

COMMITTEE ON PARKS AND RECREATION

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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Tuesday, December 6, 2022

Start: 1:17 PM

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Hon. Shekar Krishnan, Chairperson

COUNCIL MEMBERS:

David M. Carr
Eric Dinowitz
Robert F. Holden
Linda Lee
Christopher Marte
Julie Menin
Francisco P. Moya
Mercedes Narcisse
Lincoln Restler
Sandra Ung
Marjorie Velázquez

COMMITTEE ON PARKS AND RECREATION

A P P E A R A N C E S

Sue Donoghue,
Commissioner for New York City Parks Department

Therese Braddick,
Deputy Commissioner for Capital Projects at New York
City Parks Department

Matt Drury,
Director of Government Relations at New York City
Parks Department

Leslie Wolf,
Executive Director of Capital Program Planning at
The New York City Department of Transportation

Jennifer Greenfeld,
Deputy Commissioner for Environment and Planning for
New York City Parks Department

Adam Ganser,
Executive Director at New Yorkers for Parks

Lowell Barton,
Vice President and Organizing Director for Laborers'
Local 1010

Eric Gibson,
Forestry Department; President Local 1506, DC 37,
New York City Department of Parks Climbers & Pruners

Georgette Poe,
Friends of Fort Greene Park

Daniel Clay,
President of Local 1507, DC 37, New York City
Department of Parks Gardeners

COMMITTEE ON PARKS AND RECREATION
A P P E A R A N C E S (CONTINUED)

Cory Hasson,
Testifying on behalf of Lynn Kelly,
Executive Director at New York Restoration Project

Valerie Francis,
Arborist; Ecologist; Friends of Fort Greene Park

Heather Lubov,
Executive Director of City Parks Foundation

Alia Soomro,
Deputy Director for New York City Policy
New York League of Conservation Voters

Luke Szabados,
Constituent in Bronx Community District 12.

Juan Restrepo,
Senior Organizer at Transportation Alternatives

Ling Hsu,
President Friends of Fort Greene Park

Benjamin Bashein,
Executive Director of Director of Tony Hawks'
Foundation - The Skatepark Project

Rosa Chang,
Co-Founder of Brooklyn Bridge Manhattan

Eli Dvorkin,
Editorial and Policy Director at Center for an Urban
Future

Corey Ortega,
Senior Director of Government Affairs at HZQ
Consulting; former Executive Director for the New
York City Council's Black, Latino, and Asian Caucus

Joan Reutershan,
Friends of Fort Greene Park

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COMMITTEE ON PARKS AND RECREATION

SERGEANT LEWIS: Good afternoon, this is a test for Parks and Recreation. Today's date is December 6, 2022. This is recorded by Sergeant Lewis in the Chambers Room.

SERGEANT AT ARMS: Good afternoon, everybody, and welcome to The Committee on Parks and Recreation. At this time, we ask you to please put your phones on vibrate or silent mode. Thank you for your cooperation.

Chair, we are ready to begin.

CHAIRPERSON KRISHNAN:

[GAVELING IN] [GAVEL SOUND]

Good afternoon, everyone, uh, thank you so much for joining us for our hearing today on the Parks capital process.

My name is Shekar Krishnan, and I am the Chair of The Committee on Parks and Recreation. And I would like to welcome you all to this hearing. And thank you all for attending today.

We will start with an opening statement and then move towards our testimony from the administration and the public as well.

I would like to also thank my colleagues who have joined us today -- who we will introduce momentarily.

1
2 Today's hearing will examine how we improve the
3 efficiency of the Parks Capital Project process as
4 well as consider three pieces of legislation before
5 the committee.

6 The road to completing a Parks Capital Project is
7 typically long and complex. It begins with The
8 Office of Management budget, or OMB, approving a
9 project once it has been funded. Various
10 stakeholders will then develop the overall design of
11 a project. Afterwards, when the scope of the project
12 has been established, it must be approved by The
13 Public Design Commission, PDC, and sometimes even the
14 Landmark Preservation Commission, LPC.

15 Often times PDC will disapprove a project and
16 send it back to be redesigned or corrected, thus
17 increasing the project's timeline. When it is
18 finally approved, the project may proceed to the
19 remaining phases: Procurement, construction, final
20 inspection, and closeout.

21 It will come as a surprise to no one attending or
22 watching this hearing, that this process has
23 traditionally been faced with delays, cost overruns,
24 and a lack of communication between the city and
25 those who fund these capital projects.

1
2 Some other concerns have also been raised
3 regarding The Parks Department's projects planning
4 process and the process by which The Parks Department
5 's method for prioritizing funding projects.

6 To its credit, The Parks Department, under
7 Commissioner Sue Donoghue, has recognized that the
8 process needs to be improved and has already
9 implemented numerous reforms.

10 Taking a step back for a second, and just
11 thinking about the issue that we face today, both as
12 The Parks Department and our city agencies throughout
13 New York City, the fundamental question that this
14 hearing and the work that many of us are doing both
15 in the city council and as advocates in our Parks
16 community, and broadly across the city, is to answer
17 the question of how is once a project is funded, be
18 it a park, be it a library, how can we ensure as
19 communities, as elected officials, that that project
20 gets built as expeditiously and as efficiently in a
21 most cost effective manner. In other words, we want
22 to ensure that our city can build back faster.
23 Because when we think about the challenges we face,
24 and we know that parks and green space in our city is
25 fundamentally an issue of social justice and equity.

1 But there are communities, like my own in Jackson
2 Heights and Elmhurst, that have little access to park
3 space. But we know how crucial our parks are and how
4 restorative they are for our mental health and well-
5 being. We as a city need to be in the business of
6 expanding green space, creatively thinking of places
7 and creating green space where none has existed
8 before. And, so the project to improve our capital
9 construction process is fundamentally an effort to
10 find ways to expand green space more quickly in our
11 city.
12

13 Right now, on average, it takes approximately
14 seven to eight years to build a park in New York
15 City. That timeline is far longer than many other
16 cities throughout the country. And if we are to be a
17 city on the frontlines of expanding green space, of
18 protecting green space, and creating green space
19 where none exists, we can only do so if we tackle the
20 capital construction process and make sure that we
21 are building far more effectively -- so that when any
22 New Yorker steps outside their door, walks down their
23 street, and one of the first things they see is their
24 park or their playground; they know when it will
25 done; they know when that they will be able to go

1
2 there themselves, take their children before they
3 become adults to that park spaces as well.

4 We need to think about these issues of capital
5 process and reform in the fundamentally human terms
6 they are -- and the human impact they have on green
7 spaces for our city.

8 Now, there have been numerous efforts and
9 measures implemented by Parks over the years. In
10 fiscal 20... To address this issue. In fiscal 2022,
11 DPR completed construction on 119 capital projects.
12 Of these 119 projects, 81 percent were completed on
13 time and 86 percent were within budget. The on time
14 percentages for fiscal 2019, 2020, and 2021 were 86,
15 78, and 85 percent respectively with the target goal
16 of 80 percent.

17 While the percentage for projects completed
18 within budget for 19, 20, and 21 were 88, 90, 92, and
19 93 percent respectively with the stated target goal
20 of 85 percent. Progress has been made, but there is
21 much, much work to do.

22 These numbers may be due to some of the reforms
23 implemented by the Parks Department already: More
24 baseline funding for more Capital Division staffers;
25 funding for a full capital needs assessment that will

1
2 provide Parks with a more comprehensive understanding
3 of the needs of the Parks system; establishing a
4 prequalified list of contractors for projects under
5 \$3 million dollars; a reduction in the average time
6 for design; an increase in that project designs are
7 being approved by the PDC; a reduction in the number
8 of change orders for projects; streamlining internal
9 reviews for the design phase; and using more standard
10 designs for items such as comfort stations.

11 While their efforts to improve the process is
12 commendable, much more needs to be done. I am
13 pleased that Mayor Adams has recognized the need to
14 improve the whole capital process for New York City
15 by launching The Capital Process Reform Task Force.
16 While it is currently working on issuing its final
17 recommendations, many in the advocacy and
18 construction community have advocated for years that
19 various reforms be implemented including the
20 following:

- 21 • The city should provide The Parks Department
22 with its own discretionary capital budget to
23 enable it to better plan and budget for
24 capital projects over the long term.
25

- 1 • Parks should increase the technical
2 assistance it provides to its vendors and
3 work on standardizing its invoice review and
4 approval process.
- 5 • Parks should increase the use of
6 standardized design templates to improve the
7 speed of the design phase.
- 8 • The City should look at funding for inhouse
9 construction and local construction crews
10 for Parks projects.
- 11 • Parks should increase the use of
12 standardized design templates to improve the
13 speed of the design phase as customization
14 of every capital project unnecessarily slows
15 everything down.
- 16 • And, one that I also think is crucial, Parks
17 should apply much more frequently Design-
18 Build principles to a large number of Parks
19 projects.
20 projects.

21 It is my hope that during this hearing the
22 committee will learn whether The Parks Department's
23 recent reforms have indeed helped to improve the
24 capital project process and explore further ways to
25 reform it.

1
2 I look forward to hearing testimony from the
3 public regarding methods that can enhance The Parks
4 Department's efficiency, services, and distribution
5 of recourses, expand union labor, reduce costs, and
6 increase Parks construction efficiency for the entire
7 Parks system with respect to its capital projects.

8 Today, we will consider three pieces of
9 legislation that I am proud to sponsor, each in their
10 own way, which addresses this issue.

11 First is Intro Number 174, which would require
12 the Parks Department to expand its Capital Projects
13 Tracker to include more detailed information
14 regarding its capital projects, including the reasons
15 for delays, the dates projects were fully funded, the
16 total number of projects in its portfolio, projected
17 and actual cost overruns, individual sources of
18 funding and the length of time it took to complete
19 each project.

20 We are aware... I am aware of the citywide
21 efforts to provide greater transparency across
22 capital projects in New York City. But this bill and
23 these efforts are meant to add and not replace to
24 ensure this is more transparency along the way.
25

1
2 As one recent Parks advocate told me, when it
3 comes to our subway system the effort of addressing
4 the fundamental problems with delay is much larger in
5 scope. We wait for the trains for a very long time
6 still, but at least it's helped moderately by having
7 the time and clock signal at each station. The same
8 way, if reforming and addressing the substantive
9 process an issue in our capital process will take
10 time, at least having greater sharing of information
11 to the public, be it for our Parks projects -- and
12 any other project in our city -- is something that
13 will be immensely helpful to all of us as New
14 Yorkers.

15 Second, is a Preconsidered bill which The
16 Department of Parks and Recreation to coordinate with
17 other agencies as appropriate to prepare a strategic
18 blueprint to reduce the duration of capital projects
19 by at least 25 percent. Such blueprints would review,
20 at a minimum, early completion incentives;
21 standardization of processes, timelines, and forms;
22 and coordination with utility companies.

23 And a big thank you to all of the Parks advocates
24 from The Play Fair Coalition, New Yorkers for Parks,
25

1
2 who have worked with us in the council closely on
3 this legislation.

4 Last, but not least, is Intro Number 680, which
5 while not directly relate to the capital process, is
6 still fundamentally about expanding green space
7 across our city. And, again, that is the goal of all
8 of this work that we are doing. This is a bill that
9 was a focus for Speaker Adrienne Adams in her recent
10 State of the City Address this past May, and it has
11 been on the council radar for years.

12 The bill, Intro 680, would require The Department
13 of Transportation, in conjunction with The Department
14 Of Environmental Protection and The Department of
15 Parks And Recreation to conduct a survey of streets
16 with dead ends located in residential zones in each
17 borough, parcels of vacant land owned by the city and
18 land that abuts highway entrance and exit ramps that
19 are suitable for the micro parks, bioswales, and the
20 planting of trees or other vegetation.

21 As I have always said, in chairing this
22 committee, to undue decades of practices of systemic
23 inequality in our city when it comes to green space,
24 we need to be creative and ambitious in thinking of
25 ways to repurpose land in our city and to create

1
2 green space where none exists. And this bill is a
3 critical effort to doing so.

4 I look forward to examining these pieces of
5 legislation and the capital issues in more detail so
6 we can inform what needs to be done in order to
7 ensure that capital projects are completed quickly,
8 safely, and at a reasonable cost to the City's
9 taxpayers.

10 I would like to welcome the administration and
11 the advocates who have come to testify today, thank
12 you.

13 Before starting with testimony, I would like to
14 welcome and thank my colleagues from the committee
15 who are here today -- and from the council generally
16 -- Council Member Moya, Council Member Dinowitz,
17 Council Member Lee, Council Member Menin, Council
18 Member Restler, Council Member Ung, and Council
19 Member Carr.

20 And, now, I would like to call up, on behalf of
21 the administration, The Parks Department, our first
22 panel to testify: Commissioner Sue Donoghue; Deputy
23 Commissioner Therese Braddick; from The Department of
24 Transportation, Leslie Wolf; from The Parks
25

1 Department, Matt Drury; and from The Parks
2 Department, Deputy Commissioner Jennifer Greenfeld.

3 Thank you all so much, Commissioner Donoghue, we
4 are happy to hear your testimony.

5 COMMISSIONER DONOGHUE: Great, thank you, and good
6 afternoon, Chair Krishnan...(CROSS-TALK)

7 CHAIRPERSON KRISHNAN: Oh, sorry, one
8 technicality... (CROSS-TALK)

9 COMMISSIONER DONOGHUE: Yes.

10 CHAIRPERSON KRISHNAN: You would think as a
11 lawyer, I would remember all of this, but I always
12 forget. We have to first swear you all in as
13 witnesses first. Thank you, Chris.

14 COMMITTEE COUNSEL: Thanks, Council Member. Kris
15 Sartori, Committee Counsel.

16 Do you affirm to tell the truth, the whole truth,
17 and nothing but the truth, before this committee, and
18 to respond honestly to council member questions?

19 (ADMINISTRATION AFFIRMS)

20 COMMITTEE COUNSEL: Thank you.

21 COMMISSIONER DONOGHUE: Okay, good.

22 So, good afternoon, Chair Krishnan, members of
23 the Parks committee, and other members of the City
24 Council. I am Sue Donoghue, Commissioner of New York
25

1 City Parks. I am pleased to be joined today by
2 Therese Braddick our Deputy Commissioner For Capital
3 Projects, who will also be testifying as well as
4 Jennifer Greenfeld our Deputy Commissioner for
5 Environment and Planning, and our Director of
6 Government Relations, Matt Drury.
7

8 I want to start by noting our appreciation for
9 the council's continued advocacy for our City parks,
10 and for the funding and support it has provided for
11 park improvement capital projects, which leads us to
12 the topic of today's hearing.

13 It is fair to say that our city parks are some of
14 the most intensely used parks in the world, as they
15 are enjoyed by 9 million New Yorkers and millions
16 more from all over the globe every year. Our park
17 properties are vital city infrastructure, and like
18 all infrastructure, there is often the need to
19 redesign, construct, or renovate a parks through
20 major capital improvements.

21 In addition to daily maintenance and upkeep, our
22 parks are the recipient of significant City capital
23 investment, and the Parks Capital Division makes that
24 a reality. Our Capital staff work tirelessly to build
25 and improve our parks and playgrounds in a timely and

1 efficient manner. We pride ourselves on our creative
2 designs, which are shaped by public input, so these
3 spaces can best serve the local community, and result
4 in inspiring and fun parks, playgrounds, facilities,
5 and open spaces that are restorative, engaging and
6 built to last.
7

8 Constructing anything in New York City is an
9 incredibly complicated undertaking, and it is no
10 secret that the City's capital process is complicated
11 and lengthy. New York City Parks does our best to
12 deliver a finished capital project as soon as
13 possible, but we also need to make sure that the
14 final product has a full, useful life as a valuable
15 public asset, and that the process is conducted in
16 accordance with the numerous laws and regulations put
17 in place of the years. New York City Parks is
18 constantly working to improve our internal capital
19 protocols and have instituted significant, as the
20 chair mentioned, significant internal process reforms
21 in recent years.

22 New York City Parks is also proud to participate
23 in the Capital Reform Task Force that was convened by
24 Mayor Adams earlier this year, and we look forward to
25 working with The Mayor's Office and our agency

1
2 partners, as the City looks towards implementation of
3 the proposed initial recommendations that were
4 announced in October and continue to work with this
5 task force to advance capital process reform.

6 Regarding the park specific legislation being
7 heard today, we appreciate the intent behind these
8 bills and look forward to discussing further with the
9 council.

10 Intro 174 would compel the agency to provide
11 additional reporting for Parks capital projects
12 otherwise listed on the Citywide Capital Tracker
13 Project that is slated to be launched by the City.

14 Intro 680 would compel DOT, in conjunction with
15 DEP and Parks, to conduct a survey of dead ends,
16 vacant city parcels, highway entrances and exits, and
17 create a plan for providing additional planting,
18 greening, green infrastructure, or "microparks" in
19 the spaces.

20 Pre-considered bill 2417 would compel the
21 creation of a Parks capital blueprint proposing
22 additional internal process reforms, with a goal of
23 reducing the average timeline for capital projects by
24 25 percent.

1
2 New York City Parks is strongly committed to
3 transparency regarding the status of our capital
4 projects and our internal process reform efforts. We
5 are routinely providing project updates to elected
6 officials, community boards, and other members of the
7 public regarding parks projects and initiatives and
8 are always open to discussing ways in which we can
9 keep the public better informed.

10 I would now like introduce our Deputy
11 Commissioner For Capital Projects, Therese Braddick,
12 after she provides some helpful additional background
13 context, we will be happy to answer any questions
14 about how New York City Parks navigates the City's
15 capital process and our approach to advancing park
16 improvement projects.

17 Therese?

18 DEPUTY COMMISSIONER BRADDICK: Hello, good
19 afternoon, Chair Krishnan, and members of the Parks
20 Committee, I am Therese Braddick, Deputy Commissioner
21 Of The Capital Projects Division at The New York City
22 Department Of Parks And Recreation. Thank you for
23 inviting us to testify today regarding the Capital
24 Process.

1
2 I would be remiss if I didn't begin by first
3 thanking the Council for their ongoing support of
4 Parks. At FYI 23 adoption, the Council provided \$248
5 million in funding for Parks Capital Projects, the
6 most we have received from the Council. It is through
7 your support, as well as the Mayor's, that we can
8 embark on transformative projects like to complete,
9 \$65 million renovation of Haffen Park in the Bronx,
10 including the entire landscape, pool complex and
11 field house, as well as several of our Community
12 Parks, Initiative projects, including Frank O'Connor
13 playground in Queens, Zimmerman Playground in the
14 Bronx, Peña Herrera Playground in Brooklyn, McCray
15 playground in Manhattan.

16 Ranging from these large scale reconstructions to
17 your neighborhood tot lot, New York City Parks is
18 responsible for managing the design, procurement, and
19 construction of projects across more than 30,000
20 acres of parkland spread over hundreds of
21 playgrounds, buildings, athletic fields, pools,
22 beaches, natural areas, and recreation and nature
23 centers. Just about everything you can imagine in a
24 park, we've built or reconstructed.

1
2 Currently, we have 660 active capital projects,
3 each one of these three distinct phases of the
4 process: design, procurement, and construction. We do
5 our best to deliver projects as quickly as possible,
6 but as Commissioner Donoghue noted, we also need to
7 make sure that the final product has a full, useful
8 life, as a valuable for public asset and is built in
9 accordance with the various laws and regulations that
10 have been put in place over decades, and that govern
11 the City's capital process.

12 It is important to repeat the statement to
13 clarify any misconceptions - - The Parks Department
14 does not have its own capital process. Although there
15 are some factors that make us unique, New York City
16 Parks follows the same capital process as all city
17 agencies, including the Departments Design and
18 Construction, Transportation, and Environmental
19 Protection. The process is governed by state law,
20 local law, the Procurement Policy Board rules,
21 Executive Orders, public input, contractors, weather,
22 and market forces among numerous other outside
23 factors. A change to any one of these individual
24 factors can accelerate or delay a project, which we
25

1 recognize can make the process of times difficult or
2 frustrating.

3 We agree that the City's process is very lengthy.

4 And we have been working diligently to address the
5 processes within our control to reduce the timeline.

6 For example, during my tenure, to ensure maximum
7 efficiency and design, we have increased the use of
8 standard templates and specifications, we have
9 streamlined internal approvals and meetings and
10 automated the way we put our contract books together.

11 For example, during my tenure, to ensure maximum
12 efficiency and design, we have increased the use of
13 standard templates and specifications, we have
14 streamlined, internal approvals and meetings, and
15 automated the way we put our contract books together.

16 These changes and others have cut the design time for
17 the typical landscape projects in half from over 24
18 months in FY14 to 12 months in FY20. Unfortunately,
19 the COVID-19 pause brought that number back up again;
20 however, I am happy to report we still average
21 between 12 to 15 months for most design schedules.

22 It is also important to remember that during the
23 COVID pause, over 400 procurements were completely
24 stopped for an entire year, from March 2020 to March
25

1 2021. During that time, we could not bid out, award,
2 or register construction contracts, and we couldn't
3 hire design or construction management consultants.
4 Instead, we worked on digitizing some of our internal
5 processes including consultant payments and our NMWBE
6 small purchase procurements. We also got every
7 project position to move forward toward bidding once
8 the pause was eventually lifted. We published the
9 schedule of upcoming bids on our website so
10 contractors could plan for the contracts that they
11 wanted to bid on. Much of the progress made during
12 that time was due to the incredible effort of our in-
13 house staff, many of whom were working remotely.
14 Along with our online platform for contractors to
15 download our bid documents, these changes have had
16 positive impacts and resulted in an average of eight
17 bids per contract, a 50 percent uptick from pre-
18 COVID. Additionally, over 60 percent of the bids were
19 coming in at a lower cost. The end result was that
20 Parks was able to start construction on over one
21 hundred projects this past spring.
22

23 We also achieved a 45 percent MWBE utilization
24 rate in FY22, that's highest rate we had ever
25 achieved and the second highest of all City agencies.

1
2 Finally, a greater portion of our construction
3 projects are being completed early -- that's 30 days
4 ahead of schedule. In FY22, 32 percent of our
5 projects were completed early, compared to only 13
6 percent in FY14, and the number of change orders per
7 construction projects has been reduced 46 percent
8 since FY14.

9 Parks is extremely proud of these achievements
10 over the past several years to streamline internal
11 processes for the agency, and we welcome this chance
12 to update the council on the ongoing work citywide to
13 reform the Parks Capital Process, which focuses
14 mostly on the external factors that are not within
15 The Parks Department's control.

16 As Commissioner Donoghue just referenced, the
17 Adams' administration took an unprecedented step, and
18 in April 2022 convened a task force comprised of
19 contractors, design professionals, labor leaders, as
20 well as representatives from city capital agencies
21 and oversight agencies, including OMB, The Mayor's
22 Office of Contract Services, and the Comptroller's
23 Office. Collectively and collaboratively, we have
24 been working together to undertake a comprehensive
25

1 review of the City's Capital Process with the goal of
2 reducing time and cost for all projects.
3

4 In October, Mayor Adams announced the task forces
5 initial recommendations with proposals to improve the
6 project pipeline, streamline approvals, manage
7 projects more effectively, reform, procurement, and
8 grow the number of New Yorkers who you can
9 participate.

10 In October, Mayor Adams announced the task forces
11 initial recommendations with proposals to improve the
12 project pipeline, streamline approvals, manage
13 projects more effectively, reform, procurement, and
14 grow the number of New Yorkers who you can
15 participate. Implementation of these ideas will allow
16 the City to reduce project completion time, save
17 taxpayer dollars, enhance participation and
18 inclusion, and address emerging needs.

19 We look forward to continuing to work with The
20 Capital Process Reform Task Force to better further
21 this process for all New Yorkers. We have brought a
22 few printed copies of the task force's initial report
23 with us today, and we would be happy to send you a
24 link to the digital file later if you haven't already
25 read it.

1
2 Thank you for allowing me the opportunity to
3 discuss the efforts to reform the City's capital
4 process and improve delivery for the capital projects
5 that build our city's green and open spaces for all
6 New Yorkers.

7 We would like to thank the council for the
8 continued interest in the topic, as we know how
9 important these Parks improvement capital projects
10 are to the constituents in your districts. If there
11 are questions regarding the City's capital process
12 and our approach to advancing Park improvement
13 projects, we would be happy to answer those at this
14 time.

15 Thank you

16 CHAIRPERSON KRISHNAN: Thank you so much for your
17 testimony.

18 First, I want to note that Council Member Marte
19 and Council Member Holden have joined us as well.

20 I first want to begin by, I just want to thank
21 you for your testimony. Thank you for your work
22 every day. If there is any leadership in The Parks
23 Department that can ensure that our capital process,
24 our Park's agency, is responsive to the needs of New
25 Yorkers, uh, it's you all here at today,

1 Commissioner, Deputy Commissioners, I have worked
2 with you all on a number of different projects on a
3 wide variety of issues, I really appreciate your
4 leadership on these issues and many others, so, thank
5 you.
6

7 Let us... I think part of the effort here is to
8 simplify a capital process that is very complex, uhm,
9 and, uh, across New York City. And we know that,
10 uhm, there are many City agencies obviously
11 performing capital work. I think as you noted, uh,
12 Deputy Commissioner Braddick, whether it is DDC,
13 Department of Design and Construction, uh, Department
14 of Transportation, or state authorities like SCA or
15 the School Construction Authority, they all operate
16 differently, they all have different projects they
17 work on, too, and they serve different functions.

18 What are some of the unique constraints that you
19 see that The Parks Department operates under, as
20 compared to other agencies, when it comes to the
21 capital process? What are some of the unique
22 challenges you all face, uh, what are some of the
23 practices you all do, uhm, for the better that are
24 different from other agencies when it comes to
25 capital projects and making them more efficient?

1 COMMISSIONER DONOGHUE: Thank you, Council Member
2
3 , for the question, and you are right, uh, The Parks
4 Department is unique and is special in the work that
5 we do; although, we would emphasize that all City
6 agencies follow the same City procurement process.
7 So, we all are, uhm, go through the same process in
8 terms of procurement. But, there are differences,
9 absolutely, and you are right to point to them out.
10 To start with, in terms of the funding structure, we
11 at The Parks Department are asked to put together a
12 cost estimate for a project before its gone through
13 scope development before we have dealt with the
14 community. So, we are making an estimate before we
15 know a whole lot about the project. And, then, also,
16 we are... We cannot start working on the design
17 until we know that it is fully funded. So, we have
18 to wait until adoption to know what is funded and
19 what we can move forward on. So, there are often
20 some delays in that. And, then, our projects are
21 typically much smaller than other agencies, because
22 of just the nature of the work we do -- landscape,
23 playgrounds -- they can be smaller projects, so
24 there's more and smaller projects that can make it
25 difficult. Also, large portions of our work are

1 seasonal and they're seasonally dependent. We can
2 only plant trees at a certain time of year, uhm, so
3 we have to wait until -- they are weather dependent,
4 so that impacts our timing and the work that we do.
5 Uhm, and then, as I said, there was a... generally,
6 a smaller dollar value on our contracts, so that can
7 typically impact ,you know, the types of bidders we
8 are getting -- sometimes there can smaller bidders.
9 We have worked really hard, as Commissioner Braddick
10 said, to engage MWDBE contractors, which is a huge
11 priority for us at the department as the City. But,
12 that often means that there are smaller contractors
13 that are bidding on these projects not as familiar
14 with the work of the City of the process of the City,
15 which can be a challenge. And, then we are
16 utilizing... Often utilizing materials that are...
17 can be hard to source ,you know, the safety
18 surfacing, the playground equipment installers.
19 There is some uniqueness to the work that we're doing
20 that requires specialized equipment, specialized
21 products that can be challenging.

22
23 And, then as you mentioned, uh, Chair Krishnan,
24 we ,you know, all of our projects just about go
25 through PDC. We are The Public Design Commission's

2 largest customer. We had 239 submissions to PDC in
3 calendar year 2021. So, uhm, lots of different
4 aspects that do make us unique and different and
5 differentiate us and that can create definitely some
6 challenges.

7 CHAIRPERSON KRISHNAN: And you can just walk us
8 through, at a high level, what the capital process
9 looks like? So, ,you know, when you say fully
10 funded, is that at the time of budget adoption? We
11 as council members put in funds for a park,
12 playground, whatever it may be, you all at The Parks
13 Department get notified about it, what is the process
14 from there?

15 COMMISSIONER DONOGHUE: Do you mean assigning it
16 to design and that kind of thing... (CROSS-TALK)

17 CHAIRPERSON KRISHNAN: The whole... (CROSS-TALK)

18 COMMISSIONER DONOGHUE: Yes... (CROSS-TALK)

19 CHAIRPERSON KRISHNAN: From... From start to
20 finish off when you get the first notification to
21 when a park is constructed.

22 COMMISSIONER DONOGHUE: Right. Therese, can I
23 have you jump in there?

24 DEPUTY COMMISSIONER BRADDICK: Sure, uh, thank
25 you. And, it is a very good question, because I

1 think, uh, as Commissioner Donoghue was just saying,
2 it leads a little by in to the uniqueness of The
3 Parks Department as well. Because when adoption
4 happens, and we understand which projects are funded,
5 we are not able to plan ahead of time... (CROSS-
6 TALK)
7

8 CHAIRPERSON KRISHNAN: Sorry, Deputy Commissioner
9 , would you remind moving the microphone a little bit
10 closer?

11 DEPUTY COMMISSIONER BRADDICK: Sure.

12 CHAIRPERSON KRISHNAN: Thanks

13 DEPUTY COMMISSIONER BRADDICK: Is that better?

14 CHAIRPERSON KRISHNAN: Yes.

15 DEPUTY COMMISSIONER BRADDICK: Sorry.

16 Uh, what I was saying is that at adoption is when
17 we learn whether projects are funded or not. And,
18 because we only learn at that point and time what is
19 funded, it is very hard for us to plan ahead of time.
20 Because we do not know exactly what our work detail
21 is going to be. So, as you can imagine, as you are
22 trying to plan for your staffing and so forth, it's
23 hard when you're finding everything out all at the
24 same time.

1 So, the funding comes in to the budget. We have
2
3 to take a look at it to make sure that the funding
4 actually matches up with the cost estimate that we
5 had prepared earlier. And, again, to The
6 Commissioner's point, that we cost estimate, uhm, is
7 done without knowing what the scope of work is. So,
8 we match up that cost estimate with the funding that
9 is in there, and then we work to assign it to a
10 designer at that point and time.

11 CHAIRPERSON KRISHNAN: Thank you. I am going to
12 ask a few more questions and then turn it over to my
13 colleagues for a round of question, and then come
14 back for a few more.

15 One of the questions that I have also is, and I
16 mentioned in the opening statement is, would The
17 Parks Department... What currently is The Parks
18 Department's approach to Design-Build practices?
19 Would the department consider using those practices
20 more frequently, and how [INAUDIBLE] Department of
21 Design and Construction does? And maybe just
22 starting out with the question, if you can explain to
23 everyone, what exactly is Design-Build? And why is
24 it, uh, an advantageous method of construction?

1
2 DEPUTY COMMISSIONER BRADDICK: Thank you, Chair
3 Krishnan, for the question. As I said in my
4 testimony and The Commissioner in hers, we look at
5 all aspects to try and add efficiencies to speed up
6 the process. The Department of Design and
7 Construction is a very close partner of ours and
8 we're working closely with them on a number of large
9 projects. And some of the large projects in our
10 capital budget at present, like the new recreation
11 centers we are building, our in partnership with DDC.
12 And they are building those facilities for us under
13 Design-Build a Design-Build contract. So, we are
14 really pleased about that. We absolutely anticipate
15 that there are benefits to going through that
16 process. Uhm, and it is something that we have
17 looked at internally, and are looking at both where
18 we can, uhm, partner with DDC on projects like that
19 and how we can maybe bundle projects so that they
20 could go through a Design-Build process.

21 In terms of the differentiation in that, instead
22 of design, put it out to bid and build, design and
23 bid comes together. And so that it does make for a
24 more efficient -- it can streamline the process,
25

1 absolutely. So, you are not waiting for design to
2 complete to bid it out.

3
4 But, I am going to as Therese to... If I have
5 left anything out of that. I just want to make sure.

6 DEPUTY COMMISSIONER BRADDICK: No and thank you.
7 Thank you, and it is a great question, because it is
8 something, uhm, we have been working very, very
9 collaboratively with The Department of Design and
10 Construction on as The Commissioner mentioned. Uhm,
11 and it has been made clear that they are the ones who
12 have the most expertise with design-build at this
13 point. It has been made clear to us, from speaking
14 with them, that a lot of our smaller projects --
15 smaller in dollar value -- are not extract attractive
16 to design-build firms, and so their suggestion to us
17 is if we were going to use design-build to bundle
18 some projects together, as the commissioner
19 mentioned, so, in addition to those recreation
20 centers, we are working on bundling a number of
21 comfort stations together in one design build contact
22 -- working with the Department of Design and
23 Construction. It is a completely different method
24 procurement, as the commissioner mentioned, and so it
25 requires a totally different staff in order to move

1
2 that forward. We are very excited about it, and we
3 are going to continue just to continue to collaborate
4 with DDC on that.

5 DIRECTOR DRURY: And if I may just quickly add, I
6 think we would be remiss if we did not thank the
7 governor and the state legislature for their support.
8 It requires state authorization for The City of New
9 York to put this practice into place. So, obviously
10 very, very appreciative of the administration, uh,
11 the state administration leadership there on that
12 front.

13 CHAIRPERSON KRISHNAN: And what is the criteria by
14 which The Parks Department determines that it must
15 contact with construction management firms to run
16 administer capital projects?

17 COMMISSIONER DONOGHUE: Thanks so much for the
18 question. I would say starting out, uh, Chair
19 Krishnan, that the preference in The Parks Department
20 is always to use in-house staff for construction
21 management. However, it is largely dependent on
22 staff capacity, project size, complexity, but
23 historically. Seventy percent of our projects are
24 managed by inhouse staff and 30 percent by, uhm, CM
25 firms.

1
2 CHAIRPERSON KRISHNAN: And what is the total costs
3 of such projects that are being managed by
4 construction management firms?

5 DEPUTY COMMISSIONER BRADDICK: I do not know if
6 that we have that total cost, it is something
7 absolutely we can follow up with you on and get that.
8 Right now, currently, we have 82 projects that are
9 managed inhouse and 50 that are managed by via
10 consultants. But we can absolutely get the cost of
11 those projects.

12 CHAIRPERSON KRISHNAN: Sure. Does The Parks
13 Department have a breakdown of active capital
14 projects and spending by borough?

15 COMMISSIONER DONOGHUE: Uh, absolutely... (CROSS-
16 TALK)

17 DEPUTY COMMISSIONER BRADDICK: Yes, we do not have
18 that today obviously... (CROSS-TALK)

19 CHAIRPERSON KRISHNAN: Sure...

20 DEPUTY COMMISSIONER BRADDICK: But we can
21 certainly provide that.

22 CHAIRPERSON KRISHNAN: If you can, I would
23 appreciate it. Thank you.

24 Has The Parks Department pursued an expansion of
25 its prequalified list or PQLs for contracting work?

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COMMITTEE ON PARKS AND RECREATION

COMMISSIONER DONOGHUE: As stated earlier, we absolutely always look to use in-house staffers, but depending on, uhm, complexity of a project or of staffing capacity or needs, we will go to a prequalified list. And they still have to bid on their projects, but, uhm, it is something that we utilize.

CHAIRPERSON KRISHNAN: And as I understand it, there is a \$3 million cap placed on projects that would be using prequalified venders. Why not increase the cap to more than \$3 million to allow for a greater number of prequalified bidders?

DEPUTY COMMISSIONER BRADDICK: Thank you for that question. It is actually a really good question, and we are really, really proud of our prequalified list. It is really an entree to a lot of smaller contractors who are looking to get their foot in the door. It is a source of a lot of MWBE contractors. Because the prequalified list --it mandates that you either have to be an MWBE prime, enter into a joint venture with an MWBE, or you have to subcontract out 50percent of your work to MWBE. So, we are constantly looking for ways to increase the number of prequalified venders on that list. And we are also

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looking to create a new prequalified list for our building contracts. So, we are constantly looking for ways to increase that. Contractors can join and ask to be included on the prequalified list on a rotating basis. There is no deadline or timeline, it is constant.

CHAIRPERSON KRISHNAN: And what is the current number of contractors who are on the list?

DEPUTY COMMISSIONER BRADDICK: We currently have 26.

CHAIRPERSON KRISHNAN: Twenty-six? Okay.

Now, talking about contracts, I have a few question, uhm, here as well.

You know, one of the things that comes up in concerns that we hear from the public and constituents a lot, too, uhm, is in addition to expanding, uhm, the list of contractors that can work on these projects, is also if there are delays in the contracting process, and how that impacts the construction of parks. So, does The Parks Department keep its own internal database on contractor performance independent of VENDEX to gauge how contractors that it has chosen to work with have

1 specifically performed on prior Parks Department
2 projects?
3

4 COMMISSIONER DONOGHUE: So, thanks so much for the
5 question, and it is an important one, absolutely. In
6 terms of contractor process and evaluation, we
7 absolutely follow the City's process. It is
8 something that the Capital Division works on very
9 closely. We have daily and weekly progress reports.
10 And document any kind of delays. We track progress
11 and percent completion at regular Dashboard meetings.
12 Vendors who are not performing are issued letters
13 when they are 20 percent behind, and they're called
14 in for meetings, they're given deadlines. And
15 performance is formally documented in the PASSPort
16 system, and there are evaluations at the end of the
17 project or annually. So, it... We are actively on
18 top of and tracking progress, and we are actively
19 documenting when there are issues, absolutely.

20 CHAIRPERSON KRISHNAN: And, so, when The Parks
21 Department determines that a contractor working on a
22 project is either not meeting Parks Department
23 expectations or violating the terms of its contract,
24 what measures does the department take at that time
25 to address, uh, such noncompliance?

2 COMMISSIONER DONOGHUE: So, as mentioned earlier,
3 Chair Krishnan, so ,you know, they are called in for
4 meetings, they are given deadlines, uhm, their
5 performance is formally documented. I will state
6 that ,you know, defaulting the contractor is
7 definitely a last resort for us just because it is a
8 very lengthy process. Best case scenario, it is
9 going to take nine months to go through a default.
10 And it severely delays completion of project. So, we
11 do all that we can to work closely with that
12 contractor to bring them, to try and... And push
13 them to complete the project. But, the procurement
14 and capital rules make hiring a replacement very
15 difficult. And being very much aware of the stress
16 ,you know, and focus on getting these projects done,
17 it is absolutely a last resort. We try and work
18 really hard with the contractor to get them to
19 perform.

20 CHAIRPERSON KRISHNAN: And then how do you resolve
21 in the tension that comes up between ,you know, the
22 contractors who are not performing, they are, you
23 know, creating lengthy delays. But decertifying them
24 or finding them default is a rare, seldom used
25 option, they essentially have a lot of leverage to

1 say, even if we do not comply, we know The Parks
2 Department will stay with us. And so, I am wondering
3 how the department resolves that tension between
4 ensuring that contractors stay on their timeline.
5 But if it is not working, there are a number of
6 different contractors that would do the work at a
7 much faster clip and in compliance. But, if Parks
8 does not turn to them, they can't be used.

9 So, how do you resolve that tension?

10 COMMISSIONER DONOGHUE: Thank you for the
11 question. And it is not that we would not turn to
12 them, we absolutely would turn to them. But we are
13 also ,you know, in our mind, we are being very
14 conscious of the fact that ,you know, it is going
15 delay the project by nine months to a year. And so,
16 the way that we resolve that tension is to be very
17 much on top of these contractors. Bringing them in
18 ,you know, having them be responsive, having them set
19 deadlines. Having them describe for us how they are
20 going to ,you know, catch up where they are supposed
21 to be on their project. And, so it is just
22 consistent ,you know, kind of pressure of bringing
23 them in and pushing them to meet their deadlines.

24 Uh, Therese, anything to add there?
25

1
2 DEPUTY COMMISSIONER BRADDICK: Uh, just to say
3 that it is written in as a general clause on all of
4 our contracts that we can actually assess what are
5 called liquidated damages. So, if you are not
6 completing the contract according to the terms of the
7 contract, then the contractor can actually be fined
8 for that.

9 CHAIRPERSON KRISHNAN: Mm-hmm.

10 COMMISSIONER BRADDICK: But, as The
11 Commissioner said, we do a lot of hand holding in
12 those cases, because we really want to... we want to
13 pull that contractor over the finish line, because we
14 do not want to get stuck in a situation that you
15 default a contractor, and then the project just sits
16 idle until you can figure out how to bring somebody
17 else in. And that is something that is also a
18 conversation as part of the citywide, uh, task force,
19 is figuring out how to fix that part of the process

20 CHAIRPERSON KRISHNAN: Mm-hmm, thank you, and I
21 would say ,you know, something that has been brought
22 to my attention and by other colleagues, it is...
23 And also, that I see it too, is to urge the
24 department to find ways to expand the use of
25 contractors. If there are delays, if their

1
2 contractors are essentially holding projects or
3 holding all of the leverage, because they know that
4 they can do so, uh, it does not work for anybody,
5 too. So, I would just urge that the department
6 consider different ways to expand that list. And
7 also, contractors that are in default of not
8 compliant or to, uh, to ensure that if they are not
9 going to do it, we rely on others to do it.

10 And, on that note, uh, one of the things that
11 comes up with Design-Build, as I understand it, are
12 project labor agreements. And this has been... Come
13 up as a way... This has been brought up as a way to
14 save costs, rather than going through a bidding
15 process.

16 Has The Parks Department given thought to project
17 labor agreements and expanding the use of them?

18 COMMISSIONER DONOGHUE: Absolutely and thank you
19 for the question.

20 Just to be clear, the application of a project
21 labor agreement does not circumvent the City's
22 bidding process. It still needs to... You still
23 need to go through that process. The other thing to
24 note, is that, uh, project labor agreements apply to
25 buildings and building renovations -- and only to

1 building renovations over \$3 million. So, again, for
2 us in Parks, where so many of our projects are
3 landscape oriented, project labor agreements do not
4 work for a number of our projects. But, we
5 absolutely look and utilize them, the PLA, when and
6 where appropriate.
7

8 CHAIRPERSON KRISHNAN: Mm-hmm.

9 And, you touched on this statement already,
10 Commissioner, uhm, but, uh, would The Parks
11 Department consider design-build, enter project labor
12 agreements, for contracts that require a quick
13 turnaround due to public safety like damaged
14 playground equipment and surfaces, uhm, and sidewalk
15 damage due to tree roots?

16 COMMISSIONER DONOGHUE: Again, because the project
17 labor agreements do not apply, they only apply to
18 buildings, and they have to be over \$3 million. A
19 couple of things you mentioned, tree roots,
20 sidewalks, would not fall under a project labor
21 agreements, under that category, for one. Uhm, but
22 the other... With Design-Build, absolutely. You
23 know how, as Commissioner Braddick said, we are
24 working closely with DDC, and we are already, uh,
25 participating in Design-Build projects along with

2 them on, uh, there is no req centers, and looking at
3 other ways to group in together, uh, some of our
4 comfort station projects to be able to utilize
5 Design-Build, absolutely.

6 CHAIRPERSON KRISHNAN: Mm-hmm.

7 And, just a few more questions from my side
8 before turning to my colleagues.

9 What... One of the biggest, uh, priorities of
10 mine and council members, too, is the use of union
11 labor for projects as well. What percentage of Parks
12 projects right now, uhm, use union labor?

13 COMMISSIONER DONOGHUE: Do we have that?

14 DEPUTY COMMISSIONER BRADDICK: Yes, thank you. It
15 is about a 50/50 split at this point between union
16 and nonunion. And, again, I think it is important in
17 saying that, that, uhm, when a contractor is hired,
18 the most important thing that that person is paying,
19 is that they are paying for prevailing wages. That
20 is required for the PPB rules. That is the most
21 important thing. Regardless of whether union or
22 nonunion, they have to pay prevailing wages.

23 CHAIRPERSON KRISHNAN: Mm-hmm.

24 Now, there are also, as we mentioned before, bad
25 actor contractors, uh, who commit wage theft,

1 insurance fraud, uhm, how does The Parks Department
2 plan to address such bad actor contractors who commit
3 such practices or malpractices, uhm, plan to address
4 them from... Or prevent them from continuing to bid
5 on capital projects in The Parks Department?
6

7 DEPUTY COMMISSIONER BRADDICK: Thank you for that
8 question.

9 The Parks Department has what is called the Labor
10 Law Investigation Unit. And their primary function
11 is to just... is to do that -- to investigate. They
12 look over all of the documentation in the payroll to
13 make sure everyone is paying prevailing wages and
14 also that there is not fraud. We also have, as every
15 City agency does, what is called an Engineering Audit
16 Office, that audits every, single payment throughout
17 the life of a contract, including all of the change
18 orders, to make sure that that fraud does not... we
19 catch that fraud early on.

20 CHAIRPERSON KRISHNAN: Mm-hmm.

21 Another question, my final question for this
22 round, is something that I have heard about, uh,
23 that's been piloted by DDC, and I met with them, too,
24 and, uh, and they explained it to me, is the Expanded
25 Work Allowance. Which, where a dollar amount is

1
2 agreed upon at contract inception, to pay for common
3 contract change orders that arise due to unforeseen
4 challenges in the field. This helps reduce the
5 inefficiencies caused by the change order process.
6 Uhm, and it seems like a great way to ensure that if
7 there are cost overruns, if there are unexpected
8 changes, rather than going through a formal process
9 on those changes, you have a work allowance already
10 in place to account for them.

11 Has The Parks Department thought about
12 implementing this pilot as well? And, if so, when is
13 it expected to be implemented for Parks' projects?

14 COMMISSIONER DONOGHUE: Yes, thank you, Chair
15 Krishnan, for the question. This was actually
16 identified as a recommendation coming out of the
17 Citywide Reform Task Force. And it is one that we
18 completely support. And we are working in
19 partnership with MOCS, The Mayor's Office of
20 Contracts, as well as the Law Department, OMB, and
21 The Comptroller, to be able to implement this in our
22 projects in the coming months. We recognize the
23 advantage. We absolutely want to be able to take
24 care, uh, take advantage of it. And it something
25 that we are working to be able to do.

1
2 CHAIRPERSON KRISHNAN: Thank you.

3 And, last question, is, uhm, you mentioned before
4 we discussed about the Capital Reform Task Force,
5 uhm, and the, uh, recommendations. Is there an
6 update on when the task force, uhm, on the Capital
7 Process Reform Task Force final recommendations that
8 were to be announced of... this month?

9 COMMISSIONER DONOGHUE: Thank you for the
10 question. And as we mentioned in our testimony, we
11 have copies of the initial recommendations of the
12 task force that were made in October that already do,
13 uhm, help us move forward some important aspects of
14 Capital Process Reform. We are actively engaged in
15 meetings still of the task force, and we are looking
16 forward to it continuing. We do not have an update
17 on, uhm, when the final recommendations will be made.
18 There is a lot of work to be done there. We are
19 really hoping that the task force, uh, the work of
20 the task force will continue, because there is a lot
21 of work that we're engaged in that we think is going
22 to be beneficial to capital process reform across all
23 city agencies.

24 CHAIRPERSON KRISHNAN: Thank you.
25

1 And, now we will turn it over to questions, uh,
2
3 beginning first with Council Member Carr.

4 COUNCIL MEMBER CARR: Thank you, Chair Krishnan.

5 Commissioner it is good to see you and your team
6 here, thank you for being with us today.

7 I would like to ask some questions about
8 contractor selection. So, I understand that
9 generally Parks and other city agencies are required
10 to take the lowest bid. You know unless it's
11 irrationally low. Are there any other reasons in
12 which the agency would be able to set aside the lowest
13 bid?

14 COMMISSIONER DONOGHUE: It is, I am going to make
15 sure Therese agrees with me here. It is a low bid
16 system, and that is how our contracts are moved
17 forward is with the lowest bidder. We have done a
18 whole lot of work to engage and bring into the system
19 as many contractors as possible. Commissioner
20 Braddick, uh, mentioned our great success in MWBE
21 contractors. Because what we are looking to do as
22 much as possible across all of our work is to expand
23 the number of contractors who are in the pool. So,
24 and that helps us to be able to have more contractors
25 to go to. But, Therese, what can I add?

1
2 DEPUTY COMMISSIONER BRADDICK: Thank you, yeah,
3 just to add to that, yes, the City requires that you
4 are awarding to the lowest responsive responsible
5 bidder. So, what that does offer, a little bit, some
6 wiggle room, is if we see that we have a contractor
7 who has already been awarded, for instance, awarded
8 three projects, and they're not doing well on those
9 three projects, we have the ability to call them in
10 to say, "You are not doing so well on these three
11 projects, we are not comfortable awarding you that
12 fourth project, because we think that's too much for
13 you to handle." So, that does happen. And, if it
14 is a new vendor, a new contractor completely, we
15 always call that new vendor in and have a
16 conversation with them, make sure that we feel
17 comfortable that they can actually handle the work
18 before starting. So, there is a little bit of wiggle
19 room there, yes.

20 COUNCIL MEMBER CARR: I appreciate that. So,
21 other than for capacity, there is no way for you to
22 look at the history of a contractor and say, like you
23 do when they do have a capacity issue, "Hey, you have
24 a history of not delivering on time." Some of the
25 actors that Chair Krishnan was talking about earlier,

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2 and say, you know, "I'm sorry, you're not someone we
3 have had a very good business relationship with, and
4 we want to look at someone else who maybe came close
5 to be the lowest bidder but has a much more reliable
6 relationship with the agency." And, is that
7 something you would want if you that was something we
8 could talk about having a change in. I know you are
9 in the same cart with a lot of other agencies.

10 DEPUTY COMMISSIONER BRADDICK: Yes, one of the
11 also good things about being on a citywide basis, is
12 there is that citywide system, so that you... we
13 know whether or not that same contractor who is maybe
14 not performing as well, if they worked for another
15 city agency, and that other city agency has also put
16 in an evaluation, and that evaluation is not very
17 good, we know that that's a red flag for us, and that
18 is something where we can pull them in and talk to
19 them about that. We can also pull them in if we
20 are... if they submit a bid, and we see that their
21 bid is very unusual, or there are some line items
22 that are very, very different than the other bids
23 that have come in, we can also question them about
24 that.

1
2 COUNCIL MEMBER CARR: No, I appreciate that
3 answer, but I guess my concern is, is if there is
4 this reluctance, right, to kind of change a contract
5 midstream. And, I get that completely, because you
6 would not want to get a call from me or my colleagues
7 saying, "Why are you delaying this project by
8 changing a contractor?" But, you have an opportunity
9 in the future to take that information into hand and
10 then prevent bad actors from continuing to slow down
11 capital projects.

12 DEPUTY COMMISSIONER BRADDICK: You can do that.

13 COUNCIL MEMBER CARR: Okay.

14 DEPUTY COMMISSIONER BRADDICK: You would have to
15 document through the evaluation process that
16 contractor failed his responsibility to complete that
17 project. And, then that helps you to ensure that he
18 is not hired again... (CROSS-TALK)

19 COUNCIL MEMBER CARR: But, that is if they fail
20 to complete. A lot of contractors are completing,
21 but they are completing well behind schedule, they
22 are con... You know, there are other delays. You
23 know, so I guess it is... There is this intermediate
24 actor who maybe is not a bad person, they are just a
25 bad business person. And, it seems like that there

1
2 is no ability to take that into hand, unless there is
3 that capacity issue. Am I understanding that
4 correctly?

5 DEPUTY COMMISSIONER BRADDICK: You are... You
6 understanding that correctly... (CROSS-TALK)

7 COUNCIL MEMBER CARR: Okay...

8 DEPUTY COMMISSIONER BRADDICK: It is something we
9 are working towards.

10 COUNCIL MEMBER CARR: Okay, thank you.

11 CHAIRPERSON KRISHNAN: Council Member Restler?

12 COUNCIL MEMBER RESTLER: Thank you, Chair
13 Krishnan, and it is good to see you Commissioner and
14 Deputy Commissioner.

15 I just want to firstly echo Chair Krishnan's
16 sentiments of just how pleased I have been in the
17 working relationship we have built with The Parks
18 Department -- how responsive you have been,
19 Commissioner, and your team. Deputy Commissioner
20 Braddick came out and visited us on the promenade,
21 Deputy Commissioner Greenfeld came out and visited
22 us. We have really enjoyed working with the
23 leadership of the arsenal, and I really want to thank
24 you for the thoughtfulness and creativity and
25 responsiveness. It has been noted and appreciated.

1
2 And I echo Shekar's sentiments again, that I think
3 the capital project process that The Parks
4 Department, and ,you know, more broadly, has been
5 broken for a long time. But, I am hopeful that you
6 all are moving things in the right direction, and
7 have the ability... Have the capacity to move things
8 in a better direction.

9 You know, so in that spirit, you know how, as you
10 all noted in your testimony, as we review in our
11 reports, the average capital project of The Parks
12 Department takes up to about four years. And,
13 unfortunately, we have a bunch of projects in our
14 district that were funded and identified five and six
15 even seven years ago. I can list them all off, but I
16 will spare you, but I have them here to be sure.

17 Could you share with us, I think it is probably
18 Deputy Commissioner Braddick, the... Any information
19 on the number of projects that are... have been in
20 the pipeline or that are now over four years old?

21 DEPUTY COMMISSIONER BRADDICK: Thank you for your
22 question. I do not have that data with me here today,
23 but that is something that we can certainly get for
24 you.

1
2 COUNCIL MEMBER RESTLER: I would appreciate it,
3 if you would not mind, following up with us in
4 writing on that. I think it is important for us to
5 understand. And I think it ,you know, we want to be
6 helpful; I think that there have been improvements
7 that this and the previous administration have made
8 internally at Parks. And I appreciate the work of
9 the Capital Project Reform Task Force. We need
10 Design-Build on ever capital project in the City of
11 New York. And if you want to send council members up
12 to Albany with you next year, I am available. I
13 would be happy to come along and talk to my assembly
14 members with any of you. I imagine that Chair
15 Krishnan would drive me... (CROSS-TALK)

16 CHAIRPERSON KRISHNAN: [INAUDIBLE]

17 [LAUGHTER IN CHAMBERS]

18 I will drive you, right. [INAUDIBLE] I'll bike
19 faster than you can bike.

20 COUNCIL MEMBER RESTLER: (LAUGHING) but, this is
21 really important, and we need to push in this
22 together to get these projects done faster. And that
23 would make a real difference.

24 I did want to ask, in that spirit, are there
25 things that you would like to point... Are there

1 outside of... Reforms that are outside of the
2 control or purview of The Parks Department, what are
3 some of the changes that you think are most critical
4 that need to happen across the City that could speed
5 up our capital project process? Are there other
6 agencies that we should be grilling or engaging
7 constructively to make your lives easier so that we
8 can see our parks built and improved faster?
9

10 COMMISSIONER DONOGHUE: Well, thank you, Council
11 Member Restler, for the question, and we really
12 appreciate it, and we appreciate the focus on this
13 topic. And it is what, uhm, you know, we said in our
14 testimony and appreciate you recognizing it. It is
15 not a Parks' capital projects process, it is a
16 citywide capital process, and that is why
17 Commissioner Braddick, and I are both so enthused
18 about this citywide Capital Process Reform Task
19 Force, because it is bringing the players to the
20 table that need to be there in order to effect
21 change. And some of the change can seem minor, but
22 ,you know, the time it takes for approvals from
23 different agencies... from OMB. So, putting in
24 place, uhm, agreements in terms of ,you know, it will
25 take this much time to get to an approval of a

1 process. So, yeah, it is already happening in the
2 sense that we are very excited about through that
3 capital reform... Because it takes everybody coming
4 to the table and agreeing. And the issues are not
5 unique to us. And, so having there be a common voice
6 around, "these are some changes that need to made,"
7 both with things like the approval process, things
8 like the change order process, things like the work
9 order allowances. Things that we all feel like are
10 important to the process and can be really helpful to
11 have it be a unified voice looking for that is really
12 critical. And to have your support behind that is
13 also... (CROSS-TALK)

14 COUNCIL MEMBER RESTLER: But, I... You know,
15 please do bring us the legislative agenda you need
16 for where there are opportunities to cut some corners
17 and shape timelines, both here and in Albany....

18 (CROSS-TALK)

19 COMMISSIONER DONOGHUE: Yes... (CROSS-TALK)

20 COUNCIL MEMBER RESTLER: And we should work on it
21 together.

22 COMMISSIONER DONOGHUE: Mm-hmm

23 COUNCIL MEMBER RESTLER: I do want to say for the
24 record, I hope that this will remain a priority after
25

1
2 our First Deputy Chance (sic), uh, First Deputy
3 Mayor, excuse me, moves on. She has done a great job
4 in leading this work. She has phenomenal capital
5 projects experience and expertise. And I really do
6 hope that the administration will continue to push
7 this forward.

8 The last thing I just wanted to touch on, if I
9 may, is Intro 174. I can tell you, and I imagine
10 this is not a surprise to you, Commissioner Donoghue,
11 that whenever there is a Parks... An active Parks
12 capital project in my neighborhood, in and across my
13 district, I get incoming, every day, with the
14 progress of the project (sic). And ,you know, I
15 share with folks, and I put on our social media, the
16 Capital Projects Tracker that you all have, which is
17 helpful. But we could use a lot more detail and
18 information. And I really do believe that
19 transparency is the best disinfectant. And it would
20 be very helpful for my community members to be aware
21 of what are the different issues and challenges that
22 we are facing through the capital projects...
23 Through a... on a particular capital project.

24 Do you all support Intro 174? Do you agree that
25 this would be a helpful... this would be helpful

1 additional information for New Yorkers to understand
2 about the status of a project as it is unfolding
3 before our eyes in our neighborhood?

4
5 COMMISSIONER DONOGHUE: Thanks so much for the
6 question, and I would say upfront that we are very
7 strongly committed, obviously, to transparency. I
8 think you know that from both Therese and myself,
9 that it is something that we work really hard to
10 effect. And we do that in a variety of different
11 ways, both by communicating directly with the council
12 members, the community boards. We have a Capital
13 Process Tracker in place now as you referenced. And
14 feel strongly ,you know, that we have been out there
15 and trying to provide as much information as possible
16 through a variety of different forums. And, so, uh,
17 we agree with the importance of transparency. We
18 have worked really hard to do that today. The...
19 And... Talk to the Chair about this, you know, the
20 Council did [INAUDIBLE] in the past about a citywide
21 tracker, because we feel like it is important that
22 what the public is seeing is uniform and that ,you
23 know, across various capital projects, not just
24 Parks, I think we talked earlier, parks are unique,
25 and people have a very strong invested interest in

1
2 their neighborhood playgrounds, so they are asking a
3 lot of questions. We appreciate that. That is why
4 we are at community board meetings; that is why we
5 ,you know, through our borough, uhm , staff, we
6 really want to make sure people are communicating
7 well and vocally. So, I would say, absolutely we
8 support transparency. We want that transparency to
9 be consistent across the City so that it is not
10 confusing for the public... (CROSS-TALK)

11 COUNCIL MEMBER RESTLER: I totally hear you, I...
12 I mean, and I really appreciate that our local
13 "Parkees" make themselves available for every
14 neighborhood town hall and different things... Mary
15 and Davey, and everybody is great, I appreciate them
16 a lot, but it is... I get more incoming on my Parks'
17 capital projects for my neighbors than my DDC
18 infrastructure projects that are tearing up sewers
19 and blocking people's streets, than my SEA new school
20 projects, everything else combined. Like, this is
21 where neighbors are laser focused. And you all deal
22 with... I mean you are on the receiving end of it
23 every day. I am not telling you that you don't know,
24 but I do believe that this additional information and
25 this transparency would lead to more accountability

1 and help inform neighbors and keep them apprised of
2 what is going on. Because it is frustrating for us
3 to have to answer each and every one of these
4 questions and have to always be providing updates.
5 And ,you know, I will admit, I am pretty frustrated
6 myself with a number of the Parks' capital projects
7 in my district. So, it is not... And I think this
8 would help, and I really hope that it is a bill that,
9 uhm, that we can make happen. Thank you

11 CHAIRPERSON KRISHNAN: Thank you so much, Council
12 Member Restler. I think your earlier point about
13 the, uh, uhm, Design-Build, I just want to echo that
14 as well. I think frankly for any agency -- Parks --
15 really anything in the City, uh, being able to use
16 Design-Build would be so important. And, so, uh,
17 whatever we can do there to expand the use of it in
18 our city, I think we all support. And I would very
19 happily come up with you to Albany to make that the
20 reality.

21 COUNCIL MEMBER RESTLER: Drive me?

22 CHAIRPERSON KRISHNAN: Uh, I'm down [INAUDIBLE]
23 we're transit people, you know, come on.

24 COUNCIL MEMBER RESTLER: [INAUDIBLE] we will all
25 drive together. [INAUDIBLE] the train.

1
2 CHAIRPERSON KRISHNAN: [INAUDIBLE] uhm, on that
3 note, I will turn it over to Council Member Lee.

4 COUNCIL MEMBER LEE: Okay, I will try to be
5 organized with my thoughts, because I have a lot of
6 thoughts on this. Because, I... Before joining the
7 council in January, I did... I have been in the
8 nonprofit sector for about 20 years, and my nonprofit
9 has a lot of contracts... Had a lot of... Has a lot
10 of contracts with the city, state, and federal
11 government. And, uh, I have to say it has been
12 incredibly frustrating at times. And, so, in this
13 instance I know it is not exactly the same, but I
14 almost feel like you guys are in the same situation
15 that I was. Because we did receive capital funds in
16 2017, had to get repurposed in 2018. They still have
17 not started construction yet. And I will leave the
18 stories, you know, for another time perhaps over
19 drinks. But ,you know, it is quite the frustrating
20 process. And if you have not been through it, I do
21 not know if people really fully understand how
22 frustrating it can be, especially when you are a
23 social service agency that needs these capital
24 improvements to provide crucial services to the City.

1
2 So, I just wanted to start off by saying that, in
3 the sense that I do understand where some of the
4 frustrations are. And I think in the future it would
5 be great if we could have, uhm, MOCS and OMB at the
6 table as well, because ,you know, one cannot work
7 with the other. Right? And a lot of what you guys
8 do is based on their timeline as well.

9 And just having gone through the process myself,
10 just out of curiosity, because the Design-Build is
11 also something that I was able to sit down with the
12 DDC commissioner about and go a little bit more in to
13 depth on. And just from your perspective, and from
14 what you know, do you think that this would be a real
15 tangible solution in terms of shortening that
16 upfront, uh, I guess, time length lag? Because I
17 think a lot of where at least my experience has been,
18 was that we would be one or two years into the
19 project, and we had already submitted all of the
20 documents, and they have had the documents for x
21 number of months, and then it is like, as soon as I
22 thought things were good, it's like, but wait, we
23 have something else we need to change. And that
24 happened so many times, and I just wonder if you
25 think this could help streamline the upfront part.

1
2 Because as the delays go on, I would actually argue,
3 it, in terms of City dollars and tax dollars, that
4 actually wastes a lot more dollars, because the scope
5 decreases, costs increase, and then you have less
6 bidders that are willing to bid on these projects,
7 because the scope is decreasing with the costs.

8 And, so, I just wanted to hear your thoughts on
9 that.

10 COMMISSIONER DONOGHUE: Thank you, Council Member,
11 and we really appreciate the question.

12 As we stated earlier, we are working closely in
13 partnership with DDC, and they are using the Design-
14 Build process on some of these big recreation centers
15 that have moving through. We absolutely can see the
16 benefit, and we are anxious to ,you know, again,
17 these projects are not completed yet, so we want to
18 really understand and see the process. But we are
19 open to and looking at all different ways that we can
20 help to reform the capital process and speed things
21 up. So, we have our eye very closely on it. We work
22 closely with DDC and the DDC Commissioner , uh, as we
23 said ,you know, we have this big rec center projects,
24 we are also looking for is there a way that we could
25

1 combine... couple some of our comfort stations and
2 do that through a Design-Build... (CROSS-TALK)

3 COUNCIL MEMBER LEE: Mm-hmm

4 COMMISSIONER DONOGHUE: process. You know, some
5 of the challenges that, as Commissioner Braddick
6 said, some of... our projects are smaller, are
7 generally smaller than... (CROSS-TALK)

8 COUNCIL MEMBER LEE: Mm-hmm

9 COMMISSIONER DONOGHUE: a DDC or DEP, and so,
10 potentially not as attractive toward Design-Build
11 for... for people to be bidding on those projects?

12 COUNCIL MEMBER LEE: Mm-hmm

13 COMMISSIONER DONOGHUE: Remember, one of the
14 things we are looking to do is expand the pool of
15 contractors interested in our projects -- not limit.
16 And, so, if there are instances where we can know put
17 projects together that could go through Design-Build,
18 absolutely we would want to look at that. And ,you
19 know, with the thinking that we want to everything we
20 can to help speed up the process. But it needs to be
21 that it is workable for the type of projects that we
22 have.

23 COUNCIL MEMBER LEE: Right. And, I guess, you
24 kind of totally segued perfectly in to my next
25

1 question, which is about the contractors. Because I
2 do think I agree with what you would saying, Chair
3 Krishnan, in terms of ,you know, whenever possible,
4 also using labor. Right? Because there is a built
5 in infrastructure there, which I think is already set
6 up for that. But, at the same time, in terms of
7 20... I was actually surprised when you said 26
8 contractors, because when I think of all the parks
9 and all of the projects that are happening, that
10 seems very small. And I know that, uhm, ,you know,
11 we tried, for example, getting a contractor to bid on
12 a roof that we were working on, which was only about
13 \$350,000. And it was incredibly difficult, because
14 it is a small project. A lot of these groups did not
15 even... We could not even... [INAUDIBLE] submitted
16 a bid, we had to knock them off the list
17 automatically, because they do not qualify. And then
18 even for the ones that do qualify in terms of MWBE as
19 well as other qualifications, they had never gone
20 through a City capital project before. And it is a
21 shock. I am just going to like... So, is there
22 anything that you think that we can do... Like, you
23 know, on the City side, in terms of ,you know,
24 requiring certain... I do not even know if training

1
2 would do it, but just... I think the paperwork is
3 really the thing that... They can do the work. They
4 can do the construction. I do not think that is the
5 issue. I think the issue is the paperwork and
6 dealing with the actual contracts and the agreements.
7 Because that takes a lot of their time and labor that
8 they are not usually used to working on.

9 So, ,you know, what are some things that you
10 think that can be done to sort of increase the pool
11 of contractors and also prepare them better?

12 DEPUTY COMMISSIONER BRADDICK: Thank you very
13 much. And I very much appreciate that you, uhm, you
14 seem to in some ways empathize, because you
15 understand the process, because you have been through
16 it before. So, thank you very much for those
17 comments.

18 Just to clarify, the 26 contractors that we
19 mentioned, those are just the contractors that are on
20 our prequalified list. That is not the totality of
21 all of our contracts... (CROSS-TALK)

22 COUNCIL MEMBER LEE: Okay.

23 DEPUTY COMMISSIONER BRADDICK: We have ,you know,
24 have hundreds of contractors that bid on our work.

1
2 One of the things, just to touch a little bit,
3 and you are absolutely right, and this happens quite
4 a bit on Parks' projects, as we mentioned earlier, we
5 get a lot of new contractors, and particularly some
6 folks who are just trying to get their foot in the
7 door, and so they do not understand the City's
8 process. It is overwhelming to fill out the
9 paperwork just to get paid, if you have never done it
10 before, uhm, to make sure that you are including all
11 of the right paperwork. And, so part of what we have
12 also been talking about on the citywide taskforce
13 level, is whether or not there are mentoring programs
14 that can be offered to contractors to help train them
15 and to guide them a little bit more through that
16 process.

17 COMMISSIONER DONOGHUE: Because another really
18 important priority for us and across the City, is to
19 hire and engage more MWBE contractors. So ,you know,
20 helping to, uh, inform, educate, have some of those
21 contractors be part of the process, is really
22 important. And we are really proud of that the fact
23 that 45percent of contracts were done with MWBE
24 contractors -- second in the City in terms of our use
25 of them MWBE contractors. So, we are really proud of

1 that. But, it tends to be smaller. They need ,you
2 know, they have not been through the City process
3 necessarily. So, training, mentoring, all of those
4 things are really important.
5

6 COUNCIL MEMBER LEE: Okay. And, I guess, just my
7 last question, sorry, if I may, is, uhm, ,you know, I
8 know that there are certain pieces of these process
9 that are, uhm, in your control and lot that is not in
10 your control. And, so in terms of both, within Parks
11 Department and also externally, just if you could
12 give, like, if you had your magic wand you could
13 wave, you know, like, what are some topline
14 recommendations that you would give us? And you do
15 not have to necessarily answer now, but I am just
16 curious to hear your thoughts. Because I am sure
17 that there are things internally you know that ,you
18 know, you could do better on. But, also even outside
19 of that, what has been some of ,like, the barriers?

20 COMMISSIONER DONOGHUE: Thank you, and it is such
21 a good question, and it is something that we have
22 obviously thought a lot about. Commissioner Braddick
23 has, over many years, been really looking at what is
24 the low hanging fruit internally, what are some of
25 the things we can do? And, again, I will just point

1
2 to the Capital Process Reform Task Force that The
3 Mayor launched and that we are actively engaged in.
4 Because it is bringing the right parties to the
5 table. As you said earlier, Council Member, it is
6 not just about Parks; it is the different City
7 agencies; it is contractors; it is Law and OMB.
8 Having those entities all around the table with us
9 tackling this problem, and looking at approaches to
10 addressing this is really, really important. So,
11 that task force has been really important to us. And
12 we really anticipate that it will bring... help to
13 bring need reforms.

14 COUNCIL MEMBER LEE: Nice, thank you. And I will
15 say MOCS has definitely done a great job streamlining
16 things. Because when I think of VENDEX and the
17 system previously, it is so much better now. So, and
18 hopefully it will help with transparency as well.

19 CHAIRPERSON KRISHNAN: Thank you so much, Council
20 Member Lee.

21 I also want to note that Council Member Velázquez
22 has joined us, too.

23 And, turning it over now to Council Member Menin.

24 COUNCIL MEMBER MENIN: Great, thank you so much,
25 Chair. And I really want to thank you for holding

1 this important hearing, because I think we have all
2 experienced, in our respective districts, issues
3 regarding delays that have frustrated constituents.
4 So, thank you so much -- incredibly important issue.

5 So, you mentioned in your testimony, Commissioner
6 ,that there are a myriad number of factors that go
7 into some of these delays. And I know one issue that
8 was mentioned were city and state statutes.

9 Can you be more specific, what city and state
10 statutes might be serving as an impediment and
11 causing some of these delays?

12 DEPUTY COMMISSIONER BRADDICK: Thank you for your
13 question, because it is overarching, and again, to go
14 back to so much of what we said in our testimony, it
15 is a city... It is not a Parks Department process,
16 it's a city process. So, in general, the entire
17 process is governed by, on the procurement side, the
18 procurement policy board rules, that are written into
19 the City charter as well. And that guides the entire
20 -- how you procure and how you hire, uhm, contracts
21 as well.

22 But, there are all sorts of... I think probably
23 the best thing to do would be, I would be happy to
24 share with you, the laundry list of all the different
25

1
2 state and local laws that touch upon the city's
3 capital process. It is quite extensive. And we
4 would be happy to share that with you.

5 COUNCIL MEMBER MENIN: Okay, thank you.

6 Also, I was interested in knowing, for proposed
7 PEGs and expected vacancies, how will they affect
8 capital timeline?

9 COMMISSIONER DONOGHUE: Thank you for the
10 question, Council Member, and it is a good one.

11 We, like all city agencies, need to adhere to the
12 PEGs and the reductions. We anticipate that given
13 with the staff that we have today, we the way that we
14 have put our projects out for design, uhm, that we
15 will be able to continue to move things forward in an
16 active manner.

17 COUNCIL MEMBER MENIN: Okay. So, could you
18 provide those details to the committee, so that just
19 we are in the loop on that in terms of... (CROSS-
20 TALK)

21 COMMISSIONER DONOGHUE: Absolutely...

22 COUNCIL MEMBER MENIN: Thank you, that would be
23 very... (CROSS-TALK)

24 COMMISSIONER DONOGHUE: Absolutely...

25 COUNCIL MEMBER MENIN: helpful.

1 COMMISSIONER DONOGHUE: Yes.

2 COUNCIL MEMBER MENIN: Another big part of this is
3 obviously variables in costs. I mean, one of the
4 things that I was interested and just sort of shocked
5 to see, is just the incredible price differentials
6 between some of the... It is literally the exact
7 same equipment. So, for example in 2019, it was
8 found that a bike rack could range between \$1,500 in
9 Fordham Heights, to \$6,000 in Throgs Neck.

10 What accounts for these various differentials,
11 and what can be to address that?

12 DEPUTY COMMISSIONER BRADDICK: Thank you for your
13 question. It is very... It is a very good question.
14 It is also a complicated question. And I think those
15 variables and what you are referring to, is that when
16 a contractor bids on a particular project, that
17 contractor decides how he is going to split up those
18 costs. And so, when we receive that bid, we look at
19 it very carefully to see whether those costs are
20 appropriate or not appropriate. And it depends on
21 obviously where that contractor is sourcing the
22 material from. So, when we review that bid, we are
23 looking at that very, very carefully to see whether
24 or not, again, as I said, it is an appropriate cost
25

1
2 or not. And, if we think it is not appropriate, then
3 obviously, we are calling that contractor in to find
4 out why there is that big difference.

5 COUNCIL MEMBER MENIN: So, building upon that, and
6 I know The Chair asked a question about this. So,
7 when a contractor is not performing, and so it seems
8 to me like when you have situation where the
9 contractor is clearly overcharging for equipment that
10 could be precured at a much lower cost, what are the
11 ramifications of that?

12 DEPUTY COMMISSIONER BRADDICK: Again, on the...
13 When a contractor bids on a project, we are looking
14 at the total cost -- the total bid amount. And we
15 are, per the rules, required to hire the lowest
16 responsive and responsible bidder. But, when that
17 bid comes in, if feel that those bid prices are
18 inappropriate and are too high, then we can decide we
19 are not awarding that contract.

20 COUNCIL MEMBER MENIN: But you are... I did not
21 hear the rest of it. You are not?

22 DEPUTY COMMISSIONER BRADDICK: We can decide that
23 we are not going to award that contract... (CROSS-
24 TALK)

1
2 COUNCIL MEMBER MENIN: And you can you call back
3 any of the funds?

4 DEPUTY COMMISSIONER BRADDICK: Well if we just...
5 Yes, if we decided that we are not going to award the
6 contract, those funds remain in the budget.

7 COUNCIL MEMBER MENIN: Okay.

8 And, going further on this price differential --
9 and this is my last question -- so, public restrooms,
10 has been obviously something the council has been
11 pushing very, very hard for, again, there are
12 enormous price discrepancies. So, it can cost ,you
13 know, upwards of sometimes \$6 million to construct
14 one of these. Why is the cost so high in this
15 regard?

16 DEPUTY COMMISSIONER BRADDICK: Thank you for
17 asking the question. It is something that we are
18 constantly looking at. Our... The average cost of
19 our comfort station, I know this is shocking, but I
20 will say that it is about \$3.5 million. The \$6
21 million figure that you might be referring to, is
22 often times when we build a comfort station, it also
23 includes what is called The Maintenance And
24 Operations Facility at the same time. So, it not
25 just your standard bathroom with fixtures for men's'

1 and women's. It includes space for our Maintenance
2 and Operations folks to work out of. And so that is
3 the only time where a comfort station usually is
4 higher than that \$3.5 million.

5
6 COUNCIL MEMBER MENIN: But, even the \$3.5 million,
7 I mean, in the private sector, we ,you know, to build
8 a bathroom would obviously not be \$3.5 million...

9 (CROSS-TALK)

10 DEPUTY COMMISSIONER BRADDICK: We don't... We
11 do... (CROSS-TALK)

12 COUNCIL MEMBER MENIN: So, what... (CROSS-TALK)

13 DEPUTY COMMISSIONER BRADDICK: not disagree with
14 you at all that the cost of the comfort stations are
15 very high. We have worked really, really hard to
16 bring those costs down. We have standardized our
17 design, so it is the same design each time. We have
18 met with our contractors to figure out what those
19 high... what is causing those costs to be so high.
20 We have worked with The Office of Management Budget,
21 OMB, to actually do what is called a Value
22 Engineering Exercise for them to bring in a team of
23 experts to tell us how we can bring that cost down.
24 We have met with The Department of Design and
25 Construction who have more expertise with buildings

1
2 in some cases than we do, to decide whether or not we
3 can swap out certain materials also to bring those
4 costs down. We are working on putting in a couple of
5 prefabricated comfort stations as well around the
6 City, so that we can figure out whether or not that
7 will bring the cost down -- understanding that when
8 you do prefabricated buildings, usually it is the
9 volume in number that will keep that cost down.

10 So, we have tried a lot of different things to
11 try to bring that cost down.

12 COUNCIL MEMBER MENIN: At last question, is Parks
13 working with DDC to purchase in bulk? So, if you are
14 obviously erecting a number of these comfort stations
15 around the City, are you able to harness the
16 purchasing power to drive the costs and the timeline
17 down?

18 DEPUTY COMMISSIONER BRADDICK: Yes. As Committee
19 on Donoghue had just mentioned earlier, we are
20 working with DDC to bundle a few of our comfort
21 stations together and run them through the Design-
22 Build Program to see what those costs come out as.

23 COUNCIL MEMBER MENIN: Okay, great, thank you so
24 much.

1
2 COMMISSIONER DONOGHUE: And I just want to add,
3 Council Member Menin, to what Commissioner Braddick
4 said, a couple of things. Our capital team has been
5 very... has pushed really hard to look at
6 innovations, uh, prefabrication, ways that we can
7 drive costs of the comfort stations down. We are
8 very much aware of the need to do that. I just want
9 to add that we don't set the prices that are coming
10 in.... (CROSS-TALK)

11 COUNCIL MEMBER MENIN: right.

12 COMMISSIONER DONOGHUE: We... Unfortunately, we
13 have seen those prices increase. But that ,you know,
14 we set them, that is the contractors, that comes from
15 the bid. But, there is an awful lot that has been
16 done -- standardization, looking at prefabricated,
17 looking at ,you know, all types of innovative ways
18 that we can, uh, reduce those costs.

19 COUNCIL MEMBER MENIN: Okay, great, thank you very
20 much.

21 CHAIRPERSON KRISHNAN: Thank you so much, Council
22 Member Menin.

23 Uh, just a couple of last questions I had. One,
24 was, uhm, what role, if any, do individual
25 communities play in designing and having a say in the

1 overall look of a capital project that takes place in
2 a local park?

3
4 COMMISSIONER DONOGHUE: Thank you so much, Chair
5 Krishnan, for the question. It is something that is
6 really important to us in The Parks Department -- is
7 the public input in our design process. All of
8 our... Aside from anything that is infrastructure,
9 all of our projects do go through... We have a
10 community input session, uh, where we... And, they
11 are wonderful meetings where we actually had the
12 community tell us ,you know, we have this funding for
13 this project, what would you like to see here? And
14 we engage all ages, all people in the community to
15 help us in the design. It is something that is
16 really important to us to get that feedback. And
17 then that feedback that we receive directly informs
18 the design. When, uhm, when the Therese's team then
19 ,you know, starts the design process, they are
20 looking at, here is what came out... This is what
21 ranked really high to the community, and we look to
22 incorporate that. So, that public input process is
23 really important to us. And, then we also have a
24 process where we always go back to the community
25 board as well, to show them how the design has

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evolving and making sure that we are hitting the things that were important to the community.

CHAIRPERSON KRISHNAN: And I do appreciate that, having been a part, myself, of those public, uh...

(CROSS-TALK)

COMMISSIONER DONOGHUE: Yes, they are great...

CHAIRPERSON KRISHNAN: participation sessions both before being in the council and now in the council, too.

Just a couple more, uhm, ,you know, we spoke before about expanding the contractors that are participating in a given project by Parks. And, so one question I had was, is The Parks Department aware, for example, that there are only three approved, uhm, ground surfacing products, and all are owned by the same company, Mitchell Rubber? Is that correct? And if so, has The Parks Department given any thought to expanding the contractors in this vein?

DEPUTY COMMISSIONER BRADDICK: Thank you, uh, thank you for your question. You know, it is a tough one. You are talking about the safety surfacing that just about every park and every playground under the play equipment, under the swings and so forth, has it

1
2 for safety reasons. And The Parks Department values
3 safety. It is one of our ,you know, the most
4 important and kind of critical components when we put
5 together a capital project. And we are far... I
6 will just say that far and above our standards, uh,
7 they are met. They are called ASDM, The American
8 Society of Testing Materials. We have the highest
9 standards probably of any city in the country. And
10 you are referring... Again, I am referring to the
11 safety surfacing that is under there. There are only
12 a few manufactures who make that safety surfacing and
13 meet those requirements. And it is something we are
14 constantly looking at to increase that number. We
15 are also experimenting with different products to see
16 if they hold up as well.

17 The current safety surfacing that we use is
18 usually in tile format. It works very well for our
19 Maintenance and Operations folks, because it can be
20 easily swapped out. And, so there are some instances
21 where other municipalities use different products,
22 they are called poured-in-place safety surfacing, it
23 is very, very difficult to maintain, and it is very
24 difficult to replace when it starts to wear.

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So, we are, again, we are open to trying new products out whenever we can. But, yes, that is one of the areas where it is a smaller market than we would like to see.

CHAIRPERSON KRISHNAN: Mm-hmm.

I do hope that the department can give more thought to expanding that list, too, consistent with safety standards, but also ,you know, utilizing more contractors that could get to do the work as well.

Another question I had was, was The Parks Department... Would The Parks Department consider expanding its interpretation of The Procurement Policy Board rules for entities who have standing to submit a bid protests?

DEPUTY COMMISSIONER BRADDICK: We would have to go back. We cannot necessarily... The policy procurement... The Policy Procurement Board rules are something that are in effect across all city agencies. There is a not a lot of interpretation per se for that.

CHAIRPERSON KRISHNAN: Mm-hmm

DEPUTY COMMISSIONER BRADDICK: So, it is something where we would have to go back and check with The

1
2 Mayor's Office of Contracts and other folks to see if
3 that it even a possibility.

4 CHAIRPERSON KRISHNAN: I see, it is citywide.

5 And, finally, once capital projects are funded,
6 how does The Parks Department prioritize which
7 projects get implemented?

8 COMMISSIONER DONOGHUE: Thank you for the
9 question.

10 I think that the commissioner touched on that
11 earlier. First and foremost, we are looking at health
12 and safety. So, if there is a retaining wall that is
13 collapsing, if there is something in a park or a
14 playground that could be of danger, we are going to
15 look to address that first. And, then, the next is
16 criteria is looking -- at across the boroughs -- we
17 want to be equitable in terms of where our projects
18 are happening. So, it is safety, it's looking at
19 equity across the boroughs, uhm, and then anything
20 else?

21 DEPUTY COMMISSIONER BRADDICK: We also look to
22 make sure... To try to make sure that we have one in
23 every council district at the same time.

24 CHAIRPERSON KRISHNAN: Those are all of the
25 questions that we have. And, so I want to thank you,

1 uh, first and foremost for your work every day, and
2 look forward to... We all share the same goal,
3 clearly, of making our process more transparent, and
4 more efficient, and more effective. And, of course
5 expanding green space throughout our city, too,
6 especially for communities that lack it.

7 So, thank you all for your leadership in that
8 regard and for your work every day. And, thank you
9 for your testimony today. I look forward to our
10 continued work together, too. Thank you, all.

11 Now, we will call up our testimony from the
12 public.

13 And we will first have Adam Ganser from New
14 Yorkers for Parks, who I think is a virtual... We
15 have a mix of both virtual and in person witnesses,
16 so we will go back and forth.

17 But our first witness is Adam Ganser from New
18 Yorkers for Parks, who I believe is virtual.

19 ADAM GANSER: Hi, can you hear me?

20 (NO RESPONSE)

21 ADAM GANSER: Hello, can you hear me?

22 CHAIRPERSON KRISHNAN: Yes. Yes, we can hear you.

23 ADAM GANSER: Am I to turn on my video as well?

24 CHAIRPERSON KRISHNAN: Yes.
25

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2 ADAM GANSER: It will not let me do that. It says
3 the host has stopped it. There we go. Alright, I
4 think we are there.

5 I am Adam Ganser, I am the Executive Director of
6 New Yorkers for Parks. We lead the Play Fair
7 Collocation, which numbers more than 400 organization
8 all focused on resources and attention to our city's
9 parks and open spaces.

10 As you all know, for the past two years we have
11 been focused on getting one percent of the City
12 budget for Parks and getting the Mayor to deliver on
13 his promise during the campaign and since in office.

14 But we are here today to focus on the tangible
15 way that the City can save money -- the inefficient
16 and arcane way the City build is public assets. As
17 we know, the capital process is broken.

18 I want to acknowledge, as many others have, the
19 mayor's effort to make considerable changes and
20 improvements here through the task force, and I also
21 want to say directly to The Parks Department, we all
22 see the improvements that you have made over the
23 years, and we are very grateful for that.

24 Pre-considered bill 2417, would require The Parks
25 Department to create a strategic blueprint to reduce

1
2 the average duration of capital projects by at least
3 25 percent.

4 This bill does a little more than a task force
5 can -- it legislates change, and it is a first step,
6 I want to be clear about that, it is a first step.

7 We need the same legislation from the Council to
8 galvanize all of the city agencies and oversight
9 groups that are involved with our capital process.

10 The biggest issue we face is the procurement
11 process, which sits with red tape delays that extend,
12 as we all know, that are very frustrating -- reviews,
13 change orders, etcetera. And, many of these things
14 are outside of the agency's purview.

15 Research from the Center for an Urban Future says
16 that if all of the agencies that have some role in
17 the capital process were to commit to the same 25
18 percent reduction, the City would save over \$800
19 million in five years. That is a lot of money. We
20 talk a lot about how much money we don't have in this
21 city, this is a way to save money and bring more
22 resources to our parks. This is a type of
23 comprehensive reform that will save the City money,
24 get our public parks built more quickly and cheaply,

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2 and most importantly, ensures that all New Yorkers
3 have access to the desperately needed open spaces.

4 I will say that I am very sorry I am not there in
5 person, would have been the first time in many years,
6 and it looks like a very collaborative day at The
7 Council. Those are my comments.

8 CHAIRPERSON KRISHNAN: Thank you so much.

9 Now we will go to Lowell Barton for Laborers'
10 Local 1010... No, we will actually call up a panel,
11 too. So, we are also going to call up Eric Gibson
12 from DC 37.

13 LOWELL BARTON: Hi, My name is Lowell Barton, I am
14 a Vice President and Organizing Director for
15 Laborers' Local 1010. We represent the hardworking
16 men and women at work on our streets, roads, parks,
17 playgrounds, runways. If you walk on it, land on it,
18 or enjoy a day out in the park, we probably built it.

19 One of the things that we would like to point
20 that ,you know, not only are we a very diverse union,
21 but also our contractor base. We have over 70 MWB
22 contractors that bid on City work. And, what is
23 really nice about that, is a lot of those owners of
24 those companies started out as members. They learned
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1
2 how to do construction; they learned the business,
3 and now they bid on that work.

4 One of the things that was brought up earlier
5 about the Mitchell Rubber, our contractors are shut
6 out from that. You have a product that is owned by a
7 manufacture, it uses a single source installer. And
8 whoever bids on that job, that park, you could build
9 all the infrastructure in there; put in all
10 utilities; put in all the water mains; you could put
11 on all of the playground equipment; the concrete; the
12 asphalt, but none of those contractors are considered
13 "certified" in putting down a piece of rubber
14 underneath a swing set. And the cost of that rubber
15 is more per square foot than the concrete and the
16 asphalt and the sub-base underneath it.

17 And a lot of jobs are held up if those
18 contractors want to try to find an alternate or want
19 to do it themselves or just get it installed by that
20 contractor in a timely manner. That needs to change.

21 The benefits of Design-Build, it is great to see
22 that they're using them on these large projects --
23 recreational centers -- that's great, that's what a
24 lot of them do. But, the law was specific in New
25 York City from New York State to include jobs in

1 parks of \$1.3 million and above. And the jobs that
2 we are really concerned with as labor, are these
3 sidewalk repairs with toe trips. People all falling
4 and hurting themselves. The Comptroller's report in
5 fiscal 2020 was \$51 million in tort claims -- never
6 mind the injuries to of these people.
7

8 So, if it takes so long to fix a toe trip, this
9 is something that we need to fix faster. This does
10 not need to go through a design and a procurement
11 phase. It should be something similar like the City
12 has the Emergency Water Break Contract. The
13 watermain breaks, the contractor is already there.
14 Because they know it is going to endanger lives.

15 The same is here, it could be done faster; it
16 could cheaper. You don't need 30 contractors to bid
17 on these jobs, you need one responsible one -- two
18 responsible ones, and make sure that they are
19 compliant with the MWB subcontractor goals, and fix
20 the sidewalks so people stop getting hurt. It could
21 be done faster. I know it can.

22 That is about all I have to say. I am really
23 [TIMER CHIMES]... Yes, thank you.

24 CHAIRPERSON KRISHNAN: You can finish if you have
25 anything more. Are you done with your testimony?

1 LOWELL BARTON: I'm done.

2 CHAIRPERSON KRISHNAN: Alright, thank you, Lowell,
3 we appreciate it.
4

5 LOWELL BARTON: Thank you.

6 CHAIRPERSON KRISHNAN: Now we will have Eric
7 Gibson from DC 37, followed by Georgette Poe.

8 ERIC GIBSON: Yes, My name is Eric Gibson, and I
9 currently work for Forestry, and I am President of
10 Local 1506, DC 37 Department of Climbers and Pruners.

11 Funding and staff have been steadily declining
12 over the years. More parks have been built due to
13 donations and capital projects. This has created an
14 increase in the need for more safety and maintenance
15 with less manpower, equipment, and funding for our
16 workers.

17 Forestry is responsible for all tree related work
18 in New York City, but lately we have been forced to
19 work with half of our workforce and subpar equipment
20 due to the City going with the lowest bidder on
21 contracts.

22 When we get equipment, it breaks the same day we
23 get it. And, then it gets sent to be repaired, and
24 it takes longer to get it back.

1 Both Queens and Forestry have an average of 20
2 workers for their borough due to the high demands,
3 low pay, and mistreatment, yet the City finds
4 adequate funds for private contracts who have a
5 minimum worker requirement of five, while Forestry
6 has three for a higher workload.

7 Contractors get to post [INAUDIBLE] cars to away
8 signs on whole blocks for their jobs, while Forestry
9 must go during parking regulations and hope that they
10 can persuade people into moving.

11 Those crews are supposed to remove the tree,
12 watch out for traffic, watch out for public safety,
13 and clean up the debris all at the same time. We
14 have three -- they have five.

15 There are times Forestry must complete a job that
16 contractors left incomplete but still got paid for.
17 Recently, the City had a contract with Dragonetti for
18 block pruning. The contract was suspended due to
19 insurance fraud; however, given back because pruning
20 needed to be done.

21 During storms, the Police, Fire, Sanitation, and
22 other agencies are publicly acknowledged for tree
23 cleanup. Forestry fits in as "other" agency.
24 Police, Fire, and Sanitation are very helpful;
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2 however, they request Forestry when trees fall on
3 homes, cars, etcetera, because we carry the skills to
4 complete the job.

5 The City requires Con Edison to create a certain
6 clearance from the powerlines, then it is up to
7 Forestry to finish the job. Con Edison tree workers
8 get paid more, because they are line clearance
9 certified, while Forestry is [INAUDIBLE] of line
10 clearance. Both groups must follow the same safety
11 codes, training, and work in the same type of
12 environment, but Forestry gets paid less than them.
13 There is barely a difference in how close either
14 group can get near the power lines. The only
15 difference is that the power company must certify
16 you.

17 For certified line clearance workers to get paid
18 more than us for incomplete jobs is a slap in the
19 face.

20 Forestry needs more funding for combat our high
21 turnover rate and lack of equipment. Our workload
22 had only increased with more trees being planted and
23 climate change producing more natural disasters.

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The City is always crying "broke" yet finds funding for costly agency and private contractors while cutting City jobs.

I look at this situation as owning a home. It costs the homeowner less to complete the job -- in house -- instead of paying someone else to do it. Why not let the homeowners that are the City workers fix the house of New York City.

CHAIRPERSON KRISHNAN: Thank you so much.

Now we will have Georgette Poe followed by, there is one more DC 37 member who is virtual, Daniel Clay.

GEORGETTE POE: Good afternoon, Parks, Council, My name is Georgette Poe, I am a longtime NYCHA resident of the Fort Greene Neighborhood. I am here because I grew up, like many other children, and I wanted to share with you... with many other children, we enjoy playing in the park enjoyed playing in the park. The attraction was the major trees -- the beautiful trees, the flowers, and the grass. We enjoyed it all. And, I just wanted to express to you my concern as a NYCHA resident that the fact that The Parks Department wants to tear down 58 of those majestic trees in order to build a 13,000 concrete plaza. That is not conducive to the neighborhood.

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2 It does not benefit our neighborhood. Fort Greene
3 Park is the center meeting place for birthdays,
4 barbeques, weddings, meetings, etcetera. Not only
5 that, because of that possible 13,000 square foot
6 concrete plaza that is intended to come into this
7 park, that will not benefit the many small businesses
8 around our community. The vendors who are supposed
9 to be coming in, we do not need them. We do not need
10 additional vendors, because of those restaurants and
11 stores within the Fort Greene Area. You will be
12 taking away from the fabric of the park if you do
13 that.

14 I ask that you just consider the beauty and not
15 bring in a concrete plaza, thank you.

16 CHAIRPERSON KRISHNAN: Thank you so much, Miss
17 Poe.

18 Now we will have Daniel Clay testifying
19 virtually.

20 DANIEL CLAY: Hi there, everybody. Good
21 afternoon, My name is Daniel Clay, I am a Gardner in
22 Parks and President of Local 1507. And I would just
23 like to firstly thank The City Council, especially
24 you, Shekar, New Yorkers for Parks, DC 37, and Parks
25 Administration, and the other agencies and

1 administrations as well. Not only that, but
2 everybody testifying as well, to everybody concerned,
3 this is so important. Thank you so much to everybody
4 for... You know how important this is.

5
6 What I would like to let everybody know is that
7 anything that can be made more efficient sure would
8 be appreciated. And in hopes of offsetting the
9 inability of so many of us boots on the ground, to
10 get from A to B, and get work done. And, I will keep
11 my fingers crossed. So, thank you, guys, and that
12 will be all I need to say, thank you.

13 CHAIRPERSON KRISHNAN: Thank you for your
14 testimony.

15 Now our next panel will be Lynn Kelley, Valerie
16 Francis, and Heather Lubov.

17 CORY HASSON: Thank you, Council Member. I am
18 Cory Hasson, I am going to be testifying on behalf of
19 Lynn today.

20 Good afternoon, thank you for the opportunity to
21 provide testimony this afternoon, Chair Krishnan, My
22 name is Lynn Kelly, and I am the Executive Director
23 at the New York Restoration Project.

24 Improving the efficiency of the Parks Capital
25 Projects is a topic I have testified on multiple

1 times during my career in Parks and Open Space.

2 Simply put, the City's capital process is broken.

3 NYRP programs and cares for 52 community gardens and

4 stewards 80 acres of city owned parkland at Sherman

5 Creek Park and Highbridge Park. We are New York

6 City's only citywide conservancy. We have

7 experienced firsthand the fundamental problems with

8 the City's capital process. These issues are not

9 unique to The Parks Department. In fact, there are

10 systemwide inefficiencies across agencies, including

11 The City Law Department and The Office Management and

12 Budget -- just to name a few.

13 Under the current process, Parks projects often

14 take exponentially longer to complete and cost more

15 than they should, which disproportionately affects

16 our most vulnerable neighborhoods. Delays by

17 [INAUDIBLE] agencies and other... other than Parks,

18 often adds thousands of dollars and months of time to

19 the capital process.

20 We urge the City to reform the procurement

21 process, so we can build green space faster and

22 cheaper. Equitable access to quality green space for

23 New Yorkers depends on it.

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1 Based on our experience, we recommend the
2 following changes:
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4 Mayor Adams, alongside with City Council, should
5 call on agencies with an oversight role in the
6 capital process to deliver a strategic blueprint to
7 reduce project durations.

8 Mayor Adams should appoint and empower a new
9 Deputy Mayor for Infrastructure to oversee production
10 of said blueprint, lead the capital reforms, and
11 manage implementation of these with city agencies and
12 other mayoral offices.

13 And, lastly, improve the Parks Capital Tracker so
14 that it is more accessible and a useful tool for The
15 Parks Department. This can help alleviate delays,
16 curb costs, and provide further transparency for the
17 public.

18 While these hearings and proposed legislation are
19 a step in the right direction, ultimately the New
20 York City Parks system has been woefully and
21 inadequately underfunded for 40 years. The mayor can
22 address that now by delivering on his promise to
23 dedicate 1% of the budget to New York City Parks.
24 Long term investment in open and accessible green
25

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2 space is the biggest weapon in our arsenal to combat
3 environmental injustice in our communities.

4 We urge our partners in city government to fix
5 the capital process and prioritize 1% for Parks in
6 the upcoming budget. Thank you very much.

7 CHAIRPERSON KRISHNAN: Thank you for your
8 testimony.

9 Now we have Valerie Francis and then Heather
10 Lubov.

11 VALERIE FRANCIS: [BACKGROUND NOISE] Hi, I don't
12 see my video, can you see me?

13 CHAIRPERSON KRISHNAN: We can hear you.

14 VALERIE FRANCIS: Okay, I actually have worked for
15 The Parks Department since 1987. I have lived next
16 to Fort Greene Park. I am like the third generation
17 that lives next to Fort Greene Park in the co-op. I
18 have been part of numerous phases of redesign, and as
19 an arborist and ecologist, I know that there... When
20 people say they are going to move trees during
21 construction, you still lose more when the roots are
22 impacted within five years. So, the count of trees
23 they are say are going to be moved, is going to be...
24 actually, wind up being multifold. And, uh, if you
25 think of a canopy that I know our head of the Parks

1 and The City Council Committee understand the value
2 of canopy, that you need to look at a number of
3 things when you are moving trees from a park, you
4 need to see how much downtown Brooklyn has developed.
5 We have lost [INAUDIBLE] trees in NYCHA reducing
6 trees [INAUDIBLE] due to a disease [INAUDIBLE] an ash
7 [INAUDIBLE], and some of those trees [INAUDIBLE] in
8 the park, and that is not put into the count
9 [BACKGROUND NOISE] or the impact on the air quality
10 from being next to the BQE, the Brooklyn Bridge, the
11 Manhattan Bridge.

12 So, we really do want the paths in the park
13 fixed. I am part of the Friends of Fort Greene Park.
14 We see that value. We really want to have it
15 handicapped accessible. That can be done with
16 limited revision to an entrance of the park that was
17 already there. And, then we still have the trees
18 that [INAUDIBLE] shade. And the noise has just
19 picked up in that park since NYU has taken up
20 downtown Brooklyn. [BACKGROUND NOISE] So, we would
21 like a comprehensive, transparent process to how our
22 design process and that public input takes place,
23 because we had to sue The Parks Department in order
24 to see the records that were... And were redacted
25

1 when the records about the plan was... And the input
2 of the designers was presented to us. They
3 [INAUDIBLE] misrepresented my block across the street
4 and said we were part commercial. So, we should not
5 have to do a lawsuit with the Sierra Club assistance
6 in order to do that. It seems that Parks needs to
7 have something a Civilian Complaint Review Board, so
8 that people do not have to commit that much time to
9 have transparency. So, I hope that improves under
10 the new commissioner, Sue Donoghue, but it should not
11 change every four years when we have a new mayor.
12 Thank you.

13 CHAIRPERSON KRISHNAN: Thank you.

14 Uh, now, Heather Lubov?

15 HEATHER LUBOV: Good afternoon, Chair Krishnan , I
16 am I am Heather Lubov, I am the Executive Director of
17 City Parks Foundation; we are nonprofit organization
18 that offers free programming in more than 300 parks
19 all around the City using sports, arts, environmental
20 education, and community building programs bring and
21 encourage New Yorkers to use their parks and enjoy
22 their neighborhood green spaces.

23 We are also the co-manager of the public-private
24 Partnerships for Parks, our staff provides tools and
25

1 training to help communities advocate for their local
2 interests during the design and renovation processes.
3 Based on our experience with either our own City-
4 funded capital projects, or through our support of
5 neighborhood residents, we have always found the NYC
6 Parks capital staff with whom we work to be
7 incredibly dedicated, doing everything they can to
8 help keep capital projects moving. However, the
9 agency is seriously underfunded and understaffed,
10 even now as it embarks upon many new renovations. We
11 implore the Mayor to start addressing these issues by
12 dedicating at least 1% of the City's budget to The
13 Parks Department. Decades of deferred maintenance,
14 along with a continued lack of full funding to
15 support new projects, or to address regular
16 maintenance on newly renovated spaces, has and will
17 continue to lead to significant infrastructure
18 challenges and failures throughout our parks system.

19 While Bill T2022-2417 requires the agency to
20 develop a blueprint to reduce capital delays by 25
21 percent, the City's overall capital, procurement, and
22 construction processes remain deeply flawed and fixes
23 are beyond a single agency's control.
24

1 As the Parks Department continues to make
2
3 improvements to its capital process, I would ask
4 Mayor Adams and the City Council to hold all involved
5 agencies accountable for improvements to the process
6 and for completing capital projects more quickly and
7 efficiently.

8 We also support Intro 680, which would require
9 the assessment of dead-end streets to gauge the
10 feasibility of converting those spaces into
11 microparks.

12 We are the administrator of the New York City
13 Green Relief and Recovery fund, which developed
14 during the pandemic. As part of that fund, we have
15 made several grant awards to nonprofits that are
16 looking to identify open space. But, the private
17 sector cannot handle the magnitude of space that is
18 needed; this is really a public sector
19 responsibility.

20 Also, as a programmer in hundreds of our City's
21 public spaces, we know how important they are to each
22 community. We strongly believe that our dense city
23 needs more open spaces, and that vacant space is very
24 hard to find. So, we encourage whatever creative use
25 can be put to dead-end streets, uh, and the

1
2 development of other strategies to open up
3 underutilized spaces.

4 Finally, we support Intro 174 which would add
5 more detailed information onto the capital tracker.
6 We and the hundreds of stewardship partners who rely
7 on that tracker to plan public programs and free
8 events in neighborhood parks, often find that the
9 delays and scope changes are not in that tracker. We
10 have had numerous experiences where we or our
11 partners have had to postpone events or [TIMER
12 CHIMES] or move events due to capital work that has
13 been delayed.

14 Thank you for the opportunity to testify; we
15 appreciate your efforts to build momentum for these
16 important issues.

17 CHAIRPERSON KRISHNAN: Thank you so much, Heather,
18 and thank you for the great work that the City Parks
19 Foundation does every day for all of our communities.

20 HEATHER LUBOV: Thank you.

21 CHAIRPERSON KRISHNAN: Next we will call up in
22 person, Alia Soomro, from New York League of
23 Conservation Voters, and then we will have two
24 virtual. You may begin.

1
2 ALIA SOOMRO: Good afternoon, my name is Alia
3 Soomro, and I am the Deputy Director for New York
4 City Policy at the New York League of Conservation
5 Voters (NYLCV). Thank you, Chair Krishnan and members
6 of the Committee on Parks and Recreation, for the
7 opportunity to testify.

8 NYLCV supports the Parks Committee bills being
9 considered today. The Preconsidered would require the
10 NYC Department of Parks and Recreation to develop a
11 strategic blueprint to reduce its capital project
12 durations by at least 25 percent.

13 Introduction 174 requires Department of Parks and
14 Recreation to expand its web based capital projects
15 tracker to include more detailed information
16 regarding its capital projects.

17 Lastly, Intro 680 calls on the NYC Department of
18 Transportation, along with the NYC Department of
19 Environmental Protection and Department of Parks and
20 Recreation, to explore the feasibility of micro parks
21 and green spaces on vacant city-owned land near dead
22 ends and highway entrance and exit ramps.

23 These bills would prioritize transparency,
24 improve park capital projects, center equity by
25

1
2 mitigating the impacts of transportation pollution,
3 and increase tree coverage throughout the City.

4 Our advocacy through the Play Fair Campaign,
5 which calls on the City to invest 1% of the City's
6 budget to parks, has exemplified the importance of
7 parks and open space to the health, resiliency, and
8 sustainability of our City. As the coalition
9 continues to advocate for increased investments in
10 parks, the Preconsidered bill and Intro 174 would
11 contribute to the City's efforts to improve the parks
12 capital process. Requiring a strategic blueprint and
13 expanding The Department of Parks and Recreation
14 web based capital projects tracker will give the City
15 a better sense of what improvements must be made to
16 effectively invest in our parks.

17 Additionally, urban forests contribute to the
18 City's environmental health and mitigate the effects
19 of climate change. Trees filter out harsh pollutants
20 from the air, cool down temperatures in the summer.

21 As members of the Forest for All NYC Coalition,
22 NYLCV believes that Intro 680 can help achieve the
23 Coalition's goal of expanding the urban forest and
24 combating climate change by encouraging the City to
25 study the use of microparks.

1
2 Every year we see the worsening effects of
3 climate change; however, due to historic
4 disinvestment in low income and communities of color,
5 not all communities experience climate change
6 equally. Just as environmental justice communities
7 suffer from higher rates of air pollution and adverse
8 health problems, they also lack access to green
9 spaces.

10 COVID-19 has only exacerbated these disparities.
11 New Yorkers without access to adequate green space
12 over the past few years have not had the safe outdoor
13 recreational spaces that made the pandemic bearable
14 for so many of us.

15 Right now, we need our parks more than ever. By
16 supporting these bills, the City can continue to
17 improve the parks capital process and expand access
18 to green spaces.

19 Thank you for the opportunity to speak.

20 CHAIRPERSON KRISHNAN: Thank you.

21 Now, we will call up a virtual panel. We have
22 Luke Szabados followed by Juan Restrepo.

23 Is Luke... Do we have Luke?

24 Okay, let us move on to Juan Restrepo.
25

1 JUAN RESTREPO: Thank you very much. Can you hear
2
3 me?

4 CHAIRPERSON KRISHNAN: Yes.

5 JUAN RESTREPO: Great, good afternoon, and, thank
6 you to Chair Krishnan and the Council Members here
7 today. My name is Juan Restrepo, Senior Organizer at
8 Transportation Alternatives (TA).

9 We are here today in support of Intro 680, a bill
10 that would require DOT, DEP and Parks to identify
11 locations to establish micro parks, bioswales, and
12 other green spaces on vacant city-owned land -- that
13 is the highway and ramps.

14 Transportation Alternatives is proud to support
15 this legislation to expand access to tree coverage
16 and bioswales, particularly in areas that have been
17 marred by environmentally devastating and car-centric
18 infrastructure nearby highways.

19 As an organization committed to fighting for a
20 more livable, accessible, and transit oriented city,
21 we know how important green space and environmental
22 health is to our communities. In October,
23 Transportation Alternatives, shorthand for
24 [INAUDIBLE] Transportation Alternatives, launched a
25 new website called SpatialEquity.NYC in partnership

1
2 with MIT, connecting open public data around
3 transportation access and safe streets with
4 intersecting indicators of environmental and public
5 health.

6 Our Spatial Equity Report Card found that New
7 York City Council districts with fewer trees are
8 hotter, more polluted, more flood-prone, and have
9 higher rates of heat-related mortality.

10 Trees remove pollution from the air, lower the
11 air temperature, increase ground permeability,
12 mitigate flooding, and help keep stormwater runoff
13 and street pollution out of waterways - yet in New
14 York City, neighborhoods with the least tree canopy
15 coverage are more likely to be in lower-income
16 communities of color. In Council districts where the
17 majority of residents are Black, tree canopy cover is
18 15 percent lower than the citywide average; access to
19 parks is 11 percent lower; and adult asthma rates are
20 11 percent higher. We are failing New Yorkers by not
21 investing equitably in parks and greenspace.

22 Public space can be used to uplift our
23 neighborhoods - such as through parkland to boost
24 mental and physical health, public benches to provide
25 mobility ease for older residents, and trees to shade

1
2 and clean the air. Research has shown that the most
3 important factor for improving mental and physical
4 health benefits is proximity to green spaces, not the
5 size of parks. According to research, such benefits
6 drop off drastically beyond 600 feet. If implemented
7 equitably, this bill has the potential to
8 significantly increase the percentage of New Yorkers
9 gaining such benefits. But public space can also be
10 used in ways that are devastating -- such as a
11 highway that divides communities, and exacerbates
12 flooding, excess heat, and air pollutants, and
13 burdens residents with lifelong illness and the
14 threat of traffic violence.

15 Intro 680 offers an immediate solution to turn
16 public space into a resiliency tool by improving the
17 permeability of city streets.

18 When storms like Hurricane Ida dump inches of
19 rain on asphalt, drains back up and there is nowhere
20 for the water to be absorbed. At present, 72 percent
21 of New York City's land area is impervious to water,
22 [TIMER CHIMES] making flash flooding more common and
23 dangerous and overwhelming... (CROSS-TALK)

24 SERGEANT AT ARMS: Time expired.
25

2 JUAN RESTREPO: Okay, thank you, everyone...

3 (CROSS-TALK)

4 CHAIRPERSON KRISHNAN: You can finish. That is
5 alright, Juan, you can finish.

6 JUAN RESTREPO: I have got ,like, a minute more,
7 if that's okay.

8 CHAIRPERSON HOLDEN: Sure.

9 JUAN RESTREPO: Okay.

10 But, when rain hits greenspaces such as
11 parks, gardens, and bioswales, the water can be
12 managed without catastrophic flooding.

13 This is a transportation issue. Last year we saw
14 heavy rains shut down our subway stations, flood
15 buses stuck in the street, and put delivery workers'
16 lives at risk. We need better flood mitigation to
17 have a working public transit and infrastructure
18 system.

19 Extreme weather is not going away. Already this
20 year, we have seen subways flood from less rain than
21 Ida brought. New York City must adapt our streets to
22 protect our neighbors, our transit system, and our
23 neighborhoods from the dangers flash flooding
24 creates.

25

1
2 Not only is this bill good policy, but it is also
3 good politics too. In a recent Siena College poll of
4 New York City voters, an overwhelming majority were
5 willing to trade parking for more trees and greenery.
6 When asked if they would support such an initiative,
7 83 percent of all voters supported it. This included
8 an overwhelming majority in every borough. Support
9 was especially high among Latino voters at 87
10 percent, and even voters who own a car supported the
11 proposal at 80 percent.

12 We recommend this bill also include the
13 assessment of parking spots on city owned land
14 for bioswales and new tree plantings.

15 By transforming impervious driving lanes into
16 green climate solutions, we can provide New Yorkers
17 with more parks and ample tree canopies that reduce
18 excess heat, clean the air, and expand flood-
19 resilient land and build plazas that make whole
20 neighborhoods more accessible for people walking and
21 riding the bus.

22 Thank you, everyone. Thank you for your patience
23 at the end there.

24 CHAIRPERSON KRISHNAN: Thank you so much.
25

1
2 Next we have Ling Hsu, who is testifying in
3 person.

4 LING HSU: Good afternoon, Chair Krishnan. My
5 name is Ling Hsu, I am the president of Friends of
6 Friends of Fort Greene Park. We are a separate
7 community group the Fort Greene Park Conversancy.

8 In 2016, local newspapers said that former Parks
9 Commissioner Mitchell Silver, will turn "turn
10 hardscapes into greenescapes" in Fort Greene Park.

11 One year later, Mr. Silver decided to turn the
12 most shaded corner of the park into a concrete plaza.
13 The design would remove 58 mature trees and pave over
14 13,000 square feet of greenery across the street from
15 NYCHA Housing.

16 The agency told us that the 58 trees are all
17 dying, a statement they gave in all their community
18 outreach, as well as the votes at Brooklyn CB2 and
19 LPC. However, an official tree inventory released by
20 FOIL indicates that most of the trees are healthy but
21 will be removed for the plaza design -- 520
22 replacement saplings are needed to make up for the
23 loss of healthy trees. The restitution of the tree
24 removal would cost over \$800,000.

1 The Parks Department also redacted one-third of a
2 study on Fort Greene Park in its response to our FOIL
3 request. We had no choice but to sue the agency for
4 transparency. Attorney Michael Gruen won the lawsuit
5 and an appeal to gain access to the unredacted
6 report. The recommendations in the study are
7 consistent with our community counterproposal. Both
8 wish to maintain tree canopy and greenery in any
9 redesign and will also lower the cost and reduce
10 construction time.

12 The City didn't follow the architect's
13 recommendations and then tried to hide those
14 recommendations from the public.

15 The Sierra Club and attorney Richard Lippes
16 helped us win a second lawsuit on the agency's
17 failure to provide an environmental impact statement.

18 After six years of the community effort to save
19 trees, we are dismayed to learn that the agency is
20 still working to carry out the same plan. We are
21 hopeful that The Parks Department will modify their
22 Fort Greene Park redesign based on its own studies
23 and the community counter proposal.

24 Thank you very much.

25 CHAIRPERSON KRISHNAN: Thank you.

1 Next we have Benjamin Bashein.

2 BENJAMIN BASHEIN: Good afternoon and thank you
3 for the opportunity to testify. My name is Benjamin
4 Bashein, I am the Executive Director of Tony Hawks'
5 Foundation, The Skatepark Project.
6

7 For the past twenty years, The Skatepark Project
8 has worked with thousands of municipalities all
9 across the country to develop low-cost, high impact
10 action sports recreation facilities. Since our
11 inception, we have focused our efforts on supporting
12 BIPOC, low-income and otherwise underserved
13 communities through the capital improvement process.
14 The resulting skate spaces are cost effective
15 community assets that attract and support a diverse
16 user base for decades with almost no maintenance.

17 Skatepark usage directly influences health
18 outcomes of a community and advances health equity.
19 Research from the University of Southern California
20 demonstrates conclusively that skateboarding improves
21 mental health, encourages resilience and creativity,
22 and facilitates a sense of community.

23 In addition, skaters of color reported feeling a
24 greater degree of safety from judgment within the
25 skateboarding community than in nonskate contexts.

1 Data from Cal State University shows that
2
3 skatepark users get their CDC recommended daily
4 cardiovascular activity as well.

5 Not only do action sports provide inspiration for
6 youth and adults to be habitually active, but they
7 have a low barrier to entry. Not everyone can afford
8 league fees, expensive equipment or sporting
9 schedules. Action sports like skateboarding, BMX
10 riding, scootering, wheel-chair motocross, inline and
11 quad skating provide an inexpensive, independent but
12 largely communal sporting experience. Skateboarding
13 is the third least expensive sport and the third most
14 commonly reported interest for high school students
15 according to The Aspen Institute.

16 With our breadth of experience, we find ourselves
17 championing a new, broader definition of an effective
18 skatepark. The New York Parks Department has done a
19 great job of accepting and implementing skateparks;
20 it is ahead of the curve in this regard; however, it
21 has yet to meet demand, which is exceptional in this
22 city. In a region where space is at its highest
23 premium, converting underutilized and micro-sites
24 into green space is one part of an excellent
25 solution. Activating these areas with legal space for

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wholesome communal athletic activity allows for the greatest potential of these micro-parks and the safety of their users.

Skateparks as small as 500 square feet can be an incredible asset to the local community. The Skatepark Project has identified and supported many examples of ultra-low cost, high impact micro-site and reutilization projects from Waller Street Park in San Francisco to Trinity Park in Providence, Rhode Island. We are working with Brooklyn Bridge Manhattan on the revitalization of the world-famous Brooklyn Banks sites as we speak. All of these public-private partnerships apply best practices in capital planning while taking a creative approach to space utilization.

The Skatepark Project stands ready to partner with the New York City Parks Department to apply this lens, our experience, and funding support toward a citywide approach to accessible, healthy recreation options for New York Cit's action sports community.

[TIMER CHIMES] Thank you for the opportunity to speak.

CHAIRPERSON KRISHNAN: Thank you.

Next we have Rosa Chang.

1
2 ROSA CHANG: Hello, I am Rosa Chang, Co-founder of
3 Brooklyn Bridge Manhattan, which is a grassroots
4 community-led, nonprofit working to build a new 9
5 acre park on the forgotten lands underneath the
6 Manhattan side of our Landmark Brooklyn Bridge.

7 I am here to speak in support of the new local
8 law requiring surveys of vacant public land abutting
9 highway entrances and ramps for plantings.

10 Step outside this building and walk east one
11 block, and you will see no less than 16 onramps and
12 offramps connecting our local roads to the Brooklyn
13 Bridge and FDR Drive. As you may imagine, all of
14 those ramps result in a lot of leftover publicly
15 owned land that is inaccessible, unusable, or just
16 plain tiny and weird shaped. And, yet, those
17 leftover bits represent extraordinarily valuable land
18 that should contribute to our community safety,
19 health, and well-being. Planted as bioswales or
20 green space, they will provide stormwater retention,
21 rain and air filtration, cleaning the very pollution
22 that is generated from the roads that surround them.

23 We are currently spending billions downtown on
24 resiliency projects at our water's edge. The US Army
25 Corp of Engineers released their HAT study just this

1 fall and had \$52 billion allocated to protecting our
2 water's edge. But these multibillion dollar projects
3 cannot and will not prevent extreme weather flooding
4 due to rainfall events like Hurricane Ida. We need
5 bioswales. Yet, in Lower Manhattan, our sidewalks
6 are narrow, our streets are super congested, and
7 below them are ribbons of infrastructure crammed and
8 layered upon itself.

10 Most of these leftover bits of offramps and
11 onramps happen to lie in areas of environmental
12 injustice, because that is where large scale
13 infrastructure projects have historically been built.
14 This bill would simultaneously address the dead
15 spaces that surround our low-income, BIPOC
16 communities.

17 I understand these challenges and opportunities,
18 because Brooklyn Bridge Manhattan is a BIPOC, income
19 diverse community project that is in an environmental
20 justice area, and a TRIE neighborhood. We know both
21 the cost of the existing condition and the enormous
22 potential of this solution.

23 Thank you very much for your time and your work
24 on this essential initiative.

1
2 CHAIRPERSON KRISHNAN: Thank you so much. Thanks
3 for your testimony.

4 Next we have Eli Dvorkin, Center for an Urban
5 Future.

6 ELI DVORKIN: Good afternoon, my name is Eli
7 Dvorkin, and I am the Editorial and Policy Director
8 at The Center for an Urban Future. We are an
9 independent research organization focused on building
10 a stronger and more equitable New York City. Thank
11 you, Chair, for the opportunity to testify today.

12 I would like to begin actually by commending you,
13 Chair Krishnan and the committee, for taking on this
14 incredibly important, but deeply unsexy issue.
15 Progress can only happen when leaders... (CROSS-
16 TALK)

17 CHAIRPERSON KRISHNAN: We will work on that.

18 ELI DVORKIN: (LAUGHS) believe... Well, I've done
19 my part, too, but we are getting there.

20 But, I think ,you know, change is only possible
21 when leaders... Or, progress is only possible when
22 leaders believe that change is possible. And I think
23 that this hearing is a real testament to that fact.

24 In era defined by a catastrophic public health
25 crisis, a seismic shift to remote and hybrid work,

1 and the growing threat of climate change, parks have
2 become New York's most vital social, economic, and
3 ecological infrastructure. But this infrastructure
4 faces enormous challenges. Our own research has
5 shown that the average New York City park is now over
6 73 years old. And decades of underinvestment and
7 maintenance has contributed to an estimated backlog
8 of more than \$6 billion dollars in capital needs --
9 and surging using combined with the effects of
10 climate change, will drive that figure even higher.

12 The problem is that New York's calcified and
13 inefficient system for building and repairing
14 critical public assets is preventing the City's
15 limited capital dollars for social infrastructure
16 from stretching nearly far enough. As a result, a
17 modest new bathroom at Fox Playground in the Bronx,
18 will cost more than \$3.5 million to complete. A new
19 ground up public library, such as the one in Rego
20 Park, will cost more than \$2,000 per square foot --
21 that is roughly four times the cost of a new Class A
22 office building in New York City.

23 In recent years, The Parks Department has
24 implemented several promising timesaving measures,
25 shaving off weeks and some cases months,

1
2 standardizing designs and minimizing changes in the
3 construction phase, and more of their projects are
4 meeting these benchmarks. But building on this
5 momentum will require a major new effort to
6 streamline and improve the planning, design,
7 procurement, and construction phases that effect all
8 capital projects across New York City.

9 And to be clear, this is not simply a Parks
10 Department problem. Projects end up mired in
11 scoping, approvals and change order labyrinth that
12 includes not just the capital agency, but elected
13 officials and community groups and oversight
14 agencies, in particular The Office of Management and
15 Budget, The Comptroller's Office, The Procurement
16 Policy Board, and many, many more.

17 Fortunately, the City's main capital management
18 agency, The Department of Design and Construction,
19 has laid out a blueprint for capital project delivery
20 improvements that demonstrates that progress is
21 possible, shaving eight months from the typical
22 project, just since 2019, and setting a new goal of
23 reducing the average project timeline by 14 months --
24 or 28 percent. This makes The Council's proposed
25 legislation doable in my mind. Every agency and

1 office with a capital portfolio or oversight role
2 should launch a capital project delivery blueprint of
3 its own -- with the goal of achieving similar savings
4 systemwide. The City Council can pass legislation
5 mandating just that.

6
7 And, in addition, The City Council should
8 champion the swift and complete implementation of the
9 draft [TIMER CHIMES] recommendations from Mayor
10 Adams' Capital Process Reform Task Force. These 18
11 concrete achievable recommendations, if implemented,
12 will drive significant additional time and costs
13 savings across agencies and oversight agencies --
14 including at The Parks Department -- and should be a
15 top priority for the year ahead.

16 For more of our work check out NYCfuture.Org, and
17 thank you so much for the opportunity to testify
18 today.

19 CHAIRPERSON KRISHNAN: Thank you for your
20 testimony, Eli.

21 Next we have Corey Ortega.

22 COREY ORTEGA: Alright, let's start the clock.

23 Hello, My name is Corey Ortega, I am the Senior
24 Director of Government Affairs for HZQ Consulting,
25 and I am also the former Executive Director for the

1
2 New York City Council's Black, Latino, and Asian
3 Caucus.

4 I am going to read off my notes now. So, my
5 testimony, my statement, is in support of Intro 174,
6 reporting on parks capital expenditures, and in
7 support of the pre-consideration to reduce The Parks
8 Department capital project duration by at least 25
9 percent.

10 I am going to give you two bullet points, and
11 then I am really going to harp on the third.

12 For me, I am a person of color, I am Dominican
13 American, my parents immigrated from Dominican
14 Republic; I live in Harlem in a low-income
15 neighborhood. I can tell you for certain my
16 experiences in the New York City parks weren't
17 peachy. It wasn't Disneyland for me. And back when
18 I was -- I am 39 now -- but, when I was a kid, they
19 had just opened the Riverbank State Park. And I will
20 tell you for anyone that lived in Harlem, that was
21 the epitome of going to play basketball and whatever
22 sports I did when I was younger. So, that is why I
23 am testifying. That why I am giving my comments.

24 To me, this is a rebalancing of iniquities in
25 low-income communities of color, who look like me,

1
2 maybe not such a nice beard, and not such a hefty
3 size, but they look like me and the people who are in
4 this room with me in this, uh, chamber with me.

5 The second, efficiency is key in any program --
6 in any project. I do this for my clients. I manage
7 their projects from soup to nuts. And the private
8 sector and the public sector should not be that
9 different in giving reports, updates -- where are
10 with things? So, I support this wholeheartedly,
11 because in the private sector, this is the... the
12 foundation. What is the update on the projects? You
13 know, what are our goals? What's our timeline? Why
14 are not meeting these expectations? How can we be
15 more efficient in our execution?

16 Now, here is the good part, and I have 50 seconds
17 for it: Advocacy campaign, right? Now I want to
18 talk about... I have been through these hearings a
19 lot -- what are the next steps? Right? The next
20 steps are, once we wrap up this hearing, everyone in
21 this room, and everyone is going to listen to this
22 video, wherever that camera is, make sure to call
23 your council member. Not just the chair, he's on
24 board, it's his bill, every other council member who
25 represents you. Call them. Email. Whatever floats

1 your boat. Just say, "Hey, are you supporting this?"
2 It is a very pointed question. And, then, make sure
3 the next time we have a hearing or a press conference
4 that this room is full. So, that the cameras --
5 usually they set up over here or over there -- show.
6 You have to create a demand. Yes, the demand, the
7 squeaky wheel gets the oil. You have to make this a
8 priority for the council members [TIMER CHIMES] so it
9 could be your priority.
10

11 Thank you so much and thank you for the
12 opportunity.

13 CHAIRPERSON KRISHNAN: Thanks so much for your
14 testimony!

15 Now we have Joan Reutershan.

16 JOAN REUTERSHAN: Council Member Krishnan and
17 other members of The Parks Department City Council
18 Committee, my name is Joan Reutershan. I have lived
19 for 52 years in New York City, 38 of them near Fort
20 Greene Park in Fort Greene, Brooklyn. I would like
21 to testify today with the Friends of Fort Greene Park
22 and address the capital projects reform process from
23 the point of view of a resident and a Fort Greene
24 Park user.
25

1 As my colleagues, Ling Hsu and Georgette Poe,
2 have both said, in 2016 The Parks Department
3 presented a plan that promised a renovation of Fort
4 Greene Park in conjunction with The Parks Without
5 Borders Program. Much of the plan seemed (and seems)
6 beneficial, but for the northwest corner of Fort
7 Greene Park, the plan foresees cutting down a
8 healthy, mature and beloved grove of trees, and
9 substituting for it a hardscaped plaza and decorative
10 plantings -- all for design purposes.

12 Our organization, The Friends of Fort Greene
13 Park, was founded in response to this ill-conceived
14 plan for the northwest corner. The raising of mature
15 tree canopy flies in the face of its benefits for all
16 nearby residents and park users, especially the NYCHA
17 Walt Whitman and Ingersoll Houses who are right
18 across the street, who love this green space, and
19 who's testimony can be found on our website, which I
20 think will give you a lot of helpful information
21 about Fort Greene Park.

22 This also... This plan for the northwest corner
23 flies in the face of the resilience needs of New York
24 City during a burgeoning climate crisis. We need to
25 preserve the mature trees and the green

1
2 infrastructure that we already have to meet the 30
3 percent canopy goal by 3035.

4 Now, six years and three lawsuits, which we have
5 won later, this The Parks Department plan, with the
6 removal of this canopy, according to The Capital
7 Projects Tracker, still seems to be going forward.
8 And, here is where I want to address the Capital
9 Projects Reform. The Friends of Fort Greene Parke
10 see within the newly elected council, and a new
11 administration, and a new Parks Commissioner, the
12 change to right this wrong from this plan of 2017.
13 Our council member, Crystal Hudson, has recently met
14 with us, as have you, Chair Krishnan. We were happy
15 to meet with you on Zoom recently, thank you for
16 that. And for both of the meetings with you, sir,
17 and with Crystal Hudson, the focus had to be not only
18 the substantive [INAUDIBLE] but the process, the
19 transparency of the capital projects. As citizens,
20 we need clear and accurate information. What is the
21 timeline? Who are the decision makers? If you look
22 at the [TIMER CHIMES] tracker... May I continue just
23 a bit more? If you look at the tracker... (CROSS-
24 TALK)

25 CHAIRPERSON KRISHNAN: Sure [INAUDIBLE]

1
2 JOAN REUTERSHAN: on the Fort Greene Park... On
3 Fort Greene Park on The Parks Department website now,
4 you see only addition of trees, not the raising of a
5 whole tree canopy. And under "Reasons for Delay" you
6 can read that there is room for change in design
7 based on conversations with experts in the
8 neighborhood. But is this happening? How can we
9 know this happening? How and where can we intervene
10 to advocate at this point for our much less expensive
11 community counter proposal? It would behoove The
12 Parks Department, behoove the City budget, to look at
13 our much less expensive counter proposal, which would
14 maintain this canopy.

15 As the climate crisis worsens, the Friends of
16 Fort Greene Park, we are determined to save this
17 magnificent green space, the grassy mounds, and the
18 arcade of honey locust, maples, London plane trees,
19 and Japanese zelkovas -- is the best interest of the
20 neighborhood and the City to do so.

21 Thank you very much, also, for letting me have
22 the extra time.

23 CHAIRPERSON KRISHNAN: Thank you very much for
24 your testimony.

1 That concludes our testimony and our hearing for
2 today. I want to say just in closing, this is
3 clearly an issue that, while it may not be the most,
4 uh, high demand... well, it is high demand,
5 actually, but most lively issue, I hope that we have
6 made it into a high demand issue, given how much
7 attention there is to it and how important it is for
8 our, uh, parks and all of our City projects, that our
9 capital process is much faster and is much more
10 efficient. So, I look forward to working with The
11 Parks Department to continue to find ways to reform
12 our capital process, and with our administration
13 generally, to reform the capital process overall for
14 New York City. If anything, what we have learned
15 from this pandemic, is the importance of our green
16 spaces and finding a way to build back faster is
17 going to be an essential part of making sure that all
18 New Yorkers have access to green space.

19 On that note, I want to thank, very much, for
20 today's hearing, for all their hard work, The
21 Committee on Parks and Recreation, Kris Sartori,
22 Patrick Mulvihill, Michael Sherman, Rose Martinez,
23 Nicholas Montalbano, Jack Story (sp?), and Chi
24 [INAUDIBLE]. And of course, my staff from my office
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COMMITTEE ON PARKS AND RECREATION

as well, in particular our Chief of Staff Chuck Park,
and our Legislative Coordinator Greg Clark.

Thank you all so much for today's hearing, see
you all soon.

[GAVELING OUT] [GAVEL SOUND]

C E R T I F I C A T E

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



Date December 23, 2022