to notify tenants of city-leased properties via mail when their lease or rental agreement is set to expire in two years. At this time, we are seeking additional support from the Law Department to see if this would have any impact on the City's ability to meet its obligations regarding the use of City properties.

Introduction 267-2024 (City Facility Bathroom Access)

First and foremost, we know the lack of public restrooms throughout the city is a challenge that many New Yorkers and visitors to this city must constantly navigate. In service of helping to remedy this issue, this bill would require DCAS, in coordination with other City agencies, to allow members of the public to use readily accessible bathrooms in public-facing areas of city-leased or owned buildings during business hours.

As drafted, the legislation takes steps to address this reality, but we believe further discussion with the City Council is needed to better understand what is meant by public access to bathrooms.

Furthermore, as written, the bill puts significant compliance authority on DCAS. While we are charged with managing 55 public buildings, our authority does *not* extend to all public-facing buildings that are city-owned or leased. This limitation poses considerable challenges to any potential implementation of this measure.

Additionally, the provision requiring 28-day advance notice to labor unions representing custodial workers prior to opening available bathrooms for public access poses a unique challenge to implementation, as it requires a level of coordination that will prove difficult to achieve within this tight timeframe. Similarly, the 30-day reporting timeline is itself a challenging mark to meet.

Introduction 563-2024 (City Building Water Bottle Refilling Station Access)

This bill would require that water bottle-filling stations in city buildings be made available for use by members of the public. We recognize that access to clean water is important for the health and wellness of our fellow New Yorkers and public water fountains help reduce plastic waste, which this proposed measure is designed to achieve. To reiterate, this Administration has historically been supportive of policies that encourage healthier lifestyles and promote sustainability.

Similar to the prior proposals relating to public access to City spaces, DCAS looks forward to further dialogue with the City Council about ensuring that there is consistency in how city spaces are defined and this agency's role when it comes to managing those assets.



Louis A. Molina Commissioner

Conclusion

Again, we thank the Council for its ongoing commitment to increasing public access to City facilities and improving efficiency in their use. As reflected here, we at DCAS are willing to work with the Council in its efforts to promote practical changes to advance these goals and enhance our ability to best serve all who use our public buildings.

I am happy to now answer any questions you may have.

The David N. Dinkins Municipal Building 1 Centre Street, New York, NY 10007 <u>nyc.gov/dcas</u>

Testimony of Pauline Toole, Commissioner of the Department of Records and Information Services Before the Governmental Operations Committee, New York City Council September 19, 2024

Good afternoon. My name is Pauline Toole, and I serve as the Commissioner of the New York City Department of Records and Information Services, known as DORIS. Thank you, Chair Restler and the members of the Committee on Governmental Operations for the opportunity to testify today on the proposed local law to require elected officials and agencies to notify DORIS of all official social media accounts on an annual basis.

This administration is committed to ensuring that government is open, accessible, and transparent which enables meaningful engagement between residents of New York City and City government. Providing access to government records helps accomplish that goal.

Introduction 0564

The proposed local law amends the City Charter to require that DORIS maintain a publicly accessible and searchable online database of the official social media posts and websites of government officials. It also amends the Administrative Code to mandate that the City's elected officials and agencies provide DORIS with a list of each official social media account annually. In essence, the proposal codifies our existing practice of harvesting and making available official social media posts and requires additional content.

As I testified in 2023, we appreciate the Council's focus on gathering and making available all City government social media posts. These posts will be useful for future researchers who want to document the zeitgeist of this particular time in our history. Social media posts and websites are official government records, as defined by the City Charter. They have a permanent retention period and because they were published online they become part of the collection at the Municipal Library division of DORIS.

Our online social media archive, available <u>https://nyc.gov.archivesocial.com/</u> held 31,783,698 records as of September 13, 2024. This includes comments, mentions, direct messages, etc. There are 3,060,097 social media posts made by agency account holders. The vast majority are from Twitter (aka X) with 1,947,531 posts followed by Facebook Timeline with 743,284. The fewest posts are LinkedIn Profile posts, with 74. The platform currently supports archiving for 9 networks: Facebook, Instagram, X/Twitter, YouTube, Flickr, Vimeo, LinkedIn, Pinterest, and TikTok and also includes content from networks like Google+, which is no longer active. Managed by an outside vendor, Civic Plus, the content dates from 2002 to the present.

City agencies provide the name of the platform, account, and contact person managing each account available in our searchable public database. When the name of a new account is added to the tool, the algorithm will pull all content from the inception of an account. So, if there is a permanent account for an office, the content would be harvested regardless of who is elected or appointed to the position.

In order to harvest the social media posts, the vendor requires certain information. Obtaining that information, which includes the name of the account, point of contact and email address for that person is challenging. Requiring only the name of the account will not allow DORIS to preserve that material because without the account holder information, the vendor will not harvest the content. We suggest an amendment to the bill that would require information about official social media accounts be provided on a form designated by DORIS. As requirements evolve, using a form will ensure that the information required to harvest this valuable content will be collected without enumerating each new requirement in the law.

As previously confirmed at the November hearing, posting the link to the online database of government social media meets the requirement that DORIS "Maintain a publicly accessible and searchable online database that contains all publicly viewable content and metadata shared by an official government social media account."

We commend the City Council for its focus on records retention and preservation and would be happy to take any questions you may have.

TESTIMONY OF TIFFANY RASPBERRY DIRECTOR OF INTERGOVERNMENTAL & EXTERNAL AFFAIRS OFFICE OF THE MAYOR Committee on Governmental Operations, State and Federal Legislation September 19, 2024

Good morning, Chair Restler and members of the Committee on Governmental Operations, State and Federal Legislation. My name is Tiffany Raspberry, and I serve as the Director of Intergovernmental & External Affairs for the Mayor's Office. Thank you for the opportunity to address the hearing topic – "Increasing Government Efficiency and Access to City Facilities" and pre-considered T2024-2471, regarding advice and assistance provided by heads of mayoral agencies concerning matters under the jurisdiction of agencies.

The Mayor's Office of Intergovernmental Affairs (MOIGA), like all agencies and mayoral offices under this Administration, is laser focused on the efficient and streamlined delivery of services for all New Yorkers. However, our office is unique in that we deal directly with elected officials on behalf of the Mayor and the Administration in the fulfillment of that important charge. One of the key roles of MOIGA, is to assist elected officials with accessing city agencies and in doing so, our office works in lockstep with the agency intergovernmental and legislative affairs offices to ensure that elected officials receive what they need in order to adequately and efficiently serve their districts.

To that end, when I was last before this committee in May 2024, I spoke about a new internal policy that the Administration was in the early stages of implementing- the Elected Officials Engagement Request Form, and I explained that its sole purpose is to ensure efficient and equitable engagement among elected officials and agency commissioners and executive leadership in the Administration. The request form must be completed by elected officials and their offices on the local, state, and federal level to request engagement with city agencies. Some examples for when the request form must be completed include formal meetings, briefings, interagency meetings, taskforce meetings, a ride-along with first responders and enforcement agencies, event attendance and/or participation, district tours, deployment of agency resources, and formal discussions on enforcement and compliance matters. The request form in no way creates a barrier for elected officials to communicate directly in real-time with agency and mayoral leadership regarding emergency situations and constituent matters.

In creating and implementing this centralized process for all agencies, our office has been better able to assist elected officials by thoughtful and careful review of requests and subsequently coordinating the relevant stakeholders and agency leadership to get to the heart of the inquiry and what we have seen is more collaboration, consensus building, brainstorming, and development of solutions that directly impact New Yorkers. This process has proven to be successful - eliminating silos in the agency intergovernmental and legislative affairs offices, and increasing efficiency as it relates to responsiveness, communication, and collaboration among elected officials and city agencies.

Furthermore, since the implementation of this policy, the Mayor's Office of Intergovernmental Affairs has received over 1000 requests from our local, state and federal partners. Requests made from this body include nearly 450. We thank all the elected officials for your cooperation, feedback, and assistance in helping our office meet our shared goal of achieving efficient, streamlined, and responsive coordination between your offices and the Administration for the benefit of the everyday New Yorkers we serve.

Now I turn to pre-considered T2024-2471 being heard today. As written, the bill would prevent my office from fulfilling our key function in the most efficient, streamlined, and meaningful manner, by eliminating our current review process of elected official's request to engage with city agencies. Specifically, the bill prohibits "a form or other paperwork; either digital or physical" to be completed prior to providing advice and assistance, which prevents our office from gathering essential information to not only evaluate and review requests, but to achieve transparency, accountability, and efficiency, all essential hallmarks of government operations. The Mayor's Office is allowed to determine its own policies and practices for evaluating, prioritizing and coordinating the actions of mayoral agencies.

In conclusion, the Mayor's Office of Intergovernmental Affairs and our agency partners are pleased with the efficiency of the Elected Officials Engagement Request Form and how it has streamlined and improved communications and collaboration among elected officials and agencies. We remain open to feedback and hearing how we can improve our Elected Officials Engagement Request Form, and how we can better assist your offices. My office looks forward to working with the bill sponsor and the Law Department on the legal and procedural issues in this bill, and we remain committed to working collaboratively in achieving government efficiency and access to city resources and services. Thank you for your time.

Testimony of Dan Steinberg, Director of the Mayor's Office of Operations, Before the Committee on Governmental Operations

September 19, 2024

Chair Restler and members of the Committee on Governmental Operations, my name is Dan Steinberg. I am Director of the Mayor's Office of Operations (Operations). Thank you for the opportunity to submit testimony regarding Int. 246 to you today.

Operations works diligently to implement the requirements of paragraph 4 of subdivision k of section 15 of the New York city charter, as amended by Local Law 76 of 2018. Each year, my office produces a form review report on agency compliance with Local Laws 126, 127 and 128 of 2016, connects with agencies to update forms that are not yet in compliance with these laws, and offers a guidance document to facilitate agency updates. In addition, my office has created a voluntary anonymous demographic survey for agencies to use.

The guidance document Operations issues to agencies aligns with both the new standards for racial/ethnic categories and questions set forth by the Federal Interagency Technical Working Group on Race and Ethnicity Standards, chaired by OMB (2023), and the recommended best practices for questions on sexual orientation and gender identity published by the Office of the Chief Statistician of the United States (2023).

The law currently requires applicable forms to be updated to "request voluntary responses to questions about sexual orientation, including heterosexual, lesbian, gay, bisexual or asexual status, or other; gender identity, including transgender, cisgender and intersex status or other; and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual." The law further states, "All forms identified as eligible for updating during the review required pursuant to this paragraph shall be updated to invite responses to questions about sexual orientation, gender identity and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual orientation, gender identity and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual identifies with and that others should use when talking to or about sexual orientation, gender identity and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual no later than five years from the effective date of the local law that added this subdivision."

Int. 246 would add a line to this text: "Any such update shall, where practicable, include "X" as an option when gender identity information is collected."

If Int. 246 becomes law, to comply with this new requirement, Operations will update its guidance document to state that covered forms should include an "X" option to gender identity questions where practicable. In addition, Operations would update future reporting on form compliance to reflect the new requirement.



Testimony of the Mayor's Office of Immigrant Affairs

Before the New York City Council Committees on Committee on Governmental Operations, State & Federal Legislation Oversight Hearing: Increasing Government Efficiency and Access to City Facilities

Thursday, September 19, 2024

Introduction

Good morning, Chair Restler and members of the Committee on Governmental Operations, State and Federal Legislation. We are submitting the attached testimony to discuss our position on Intro 478.

Language Access Bills

We are thankful for the partnership with the Council to make our city accessible to immigrant New Yorkers with Limited English Proficiency (LEP).¹ We are interested in working with Council to craft legislation that continues to advance language access, and we look forward to furthering our discussions on the bills.

Intro 478, as sponsored by Council Member Julie Won, relates to the translation and distribution of emergency information documents issued by the federal and state governments. While the bill may be well-intentioned, we believe that it could be interpreted overly broadly. The lack of clarity on each party's responsibilities and standards (i.e., who translates what and when) could make implementation extremely difficult, potentially counterproductive, and very expensive and inefficient. The federal and state government are already required to provide meaningful access to their services for individuals with limited English proficiency and any translation of their documents will result in expensive duplication of efforts. In addition, it is unlikely that state or federal entities will accept or process documents that were translated by the local government, which will only cause confusion among people seeking services post emergencies. This bill also will switch the requirement of language access provision from federal and state entities to the local level – something that City agencies don't have the infrastructure or funding to support.

The bill also does not appear to factor in the central role that New York City Emergency Management (NYCEM) plays in emergency communications, or its ongoing efforts at the federal level to expand multilingual emergency notifications. For example, NYCEM operates the "NotifyNYC" program which responsible for issuing customized emergency alerts in 13 languages. On average, Notify NYC issues over 2,000 notifications a year, the majority of which are translated into the program's supported languages. Agencies should instead simply amplify what NYCEM produces, since emergency communications are already considered in all agencies' Language Access Implementation Plans (LAIPs).

¹ List numbers



We welcome the opportunity to think through the ways that the city can more effectively reach multilingual immigrant communities with critical information about emergencies. However, currently, it is NYCEM that provides emergency notifications in 13 languages plus sign language. The federally owned Wireless Emergency Alerts (WEA) system, is also operated by NYCEM and is currently offered in Spanish. The Federal Communications Commission is in the process of expanding multilingual capabilities of the WEA.

However, we look forward to working with you on improving outreach during emergencies.

Conclusion

Again, we thank the Council for its ongoing commitment to language access.



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

Committee on Governmental Operations, State & Federal Legislation Oversight – Increasing Government Efficiency and Access to City Facilities Testimony: Intro 0191-2024

Thank you to Chair Restler and members of the committee for holding this hearing today. It is important that as elected officials and government representatives, we remember that our job is to work on behalf of the people of this city, and I commend the Council for the wide-ranging efforts represented here to increase transparency, accessibility, and accountability.

I want to focus my testimony on one proposal – Intro 0191, that I originally introduced when I was a Councilmember. Although the situation that informed this bill dates back a decade, what it seeks to accomplish remains relevant today.

In 2014, when I was representing Council District 34, the Department of Citywide Administrative Services (DCAS) failed our community by neglecting to complete proper lease-renewal paperwork on behalf of a daycare center located in a privately owned building in Williamsburg. This building had been home to subsidized daycare for our community for 50 years. Yet because of the City's mistake, the landlord evicted the daycare center in favor of a new development plan, forcing more than 100 families, most of whom were living in public housing, to scramble to find alternatives.

I worked on this bill in response to that situation, and to the broader issue that beloved community facilities were, and continue to be, at risk of being displaced due to gentrification and lack of government foresight. If the daycare center had received advance notice of the pending lease expiration, its leadership would have had the opportunity to proactively work with the City to either renew the lease or find an alternative location as needed.

According to DCAS, the agency currently holds approximately 380 leases or licenses for City agency operations in privately owned properties, totaling over 22 million square feet. These facilities house childcare centers, City agency offices, health care centers, cultural facilities, and more. Because they are owned by private landlords, these sites all, by nature, have some level of risk of displacement, even without the government errors that factored into the Williamsburg situation. Intro 0191 seeks to increase transparency about these leases for the tenants, as well as for the local elected officials and community boards that represent them.

Thank you to Council Member Gutierrez, who represents my former Council district, for partnering with me on this legislation, and to the Council for considering it today.



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www.manhattanbp.nyc.gov Mark Levine, Borough President

MANHATTAN BOROUGH PRESIDENT MARK LEVINE TESTIMONY BEFORE THE CITY COUNCIL COMMITTEE ON GOVERNMENT OPERATIONS SEPTEMBER 19, 2024

Good afternoon, Chair Restler, and members of the Committee on Government Operations, State and Federal Operations. My name is Mark Levine, and I am the Manhattan Borough President. Thank you for the opportunity to submit testimony at today's hearing on increasing government efficiency and access to city facilities. There are many valuable topics this hearing is sure to explore, including ensuring government processes are inclusive of gender identity and language diversity, expanding access to public building resources, ensuring 311 is responsive to public needs and more. My testimony submission will focus on the legislation I am proud to partner with Council Member Joseph (Intro 267-2024), a bill that builds on our work to ensure more public bathrooms are built, that more existing bathrooms reopen, that the public knows where they can access a bathroom, and that bathrooms remain accessible and functional for public needs.

As of now, there are fewer than 1,200 public bathrooms for 8.6 million residents – that's roughly one for every 6,000 New Yorkers. Every New Yorker – tourist and resident alike – knows what it is like to be searching for a public bathroom. But public bathrooms access is also a sign of a more inclusive, accessible city. A public bathroom is a place where one can change into a new outfit while during a menstrual period, to change diapers, to support a basic human need without any extra cost. A lack of public bathrooms is an equity issue across gender, disability, age, income, and more. Bathroom access should be a basic human right.

We have made huge strides in recent years in expanding access to public bathrooms. Recently, the Mayor announced that in the next five years, NYC Parks will be building and refurbishing 82 public restrooms, including 28 new public restrooms in Manhattan. The City will also be establishing a joint task force to site and approve 14 new high-tech, self-cleaning automatic public toilets on city streets and plazas. The MTA has reopened dozens of public bathrooms temporarily closed during the pandemic, with at least 62 stations currently offering bathroom access to New Yorkers. We applaud these results and have been glad to partner with local agencies and Council Member Rita Joseph, who we have partnered with on several pieces of legislation on public bathrooms.

But we still can do so much more. It is not enough to be building new public bathrooms – we must also be working to open up more existing bathrooms to the public. These efforts must start with city buildings, by opening city-run facility bathrooms to the city itself. Int 0267-2024 (CM Joseph/BP Levine) would require the Department of Citywide Administrative Services (DCAS) to work with the heads of all city agencies managing or operating city facilities to identify and open every available bathroom to public use during each facility's operating hours, including ADA accessible bathrooms. The bill would also

require signage to identify each bathroom's location, hours, and accessibility for persons with disabilities, with these bathrooms' locations would be posted to a city website listing all public bathrooms in the City and included in a city land use list maintained by the Department of Citywide Administrative Services.

This won't solve our public restroom challenges by itself. More must be done to fix the current restroom stock, particularly to ensure that they are well maintained and accessible to all New Yorkers. And we must push the MTA to open up public restrooms underground and to make more digital signage and announcements on trains to ensure New Yorkers know public bathrooms. But we must use every tool in our toolkit in this effort. I thank you for your consideration and look forward to working with the Council and the administration keep expanding access to public bathrooms and building a more equitable New York City for all of us.



MANHATTAN COMMUNITY BOARD FIVE

Bradley Sherburne, Chair

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September 18, 2024

Hon. Adrienne Adams Speaker New York City Council City Hall New York, New York 10007

Hon. Lincoln Restler Council Member 410 Atlantic Avenue Brooklyn, NY 11217

Dear Speaker Adams and Councilmember Restler,

Manhattan Community Board Five (MCB5) supports the two public bathroom bills Int 0267-2024 and Int 0694-2024 being heard today and voted unanimously last year on 10/12/23 in support of these public bathrooms. Community Board 5 (CB5) recognizes the urgent need to improve access to safe, clean and accessible public bathrooms in our district and throughout the City of New York (NYC) to enable residents, workers, and visitors to manage a basic human need. The ongoing pandemic has underscored the critical need for public bathrooms as we grapple with a public health crisis. Public bathrooms are not just necessary for residents but also essential for a diverse range of individuals who contribute to the functioning of our city, including workers who deliver food, packages, groceries, street vendors, taxi and app-based drivers.

NYC is dedicated to improving the cleanliness of our public spaces, as evidenced by the appointment of a public realm officer and a rat czar. However, to truly achieve a cleaner and safer public realm, as well as an inclusive, healthy, and resilient urban environment, a thoughtful and well-planned public bathroom system is imperative. Intro 0267, Councilmember Joseph's bill would require the City to open A.D.A. accessible bathrooms in publicly owned buildings across the City. These bathrooms would be costeffective as they already have maintenance staff associated with them. Intro 0694, Councilmember Nurse's bill would amend the NYC charter and mandate public bathrooms to be included in the strategic planning report provided by the Department of City Planning (DCP) for housing, climate, commercial growth, etc., to establish and maintain a citywide public bathroom network, with the goal of providing one toilet per 2,000 residents by 2035 and thereafter. This planning process would ensure that bathrooms are cost effective, strategically located, designed properly, and distributed equitably across our neighborhoods.

We believe that public bathrooms should not adhere to a one-size-fits-all model. Through Intro 0694, we encourage the city to consider a variety of solutions to address costs, safety, maintenance, including:

1. Utilizing Existing Public Buildings: Leverage bathrooms in existing municipal buildings and incorporate public bathrooms into future publicly funded projects.

2. Expanding Public-Private Partnerships: Develop pilot programs to make retail and restaurant bathrooms available to the public and explore zoning initiatives to encourage or require private property owners to provide public bathrooms in designated public open spaces.

- In March 2023, MCB5 passed a resolution supporting a zoning text amendment to require bathrooms in certain size Privately Owned Public Spaces (POPS).
- In June 2023, MCB5 also passed a resolution mandating public bathroom access for larger restaurants participating in the Open Restaurant program.

3. Reevaluating the Standalone Toilet Model: Streamline processes to overcome installation challenges for automated public bathrooms and the Portland Loo, which have seen success in other cities worldwide but face obstacles here.

By exploring these diverse approaches, the city can create a public bathroom system that more effectively meet the needs of its residents and visitors and address multiple issues that have hindered the development of public bathrooms in the past.

We want to stress the importance of making public bathrooms accessible to a diverse range of users, including those who are physically, visually or hearing impaired. This should be reflected in various aspects such as bathroom design, signage, online maps, and apps. Additionally, we want to highlight the need for maintaining high standards in public bathroom facilities. We recommend implementing a comprehensive maintenance and sanitation program for free-standing public bathrooms, including the provision of full-time attendants where feasible. JCDecaux has successfully implemented the Pit-Stop program in other cities by partnering with nonprofits to provide full-time attendants at their automated public toilets.

We also suggest creating a bathroom grading system to implement maintenance protocols and ensure that bathrooms undergo regular inspections to minimize risks and protect against potential liabilities. We advocate that all adopted public bathroom plans fully address any legal implications and/ or liabilities that arise from providing public bathroom access.

We recognize the necessity of designating a central department, such as the Department of City Planning (DCP) and the Public Realm Officer for orchestrating necessary interagency collaboration. This coordination is vital to guarantee the effectiveness of our future public bathroom system, ensuring they are opened and accessible, appropriately located, well-designed, properly maintained, and that all relevant information is collected and updated in a data-rich map accessible to residents, workers, and tourists, and there is enforcement for future programs.

We appreciate the opportunity to provide comments for these important public bathroom bills. Manhattan Community Board Five endorses Intro 0627 and Intro 0694 and urges the City Council to not only pass these provisions but also to support our public bathroom recommendations.

Sincerely,

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Bradley Sherburne, Chair Manhattan Community Board Five

Cc: Hon. Keith Powers, New York City Council Hon. Erik Bottcher, New York City Council Hon Carlina Rivera, New York City Council Hon. Gale Brewer, New York City Council Hon. Sandy Nurse, New York City Council

New York City Council Committee on Governmental Operations, State & Federal Legislation September 19, 2024

Good afternoon, Chair Restler and members of the City Council Committee on Governmental Operations, State & Federal Legislation.

My name is Kevin Jones, and I am the AARP New York Associate State Director for Advocacy. I am here today on behalf of the 1.3 million older adults living in the five boroughs. Thank you for the opportunity to testify.

AARP New York supports legislation Int. 0267 and Int. 0694, which are essential to addressing a long-standing issue that has caused undue hardship for countless New Yorkers: the lack of accessible public restrooms in our city.

New York is a world-class city, yet it falls short when it comes to something as basic as finding a public bathroom. The few public city restrooms the city does have are either uninviting or inaccessible to those with disabilities. This shortage is not only inconvenient but deeply impacts the daily lives of older adults, individuals with disabilities, and all residents who need reliable, accessible restrooms.

This issue is particularly pressing for older New Yorkers. Many older adults avoid traveling far from home, attending social gatherings, or participating in outdoor activities due to the uncertainty of being able to access a suitable bathroom when needed. Public restroom access isn't a privilege—it's a necessity. Without it, older adults are more likely to feel isolated and excluded from the vibrant life of our city.

The first bill aims to ensure that easily accessible restrooms in public-facing municipal buildings are made available to the public. The restrooms should have clear signage indicating their location, hours, and accessibility. Allowing the public to use these restrooms during business hours is both a practical solution and a moral imperative for ensuring dignity and inclusion for all residents.

The second bill would establish and maintain a citywide network of public bathrooms. It would also recommend policy changes to support the opening or conversion of bathrooms and identify various types of sites that could be converted for public bathroom use.

Accessible public restrooms would allow older adults to fully engage in their communities without fear or hesitation. It would also benefit the city overall, creating a more welcoming and livable environment for residents and visitors alike.

Investing in access to public restrooms supports aging in place, enhances the quality of life for older New Yorkers, and strengthens our communities as a whole.

New Yorkers 50-plus helped build our city and make it great, but policymakers have ignored their needs for too long. We urge you to prioritize the needs of older adults in our city.

Thank you.



Testimony in Support of Bicycle Storage, Public Bathrooms, 311 Improvements, Language Access and Two Years Notice of Lease Expiration

September 19, 2024

To the Committee on Governmental Operations, State and Federal Legislation:

Our names are Anna Humphrey, Molly Senack, and Mbacke Thiam, and we are jointly submitting this testimony today on behalf of the Center for Independence of the Disabled, New York (CIDNY) as the members of their Advocacy Team.

The Council is now considering legislation that will actively address many of the barriers faced daily by the approximately 1 in 6 NYC residents with a disability:

Int. 162 (Dinowitz) - Bicycle Storage in City Buildings

CIDNY supports the introduction of bike racks in city buildings as a way to promote sustainable transportation and reduce traffic congestion. However, it's critical that in implementing these storage solutions, we ensure there is adequate sidewalk clearance for people with disabilities who use mobility devices, such as wheelchairs or walkers. Sidewalks must remain accessible and navigable for all New Yorkers. We cannot allow bicycle infrastructure to compromise the safety and accessibility of the streets for people with disabilities.

Int. 267 (Joseph) - Public Bathroom Availability in City Facilities

The lack of public restrooms across the city is a pressing issue, especially for people with disabilities. CIDNY fully supports making more bathrooms in city facilities available for public use. This measure would not only increase access to much-needed restrooms but would also help keep subway elevators clean. Currently, due to the absence of public restrooms, many subway elevators are being misused as bathrooms, rendering them unusable for people with disabilities. Providing more public restrooms will reduce this issue, improving both cleanliness and accessibility in our transit system.

Int. 478 (Won) – Agencies Providing Emergency Information to Community-Based Organizations in Languages Other Than English

People with disabilities face often disproportionate barriers during emergency situations, because many of the things most impacted by emergencies- access to transportation, to healthcare, to food, to air that is safe to breathe, to shelter, etc.- already might require additional preparation and accommodation to use equitably. Language access should not be an additional barrier. CIDNY therefore supports the passage of this bill, as it will help ensure that people with disabilities have more access to the information and resources they need as they navigate these situations.

Int. 587 (Dinowitz) - 311 Customer Satisfaction Surveys and Agency Report Cards

New Yorkers deserve to know what actions are being taken when they submit complaints through the 311 system. Too often, people feel like their concerns are ignored after making a report. By conducting customer satisfaction surveys and publishing agency report cards, this proposal will hold city agencies accountable and ensure that residents, including those in the disability community, receive timely and effective responses to their complaints. This transparency is essential to restoring trust between the public and the city.

Int. 694 (Nurse) - Long-Term Citywide Bathroom Strategy

CIDNY strongly supports the development of a long-term citywide bathroom strategy, including maintaining public restrooms and providing a map to help residents and visitors locate them. This would be a significant step forward for accessibility, making it easier for people with disabilities to find restrooms when needed. It's also essential that all public restrooms are ADA-compliant to ensure that everyone, regardless of their mobility needs, can access these facilities.

Int. 744 (Dinowitz) - Duplicate 311 Requests for Service and Complaint

Addressing duplicate 311 requests is important for improving the efficiency of city services. However, it is equally important that each issue is addressed on an individual basis to ensure no one feels ignored. Multiple issues at a single location should be treated with the same urgency and thoroughness as separate complaints.

Int. 191 (Gutierrez) - Two years notice of lease expiration

CIDNY strongly supports amending the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to give two years notice of lease expiration to tenants of city-leased properties.

We thank the Council for their time and effort and ask for their support in passing these bills. This testimony is supported by Sharon McLennon Wier, Ph.D., MSEd., CRC, LMHC, Executive Director for CIDNY.

Sincerely,

Anna Humphrey (She/Her) Transportation and Voting Community Organizer CIDNY Email: ahumphrey@cidny.org Phone: (646)-436-9906 Molly Senack (She/Her) Education and Employment Community Organizer CIDNY Email: <u>msenack@cidny.org</u> Phone: (917)-415-3154 Mbacke Thiam (He/Him) Healthcare and Housing Community Organizer CIDNY Email: mthiam@cidny.org Phone: (917)-251-4981



NYAA Testimony on Int. 523-2024 and Opposition to Int. 744-2024

Thank you for holding this hearing today. I am Adam Roberts, testifying on behalf of the New York Apartment Association (NYAA). NYAA is a newly formed trade group representing multifamily housing providers across New York City. Our members are long-term owners and operators of rental housing. They provide more than one million units of rental housing, most of which are subject to rent-stabilization and built before 1974, meaning they do not receive 421a or other subsidies for providing affordable housing. Our mission is to ensure New York's rental housing stock is abundant, safe, and affordable for generations to come.

We are here to testify in support of the idea behind Int. 523-2024. The bill intends to increase the efficiency of government operations by discouraging repeat 311 complaints that are unfounded after an investigation by the agency. However, as currently written, the bill would not have its intended effect because it is limited to anonymous complaints, and only when there are no other non-anonymous complaints at the building, even if those non-anonymous complaints are also unfounded. These two criteria will significantly limit the effectiveness of the bill.

We suggest allowing the bill to apply to any repeat and unfounded 311 complaints, whether anonymous or not, so that HPD and other city agencies need not expend their limited resources. Simply because a tenant identifies themselves as the complainant should not allow them to make repeated unfounded complaints with any agency.

We also recommend that HPD be prevented from using complaint data to identify buildings for special monitoring, inspection, or enforcement programs when there are unfounded 311 complaints on the record. Too often we see responsible owners being selected for enforcement programs, such as the heat sensor program, based on unfounded complaints because of the overall complaint total.

Unfounded 311 complaints against apartment buildings not only waste government resources, but also divert building staff, including property managers, superintendents, and porters, away from their critical work of physically maintaining these buildings. While we support Int. 523, it can be strengthened and better targeted to address the issue of wasted resources.

We also want to note that another bill being heard today, Int. 744-2024, appears to contradict and undermine the intent of Int. 523 by limiting the ability of agencies to disregard duplicate 311 complaints. This means that anonymous unfounded complaints cannot be ignored if multiple ones are made relating to the "same set of circumstances."

We look forward to working with the Council to ensure any repeated and unfounded complaints no longer divert building and agency staff from their essential roles in keeping tenants safe. Thank you.

NYC | HOSPITALITY ALLIANCE

September 19, 2024

Comments of the NYC Hospitality Alliance on Int. 523 (Brannan) - A Local Law to amend the administrative code of the city of New York, in relation to procedures to be adopted by the 311 call center for responding to certain repeat anonymous complaints against the same property.

The NYC Hospitality Alliance is a not-for-profit organization representing and serving thousands of restaurants, bars, and nightclubs across the five boroughs. We strongly support <u>Int. 523 (Brannan)</u> - A Local Law to amend the administrative code of the city of New York, in relation to procedures to be adopted by the 311 call center for responding to certain repeat anonymous complaints against the same property.

While the introduction of 311 has and continues to provide many benefits to NYC, it can be abused. For example, 311 is a good system that allows New Yorkers to file complaints with the city, but it also has unfortunately been weaponized against many small businesses by some disgruntled people who repeatedly make bogus complaints against restaurants and bars.

When bogus complaints are filed with 311 it often requires an agency inspector to visit the business which wastes tax dollars and the inspector's time. It is also a form of harassment of small business owners and workers that can have negative consequences for their businesses and jobs.

Int. 523 simply says that if a property (like a small business) is the subject of three or more anonymous 311 complaints in a six-month period in which the enforcement agency found no violation, the property is now defined as "under harassment" and the 311 call center shall no longer forward any additional anonymous complaints about that property to any agency for action.

The NYC Hospitality Alliance supports Int. 523 but we do seek one important amendment to this bill, which is to expand its scope to not only apply to anonymous 311 complaints but also to those where the caller in known because there are cases of chronic harassers who are known, and thus the intent of this legislation should similarly apply.

Thank you, Council Member Brannan, for sponsoring this important legislation that the NYC Hospitality Alliance has advocated for, and we urge the City Council to pass it swiftly.

If you have questions, please contact our executive director Andrew Rigie at arigie@thenyalliance.org.

Respectfully submitted,

NYC Hospitality Alliance



Testimony of the New York Civil Liberties Union Before the New York City Council Committee on Government Operations, State and Federal Legislation Regarding Oversight: Increasing Government Efficiency and Access to City Facilities

September 19, 2024

The New York Civil Liberties Union (NYCLU) is grateful for the opportunity to submit the following testimony regarding increasing government efficiency and access to City facilities and, in particular, Int. 246. The NYCLU advances civil rights and civil liberties so that all New Yorkers can live with dignity, liberty, justice, and equality. Founded in 1951 as the state affiliate of the national ACLU, we deploy an expert mix of litigation, policy advocacy, field organizing, and strategic communications. Informed by the insights of our communities and coalitions and powered by 90,000 member-donors, we work across complex issues to create more justice and liberty for more people. We were part of the coalition that advocated for passage of the Gender Recognition Act at the state level in 2021, and we have worked, through both policy advocacy and litigation, to ensure that agencies that collect sex or gender information offer an X option.¹

Int. 246 would require the Department of Social Services, the Administration for Children's Services, the Department of Homeless Services, the Department of Health and Mental Hygiene, the Department for the Aging, the Department for Youth and Community Development, the Department of Education, and any other agencies designated by the mayor that directly or by contract collect demographic information via form documents from City residents seeking social services to offer, where practicable, an X option when gender information is collected.

Offering X gender markers is important. It lets many nonbinary and intersex New Yorkers know that their government sees them and honors who they are. It makes it less likely that public benefits offices, public schools, and other services will misgender the clients, students, and families they serve. In fact, without an X gender marker, nonbinary, as well as some intersex, New Yorkers have been unable to apply for or receive government services unless

¹ See generally Allie Bohm, *Why X Gender Markers Matter*, NYCLU COMMENTARY, Mar. 1, 2023, https://www.nyclu.org/commentary/why-x-gender-markers-matter.

they misidentified their sex as "male" or "female" under oath.² For this reason, the state required all agencies that collect sex or gender information to offer an X option effective January 1, 2023 for most state agencies and January 1, 2024 for the remaining agencies.³

New York City Council should expediently pass Int. 246 to catch up to the State and to better support nonbinary and intersex New Yorkers. We offer the following recommendations to strengthen the bill:

First, collecting X gender marker information is always "practicable," as evidenced by the fact that it has been implemented by virtually all state agencies,⁴ so the "where practicable" language should be struck; that language merely gives City agencies an excuse not to support the nonbinary and intersex people they serve.

Second, as currently drafted, Int. 246 only requires an X option where "gender identity information is collected." It should require an X gender marker where sex information is collected as well. After all, most people who use an X gender marker identify as neither male nor female. It is nonsensical to force them to elect an M or an F sex marker while allowing them to choose an X only for gender identity. This would perpetuate the problem where nonbinary and some intersex New Yorkers are forced to misidentify their sex as "male" or "female" under oath.

Third, the bill's requirements should apply to all City agencies that collect gender or sex information and not merely to the departments enumerated in the bill.

The NYCLU thanks the Committee for the opportunity to provide testimony and urges them to make these changes and expediently pass this important legislation.

² See Press Release, Settlement Secures 'X' Gender Marker for Nonbinary New Yorkers Seeking Public Assistance, Oct. 4, 2023, https://www.nyclu.org/press-release/nyclu-settlement-secures-x-gender-marker-nonbinary-new-yorkers-seeking-public.

³ N.Y. Civil Rights Law § 79-q.

⁴ See Allie Bohm, *Why X Gender Markers Matter*, NYCLU COMMENTARY, Mar. 1, 2023, https://www.nyclu.org/commentary/why-x-gender-markers-matter.



Testimony of

Willie Woods

before the Committee on Governmental Operations, State & Federal Legislation of the New York City Council

on

Oversight: Increasing Government Efficiency and Access to City Facilities

submitted by

Willie Woods Neighborhood Organizing Intern Open Hearts Initiative

September 19, 2024

Thank you, Chair Restler and other members of the committee, for convening this hearing.

My name is Willie Woods, and I'm a Neighborhood Organizing Intern with the Open Hearts Initiative. I was homeless for over 3 years and have been diagnosed with severe Crohn's disease for over 10 years. I am here today to testify in strong support of Intros 694 and 267, and as a member of the Free to Pee campaign launched by Picture the Homeless in 2018. This campaign builds on a long legacy of homeless New Yorkers organizing for access to public bathrooms. In 1990, homeless New Yorkers sued New York City and the MTA for forcing homeless New Yorkers to endure "continual embarrassment, harassment, humiliation, physical injury, and hazardous conditions" stemming from lack of access to public bathrooms.¹

The Open Hearts philosophy is rooted in empathy, compassion, and respect for all in our communities. Increasing public bathroom access is a simple way to progress on those goals, and is a public health and quality of life imperative for all New Yorkers.

I lived in congregate shelters during a time when residents were expected to exit their dorms for the majority of the day, which meant that I didn't have access to a bathroom much of the time. At that time, I wasn't working, and I couldn't always purchase an item from a business in exchange for restroom use, since EBT isn't universally accepted.

I think everyone is familiar with advertisements for Crohn's disease - they consistently show sufferers in urgent need of a bathroom. The level of urgency can be overwhelming. Sometimes it functions like a fully automated process that I cannot stop. During a Crohn's flare, I can no longer plan travel from one destination to another - I have to plan from bathroom to bathroom. That can often double my travel times—which then exacerbates the need for a bathroom in and of itself.

There are only 1,103 public bathrooms in New York City.² That's only one public restroom per 7,500 residents in New York, and only two that are open 24 hours a day, seven days a week.³ The number of public bathrooms has not increased since the 1970s when many were closed due to budget cuts and uninformed stigma against people who need public bathrooms the most.⁴

Access to bathrooms is a public health issue for everyone, but it particularly impacts people experiencing homelessness, those suffering chronic conditions, and even my senior citizen mom with her bad hip. When we are not able to find public bathrooms to use, we are left to our own devices and a limited slate of choices. What happens if I don't have PTO or sick days and avoid going to work, or I forget to carry the extra bag of clothes and wipes in case of an emergency, or have to risk a summons because my body is telling me I've got to go right now?!

I have had to relieve myself in the street. I've had my body betray me more than once, and let go within sight of a bathroom. I've had to make my way through a discount store trying to discreetly

¹ Lee, Felicia R. "The Homeless Sue for Toilets in New York." *The New York Times*. 1 Nov 1990. https://www.nytimes.com/1990/11/01/nyregion/the-homeless-sue-for-toilets-in-new-york.html.

² Urban Design Forum, The Need for Public Bathrooms in New York City,

https://urbandesignforum.org/the-need-for-public-bathrooms-in-new-york-city/.

³ Ibid.

⁴ Ibid.

purchase new clothing while reeking of human waste. I've been stuck on the train, bargaining with a higher authority just to let me make it one more stop. Not to mention the heartbreak of getting to a bathroom, for it to be closed or inadequately supplied; or the frustration that the line goes around the block. I have suffered the embarrassment of trying to explain to a supervisor why I would be late or have to miss a shift because I've had yet another "wardrobe malfunction." No one should have to experience that kind of indignity. Not when there can and should be acceptable options.

Even when people can find a public bathroom, too often, they are dirty, broken, or closed when they should be open. An investigative report issued just two weeks ago by this Council found that two-thirds of bathrooms in parks that were inspected were either closed or had health and safety issues.⁵ It is time for the Council to take the next logical step and pass Intros 694, 272, and 267 as a public bathrooms bill package. These three bills would ensure that there is a short-, medium-, and long-term plan to increase the number of bathrooms in New York City and ensure that they are maintained. These bills are a comprehensive and long-term solution to the problems identified in the Council's report.

Many New York City residents do not have the money to buy a product in order to use a business's bathroom. As happened in Philadelphia in 2018, when two Black men were arrested in a Starbucks after requesting a bathroom,⁶ requests to use non-public restrooms are met with different responses based on a person's race and perceived socio-economic status.

The consequences can be severe for those who cannot find a bathroom when they need it. In 2023, NYPD issued 3,698 criminal summonses and 5,672 civil summonses for urinating in public.⁷ It is an outrage that we criminalize people for engaging in a necessary bodily function in public when there are not sufficient public restrooms for people to use.

We look forward to working with the Council to ensure that everyone is Free to Pee.

Willie Woods Community Organizing Intern Open Hearts Initiative will@openheartsinitiative.org

⁷New York Police Department, Civil and Criminal Summons Reports, <u>https://www.nvc.gov/site/nvpd/stats/reports-analysis/c-summons.page</u>.

⁵ New York City Council Oversight and Investigations Division, Nature's Call: An Assessment of NYC Park Restrooms, Aug 2024,

https://council.nyc.gov/press/wp-content/uploads/sites/56/2024/09/090424_Speaker-AdamsParks-BathroomReport-ALT-Design_v51.pdf.

⁶ Fortin, Jacey, The New York Times, "2 Black Men Settle with Starbucks and Philadelphia Over Arrest," 2 May 2018. <u>https://www.nytimes.com/2018/05/02/us/starbucks-arrest-philadelphia-settlement.htm</u>.





Testimony of

Coalition for the Homeless

and

The Legal Aid Society

before the Committee on Governmental Operations, State & Federal Legislation of the New York City Council

on

Oversight: Increasing Government Efficiency and Access to City Facilities

submitted by

Alison Wilkey, Esq. Director of Government Affairs and Strategic Campaigns Coalition for the Homeless

September 19, 2024

The Coalition for the Homeless ("Coalition") and The Legal Aid Society ("Legal Aid"), in our individual capacities and as members of the Free to Pee campaign, welcome this opportunity to testify before the New York City Council's Committee on Government Operations, State & Federal Legislation in support of Intros 694 and 267.

Unsheltered New Yorkers continually and consistently articulate a desperate need for bathroom access. The lack of public bathrooms is one of the daunting challenges and cruel indignities that unsheltered New Yorkers face as they draw on meager resources to survive life on the streets. In the Coalition's 2021 report, *View from the Street*, in which we report on the results of 200 surveys of unsheltered New Yorkers about their experiences being unhoused, the lack of public bathrooms was a frequent theme.¹

Whitney, who was 60 years old at the time of the survey, spoke of the difficulty she faced in finding accessible bathrooms because she required a walker to get around. Marte, who had a job as a porter for 30 years before becoming homeless, planned his day carefully to be able to access the few bathrooms available as he took care of other survival needs, like visiting soup kitchens. With only 1,103 public bathrooms in New York City – and only two that are open 24 hours a day, seven days a week – a basic bodily function becomes an enormous challenge for people who are homeless.

For those who are unable to find a bathroom when they need it, the consequences can be severe. In Fiscal Year 2024, the New York City Police Department issued 9,904 criminal and civil summonses for urinating in public, a 46% increase from last year.² It is an outrage that the City criminalizes people for engaging in a necessary bodily function in public when the individuals have absolutely no choice due to the lack of public bathrooms for people to use.

The need for public bathrooms became even more urgent during the early days of the pandemic, when many places that unsheltered people access bathrooms – like libraries, fast food restaurants, and parks – were closed. The Coalition's mobile soup kitchen, the Grand Central Food Program, heard pleas from people every night for access to toilets, a place to wash their hands, and somewhere to shower.³ The City was unresponsive to the Coalition's requests to help meet the need for public bathrooms for homeless New Yorkers – a position both inhumane and short-sighted – and the Coalition spent a significant amount of its own funds leasing portable toilets and hiring people to clean and disinfect them after each use as an emergency measure during the pandemic. While the pandemic exacerbated the need for clean and functional public

¹ Davis, Lindsey. *View from the Street*. Coalition for the Homeless. Apr 2021.

https://www.coalitionforthehomeless.org/wp-content/uploads/2021/04/View-from-the-Street-April-21.pdf. ² Mayor's Management Report, The City of New York, September 2024.

https://www.nyc.gov/assets/operations/downloads/pdf/mmr2024/2024_mmr.pdf

³ Davis, Lindsey. View from the Street. Coalition for the Homeless. Apr 2021.

https://www.coalitionforthehomeless.org/wp-content/uploads/2021/04/View-from-the-Street-April-21.pdf.

bathrooms, as a matter of basic health and hygiene and sound municipal management, the City must develop a public bathroom infrastructure to meet the everyday needs of residents.

Sleeping on the streets without bathroom access can expose people to serious health problems. For example, urine retention can lead to urinary tract infections and renal damage.⁴ For homeless people who menstruate, the inability to access a bathroom and remove used menstrual products can lead to infections and toxic shock syndrome.⁵And New Yorkers living with disabilities may require more frequent and immediate access to restrooms, creating difficulties as people go about their daily business.

Even when people can find the rare public bathroom, it is too often filthy, broken, or closed when it should be open. An investigative report issued two weeks ago by this Council found that two-thirds of bathrooms in parks that were inspected were either closed or had health and safety issues.⁶

It is time for the Council to take the next logical step after its investigation and pass Intros 694, 272, and 267 as a public bathrooms bill package. These three bills would ensure that there is a short-, medium-, and long-term plan to increase the number of bathrooms in New York City and ensure that they are maintained. These bills are a comprehensive and long-term solution to the problems identified in the Council's report.

Int 0694-2024

The Coalition and Legal Aid support this proposed law which, if enacted, would put New York City on the path toward a comprehensive public bathroom infrastructure. The bill requires the Chief Public Realm Officer (CPRO), alongside the Department of City Planning (DCP) and the Mayor's Office of Operations (MOO) to be responsible for creating and maintaining a long-term citywide bathroom infrastructure and network. These entities will be required to produce a strategic planning report, updated every four years, leading to a target ratio of 1 public toilet per 2,000 city residents. However, we request that the bill include the needs of gender nonconforming individuals as part of the "equity concerns" in the definition of "underserved areas."

⁴ Johnson, Jon. "Is It Safe To Hold Your Pee? Five Possible Complications." *Medical News Today.* 5 Apr 2018. https://www.medicalnewstoday.com/articles/321408.php

 ⁵ Farmer, Liz. "Menstruating While Homeless: An Ignored, Inescapable Issue." *Governing*. 2 Apr 2015. https://www.governing.com/topics/health-human-services/gov-homeless-women-georgia-fellsfemme.html.
⁶ Oversight and Investigations Division. *Nature's Call: An Assessment of NYC Park Restrooms*. New York City Council, Aug 2024, https://council.nyc.gov/press/wp-content/uploads/sites/56/2024/09/090424_Speaker-AdamsParks-BathroomReport-ALT-Design v51.pdf.
Int 0267-2024

The Coalition and Legal Aid support this proposed law, as it would have the most immediate impact on the number of public bathrooms available. This bill requires the Commissioner of Citywide Administrative Services (DCAS), in conjunction with other city agencies that manage public-facing municipal buildings, to open readily accessible bathrooms in their facilities for public use during business hours. The legislation will require signage that identifies each bathroom's location, hours of use, and accessibility for persons with disabilities. A list of bathrooms will be posted on a City website listing all available public bathrooms.

We urge the Council to pass these bills, alongside Intro 272-2024, as a package that addresses the shameful lack of public bathrooms in New York City as a matter of equity. Insufficient public bathroom infrastructure disproportionately impacts people who are homeless, disabled, senior, young, delivery workers, and those with health issues. We look forward to working with the Council to ensure that everyone is Free to Pee.

About the Coalition and Legal Aid

Coalition for the Homeless: The Coalition, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

The Legal Aid Society: Legal Aid, the nation's oldest and largest not-for-profit legal services organization, is more than a law firm for clients who cannot afford to pay for counsel. It is an indispensable component of the legal, social, and economic fabric of NYC – passionately advocating for low-income individuals and families across a variety of civil, criminal, and juvenile rights matters, while also fighting for legal reform.

Legal Aid has performed this role in City, State, and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of more than 2,000 attorneys, social workers, paralegals, and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 26 locations in NYC, Legal Aid provides

comprehensive legal services in all five boroughs of NYC for clients who cannot afford to pay for private counsel.

Legal Aid's legal program operates three major practices — Civil, Criminal, and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by Legal Aid's Pro Bono program. With its annual caseload of more than 300,000 legal matters, Legal Aid takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

Legal Aid's unique value is an ability to go beyond any one case to create more equitable outcomes for individuals and broader, more powerful systemic change for society as a whole. In addition to the annual caseload of 300,000 individual cases and legal matters, Legal Aid's law reform representation for clients benefits more than 1.7 million low-income families and individuals in NYC and the landmark rulings in many of these cases have a State-wide and national impact.

Legal Aid is uniquely positioned to speak on issues of law and policy as they relate to homeless New Yorkers. Legal Aid is counsel to the Coalition and for homeless women and men in the *Callahan* and *Eldredge* cases. Legal Aid is also counsel in the *McCain/Boston* litigation in which a final judgment requires the provision of lawful shelter to homeless families. Legal Aid, in collaboration with Patterson Belknap Webb & Tyler, LLC, filed *C.W. v. City of New York*, a federal class action lawsuit on behalf of runaway and homeless youth in NYC. Legal Aid, along with institutional plaintiffs the Coalition and the Center for Independence of the Disabled-NY ("CIDNY"), settled *Butler v. City of New York* on behalf of all disabled New Yorkers experiencing homelessness. Also, during the pandemic, Legal Aid along with the Coalition continued to support homeless New Yorkers through litigation, including *E.G. v. City of New York*, Federal class action litigation initiated to ensure Wi-Fi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.



Memorandum in Support Intros 563 and 573 of 2024

The New York League of Conservation Voters (NYLCV) supports the passage of Intros 563 and 573 of 2024, sponsored by Council Member Brewer. Both of these bills would improve New Yorkers' access to drinking water.

Intro 563 would require water bottle-filling stations in city buildings operated by the Department of Citywide Administrative Services (DCAS) to be made available for use by the public, while allowing for discretion when choosing locations if public safety or health is an issue. Intro 573 would require a regular evaluation of the need for drinking fountains on locations under the jurisdiction of the Department of Parks and Recreation (DPR) that are adjacent to non-park land. The bill also requires the installation of a certain number of additional drinking fountains.

Access to drinking water and drinking fountains in New York City are often inaccessible to the public and difficult to find <u>as seen on this map</u> of fountains in NYC Parks. Many drinking fountains are located in larger parks such as Manhattan's Central Park and Brooklyn's Prospect Park. By expanding water bottle-filling stations in city buildings where feasible, more New York City residents throughout the City will have access to New York City's drinking water. These bills will also help reduce single-use plastic bottles. Single-use plastic products, which are designed to be used once and thrown away afterwards, contribute to our reliance on fossil fuels and threaten the health of our residents, local wildlife, and waterways.

NYLCV supports Intros 563 and 573 because these bills will improve access to drinking water and reduce plastic pollution, decreasing our City's carbon emissions and bringing us closer to reaching our zero waste goals.

Contact:

Alia Soomro Deputy Director, New York City Policy New York League of Conservation Voters asoomro@nylcv.org U R B A N DESIGN F O R U M

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New York City Council Committee Hearing on Governmental Operations, State & Federal Legislation Thursday, September 19, 2024 10:00 AM

Testimony from Urban Design Forum on Public Bathroom Legislations: Int 0267-2024 and Int 0694-2024

Urban Design Forum is writing to express support for two current bills addressing public bathroom access: Int 0267-2024 and Int 0694-2024. As a member-powered organization of over 1,000 civic leaders dedicated to a more equitable future for New York City, we believe the built environment profoundly shapes the health, culture, and economy of our city. We connect New Yorkers from diverse backgrounds to learn, debate, and design a vibrant, accessible city for all.

Our organization has long championed health justice and public space planning. Our Fellows have spearheaded research demonstrating the direct physical and mental health benefits of increased public bathroom access. Recently, the Forum has focused on ensuring the public realm is accessible, particularly for youth and older adults.

For many — seniors, parents with young children, pregnant or menstruating individuals, people experiencing homelessness, people with gastrointestinal issues, and others — finding a bathroom in the city is a significant challenge. New York City is currently facing a public bathroom crisis. <u>A report</u> authored by Forum Fellows Julie Chou, Bo Hong, and Kevin Gurley found that out of over 1,000 public bathrooms in the city, only two are open 24/7. Most residents rely on park bathrooms, which are often underfunded and poorly maintained.

These two pieces of legislation present both short- and long-term solutions to this crisis.

Int 0267-2024 would make existing bathrooms in publicly owned facilities available for public use and enable the city to map new public bathrooms on the "Ur in Luck" website immediately.

While short-term solutions are vital, we must also ensure long-term investment in public bathroom infrastructure.

Int 0694-2024 mandates the creation of a long-term, citywide bathroom strategy. By involving key agencies, such as the Department of City Planning, the Chief Public Realm Officer, and the Mayor's Office of Operations, the city can ensure that future neighborhood growth includes adequate public bathroom facilities.

A strategic plan would tie capital budgets to construction and maintenance, ensuring that new and existing public bathrooms are clean, open, and functional. Zoning tools could be leveraged to trigger public bathroom considerations in new private developments, ensuring the necessary infrastructure accompanies neighborhood growth. We can look to examples like the new Google Campus and Geffen Hall, which provide public benefits by including accessible bathrooms in new redevelopment projects.

We can also learn from international models like Paris and London, which have successfully integrated public bathroom access into long-term urban planning strategies and experimented with numerous types of low-cost public bathroom typologies. By adopting similar strategies, New York City can ensure that public amenities like bathrooms are prioritized in development and planning more comprehensively citywide.

To address the bathroom shortage and design an inclusive and accessible city for all, we need bold legislation like Int 0267-2024 and Int 0694-2024. With these bills, New York City can begin addressing the public bathroom crisis today and plan for the future.



September 18, 2024

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Executive Director Peggy M. Shepard Testimony of WE ACT for Environmental Justice to the New York City Council Committee on Governmental Operations, State & Federal Legislation on September 19, 2024 regarding Int 0563-2024 – Public access to water bottle-filling stations in city buildings.

Dear Chair Lincoln Restler and Committee on Governmental Operations, State & Federal Legislation:

WE ACT for Environmental Justice, an organization based in Harlem, has been fighting environmental racism at the city, state, and federal levels for more than 30 years. We recognize and fight to remedy the negative cumulative impacts of unjust policies that have plagued communities of color for decades. For years, WE ACT has been in support of policies and programs that mitigate the deadly impact of extreme heat.

WE ACT is writing in support of Int 0563-2024 which would require water bottle-filling stations in city buildings operated by the Department of Citywide Administrative Services (DCAS) to be made available for use by members of the public. And additionally require the locations of city buildings with water bottle-filling stations available for public use to be posted on the 311 website and mobile device platforms

On July 22nd, we reached the hottest global temperature ever, an alarming milestone amongst a record setting 13-month streak of record setting temperatures. There has never been a more urgent time for local leaders to diversify our tool kit to protect residents from the heat.

Access to drinking water in public spaces is crucial for New Yorkers, particularly during the summer months when high temperatures increase the risk of dehydration and heat-related illnesses like heat exhaustion and heatstroke. This is especially important for vulnerable groups such as children, the elderly, and outdoor workers, as it helps ensure their safety and reduces the strain on emergency services.

Additionally, readily available water encourages more active lifestyles, allowing people to walk, exercise, and enjoy outdoor activities without the risk of dehydration. For individuals who are unhoused, public access to drinking water is a lifeline, providing them with a critical resource in the absence of stable shelter and helping to protect them from the severe health risks associated with prolonged heat exposure. In this way, ensuring

New York, NY Office: 1854 Amsterdam Avenue, 2nd Floor | New York, NY 10031 | Phone: (212) 961-1000 | Fax: (212) 961-1015 Washington, DC Office: 50 F Street, NW, 8th Floor | Washington, DC 20001 | Phone: (202) 495-3036 | Fax: (202) 547-6009 www.weact.org



access to drinking water in public spaces promotes health, safety, and dignity for all New Yorkers.

Thank you for the opportunity to submit testimony in support of Int 0563-2024.

Sincerely,

Lonnie J. Portis

NYC Policy and Advocacy Manager lonnie@weact.org 646-866-8720

Committee of Governmental Operations, State & Federal Legislation

"Oversight: Increasing Government Efficiency and Access to City Facilities"

Testimony from African Communities Together September 19, 2024

Good morning everyone and thank you to the Committee on Governmental Operations, State and Federal Legislation for convening today's hearing.

My name is Airenakhue B. Omoragbon and I'm the New York Policy Manager at African Communities Together (ACT). ACT is a national organization of African immigrants dedicated to fighting for civil rights, opportunity, and a better life for immigrants in the United States. In my current role, I support ACT's leadership in the Language Justice Collaborative (LJC), and work with advocates from MASA, the Asian-American Federation (AAF), and the NY Immigrants' access to public services.

In continuing to move this agenda forward, I would like to speak in support of Council Member Won's Intro No. 478, which requires agencies to translate and distribute emergency information to community-based organizations in the 12 designated citywide languages.

At ACT, we believe this legislation will alleviate the challenges community-based organizations face in connecting immigrants to New York's social services in the face of emergency. Despite being commonly looked to as the gold standard for language access legislation in the United States, New York City's agencies fail to meet Local Law 30's most basic requirements: 1) Posting information translated into designated languages; and 2) Providing interpretation in the languages that clients speak.

For example, earlier this year, the Mayor's Office of Immigrant Affairs released data from a 2023 evaluation of 148 service centers as part of the Language Access Secret Shopper (LASS) program. ACT's staff analyzed this data and found that more than half of these service centers were blatantly in violation of Local Law 30. In fact:

- Only 4 out of 148 agency offices visited had both translated signage and documents on-site as required by law;
- Nearly 40% of agency offices visited lacked signage notifying clients about their right to interpretation services;
- Most city agencies did not make use of telephonic interpretation through Language Line; and
- When a staff member who spoke the language was not present, clients were frequently denied interpretation.

Because valuable information is not readily available to people with Limited English Proficiency (LEP), community-based organizations are often made to assist in interpretation and charged with standing in the gap between immigrants and New York's social service providers in emergency situations.

At ACT, we know first-hand the importance of a strong NYC Emergency Management Language Access Policy and policies like Council Member Won's Intro No.478. Many of our members are West African immigrants who, in addition to their native languages, are able to communicate and understand French. But we also have others who come from Francophone countries in Africa, and are unable to speak the language due to limited access to higher education. As a result, we receive many calls from members, telling us they aren't able to communicate with city agencies because there is no one who can understand and respond to their needs. For example, ACT surveyed 1475 of our community members, asking them the following question: "Did you receive any information from the government about the Coronavirus- either health information or resources like unemployment- in your language?" We found that over 65% of our community did not receive vital information in their language or was unaware if there were any attempts to reach them.

Over the last few years, ACT and the Language Justice Collaborative have made major advances when it comes to language access, including but not exclusive to the launch of Afrilingual, the first African language services worker-owned cooperative; surveying hundreds of speakers of indigenous languages; and providing hundreds of hours of interpretation services to immigrant New Yorkers, City agencies, and City-funded nonprofits. This is because we believe that language access is the cornerstone of equity in a beautiful city like New York.

Our hope is that with the passage of Intro No. 478, community-based organizations and community based language services worker co-ops can continue to collaborate with City Council and social service agencies to support immigrants who speak the 12 citywide designated languages and African, Asian, and Indigenous Latin languages of limited diffusion in its implementation.

Thank you.

Submitted by: Airenakhue B. Omoragbon, MSSW, LMSW NY Policy Manager African Communities Together

Testimony on Resolution 0132

Good morning,

Thank you for your time. I have lived on Roosevelt Island for 8 years and I support Resolution 0132. Roosevelt Island is wonderful place to live and raise a family - I have two young children in our excellent public school PS/IS 217, I'm the Co-President of the PTA, and I serve on my coop board. I am highly involved in the Island and work hard to make it the best it can be. Watching RIOC and the Residents constantly disagree over priorities for the Island, and feeling powerless to sway the board's interests and focus is incredibly frustrating. Direct elections would allow Residents to have input, to prioritize the issues that affect us the most, and to voice our opinions with our vote. We live in a representative Democracy and we vote for all those who hold sway over our communities - with the exception of the RIOC Board of Directors. I hope the time has come for change.

Thank you,



September 19, 2024

New York City Council Committee on Governmental Operations, State & Federal Legislation City Hall New York, NY 10007

Subject: Testimony in Support of Resolution 0132: Direct Elections of RIOC Board Members

Amy Namdar

New York, NY 10044

Chair Restler and Council Members,

My name is Amy Namdar, and I'm a 10-year resident of Roosevelt Island. It's a wonderful place to raise a family. I'm writing to express my support for Resolution 0132, which calls for direct elections of RIOC board members by residents.

As a long-time resident, I've seen the island's strengths and weaknesses over time. I believe it's crucial for our community to have a voice in how we're governed. The current system, where board members are appointed by the governor, doesn't allow for adequate community input. This has led to a disconnect between RIOC and the residents they serve.

I've experienced firsthand the impact of inadequate governance on our community. Of late, this dysfunction has caused serious issues with transportation. Specifically:

- Tram overcrowding, fueled by social media marketing to tourists, hinders access to work and school
- The local red bus fleet's prolonged maintenance issues and lack of contingency planning leave us stranded
- Frequent weekend subway outages exacerbate the transit crisis, prolonging travel time and increasing expenses

These are just the most recent, glaring, examples of mismanagement. Unfortunately, they disproportionately harm seniors, children, and the disabled, who rely heavily on this service.

I urge you to support Resolution 0132, which upholds our community's core values of affordability, inclusivity, and social equality. By allowing residents to directly elect board members, we ensure that our leaders are accountable to the community they serve, and that our island's unique needs and values are prioritized. This democratic process preserves the vision of our community's founders and safeguards our residents' interests.

I'm proud to call Roosevelt Island my home. It's a diverse and close-knit community that deserves democratic representation. I'm not alone in this belief. Many residents share my concerns and are demanding change, as evidenced by our petition which garnered more than 1,000 resident signatures. I'm here today to ask for your support in making direct elections a reality.

Thank you for taking my testimony into consideration. Let's work together to build a better future for Roosevelt Island. We deserve a say in our governance. With your support, we can achieve this goal.

Sincerely, Amy Namdar Testimony submitted by Andrew Maroko, Associate Professor, Institute for Health Equity Research, Icahn School of Medicine at Mount Sinai, Sept 19th, 2024.

- Thanks to the Council for giving me the opportunity to add a little more about the global study of menstrual-friendly public toilets that Dr. Sommer from Columbia University mentioned a moment ago.
- Firstly, I think there is broad agreement that properly designed and provisioned public toilets enable populations, including those who menstruate, the ability to move through public spaces and fully participate in public life. **Bills 267** and **694** will go a long way in beginning to address these unmet needs.
- As Dr. Sommer said, Menstrual-Friendly Public Toilets are accessible, safe, and clean and fully serve the needs for those who menstruate.
- In our global study, we looked at different neighborhood types in 6 cities (Barcelona, Kampala, Manila, New York City, Osaka, and Rio de Janeiro) focusing on characteristics that would make these facilities menstrual friendly, which include characteristics related to accessibility, privacy and safety, physical structure, cleanliness, the availability of general resources, and the availability of menstrual-health specific resources. I want to emphasize that these criteria are not just important for those who menstruate, but for anyone on the go in the City: working, raising kids, recreating, protesting – or pestering their City Council representative. Again: well-maintained public toilets are crucial staging elements in civic life.
- After auditing nearly 200 public toilet facilities, we found that, overall, residential areas tended to be more severely under-resourced in terms of number of facilities than other neighborhood types, supporting *Bill No. 694* which, among other things, includes the goal of ensuring a fair distribution of facilities by providing 1 toilet per 2000 residents. We think this is laudable, although it is always important to consider how we measure this geographic distribution to guarantee all populations and neighborhoods are properly and fairly served.
- In our study, there were no neighborhood types, business areas, transit stations, tourist areas, or residential areas, that showed acceptable levels of menstrual friendliness,
- Alarmingly, we also found that NYC scored lower than the other high-income cities (Barcelona and Osaka) in our study meeting only around 70% of the basic menstrual-friendly criteria, barely a passing grade. And we only scored higher than the cities in low- and middle-income countries (Brazil, Philippines, and Uganda) which have far fewer resources to work with.
- Gender equity is a fundamental gauge when designing, upgrading, siting, and constructing public restrooms, accommodating the needs of such a large portion of our population shouldn't be ignored or an afterthought - but should be incorporated from the very beginning of the process. We have the opportunity to not just lead the country, but also the world in providing a basic service in a truly equitable manner.

September 18, 2024

To Whom it May Concern,

I have been a resident of Roosevelt Island since 2015.

This past February Council Member Julie Menin introduced **Resolution 0132**, calling on the NY State Legislature and Government to **grant residents of Roosevelt Island the power to vote for members of the board of the Roosevelt Island Operating Corporation.**

I fully support this resolution and want my voice to please be heard. Residents should be able to elect the board members who govern them.

Sincerely,

afterd

Annie J. Howell Roosevelt Island

New York, NY 10044



Subject: Thurs, Sept 19 @ 10am - Committee on Governmental Operations, State & Federal Legislation hearing – support for <u>Int 0267-2024</u> and <u>Int 0694-2024</u>

Good afternoon, Chair Lincoln Restler and esteemed members of the Committee on Governmental Operations, State & Federal Legislation. My name is Betty Kay. I am a resident of Battery Park City, a member of Manhattan Community Board One (CB1), and a member of the Public Bathroom Working Group, which has members from multiple CBs. Thank you for this opportunity to submit testimony to support<u>Int 0267-2024</u> and <u>Int 0694-2024</u>.

I am heartened to see legislation that addresses the dearth of public bathrooms, especially ones that are safe, well-maintained and A.D.A. accessible. Right now, NYC has fewer than 1,200 public toilets, which is inadequate for the 8.6 million residents and the 62.2 million people that visited NYC in 2023. However, as a mobility scooter user, I am especially concerned about the scarcity of operational ADA accessible toilets as many public bathrooms lack them. Bathroom availability should not constrain people from being able to go out to enjoy the city or to be active in their community, but it does.

The passage of <u>0258-2022A</u>, enacted as <u>Local Law 2022/114</u>, was an important first step and will add bathrooms in each zip code tabulation area. Now, Int 0694-2024 and Int 0267-2024 need to be passed in order to get the network of safe, clean and accessible bathrooms with changing tables that the residents of, and visitors to, a world class city like NYC deserve.

Int 0267-2024 requires the Commissioner of Citywide Administrative Services (DCAS), in coordination with other City agency heads, to identify public-facing municipal buildings with A.D.A accessible bathrooms, and make at least one of those bathrooms open to the public during business hours. Since the bathrooms in NYC's municipal buildings are already built and their maintenance and operation are already budgeted, making some of them available to the public would be quick and cost-effective.

<u>Int 0694-2024</u> creates a permanent, long-term strategic planning process for the establishment and maintenance of a citywide public bathroom network. This is important for the coordination and funding of a sustainable network so it should also be passed.

In May 2022, Manhattan CB1 voted 42-1 in favor of a<u>resolution</u> (pp 38-40) that (1) supports city legislation that improves free public bathroom access, (2) asks to make bathrooms in cityowned buildings more accessible to the public, (3) asks for the creation and maintenance of a city website and/or app that can be used to locate public toilets throughout the city, and (4) supports the creation of city signage that identifies public toilet locations. Together, Int 0694-2024 and Int 0267-2024 address what CB1 asked for, so I respectfully urge council members to pass both bills.

Thank you.

As a Roosevelt island resident for 4 years, I would like to testify in support of resolution 0132, for Roosevelt island residents to be able to vote to elect members of the board of RIOC. It is important for us to have a say in how the island we live on is run, and, as it stands, we have no say and RIOC is not held accountable to us. Too many times this has resulted in very frustrating situations with little to no response from RIOC. Particularly for me, the handling of the recent red bus shortage is a good example of this, and has been the most frustrating situation as I live in the furthest building from the subway and tram. Please pass resolution 0132 so we can start the process of gaining much needed elected representation on Roosevelt island.

Sincerely, Chloe Larson Good Morning!

My name is Dorina Maxwell and I have been a resident of Roosevelt Island for the past 10 years.

I am writing in support of resolution 0132 which would give us, the residents of Roosevelt Island, the power to vote for members of the board of RIOC.

As residents, we need and should have :

more control over how our island is run, more oversight and better communications between the board members and us (residents).

Sincerely,

Dorina Maxwell

Good morning, esteemed members of the City Council. My name is Jon Caceres, and I am a cofounder of a startup called PeePass. We just launched a mobile application on the app store dedicated to helping New Yorkers and visitors locate restrooms across the city. I'm here today to speak in strong support of the two proposed bills, both of which aim to address the critical issue of public restroom accessibility in New York City.

Insights from Interviews and Research

In my capacity as a cofounder of PeePass, my team and I have conducted hundreds of interviews with a wide range of people across the city—residents, tourists, city workers, and those who simply enjoy spending time outdoors. Their stories mirror my own frustrations but they also provide deeper insight into how this issue affects different communities in unique ways.

Many New Yorkers, especially those with disabilities or chronic illnesses, have told me about the extreme anxiety they feel whenever they leave their homes, knowing that finding a restroom could be a significant challenge. Parents with young children often plan their days around access to restrooms, which restricts their ability to enjoy the city's public spaces. The city's lack of restroom facilities can discourage people from participating in public life, from attending events to simply visiting a park.

People experiencing houselessness face dire circumstances without access to public restrooms, often resorting to unsanitary practices that pose a risk to public health. This perpetuates a stigma surrounding homelessness and creates a public health concern. The city has a moral obligation to ensure that all its residents, regardless of their circumstances, have access to basic human necessities like restrooms, promoting both dignity and public health.

The Creation of PeePass

The experiences I've shared, along with many interviews and research, led to the conception of PeePass. While PeePass was developed as a response to this urgent issue, I want to note that it wasn't the first attempt, nor is it a comprehensive solution. Initiatives like Got2GoNYC have been trying to address this problem for years but have struggled to meet the need.

PeePass and Got2GoNYC, though useful for finding restroom locations across the city, is a temporary stopgap created by residents, not a solution to the root issue. The fact that residents have had to step in to create these tools highlights the severity of the problem. This is not a problem that private apps or individuals can solve—it is fundamentally the city government's responsibility and obligation to provide adequate restroom access for its residents and visitors.

Long-term, sustainable solutions must come from the city itself, and these bills are critical steps toward addressing the issue at its core.

The Importance of These Bills

The first bill, which would make certain bathrooms in city facilities available for public use, is a necessary step toward alleviating this current crisis. New Yorkers should have access to existing public infrastructure. Whether it's in libraries, parks, or city-owned buildings, these facilities should be available to all, not restricted behind unnecessary barriers.

The second bill, which proposes a long-term, strategic planning process for a citywide public bathroom network, is perhaps even more critical. By establishing a clear, data-driven strategy and setting a goal of one toilet per 2,000 residents by 2035, this bill lays the foundation for solving this issue in a sustainable way. The involvement of key city agencies, like the Department of City Planning, the Mayor's Office of Operations, and the newly created position of Chief Public Realm Officer, ensures that this will be a coordinated effort across all levels of government.

In particular, I support the provision requiring a designated design model for modular bathroom facilities. A streamlined, consistent approach to bathroom design will not only reduce costs but also ensure that facilities meet all necessary health, safety, and accessibility standards.

The requirement for a comprehensive and live map of public restrooms is another essential component. To add to this, PeePass already provides such a map for private and city facilities, and we would be open to collaborating with the city to further improve restroom accessibility to all of our residents and visitors.

Conclusion

In conclusion, I urge the City Council to pass both of these bills. Bathrooms are not a luxury—they are a necessity. They allow people to move freely through the city, to enjoy its public spaces, and to maintain their dignity and health. It's my hope that through these bills, New York City can finally become a place where access to restrooms is no longer a source of stress or anxiety but a basic service that everyone can rely on, promoting the well-being of all our residents and visitors.

Thank you for your time and consideration. I look forward to working with you all to improve public bathroom access in our city.

I'm Joyce Short, I'm a 49 year resident of Roosevelt Island. And I've served on just about every resident board elected by our population.

I'll start with the obvious.... Roosevelt Island is a land mass in New York City. But it's been leased by the City to the State of NY until 2068. So The State is New York City's tenant.

When a building owner has a problem with a tenant, they step in to handle the problem. And that's what Roosevelt Islanders are asking you to do today. As the landlord for Roosevelt Island, the community is asking you to stop the State, your tenant, from committing a serious crime against us.

Article IV, Section 4 of the constitution of the United States insures government as a republic throughout our nation. To simplify James Madison's concept of a Republic, it's one where government is elected and people serve for specific terms. Can you imagine if you served in your capacity in City Council with no concern as to whether you'd be voted out of office in the next election? You would have no reason to consider the interests of your constituents. Being able to vote you into office is only representative government if your constituents can also vote you out of office. Now imagine if you were appointed to office instead of elected to office. That's exactly how Roosevelt Island is governed.

The City does not regulate Roosevelt Island. NY State's Governor, with the recommendation by the Mayor for two positions on the board, is entirely governed by State appointees. The community cannot elect them into office or elect them out of office. RIOC Directors make all the decisions the City would normally make like how tall buildings can be and what they spend our money on to run our community. Keep in mind that neither the City nor the State contributes to any of the operating expenses for Roosevelt Island. Our 30 million dollar budget is primarily derived from land leases that every resident of Roosevelt Island pays for through our rents. Whether our streets are plowed, our parks are maintained and made available to the public, even the policing for our community is totally under the control of a Public Benefit Corporation for which Roosevelt Islanders have no say.

The Roosevelt Island Operating Corporation, RIOC, can arbitrarily determine if they meet with residents or not. They can arbitrarily determine whether they'll conduct open or closed meetings. They can arbitrarily determine if they'll respond to the community's questions or suggestions. They can arbitrarily determine how to manage the assets of the community, which are paid for by the earnings of our residents through taxation without representation. In all of the 49 years I've lived in the community, I cannot recall a single President of RIOC who was not ousted in disgrace due to improprieties in office.

One of my many roles in the community has been to run the referdums to identify who the community wants as RIOC Directors. Our votes only serve as a request which the Governor can implement or ignore. In the 5 referendum that our community conducted, only the first, in Governor David Paterson's administration, lead to actual appointments. In fact, the last referendum included not only new faces who vied for the community's approval, but also, the Directors who were serving on the RIOC Board at the time. The community voiced their preferences, and no one who the community supported was appointed. At the time, the Governor had not even seen fit to fill several vacant seats. The two current Directors hardly received a vote, yet they still serve on the board today, against the expressed wishes of our community.

When you walk down the streets in any borough, you know that if a police officer made an error in arresting you without cause, you'd be able to address the issue through the citizens' complaint process. No such oversight exists for Roosevelt Islanders. The only way to address a grievance is through the very corporation whose interest is to protect their employees, the Island's Public Safety Officers.

Because RIOC is largely a real estate management business, they're particularly consumed with making Roosevelt Island appear to be crime

free. Crime stats diminish the real estate values they're responsible to protect. It's a system with an internal conflict of interest. They even ignored 5 complaints of public lewdness, calling them anything other than a crime. In one such case, they called it "trespass." The offender lived in the building and was recognized by the doorman who made the complaint. This man had an arrest record for exposure and had escalated to masturbating in public. The Public Safety Department enabled this offender to violate others. Only by holding a demonstration and calling the press were we able to get him arrested.

RIOC is very much like the Dutch India Corporation. But our forefathers recognized that autocracy flies in the face of the public's interest. Throughout the years, our ancestors fought to protect democracy not only here but throughout the world. My father served proudly as an army medic in the Philippines in the 2nd world war. He risked his life to protect against fascism, and insure that the world would be safe for democracy, not government by Public Benefit Corporation.

Roosevelt Island stands as a blatant example of why our forefathers insisted on a Republican form of government for our nation, including Roosevelt Island. As the landlord for Roosevelt Island, please address the oppressive form of government that regulates the lives of 14,000 New York City residents.

Joyce Short

President, Roosevelt Landings Residents Association Former Council Member, Roosevelt Island Residents Association Former Director, Roosevelt Island Community Coalition

, NY NY 10044

Testimony submitted by Marni Sommer, Professor of Sociomedical Sciences, Mailman School of Public Health, Columbia University, Sept 19th 2024.

- Thanks to the Council for the opportunity bring an academic program of research to bear on a pressing social issue. In this instance, in fact, the work I'll be drawing on is global in scope but with data from New York City.
- The pending legislation has begun the effort towards ensuring improved toilet access for all New Yorkers, and within that, the possibility of menstrual equity within the public space in New York City. Clearly, however we have a much further to go. More importantly, New York has the opportunity to lead the country, and much of the world, on this issue.
- I'll speak to a significant gap that warrants immediate attention, requires minimal resources, and has the potential to transform New York City to a more gender equitable urban context.
- First, the proposed two pieces of legislation Bill Int. No. 694 and Bill No. 267, are admirable for the expansion of public toilet accessibility that they will create both immediately and over the long term. And for the acknowledgement of gender aspects of relevance.
- However, important, this legislation ignores the larger and urgent need for *menstrual friendly* public toilet facilities for New York residents, tourists and commuters. My team at Columbia University conducted a six city study around the world Barcelona, Kampala, Manila, New York City, Osaka and Rio. We conducted systematic audits of menstrual friendly public toilet in business, tourist, and residential districts, including parks, and transit depots, in each city.
- By menstrual friendliness we mean a public toilet that is safe, clean and accessible, but that also offers free or low-cost menstrual products, and provides means for discreet disposal and waste management.

[*I'll leave examples of our design for what a menstrual friendly public toilet would include]

- There should be appropriate signage, as this new legislation mandates so an adolescent girl, woman or anyone else who menstruates, doesn't have to panic search when it's time to change a pad or tampon.
- Our analysis, as you will hear about from my co-investigator next, has New York City falling well behind many of the other cities including those in low- and middle-income countries with respect to both supply and quality of public toilets. A growing chorus of observers has taken note of that disgrace. We could lead the country on this issue if we put our minds to it becoming a city that extends open arms to all who live, work, or visit here.
- Second, while endorsing the importance of ensuring that public toilets are menstrual friendly, we are
 understandably hesitant to add to the already hefty burden of unmet public toilet need in New York City. We get
 it. But there's a backstory here. It's called gender. As longtime New Yorker Gloria Steinem asked in the 1970s, if
 men could menstruate, what would our world look like? Or, to update her query for today's hearing: If men
 were expected to manage their monthly blood flow while answering the urban call of commerce, education,
 politics, public service, unpredictable work, or simple social assembly, we wouldn't be here today. Public toilets
 would not only be more accessible, cleaner, and safe, but they would also have menstrual products alongside
 the toilet paper, means for discreet disposal of used products, and mirrors to check for leaks and stains.
- There's a metric that we in Public Health have come increasingly to rely on as a vital index of full social participation. It's deceptively simple and very old, dating from the late 18th century, but its force is clear: the ability to *appear in public without shame*.¹ "To appear in public without shame." No surprise, then, that women have historically been an afterthought when it came to provision of public toilets: why would we need them?

¹ Adam Smith, *The Wealth of Nations*, vol. 2, book 5, 1776.

My global team has premised its work in menstrual friendly toilets on this principle as a bid for gender equity. It's one, I think, that the City Council might well consider as it pursues this pressing issue. Testimony in support of direct elections of residents, to the RIOC Board

Top whom it may concern,

I have lived on Roosevelt Island for 6 years and observed the operational and practical work of RIOC.

Unfortunately it appears to be full of controversy and has up until recently been an organisation out of touch with the residents for which it serves. This perception has changed with new interim leadership however RIOC has a poor reputation and low support to most residents.

I fully support and encourage the adoption of Res 0132 so that our voices can be heard and those with an active interest in representing our concerns, would have an opportunity to stand for elections to the Board and democratically represent our concerns.

Direct elections and representation would bring accountability to the resident reps, some of who have been on the Board for too long, do not live on the island and do not understand our concerns and issues.

We need better oversight, a louder voice on how OUR community is run and improved relations between RIOC and the community.

Direct elections to the Board would enable this.

Please listen to our voices and allow us the same representation to local governance, that any other NYC resident has via elections.

Thank You

Nicole Izsak

I have been living on Roosevelt Island for 4 years and I support Res0132. I believe direct elections for RIOC board members by residents would improve services on Roosevelt Island. There needs to be more accountability and transparency between board members and the public. Residents deserve to have more say in how Roosevelt Island is overseen. In my time living here there have been moments of very poor management such as with the red bus during the F train track work and I felt there was very little recourse for residents. I love living on Roosevelt Island and would like it to become more democratic.

Sincerely, Schuyler Borden

Election of Board Members for the Roosevelt Island Operatin g Corporation

Ladies and Gentlemen, Residents of Roosevelt Island,

Thank you for gathering here today as we discuss a matter of vital importance to our community—the voice and representation of residents in the governance of our beloved Roosevelt Island through the election of board members for the Roosevelt Island Operating Corporation, or RIOC.

As we all know, Roosevelt Island is not just a dot on the map, but a vibrant community filled with diverse voices, ideas, and aspirations. Each one of us has a stake in the future of our island, and it is only right that we have a say in the decisions that shape our lives here. The Roosevelt Island Operating Corporation plays a significant role in managing our island's resources, infrastructure, and services. Thus, having a direct voice in electing the board members who will represent our interests is not just a democratic right; it is a necessity.

For too long, our perspectives and needs have been sidelined in decision-making processes. As engaged and invested residents, we understand the unique challenges our island faces. We know the importance of accessible public transportation, quality public services, and developing spaces that serve our community. We are the heartbeat of Roosevelt Island, and our voices deserve to be heard in the boardroom. Allowing residents to elect RIOC board members would create an accountable, transparent, and responsive body that reflects our community's needs and desires. It would encourage greater community involvement and collaboration, fostering a sense of ownership over the decisions that affect our daily lives.

Imagine a board composed of members who understand the nuances of living on Roosevelt Island—who are invested in our parks, our schools, our businesses, and who truly care about the well-being of every resident. This is not just a dream; it is a possibility. But for it to become a reality, we must unite and advocate for this change.

Today, I urge each of you to get involved.

Attend community meetings, engage with your neighbors, and voice your support for the right to elect our RIOC board members. Together, we can build a movement that prioritizes the voices of those who live and thrive here. Let us not just be residents of Roosevelt Island—we must be its advocates, its leaders, and its decision-makers.

In conclusion, let us stand together for a future where our voices resonate in the halls of governance. A future where every resident has the power to influence the directions and decisions made about Roosevelt Island. Together, we can pave the way for a more inclusive, democratic, and vibrant community.

Thank you for your time, your passion, and your commitment to Roosevelt Island.

Let's work together to make our voices heard!

Sincerely

Starlite N Harris

Taxation without representation.

It seems almost unbelievable, yet it is true. The citizens of Roosevelt Island pay taxes to live here, but do not have a say in electing the officials that govern the use of those funds. I thought taxation without representative was at the very heart of Democracy. Wasn't that the reason for the American Revolution? Albany, the seat of State government, appoints our RIOC slate of officials. This system is an open door for self-dealing and unquestioned malfeasance. There are no elections or term limits and that means there is no accountability until Albany, at its whim, chooses other officials who again will have the freedom to do as they will. At this moment, our two top RIOC officials are on paid leave and collecting their full salaries, hundreds of thousands of dollars, without any publicly stated process that would resolve the issue and end their money train. Let us use this time of political turmoil to right this wrong. The type of governance that exists now does not promote a healthy, accountable governance. Lets give Roosevelt Island the same political freedom that is at the heart of our Democracy and the right of all Americans. Thank you

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Name: Alison Wilkey Address: 129 Fulton St.
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Address: 19-05 Stark St
I represent: PEEPASS
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Name: Marni Sommer
Address: Columbia University
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