

1 COMMITTEE ON PARKS AND RECREATION JOINTLY WITH
2 COMMITTEE ON CONTRACTS AND THE SUBCOMMITTEE ON CAPITAL
3 BUDGET 1

4 CITY COUNCIL
5 CITY OF NEW YORK

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7 TRANSCRIPT OF THE MINUTES

8 Of the

9 COMMITTEE ON PARKS AND RECREATION
10 JOINTLY WITH COMMITTEE ON CONTRACTS
11 AND THE SUBCOMMITTEE ON CAPITAL
12 BUDGET

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17 HELD AT: Committee Room - City Hall

18 B E F O R E: Peter A. Koo,
19 Chairperson of the Committee on
20 Parks and Recreation

21 Venessa Gibson,
22 Chairperson of the Subcommittee on
23 the Capital Budget

24 Ben Kallos,
25 Chairperson of the Committee on
Contracts

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- Joseph C. Borelli
- Justin L. Brannan
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COMMITTEE ON PARKS AND RECREATION JOINTLY WITH
COMMITTEE ON CONTRACTS AND THE SUBCOMMITTEE ON CAPITAL
BUDGET 3

A P P E A R A N C E S (CONT.)

Cori Provost
Director of Government Affairs for Prospect Park
Alliance

Adam Martinec
Founder and Executive Director for Inwood Hill
Park Conservancy

COMMITTEE ON PARKS AND RECREATION JOINTLY WITH
COMMITTEE ON CONTRACTS AND THE SUBCOMMITTEE ON CAPITAL
BUDGET 4

CHAIRPERSON KOO: Hi, good morning. This public hearing is coming to order. [GAVEL]

Good morning, I am Peter Koo; Chair of the Committee on Parks and Recreation and I would like to welcome all of you to this hearing. Which will examine how we can improve the efficiency of the parks Capital Process.

I'd like to thank my fellow Co-Chairs; Council Member Venessa Gibson and Council Member Ben Kallos for agreeing to hold this joint oversight hearing.

The road to completing parks capital project is typically long and complex. It begins with the office of Management and Budget, OMB. Approving of a funded project, then a meeting will occur with various stakeholders to develop the overall design of the project.

Once the scope of the project has been established, the design must typically be approved by the Public Design Commission, PDC. And sometimes the Landmark Preservation Commission, LPC. Often PDC will disapprove of a project and send it back to be redesigned or corrected.

Once the design is fully approved, the project may proceed to the remaining phases; procurement, construction, final inspection and close out.

Throughout this process, DPR's capital projects division is responsible for overseeing all aspects of the project and bringing it to its completion. The amount of projects under Parks portfolio is so vast. For example, in Fiscal 2020, the agency has 619 active projects estimated to cost about \$2.7 billion.

These numbers have been steadily increasing since Fiscal Year 2016. However, this process has traditionally been faced with delays, cost overruns and the lack of communication between parks and funders of capital projects. And concerns have historically been raised regarding parks project planning process. The ongoing delays, cost overruns and parks method for prioritizing from the projects.

I will offer you one example of one of the more typical problems that I know many of my colleagues have dealt with regarding the capital projects that they have funded. In Fiscal Year 2016, my partner the Queens Borough President Melinda Katz to fund renovations at **[INAUDIBLE 6:41]** in my district.

2 There was an initial funding shortfall, so two
3 years later in February 2018, we added more funding
4 based on the estimate that parks gave us in order to
5 fully fund the project. Just two months after
6 receiving that quote, way after the capital process
7 for the year, we were told that even more money was
8 needed. In short, the projects design phase just
9 finally commenced this past May. Three years after
10 it was thought to have been fully funded.

11 This inability to accurately estimate the cost of
12 projects is incredibly frustrating to say the least.
13 But sadly, one of the more common reasons why parks
14 are so faced with delays even after we are lead to
15 believe that they are fully funded. It is my hope
16 that these kind of issues can be resolved if we work
17 together to improve the process.

18 To its credit, Parks Department under
19 Commissioner Silver has recognized that the process
20 needs to be improved and has already implemented
21 numerous reforms.

22 In Fiscal 2019, Parks completed construction on
23 the 162 projects in which 86 percent were completed
24 on time and 90 percent were in budget. This compares
25 favorably with earlier fiscal years where the on time

2 and in budget percentages averaged from low 70's to
3 mid-80's.

4 Those improved numbers maybe due to some of the
5 reforms implemented by parks including more baseline
6 funding for more capital division staffers. Funding
7 for full capital needs assessment that will provide
8 parks with a more comprehensive understanding of the
9 needs of the parks system. Establishing a pre-
10 qualified list of contractors for projects under \$3
11 million. A reduction in the average time for design
12 by 54 days, an increase in the time that the project
13 designs will be improved by the PDC. A rate of 83
14 percent as opposed to only 20 percent in previous
15 years.

16 A reduction in the number of changed orders for
17 projects by 78 percent. Holding more earlier
18 stakeholders meetings in the PD design phase.
19 Streamlining the internal review meetings during the
20 design phase from five to two meetings and using more
21 standard designs for items such as comfort stations.

22 While the efforts to improve the process is
23 commendable, more needs to be done. Many have agreed
24 to such reforms to include the following: The city
25 is to provide Parks with its own discretionary

capital budget to enable it to better plan and budget for capital projects over the long run. The lack of our discretionary budget and other agencies performing capital work prevents parks from addressing capital needs quickly.

Parks will increase the use of standardized designs templates to improve the speed of design phase. The customization of every capital project unnecessary slows down the process. Parks to increase the assistance it provides to its renders and work on standardizing a review and approval process.

The city should look at funding for inhouse construction crews for parks projects, so that more projects can be done outside of the bidding process. Parks should expand its qualified list of contractors as it will limit the bidding universe to renders who are more likely capable of completing the bid efficiently and Parks should apply design build principles to a large number of park projects.

I look forward to examine these issues in more detail, so we can inform what needs to be done in order to ensure the capital projects are completed

2 quickly, safely, and at a reasonable cost to the city
3 taxpayers.

4 I would like to welcome the Administration and
5 the advocates who have come today to testify. Thank
6 you.

7 Now, I'd like to ask Vanessa Gibson to give her
8 opening.

9 CHAIRPERSON GIBSON: Thank you so much to Chair
10 Peter Koo. Good morning everyone, thank you for
11 being here. I am New York City Council Member
12 Venessa Gibson. I am proud to represent District 16
13 in the Borough of the Bronx and I am proud to serve
14 as Chair of the Subcommittee on the Capital Budget
15 and I thank all of you for being here today as well
16 as my Co-Chairs; our Chair of the Committee on Parks
17 and Recreation Chair Peter Koo and our Chair of the
18 Committee on Contracts Chair Ben Kallos.

19 I thank the Parks Department for being here today
20 on this very important hearing to discuss improving
21 the efficiency of Parks Department Capital Projects,
22 a topic that we all love.

23 The Department of Parks and Recreation is an
24 important part of our city's capital program. It
25 exceeds \$4 billion from Fiscal Year 2020 through

COMMITTEE ON PARKS AND RECREATION JOINTLY WITH
COMMITTEE ON CONTRACTS AND THE SUBCOMMITTEE ON CAPITAL
1 BUDGET 10

2 Fiscal Year 2023, which is more than 5 percent of the
3 city's overall adopted capital commitment plan.

4 This Fiscal Year, Parks is working currently on
5 619 Capital Projects in all five boroughs. These
6 range from large undertakings and capital projects
7 like finishing the build out of the Hudson River Park
8 along the west side of Manhattan to smaller projects
9 in my district, that I'm very proud of, Plimpton
10 Playground reconstruction in our community and on
11 many smaller parks projects. The Council often
12 partners with the Administration and allocates
13 discretionary Capital dollars to fund many of these
14 projects.

15 Every one of these parks are important to our
16 constituents and their families which makes them very
17 important to all of us here in the City Council.

18 This morning's hearing is going to focus on ways
19 to improve the efficiency of Parks Capital Project
20 delivery. We know that this has been an important
21 focus for our Commissioner, Mitchell Silver and his
22 team and we want to give credit where it's
23 essentially due.

24 More projects are happening year to year and
25 faster than before. Progress has been made. We can

1
2 even track the progress of our Parks projects in real
3 time, online, with the Parks Capital Tracker, which
4 we're very happy about.

5 However, while we've made incredible progress, we
6 know that there is much work that needs to be done
7 and many of us, including I'm sure the administration
8 and my fellow colleagues have been frustrated about
9 the many steps that were necessary to deliver Parks
10 projects on time from design to procurement, to
11 overall construction and my favorite part, ribbon
12 cutting. There are dozens of consultations, reviews,
13 and approvals during this process which have to
14 happen any of which can become a source of delay; we
15 recognize that.

16 We hope that today, we can identify even more
17 strategies that will be put forth for further
18 accelerating project delivery and improving project
19 transparency. We all together need to figure out how
20 the City Council and the Administration can continue
21 working together to streamline the process, increase
22 efficiency, whether it by negotiating for an increase
23 in budgets as well as head count. Which we're very
24 happy in the adopted budget. We focused on more
25 Parks staff, which we're very grateful for and PEP

2 officers. Including changing some of our local laws,
3 looking at legislative introductions or lobbying for
4 changes in our state law.

5 We thank you Commissioner Silver for being here
6 and I want to acknowledge the staff of the
7 Subcommittee on Capital Budget that work so hard
8 every, every day to make the Subcommittee obviously
9 an equal partner with the Council and the
10 Administration. Our Senior Counsel, Rebecca Chasan;
11 our Assistant Counsel Noah Brick; our Unit Head Chima
12 Obichere; our Financial Analyst Monika Bujak and I
13 also want to recognize the Members of the
14 Subcommittee on Capital. Minority Leader Steve
15 Matteo; Council Member Barry Grodenchik and we also
16 have Council Members Adrienne Adams; Council Member
17 Justin Brannan; Council Member Joe Borelli; Council
18 Member Bill Perkins; Council Member Andy Cohen;
19 Council Member Ruben Diaz, Sr.; and we'll be joined
20 by other Council Members as well.

21 And with that, I just want to thank you again
22 Commissioner Silver, you and I, along with the Bronx
23 Borough Parks Commissioner who I always want to
24 acknowledge, Iris Rodriguez-Rosa has been phenomenal
25 for us in the Bronx. We have opened so many parks,

2 we have broken ground on many through the CPI
3 Initiative like Little Claremont Park. We've
4 incorporated additional amenities in many of our
5 parks that were not always the case. So, it's not
6 just the playground equipment and basketball
7 equipment, it's also fitness equipment, mini soccer
8 fields for our growing communities that love soccer
9 and I appreciate your partnership and I know that
10 while things are never perfect, we always strive to
11 work to improve the system. And also, certainly on
12 the topic of comfort stations always comes up and the
13 never-ending cost of why comfort stations exceed \$4
14 million and what we can do overall to change that, so
15 that every park that we have across the City of New
16 York, we should try to incorporate comfort stations
17 as best we can.

18 It shouldn't be a luxury, it really should be an
19 amenity and many of us Council Members, we often you
20 know, have events around parks where we have a
21 comfort station because my seniors and my families
22 with small children, they just need that access and
23 so, I look forward to our continued work and our
24 partnership around capital and the overall commitment
25

2 rate and the commitment plan for the Parks Department
3 and look forward to our continued work.

4 I thank you Chair Kallos and Chair Koo and now,
5 I'll turn it over to our Chair of the Committee on
6 Contracts, Chair Ben Kallos. Thank you.

7 CHAIRPERSON BEN KALLOS: Thank you Chair Venessa
8 Gibson and Chair Koo for holding this joint hearing.
9 I'd like to acknowledge Council Member Barron who has
10 just joined us. I would also like to re-acknowledge
11 my colleagues from Staten Island, the great borough
12 for as long as it remains a borough, to the extent
13 they may be successful Council Members Matteo and
14 Borelli. I will continue to acknowledge them until
15 we lose them to their desire to succeed.

16 I'm Council Member Ben Kallos, I'm Chair of the
17 City's Council's Committee on Contracts. For those
18 of you who are watching at home or via livestream,
19 please feel free to participate in this hearing by
20 tweeting at Ben Kallos. We are also joined by the
21 fourth estate. We've got Rich Calder from the Post
22 and **[INAUDIBLE 24:04]** from the city.

23 Anyone whose watching and people from the media
24 feel free to email contracts@benkallos with any
25 questions and we're happy to pass them along.

2 Chairs Koo and Gibson have already given an
3 overview of the Parks Department Capital division and
4 its \$3 billion portfolio and I'd like to reiterate
5 the efficiency of the Parks Department Capital
6 projects.

7 For me, it is more personal than it has ever been
8 before. I'm crammed in a one bedroom with my wife
9 and 21-month-old daughter and the days we do not get
10 to a park are the days that oh, my God, what happened
11 to our house. She will literally bounce off the
12 walls and tear the house apart and whether it's
13 raining, snowing or ridiculously cold, we are out in
14 our city's parks with every other family with small
15 children. And when these parks are in bad condition,
16 that we generally hear about it or even worse yet,
17 somehow worse than a park in bad condition is a park
18 that is closed for construction.

19 I think one of the things we have been working
20 with my constituency around is that it does take
21 construction to get a new park in but that being the
22 case, when you have 168,000 people on the upper east
23 side, where we are the fourth from the last in terms
24 of open space per person, per capita, we just do not
25 have the park space and often times kids are waiting

2 in line to use equipment and at least in the 80's,
3 we've got one park. It's called **[INAUDIBLE 26:51]**
4 Park Playground, that's currently under construction
5 and it's a 12 month timeline and I will want the date
6 for our monthly call in because we do need to keep
7 that on track because God knows my child needs a
8 place to play as to every single parent that I'm
9 hearing from every single day.

10 A recent report from the Center for Urban Future
11 found that most projects take 29 to 45 months from
12 approval to ribbon cutting and an amount of time
13 which is just far too long. I only serve for 96
14 months and you're talking about an entire term just
15 to get one park done.

16 Additionally, a recent City Comptroller audit,
17 highlighted DPR's poor oversight record over
18 construction management firms that it employs and the
19 audit, a mere 39 percent of projects run by
20 construction management firm were completed on time
21 resulting in cost overruns of \$4.9 million in fees
22 for the Department from 2010 to 2016. The
23 Comptroller credited permit delays and complete
24 records and flawed initial designs with these delays
25 and ultimately determined that a parks inadequate and

2 oversight and monitoring that permitted these delays
3 in resulting cost overruns do occur. Accountability
4 is key when dealing with capital projects of this
5 magnitude and up until recently, has been severely
6 lacking at parks.

7 While we on the committee commend the recent
8 reforms made by Commissioner Silver and his team,
9 much remains to be done to get parks capital process
10 back on track.

11 Parks needs to continue implementing new
12 streamlining measures including standardizing to the
13 extent it's possible to standardize designs, I will
14 just. I know speed is important, but what we've seen
15 in my district is we take a very long time on design
16 and then we get exactly the same park we had before
17 with none of the new, cool equipment that we see in
18 some of the conservancy parks on the west side, which
19 has caused a lot of envy and it's created situations
20 where parents are actually trucking across town to go
21 to the newer, nicer, conservancy playgrounds and I
22 think that our Parks Department can do just as well
23 if not better.

24 We can also expand prequalified contractor lists,
25 increase competitions and use design build whenever

2 possible. Additionally, while we assured Parks will
3 today highlight the measure it has taken to expand
4 contracting, I would like to highlight the issue of a
5 minority and women owned business MWBE, via your
6 expense contracts. We'd like to know what data is
7 available regarding MWBE contracting on Parks Capital
8 Projects, so we can gain a more complete overall
9 pictures of parks progress towards meeting the Mayor
10 stated goal of 30 percent MWBE procurement.

11 By way of some, I'm just going to give four
12 examples from my district. The first one starts when
13 I was 8-years-old in 1989, the Sutton Place Park was
14 supposed to be returned to the City of New York. It
15 was not returned until 2011, long before I even
16 started running for City Council. It was approved by
17 the Public Design Commission in 2013. Work didn't
18 even start until 2017 and in 2019 it was open to the
19 public, but it has not been deemed complete enough
20 for a ribbon cutting. So, there is an example of a
21 parks project that actually took almost as long as
22 I've been alive

23 Another example is Andrew Haswell Green, it was
24 funded in 2008 when I was Chief of Staff to then
25 Assembly Member Jonathan Bing. I was there for the

2 groundbreaking and fast forward almost ten years and
3 to the winter of 2017, right after I had been
4 reelected, this project didn't get done during
5 Assemblyman Bing's term, it didn't get done during -
6 it got done when I had one month left in my first
7 term. Almost ten years later and much of my career
8 had already gone by.

9 Another example is John Finley Walk, it's 452
10 feet long ramp in my district. We started with fully
11 funded in 2015, it was improved by Public Design
12 Commission in 2015, it was supposed to take 18
13 months. It didn't get done until after I was
14 reelected in 2017 and I will tell you, everyday I
15 went to that park, constituents put up signs saying,
16 vote against Ben Kallos, because this ramp still
17 hasn't been done.

18 And I want to thank the Parks for finally getting
19 it done in 2017, it almost took until 2018. I know
20 that the Commissioner and many Parks employees almost
21 got frostbite, but this is another example.

22 My last example is when I got elected, I
23 inherited a report that said that the Parks esplanade
24 in my district running from the 50's to the 100's
25 needed over \$100 million in work. We secured it and

2 in order to stop it from falling into the river.

3 That's literally what the report said. I came and I

4 said we needed to do something about it, and we

5 secured \$35 million to get it done and then it

6 literally fell into the river in 2017, while I was

7 running for reelection. It was something that my

8 opponents took incredible delight in. We actually

9 broke ground that summer. We were able to finally

10 move that capital dollars, but it literally took my

11 entire first term and then it was supposed to be done

12 18 months later in 2018.

13 That project still isn't done; literally, it is

14 still ongoing years later and I think we're looking

15 at a projected completion date in winter 2020 and the

16 problem is, we've asked, and we don't know if winter

17 2020 means January or February or November, December.

18 So, I think these are all some of the concerns that

19 we've been dealing with on an ongoing basis. I'd

20 like to thank our Contracts Committee Staff,

21 Legislative Counsel Alex Paulenoff; Policy Analyst

22 Casie Addison; Finance Unit Head John Russell as well

23 as my Chief of Staff Jesse Towson; Legislative

24 Director Wilfredo Lopez for all their hard work

25 putting this hearing together.

2 We've been joined by Council Members Rivera,
3 Levine, Moya and Yeger and I'd like to now turn it
4 over to the Committee Council to swear in the Parks
5 Department.

6 CHAIRPERSON KOO: The Council will swear in the
7 Administration.

8 COUNCIL CLERK: Do you affirm to tell the truth,
9 the whole truth and nothing but the truth in your
10 testimony before these Committee's today?

11 MITCHELL SILVER: I do.

12 CHAIRPERSON KOO: Commissioner, you may begin.

13 MITCHELL SILVER: Good morning Chair Koo and
14 Members of the Parks Committee. Chair Kallos and
15 Members of the Contracts Committee, Chair Gibson and
16 Members of the Subcommittee on Capital Budget and
17 other Members of the City Council.

18 I am Mitchell Silver; Commissioner of the
19 Department of Parks and Recreation and I'm joined
20 here today by Deputy Commissioner for Capital
21 Projects Therese Braddick.

22 Roughly two and a half weeks ago at a ribbon
23 cutting on Lafayette Playground in Brooklyn, we
24 announced the completion of the 648 capital projects
25 since I became Parks Commissioner in 2014. This is a

2 number and a combination of year over year increase
3 in completed capital projects since FY'15.

4 That includes roughly 130 delayed projects for my
5 time in Parks, nearly all of which are now completed
6 or in construction. The good news doesn't stop here.
7 Even as the number of active capital projects has
8 increased over 80 percent since the beginning of my
9 tenure, 85 percent of our projects have been on time
10 and 87 percent have been on budget in construction.
11 Simply stated, we've taken on more projects and
12 finish them faster.

13 Under my tenure, with the help of Deputy
14 Commissioner Braddick, the Parks Department has
15 improved its efficiency. We're proud of these
16 achievements over the past several years and welcome
17 this chance to update the Council on our continued
18 work.

19 With tremendous support from Mayor Bill de Blasio
20 and in partnership with the City Council, New York
21 City Parks will continue to find innovative ways to
22 improve the quality of life for New Yorkers all over
23 this great city.

24 To provide some important context and clarity of
25 misconceptions, the Parks Department does not have

1
2 its own capital process. New York City Parks shares
3 the same capital process as DDC, DOT and DEP among
4 others. The process is affected by state law, local
5 law, executive order, union contracts, public
6 support, contractors, weather and market forces along
7 with other factors.

8 A change in any of these individual factors can
9 accelerate or delay a project but none of them is
10 inherent to Parks projects. By modernizing and
11 streamlining the parts of the process we do control,
12 we've been very successful. We've cut design time
13 from the typical landscape project in half.

14 We are getting projects through PDC at a much-
15 improved rate, 93 percent in FY'19 versus 20 percent
16 before my tenure. We reduced the number of change
17 orders by 50 percent from 2014 - I'm sorry, from
18 FY'14 to FY'19.

19 We've modernized by creating new capital bids
20 solicitation systems, which allows contractors to
21 view upcoming projects and download the solicitation
22 documents online rather requiring them to travel to
23 our capital headquarters in Flushing Meadows Corona
24 Park.

2 We've launched our Capital Tracker, our first of
3 its kind transparency tool that provides real time
4 information on all of our active capital projects. A
5 recent example of our hard work can be seen in
6 Astoria. Astoria Park is one of our five anchor
7 parks a \$150 million initiative launched by the Mayor
8 to restore parks with historical underinvestment,
9 high surrounding population and the potential for
10 development.

11 The first phase of Astoria Park included
12 restructuring a running track, creating adult fitness
13 area and rebuilding surrounding pathways, lawn areas,
14 drain a system as well as creating a new synthetic
15 soccer turf field with seating, bleachers and erosion
16 control.

17 The start date on the construction was November
18 of last year, with a schedule completion by May 2020.
19 Thanks to our forums, the whole project lasted less
20 than three years start to finish, an amazing
21 accomplishment for a project of this size. And w
22 were able to finish this project in construction
23 seven months early. Now, we have more than 100
24 projects finished ahead of schedule since the
25 beginning of FY'15.

2 It's the nature of public facing work to hear a
3 lot more about what is going wrong than what is going
4 right. Parks projects are among some of the most
5 visible public work projects in the neighborhood and
6 are some of the more impactful. They also receive
7 direct investment from local elected officials to
8 whom I am most thankful for their partnership and
9 support. And we understand the angst around these
10 projects, and we want to build further on these
11 accomplishments and participate in citywide efforts
12 to improve the capital process that all of our sister
13 agencies work within.

14 But I hope this hearing helps to correct the
15 record. I am proud; I have led the reforms with the
16 New York City Parks. We are an agency that has
17 demonstrated a nibble and smart approach to building
18 within city rules.

19 Thank you for allowing me the opportunity to
20 discuss the agencies improvements to its capital
21 projects and to provide an overview of our agencies
22 recent efforts and initiatives in building our city's
23 green and open spaces for all New Yorkers.

2 Now, I turn the floor over to Deputy Commissioner
3 Braddick for a presentation on the capital process,
4 successes and challenges so far. Thank you.

5 THERESE BRADDICK: Thank you Commissioner Silver
6 and good morning everyone. As Commissioner Silver
7 stated, I'm Therese Braddick; Deputy Commissioner of
8 Capital Projects at New York City Parks.

9 I know there are several Council Members who
10 haven't seen our capital process presentation. So, I
11 will begin with an overview of what is involved in
12 the process followed by some of the specific changes
13 and improvements we've made over the past few years,
14 and then finish with some of the challenges we still
15 face.

16 The Capital Division is responsible for managing
17 design and construction projects across the agencies
18 portfolio. More than 30,000 acres of park land
19 spread over hundreds of playgrounds, buildings,
20 athletic fields, pools, beaches, recreation centers
21 and nature centers. Just about everything you can
22 imagine in a park, we built or reconstructed. And to
23 fund these projects, we have \$4.9 billion in our ten-
24 year capital plan.

2 To qualify for the use of capital funds, each
3 project has to have a minimum value of \$35,000 and be
4 in place for at least five years. So, when you think
5 about reconstructing a playground, baseball field or
6 comfort station, those are pretty typical examples of
7 what we work on.

8 The \$4.9 billion in our budget isn't just for
9 Parks capital. The capital division directly manages
10 about half of the overall capital budget. The
11 remainder is managed by other divisions and agencies
12 including our citywide services division, forestry,
13 purchases of vehicles and equipment and land
14 acquisitions. About a quarter of our capital budget
15 is managed by other agencies on our behalf, primarily
16 DOT, DDC and EDC.

17 Currently, among the Parks divisions, we have
18 over 600 active capital projects in the three phases
19 of a capital project design, procurement and
20 construction. And as you can see, over the past few
21 years the number of active projects has increased
22 significantly, 85 percent since Fiscal 2013. In
23 particular, I want to call you attention to the fact
24 that we have many more projects in procurement.

2 In his testimony, Commissioner Silver mentioned
3 that there is no parks specific capital project.

4 There is one capital process that every city agency
5 follows, and this is most true in procurement.

6 Procurement is very heavily regulated by numerous
7 state and local laws and it's the area where parks
8 and every other city agency that manages capital
9 projects has the least amount of power on its own to
10 make changes or streamline the process.

11 Next, I'd like to briefly walk you through the
12 process of completing a capital project from start to
13 finish. First, is the project identification phase,
14 which is when we identify a potential project, put
15 together a cost estimate and request funds from one
16 of our funders. This happens throughout the course
17 of the year whenever a need is identified. We
18 receive funding from the Mayor, Council Members and
19 Borough Presidents, as well as some grant funding.
20 We find out the majority of funding we receive for
21 each fiscal year at budget adoption for the start of
22 the upcoming fiscal year in July.

23 It's important to note here that we are asked to
24 put together a cost estimate at this very early
25 stage. Prior to our community input meetings with

2 stakeholders when we're told what they would like to
3 see built and prior to performing any testing at a
4 site to know the existing conditions. This as you
5 all know, and as I've heard today, can lead to
6 discrepancies with the initial estimate down the
7 line.

8 The next phase is project initiation. After we
9 receive all the funding, we think we need for a
10 project, we have an inhouse designer or consultant on
11 board, we hold what's called a pre-scope meeting with
12 our internal stakeholders at Parks. And then we hold
13 a larger community meeting with our external
14 stakeholders, the public.

15 Note that on the slide and on the following
16 slides, we've noted our standard timeframe for
17 completing each phase assuming all goes according to
18 plan.

19 The design phase is obviously when we get into
20 the detail of designing a project. There are many
21 steps in the design phase and what people don't
22 always realize is that there is a lot of engineering
23 that goes into design in parks and playgrounds. We
24 capture water at each site to help out the storm
25 systems, redesign for resiliency and accessibility.

2 We also have a lot of external regulatory reviews
3 on our design projects and one of our hallmarks is
4 that we're proud that we go back to the community
5 during design to ensure that what we're designing is
6 what they have asked for at the original input
7 meeting. And although this adds some time, we think
8 it's vital to include the community in the process.

9 We also want to make sure that what we're
10 designing can be maintained, so we make sure to check
11 in with our maintenance and operations division to
12 get their feedback. And we also want to make sure
13 that what we're designing can be built. So, we
14 reviewed the designs with our construction staff.

15 The next phase in the process is procurement,
16 which is when we get a contractor on board.
17 Unfortunately, this isn't the type of process where
18 you are renovating your kitchen, or your bathroom and
19 you get to call three contractors to get three quotes
20 and then you just make a decision based on price and
21 experience.

22 The city has a very extensive review process that
23 can take sometimes upwards of a year to complete and
24 there are a lot of oversight agencies involved in the
25 decision making. This process requires that we award

2 the job to the lowest responsible bidder. It's
3 important to note that 73 percent of this process is
4 governed by oversight agencies outside of the Parks
5 Department. So, we don't control the majority of
6 this phase.

7 We and other mayoral agencies hear frequently
8 that the Economic Development Corporation and the
9 School Construction Authority can move their projects
10 a lot faster than Parks. Unlike mayoral agencies,
11 EDC is a nonprofit corporation and SCA is a state
12 authority. As such, they are exempt from some of the
13 rules and regulations that govern procurement from
14 mayoral agencies like Parks. A lot of these reviews
15 and initiatives were put in place for very good
16 reasons but the tradeoff is that they can sometimes
17 add time.

18 The last phase in the process is construction.
19 This is pretty self-explanatory; however, it doesn't
20 mean that construction is always easy. Similar to
21 design, there are many coordination steps with other
22 agencies including the MTA, Con Edison, National
23 Grid, DEP and DOT.

24 Typically, we allow for a twelve-month schedule
25 for a landscape architecture projects, which are very

2 weather dependent. And we allow for an eighteen-
3 month schedule for our building projects.

4 In order to illustrate further, some of the
5 coordination required in all of our projects, I'd
6 like to quickly run through a case study with you.
7 Focusing on the first phase of the Astoria Park
8 Anchor project that Commissioner Silver mentioned in
9 his testimony.

10 In the design phase, because this project is near
11 the water, we had to create a storm water pollution
12 prevention plan and submit that to the New York State
13 Department of Environmental Conservation. We also
14 work with CDDOT on our lighting plan, since they
15 actually maintain the lights in all of our parks.
16 And on our maintenance and protection and traffic
17 plan to make sure that we aren't impeding access to
18 the neighborhood with our project.

19 Our design was submitted to the Public Design
20 Commission for three separate reviews, conceptual,
21 preliminary and final. All to ensure that the design
22 meets the city's high standards for it's public
23 spaces. And since the project was next to the RFK
24 triborough bridge, a TBTA required a review of our
25

1 construction documents to ensure that our work
2 wouldn't impact the structure.

3
4 In construction, again, because we're on the
5 water, we had to do inspections on a weekly basis and
6 after heavy rains to make sure that water runoff from
7 the site wouldn't run into and possibly pollute the
8 East River. We also had to do post monitoring
9 construction to ensure compliance with the storm
10 water plan. We also had to coordinate with Con Ed
11 for all of our electrical hookup and we had to
12 document the final product for PDC to ensure that we
13 had built the project as it was approved.

14 Building projects can be even more complicated.
15 With approvals for gas, water, fire alarms, buildings
16 codes, etc. We're incredibly proud of the Astoria
17 Park project, we had started design in November 2016
18 and was completed in October 2019, under three years
19 from start to finish. We had a great design, we had
20 no issues in procurement, we had a great contractor
21 and no surprises in the field, complimented by some
22 great weather.

23 We also attribute a lot of these shorter time
24 frames to many of the changes we've been making to
25 the parts of the capital process that we do have

2 control over. And I want to take a few minutes to
3 highlight some of these for you.

4 Efficiency and transparency have been two of our
5 main goals over the past few years. As I'm sure you
6 all know by now, just over five years ago, we created
7 what's called the Parks Capital Tracker. There is a
8 screenshot of this on the right. We have all of our
9 active projects on the tracker and we show start and
10 end dates for each phase, funding information,
11 project updates and schematic designs. We've had
12 almost 800,000 hits on the tracker since it went
13 live, so it's quite popular.

14 A huge help is that we've hired 130 people over
15 the past few years and I want to thank the Council
16 for supporting our staffing requests. These new
17 staff members have helped us clear our back-logger
18 projects and meet our commitment of getting projects
19 into design in the same year when they are fully
20 funded.

21 And we've also established monthly meetings with
22 Commissioner Silver called Red Zone meetings, where
23 we go over projects that need Commissioner level
24 assistance to move them along.

2 One of the biggest changes we've made over the
3 past few years is the creation of a capital needs
4 assessment program. Commissioner Silver implemented
5 this program to help the agency make more data driven
6 decisions about what sites are most in need of
7 renovation. We've hired several engineers and
8 architects who go out to inspect our assets,
9 including comfort stations, recreation centers,
10 retaining walls, and synthetic turf fields to assess
11 conditions and determine what work needs to be done.

12 We've also received \$1.8 million in expense
13 funding to do predesign testing. Once a project is
14 fully funded, which helps us to better understand
15 what type of work needs to be done at the site and
16 helps decrease the number of surprises once we get
17 into construction.

18 We then work with Borough Commissioners offices
19 who then work with each of you to prioritize which
20 projects we should put in funding requests for in the
21 coming year. Once the projects are fully funded, we
22 establish a clear community input meeting process and
23 set expectations.

24 Previously, our community meetings were held
25 during the day usually at the site. Now, we've held

2 our community input meetings at night, in a public
3 location and we've made huge outreach efforts over
4 the past few years to make sure that all interested
5 parties are aware of this meeting and are able to
6 give their comments.

7 We've also established that community input
8 meeting as a start date for design. Some of the
9 changes we've made in design include streamlining our
10 internal meetings from five to two. We've also
11 increased the use of standard templates where we can,
12 and we've updated our staffs tasks and standards and
13 written standard operating procedures.

14 We've completely overhauled our project
15 management software to do a better job of tracking
16 approvals and schedules and we've hired two
17 professional estimators who are using software to
18 develop project estimates.

19 All of this helps create a clear path for
20 projects, improves transparency, and creates clear
21 expectations for the public, elected officials and
22 our staff for how projects should move forward. And
23 we're proud to tell you that it has had a dramatic
24 affect on how we were able to complete projects and
25 design.

2 For our single site landscape projects which is
3 about half of all our capital projects, we basically
4 cut design time in half since Fiscal 2014.

5 Moving into procurement with the understanding
6 this is the part of the process we don't have much
7 control over, we've made some improvements where we
8 can. We created a new automated system to put our
9 contract books together, where our project manager
10 simply has to answer a series of questions about
11 their project and all of the correct documentation
12 for the contract is automatically pulled in.

13 This new system took a process that used to take
14 two weeks and reduced it to two hours. And as of
15 October 23, we have made our contracts available
16 online, so contractors can now download them directly
17 instead of having to come to our offices in Queens to
18 pick them up. This should help increase our pool of
19 bidders and we've been reaching out to contractors
20 proactively to make sure they know about these
21 important changes and we've also held one on one
22 meetings with them to better understand their
23 concerns.

24 And finally, as a couple of weeks ago, OMB is now
25 allowing us to use a shorter form with less

2 documentation for many of our smaller projects with
3 simple scopes which we hope will help expedite the
4 funding approval process for these projects.

5 In construction, one of the biggest changes we've
6 made over the past years is limiting design changes
7 when a project is in construction. This is one of
8 the reasons why we focus so much in design on getting
9 consensus from all of our stakeholders ensuring that
10 what we're designing can be built and maintained.

11 Any changes in construction can add time and
12 money to a project which we always want to avoid.
13 We've also established a training program for our
14 resident engineers who oversee our construction
15 projects. So, it's clear what they should be
16 monitoring in the field and we've also digitized our
17 submission process for shop drawing and samples, so
18 that contractors can get approvals more quickly.

19 These changes in construction have really helped
20 us increase the number of projects we complete each
21 year and faster than ever. In Fiscal 2019, we
22 completed almost a quarter of our projects at least
23 one month ahead of schedule.

24 Our officially reported statistics to the Mayor's
25 Office also bare this out. We have a goal of

2 completing 80 percent of our construction projects on
3 time and 85 percent on budget. Since we started
4 implementing all of these changes, we've met or
5 exceeded these goals which we're very proud of.

6 But even though we've made so much progress, we
7 realize there is still much more to do. We have a
8 couple of focus areas right now, both of which are
9 centered on the cost of delivering projects which we
10 wanted to share. Earlier, I mentioned that we had
11 hired two estimators for our inhouse jobs.

12 Currently, the majority of our estimators are done by
13 our inhouse design staff and we realize this is an
14 important enough function that we need to have a
15 separate group to put together our estimates.

16 We've asked OMB for additional estimators, so
17 that we can create a more cohesive centralized
18 estimating team and a more standard approach to our
19 project estimates. This team would create all the
20 initial capital needs estimates, work with designers
21 to help create cost estimates during design and
22 analyze high bids and change orders when costs come
23 in higher than expected.

24 The other big focus area for us right now is
25 comfort stations, since we agree wholeheartedly with

2 your comments that these buildings are too costly to
3 build. We are now exploring several different
4 options including trailers, modular and prefabricated
5 options and a further value engineered version of our
6 standard design.

7 To that end, we'll also be working with PDC in
8 the future to ensure that the design is as attractive
9 as it is affordable, and we've been speaking to
10 several contractors to get their feedback on how to
11 bring these costs down. But as much as we have
12 improved and even though we have more improvements on
13 the horizon, there are still challenges we face in
14 our day to day execution of capital projects.

15 As both Commissioner Silver and I have stated
16 several times today, the procurement process is where
17 we have the least amount of control. Even though we
18 have made internal changes to what we have control
19 over, cycle times have increased by 38 percent from
20 Fiscal 2014 to Fiscal 19. From a median cycle time
21 of eight and a half months to almost twelve months.

22 Again, this is due to laws, policies and
23 oversight involved and there is very little that
24 Parks can do on its own other than advocate for
25 solutions. Unless significant legislative changes

2 are made to this process, we don't expect to see
3 substantial improvements.

4 This slide emphasizes the fact that more than 70
5 percent of the procurement process is regulated by
6 specific laws or policies that all city capital
7 agents have to follow, not just Parks.

8 And I want to reiterate what Commissioner Silver
9 stated again, it's a citywide process, not a Parks
10 Department process. If you want to make
11 improvements, it would be very helpful to bring all
12 of the oversight agencies together to discuss
13 potential changes.

14 Some of the other challenges we face are the high
15 volume of contracts we have, over 600. As well as
16 the relatively small pool of contractors that bid on
17 our site work projects. Because Parks has smaller
18 dollar value projects, we're seeing as a good entry
19 point for new contractors to get their feet wet and
20 learn the city's processes. And because we are
21 required to reward to the lowest responsive
22 responsible bidder, we sometimes award to a
23 contractor who doesn't have a lot of experience,
24 which then requires our Contract and Construction
25 staff to teach the contractors the ropes.

2 Another important challenge to note, is that we
3 also have difficult sites to deal with. Often,
4 contaminated parcels that are close to the
5 waterfront, resulting in more regulation and hurdles
6 to jump through.

7 Lastly, there has been a lot of legislation added
8 to the process and while much of it is added for a
9 good reason, it sometimes adds time and money to our
10 timelines.

11 So, in conclusion, as Commissioner Silver
12 described, we've made a lot of progress in speeding
13 up design and construction and we're always looking
14 for how we can do things better. We realize that
15 this isn't the end of the line. We are happy to
16 continue to work with the Council and others involved
17 to come up with additional ways to streamline a
18 process.

19 CHAIRPERSON KOO: Thank you Commissioner Silver
20 and Deputy Commissioner Braddick for your detail and
21 informative testimony. Now we are going to go into
22 questions. I will ask a few questions and then
23 Council Member Gibson will ask a few questions and
24 then followed by Council Member Kallos. And then,
25 we'll the members to ask questions. And all members,

2 our questions are limited to five minutes due to the
3 amount of people, amount of members we have here. And
4 we have to finish the meeting before 1 p.m. here.

5 Commissioner Silver, thank you for your dedicated
6 service to the City of New York. Many other city
7 agencies perform capital projects. Whether it's the
8 Department of Design and Construction, Department of
9 Transportation, or other state authorities, whether
10 SCA which is School Construction Authority. We
11 understand the need for them to operate differently.

12 They all serve different functions and need
13 separate freedoms to complete their work. What are
14 some of the constraints to the department operates
15 under that the other agencies do not? And what are
16 some practices that other agencies engage in that
17 will help Parks Department one capital projects all
18 efficiently?

19 COMMISSIONER SILVER: To be clear, there are
20 certain practices that we can learn from DDC,
21 Commissioner Grillo just released the blueprint,
22 included some recommendations we had but some of
23 their own. So, certainly fund and planning from DDC
24 is something we will take a look at. But referring
25 to SCA in your remarks, we and DDC follow the same

2 process. SCA, as it was stated in our slide, does
3 not have to follow some of the processes. So, they
4 are able to move their projects quicker but certainly
5 working with DDC and MOCS, there were some positive
6 signs on the horizon through the Passport initiative
7 and looking at some of DDC's blueprint
8 recommendations, we believe that is the path forward.
9 But all the city agencies deal with the same
10 constraints which was just presented in these slides
11 and we offered some recommendations about the path
12 forward, which is really on the regulatory side.

13 CHAIRPERSON KOO: So, what is the current average
14 timeframe for Community Parks Initiative, CPI
15 projects? Do they go through the process faster than
16 other capital projects? If so, why?

17 COMMISSIONER SILVER: All capital projects right
18 now, are averaging between three to four years. So,
19 there is no faster timeframe for the Community Parks
20 Initiative. We're now on the final phase; there was
21 a three-year tranche of each one of these initiatives
22 of the 67 parks and they ran about the same as all
23 other parks.

24 This Community Parks Initiative along with the
25 reforms I put in place happen at the same time. And

2 so, we did have to deal with 130 projects that
3 proceeded my tenure, we had to deal with that backlog
4 but 2014 is when CPI started, also started our
5 reform. So, it averages about three to four years on
6 average to complete a capital project for a parks
7 capital project here in New York City.

8 CHAIRPERSON KOO: Thank you. So, the Comptroller
9 released an audit in 2018, decided numerous issues
10 regarding how Parks Department manages construction
11 management firms. Who oversees capital projects?
12 What is the criteria by which the Parks Department
13 determines that a contract with Construction
14 Management Firms to one and administer capital
15 projects?

16 COMMISSIONER SILVER: So, thank you for the
17 question. To be clear, that report was released
18 about a year ago, but it was based on analysis done
19 in FY'14 and FY'15. Because of our reform and other
20 changes, the recommendations in the Comptrollers
21 report had already been addressed or in the process
22 of being addressed.

23 So, we communicated at the Comptrollers office,
24 we understood those recommendations, but by the time
25 we received that report, all of those recommendations

2 had already been addressed or in the process of being
3 addressed.

4 CHAIRPERSON KOO: Okay, but can you tell us like
5 how many current projects are being managed by a
6 construction managed firms?

7 COMMISSIONER SILVER: We'll have to get back to
8 you on that number. We do have over 620 but we will
9 get back to you on that number. The majority have
10 resident engineers associated with them. There are
11 some other boiler projects, HVC projects, but we can
12 get you that number if that's something that you want
13 Council Member Koo.

14 CHAIRPERSON KOO: Yeah, lastly, what has been the
15 trend in the recent years regarding the use of
16 construction management firms to manage capital
17 projects?

18 THERESE BRADDICK: We use construction management
19 firms to manage construction on our projects only
20 when it is needed. Our preference is always to use
21 inhouse staff to manage our projects. So, it is only
22 done when we have a lack of staffing or if we have a
23 lot of projects obviously going on at the same time.

24 CHAIRPERSON KOO: So, what are the criteria?
25

2 THERESE BRADDICK: It's usually just a staffing
3 issue if we do not have an in-house person or if we
4 don't have an in-house person that we feel doesn't
5 have the expertise for it.

6 CHAIRPERSON KOO: Thank you. We have also been
7 joined by Council Member Gjonaj, Council Member
8 Rosenthal and Council Member Miller. And now I go to
9 questions to Council Member Gibson.

10 CHAIRPERSON GIBSON: Thank you again Chair Koo
11 and good afternoon Commissioner and Deputy
12 Commissioner. Thank you for the presentation; all of
13 the Council Members here should have a copy of it and
14 I think for us, it gives us a greater understanding
15 of the process that Parks undertakes going from
16 project initiation to project completion and I
17 appreciate the honesty of recognizing all of the
18 challenges that can happen from A to Z in terms of
19 procurement, the bidding process. Because for many
20 instances Council Members such as myself and others
21 are often asked when projects are put out to bid,
22 that you receive the bids back.

23 There are instances where the projects are
24 significantly over the bid in terms of what we
25 estimate the project to be.

2 So, I wanted to ask and frame some of my
3 questions just around a lot of the testimony that
4 you've provided as it relates to fully funded
5 projects and some of the successes that you stated.
6 The Fiscal 2019, in the Mayor's Management report the
7 MMR, states that 90 percent of projects completed in
8 our Fiscal 2019 were at or below budget and that 86
9 percent as you said, were completed on time.

10 So, I wanted to specify and ask, what does it
11 mean to Parks when we say at or under budget? What
12 does that metric look like?

13 MITCHELL SILVER: Basically, that means that if
14 there was a budget, we were able to either do it on
15 budget or under budget, so there was a lot of
16 reference to the early part of testimony about cost
17 overruns.

18 CHAIRPERSON GIBSON: Correct.

19 MITCHELL SILVER: As you can see from these
20 numbers, that is no longer the case. We're able to
21 meet the Mayor's target which is 80 percent to meet
22 or exceed that, so we are not seeing these projects
23 that are having these excessive cost overruns.

24 We're very careful on a monthly basis of watching
25 the cost and minimizing change orders. We went from

2 400 to 100 change orders because we know that could
3 be both costly and timely and so, we monitor the
4 budget very carefully. So, I guess the myth about
5 Parks of having cost overruns is really a thing of
6 the past and no longer in the future. And if you saw
7 from the chart, really from Fiscal Year 2015 and on,
8 we have consistently exceeded the target of having
9 projects both on time and on budget.

10 CHAIRPERSON GIBSON: Okay, so, for the projects
11 that are underbudget where there is a projected
12 amount and we say there is some cost savings
13 achieved, where does that revenue go? So, if you
14 have a project that would be essentially over budget,
15 would that money that's saved in one project go to
16 another project? Where does that revenue go?

17 MITCHELL SILVER: If it is Council money, we meet
18 with Council Finance because that is something, we
19 have little discretion to reallocate, so we do have
20 those conversations with Council Finance to
21 determine. If were under budget, how will that money
22 be re-appropriated? If it's mayoral money, then we
23 have a little bit more discretion. So, that's
24 basically the two options as well as the Borough
25 President, so we do not have the discretion if it's

2 non mayoral money to move that to cover other
3 projects.

4 CHAIRPERSON GIBSON: Okay, and at an earlier
5 Parks hearing I believe this year under Chair Koo, it
6 was stated that the on-time metric that we use from
7 the Parks Department, measure the on-time progress
8 during the construction phase.

9 So, it doesn't look at from project initiation to
10 project completion in terms of what's defined as on-
11 time, but rather during the construction. Is that
12 our accurate understanding? And if that is the case,
13 is there a reason why the Parks Department takes that
14 approach?

15 MITCHELL SILVER: That is accurate. These
16 metrics were developed by the Mayor's Office. I'm
17 sure we're open to looking at other measures in the
18 future but you're absolutely correct. Year over
19 year, since what we call these MMR, the Mayor's
20 Management Report, was a target that we use, it was
21 specifically for construction.

22 CHAIRPERSON GIBSON: Okay.

23 MITCHELL SILVER: And so, you are aware it's not
24 just Parks, but other agencies have that same metric
25 as well.

CHAIRPERSON GIBSON: Okay and I asked that question because as an example, I mean it happens, it has happened within my district when a bid came in higher and we needed to go back for additional funding. I was wondering would that delay show up in our metrics and would there be a better measure that not just parks, other agencies would consider to make sure that projects are delivered on-time and not just construction timeline.

MITCHELL SILVER: Thank you for the question. While there isn't an MMR target, we have internal metrics to determine from design, procurement and construction. Which is why we were able to share these numbers with you in this slide presentation.

So, we do have internal tracking. As I have mentioned, we've seen huge savings on the design side. It was not so the case on the procurement side, but it's something we certainly can track but we're now seeing that the design is coming in as predicted as well as construction.

So, we have those internal numbers, it's not required as the MMR for Parks and other city agencies that have capital projects.

2 CHAIRPERSON GIBSON: Okay, so the process for
3 tracking against a schedule within the design and the
4 procurement phases, are tracked internally by Parks?

5 MITCHELL SILVER: Correct.

6 CHAIRPERSON GIBSON: Okay, would you be willing
7 to share some of that data with the City Council with
8 our Parks Committee and the Subcommittee?

9 MITCHELL SILVER: Yes, and I believe MOCS also
10 tracks that data as well, but the answer is yes.

11 CHAIRPERSON GIBSON: Okay, and I wanted to ask,
12 you've referenced it twice about the change order
13 reduction. And I have a little bit of a construction
14 background, so I know about change orders and I
15 wanted to ask what your - in terms of how that came
16 about and what has the Parks been doing to provide
17 that reduction in change orders. And also, I know,
18 it's been stated and obviously I'm very happy to hear
19 it, but we're looking at more standardization of our
20 designs when we have scoping meetings on the ground.
21 She talked about the internal, so the external
22 meetings that we have with our stakeholders in the
23 community trying to get the best design. But looking
24 at a standard, what I appreciate is that having this
25 standardized process, there is already some sort of a

1 design that's presented to the community and we're
2 not starting from scratch.

3
4 So, what were some of the policies that you
5 looked at that caused such a shift in change orders?

6 MITCHELL SILVER: Well, I guess the luxury of
7 being both the town manager in New Jersey and being a
8 consultant, having a background in architecture. I
9 knew the impact that change orders can have and so, I
10 sat down, this is my first summer here in summer 2014
11 and looked at a number of change orders and the
12 reasons and I had instituted a new policy. Unless it
13 was for life safety or serious site conditions there
14 will no longer be a change order.

15 In the past, someone may have a new design idea
16 they wanted to implement, that was no longer going to
17 be accepted or tolerated and we limited the design
18 down from five to two to remove the potential for
19 change orders in the field.

20 Staff is now instructed if it's for life safety
21 or for a serious site condition that must be
22 addressed, we will allow the change order. So,
23 that's basically the genesis of what occurred and
24 with that new approach, we're able again to reduce
25

our change orders from 400 to 100 on average per
year.

CHAIRPERSON GIBSON: Okay and do we expect that to
continue?

MITCHELL SILVER: It's been continued the past
couple years and staff hearing me say that right now,
they got the message and it's been working. They do
appreciate as well as the contractors also appreciate
fewer change orders because it can take a lot of time
to process the change order and for the contractor to
get paid. So, it does eliminate a lot of hurtles and
paying for both staff and the contractors and
ultimately the public that's waiting for their park
to be open.

We believe this has been a huge change in our
ability to deliver projects on time.

CHAIRPERSON GIBSON: Okay. Most recently the
Parks Department, the capital process, there was an
overview presentation given to the City Council and
the Administration and our Capital Projects Task
Force which has been up and running. We identified a
practice of requiring cost estimates prior to
soliciting community input as a challenge because it
ultimately can result in funding shortfalls when the

2 community requests a different scope than what we
3 expected.

4 So, I wanted to understand why we decided to
5 approach it in this order and why not solicit
6 community input first and then once we have a better
7 understanding what the scope could be, then we would
8 secure cost estimates and secure funding. So, it
9 seems like we're doing it the opposite way, so I just
10 wanted your thoughts on that.

11 MITCHELL SILVER: That is a great question Council
12 Member, something we are exploring and have tested.
13 Because of our volume, typically for us to engage
14 either the Mayor's Office on potential funding or an
15 elected official Borough President of Council, we
16 need a rough estimate of what of funding will be
17 needed as we approach the budget.

18 We'll see how we can shift gears, because as I
19 stated, we have well over a 100 projects a year to
20 have those 100 additional meetings in addition to the
21 design meetings we have could be a bit of a
22 challenge. But it's something we can see if we can
23 explore in some limited cases.

24 So, it is a great idea, we have tested it at
25 least twice and it's something we can see if we could

2 expand further. But initially, because we need to
3 get the ball rolling, we need some funding in place.
4 We do make a rough estimate, then we meet with the
5 community. We understand what program they want and
6 in many cases it is higher. The elements they want
7 the amenities is higher than an original estimate.

8 CHAIRPERSON GIBSON: Okay, and I just have one
9 more question back on the standardized design. Are
10 there other elements of Parks that we're looking at
11 standardizing designs, not just parks, but on page
12 three of the presentation it gives you a layout of
13 all the different monument centers, nature centers,
14 etc. So, is that the case across the board or just
15 specific to Parks?

16 MITCHELL SILVER: Well, for our case, it is
17 limited to right now comfort stations and also play
18 equipment. In the past, if there was a Fire
19 Department theme, because we're naming the playground
20 after a fallen Fire Fighter, it may be themed which
21 meant that play equipment was customized.

22 We've now moved away from that in order to speed
23 construction and are focusing what the manufacturer
24 has available. So, you'll see this new style of play
25

2 equipment that is already something we can purchase
3 and not fabricate and customize which causes delays.

4 So, I would say the playgrounds, the adult
5 fitness equipment, these are things we can purchase
6 "off the shelf." Where in the past, we would have to
7 fabricate some of the play equipment if you see
8 Domino Park for example, that's heavily fabricated.
9 And we're going to more standardized equipment for
10 our comfort stations as well as our play equipment.

11 CHAIRPERSON GIBSON: Okay, just two questions
12 before I turn it over to our Chair.

13 In terms of the RFP's, you've indicated that we
14 now solicit bids for capital projects using an online
15 RFP process which you know, I understand is a more
16 efficient way to welcome contracts. I'm sorry, bids
17 rather. I wanted to understand, are you receiving
18 more bids now that we've moved to an online process?
19 And an earlier comment I made is looking at the arena
20 by which we work with different providers.

21 Everyone in New York City is not building
22 playgrounds and basketball courts, that's the
23 reality. And so, if you look at patterns over the
24 last several years of this administration, we've
25 worked with a similar number of providers. Are we

2 looking at expanding that opportunity with some of
3 the MWBE components that we are working under? Have
4 you seen more bids? Are they more diverse? Are they
5 coming from different areas? How are we looking at
6 this online RFP process to solicit more providers
7 that would be able to give us even better bids, so
8 that we have a bigger environment to work in?

9 MITCHELL SILVER: Well, just to clarify, they can
10 pick up the documentation. They can't submit online;
11 I'll let Deputy Commissioner clarify.

12 But in terms of MWBE, you are absolutely on
13 target as was mentioned. Very often Parks is the
14 entre opportunity for many of our MWBE's. We rank
15 second in the city with 20 percent of our awards
16 going to MWBE's both on the prime and sub. And we've
17 always looking to expand our pool, so if any of the
18 Council Members have interested parties, please send
19 them our way.

20 With that now, I'll turn it over to Deputy
21 Commissioner to see if she has anything, she wants to
22 add but we're always looking to expand our pool and
23 it's to our benefit to have as many contractors
24 bidding on our jobs as possible.

25 CHAIRPERSON GIBSON: Okay.

2 CHAIRPERSON KOO: May I interrupt for a minute; I
3 have to go next door to vote. So, during my absence,
4 Council Member Gibson will take over.

5 CHAIRPERSON GIBSON: Thank you Chair.

6 THERESE BRADDICK: Sorry, the system that allows
7 you to pick up the bid books online just came
8 available October 23rd. So, it's a little bit too
9 soon for us to be able to tell but we believe, and
10 we'll be sure to be tracking how many people pick it
11 up online as opposed to those that still pick it up
12 at our building in Flushing Meadow Park.

13 CHAIRPERSON GIBSON: Okay, and in terms of
14 expanding the MWBE opportunities, are there other
15 outreach efforts that we've embarked on and where do
16 you see that going moving forward?

17 MITCHELL SILVER: Through the Mayor's Office. We
18 meet on a regular basis. We have recruitment fairs
19 and events. We actually go out and try to solicit a
20 variety of ways. And so, we have dedicated staff
21 within the capital division that is responsive of
22 that recruitment. Participating both in our fairs as
23 well as citywide fairs to recruit and we reach out to
24 our general contractors to make sure that they are
25 actually seeking and meeting their targets for MWBE.

1
2 So, it is part of our program and something as I
3 stated, we rank number two in the city of all city
4 agencies and we want to continue to do better so we
5 can claim the number one spot.

6 CHAIRPERSON GIBSON: Okay, I see, you're in the
7 top three?

8 MITCHELL SILVER: We're number two.

9 CHAIRPERSON GIBSON: Number two, alright.

10 MITCHELL SILVER: So, the top three, the answer is
11 yes. We get the silver metal; I like silver.

12 CHAIRPERSON GIBSON: I understand. I love that
13 we aim high, that's good. I wanted to see if you
14 could expand a little bit, I know there is you know,
15 it's obviously an ongoing conversation, but some of
16 the metrics that we're looking at in terms of comfort
17 stations, you mentioned portable trailers. You
18 mentioned a smaller comfort station. I think the
19 bottom line, what we all care about is not
20 necessarily what it looks like on the outside. The
21 cleanliness, the availability of comfort stations and
22 for some of us that have comfort stations in
23 construction today what we can do to provide as an
24 alternative in that park for park goers that have
25

2 been used to having a comfort station but now it's
3 under construction for the next year.

4 Are you looking at alternatives for that in terms
5 of like porta potties and other things that could be
6 provided in absence of a comfort station?

7 MITCHELL SILVER: Thank you for the question. In
8 some cases, yes, we do provide a porta potty. It
9 varies from project to project, some of the larger
10 parks we do it. If the entire playground is closed
11 it's most likely we're not going to do it.

12 But to answer your other question, we heard loud
13 and clear the cost of comfort stations, which is to
14 some extent out of our control. We've been meeting
15 with contractors to find out exactly why the price is
16 so high.

17 Unfortunately, it has not passed the \$4 million
18 threshold. Some cases it has been over \$3 million
19 and that caused us to say, this is unacceptable and
20 getting too high. And so, we start to do a
21 nationwide analysis to find out how could we look at
22 other models that are out there. The Portland Loo,
23 with the using in Boston, using other prefab
24 construction, that work is underway. We're meeting
25 with PDC to find out what would satisfy them, so if

2 we do take this approach, it would be easier through
3 the approval process. That work is ongoing but we're
4 optimistic that we can start looking at new ways of
5 bringing smaller restrooms. It may not be a comfort
6 station, a restroom to more parks at a much more
7 inexpensive cost.

8 So, that work is now underway, and we hope to
9 initiate something soon.

10 CHAIRPERSON GIBSON: Okay, great. We'll circle
11 back as other members have questions. I'll now turn
12 it over to Chair Kallos.

13 CHAIRPERSON KALLOS: Thank you Chairs Koo and
14 Gibson. Commissioner, in your testimony you cited
15 648 completed projects, 130 delayed projects, nearly
16 complete, 85 percent on time, 87 percent on budget.
17 How many projects are you currently managing and what
18 do you use to keep track of all these projects?

19 MITCHELL SILVER: It's around 620 and through our
20 tracker, that tracker, there is a lot that's going on
21 behind the scenes. And so, the data, which I won't
22 bore you, there is a whole database that populates
23 the tracker system. So, through that, we're able to
24 manage all stages of construction percent complete
25 and it's actually in real time.

2 That gives us the ability in this monthly meeting
3 that if there is a project starting to slip, it goes
4 to our red zone so we can keep it moving along. So,
5 it is a database behind the scenes that populates the
6 capital tracker

7 CHAIRPERSON KALLOS: You said data to the wrong
8 person, I love data.

9 MITCHELL SILVER: I'm glad you like data, we like
10 data to.

11 CHAIRPERSON KALLOS: So, in terms of the capital
12 projects tracker that's public facing, it's
13 substantially different than what you have. Is that
14 the case or is it's the same?

15 MITCHELL SILVER: It's the same, you're seeing
16 the visual representation of what it is. So, we're
17 able to the same information, we're putting it in a
18 way that the public would understand rather than
19 seeing the database. They will see percent complete
20 and it's done in real time. Each day, that number
21 moves if some work in a project have been completed.

22 CHAIRPERSON KALLOS: The capital project tracker,
23 I went into the open data platform, downloaded your
24 backend and it's not available as a human readable
25 format, so if you can please make sure that it is.

2 It is XML, so I imported it from XML into a table and
3 I found three records for every project ID. So, you
4 do have a little bit of messiness on your backend, so
5 that may be causing some problems for you on your
6 backend, but my analysis, so right now, you have
7 5,613 separate rows that you are tracking but in my
8 quick analysis, your project tracker has 1,900
9 projects.

10 So, can you share a little bit of what the
11 discrepancy is?

12 MITCHELL SILVER: I will see what the Deputy
13 Commissioner, - my expertise but I'm confident we
14 have staff that could answer that question.

15 THERESE BRADDICK: I'm not sure that I can
16 completely but I'm guessing, I'm not sure what you
17 are looking at but I'm guessing for each project you
18 have three phases, you have design, procurement and
19 construction and that might be the three different
20 phases that you are looking at, but I am not sure.

21 CHAIRPERSON KALLOS: The reason there are three
22 different entries is one of them separates out the
23 funding source from the rest of the record, the other
24 one separates out the location from the rest of the
25 record. The third one separates out the description,

1
2 it's just an issue with your backend that can be
3 fixed. But I guess the quick question is how many
4 projects, because you are saying 600, it's saying
5 1,900.

6 MITCHELL SILVER: No, it is 620 roughly.

7 CHAIRPERSON KALLOS: Okay, and so, I guess along
8 those lines, in terms of the design piece that you
9 put up, if you can bring up slide 10. In my
10 experience, and you can correct me if I'm wrong, when
11 I put funding into a project, there is a twelve month
12 wait before it goes to design. Is that still the
13 case?

14 MITCHELL SILVER: No, that is not the case. Once
15 a project is fully funded, July 1, we just have to do
16 some analysis just to make sure what the project is.
17 Some funding comes from different sources. Once we
18 know it's fully funded and we have the project,
19 within that fiscal year, that project will be
20 assigned to a staff person.

21 In the past, that was not the case and we could
22 not assign all projects within the fiscal year, so
23 you can take two months, it can take ten months. It
24 all varies on the borough and staff availability, but
25 we do not expect the Council Member to wait up to

2 twelve months. On average, it happens during that
3 fiscal year.

4 CHAIRPERSON KALLOS: I am looking at project
5 tracker ID 8633. It was funded quite a while ago,
6 and it said the design start was 2017. And I believe
7 we funded it in 2015 or 2016.

8 MITCHELL SILVER: I'll take a look at that record
9 and get back to you.

10 CHAIRPERSON KALLOS: So, what is the maximum wait
11 anyone would see before the design process starts?

12 MITCHELL SILVER: The maximum now, is the longest
13 would be about 11-12 months. That's now, before
14 that, it could have been longer.

15 CHAIRPERSON KALLOS: Okay, so, shouldn't we
16 update the design slide here with another 12 months;
17 0-12 months for just waiting?

18 MITCHELL SILVER: No, the analogy we use is that
19 all planes cannot take off at the same time. On any
20 given year, we get about 120 projects. We have to
21 make sure per borough that we have the staff,
22 resource or in some cases we have to outsource it to
23 a designer, but we make that assessment and it's done
24 by borough teams.

2 And so, it is rare because it starts to trickle
3 down. We can do the most in the earlier months and
4 then you will see the number peeking down toward the
5 end of the year.

6 So, a very small percentage has to wait 10, 11,
7 12 months. The vast majority happen before that.

8 CHAIRPERSON KALLOS: How do you decide which
9 projects go first and which ones have to wait 12
10 months before they even start the process.

11 MITCHELL SILVER: It's based on staff
12 availability. If there is some complexity to it, we
13 have to initiate local law 63 and wait two months to
14 assign it to an outside consultant.

15 But we look very carefully, we do it by borough
16 and Queens seems to have the most projects followed
17 by Brooklyn. We look at those projects discreetly
18 within the borough as a designer becomes available,
19 we can't assign it because we don't want to have them
20 overstretched and reduce the quality of our capital
21 projects.

22 So, it all depends on staff availability.

23 CHAIRPERSON KALLOS: How many staff - so, have
24 the number of projects you've been getting every year
25 been going up or going down?

2 MITCHELL SILVER: You saw from the slide; it went
3 up 85 percent from the time I arrived to where it is
4 here now. We were able to hire an additional 130
5 staff and although our volume has tremendously
6 increased by 85 percent, we're still able now to be
7 within that three to four-year window of completing
8 projects.

9 CHAIRPERSON KALLOS: The Parks Department
10 pioneered requirements, contracts and what have you,
11 is there a business model that exists for having more
12 staff during busy season?

13 MITCHELL SILVER: I'm not sure I understand the
14 question. When it relates to capital, capital are
15 working 12 months out of the year on design. So, I'm
16 not sure I understand the question.

17 CHAIRPERSON KALLOS: So, I guess the question is,
18 how can we get to a point where we don't have to wait
19 12 months just to start design, because that can cut
20 a year off the process. At least for me, in my
21 district and all the projects I've ever funded.

22 MITCHELL SILVER: Clearly, if there is
23 outsourcing, but even when we outsource, we have to
24 have an internal project manager. We could look at
25 additional staff but where it was before to where it

2 is now, we're moving these projects along a lot
3 quicker. That commitment of having to sign within
4 that fiscal year is a huge departure from years past
5 because it could take in the past up to two years to
6 get the project assigned.

7 CHAIRPERSON KALLOS: What was the headcount for
8 your design team for the July 1, 2019 fiscal budget?

9 THERESE BRADDICK: Just for the design team?

10 CHAIRPERSON KALLOS: Just the design team, the
11 landscape architects, architects, engineers.

12 THERESE BRADDICK: Okay, 117 landscape
13 architects, 30 architects and 34 engineers.

14 CHAIRPERSON KALLOS: Is there any discrepancy
15 between that and what was in the budget at headcount?

16 THERESE BRADDICK: I'm sure we have vacancies, we
17 always had vacancies at any given time.

18 CHAIRPERSON KALLOS: How many vacancies are you
19 looking at right now?

20 THERESE BRADDICK: Right now, I think we're at
21 50. 5-0, yes, 50 vacancies.

22 CHAIRPERSON KALLOS: That's like a -

23 THERESE BRADDICK: It's a large number, yes.
24
25

2 CHAIRPERSON KALLOS: Why and what can we - I'm
3 flabbergasted; how do you run a design division with
4 50 vacant slots?

5 MITCHELL SILVER: We always look at the market of
6 what is being paid and available out there in the
7 market and by way of just announcing right here at
8 this hearing, we're always hiring. If we have
9 emerging design professionals that want to come and
10 work for Parks, it's a great place. We encourage
11 them to apply.

12 CHAIRPERSON KALLOS: How much do landscape
13 architects get paid, architects and engineers at
14 Parks. What is the salary level? Is it a civil
15 service title? How do people get these jobs? You
16 heard it right here, right now, there are 50 jobs in
17 the City of New York for people who want to design
18 parks.

19 MITCHELL SILVER: Let me add, it is a great place
20 to work.

21 CHAIRPERSON KALLOS: So, what is the salary
22 levels and how does that compare to the private
23 market?

24 You just offered a bunch of people watching on TV
25 a job, how much are they going to get paid?

2 THERESE BRADDICK: I do not have the information
3 off the top of my head of exactly. Bearing in mind
4 that within the landscape architecture title, you
5 have several different levels in there. So, it could
6 be a starting salary.

7 MITCHELL SILVER: We'll have to get back to you,
8 but since people are watching and are now excited
9 about applying, we'll make sure we have those -

10 CHAIRPERSON KALLOS: Where can they apply to
11 these 50 jobs and how soon can they get hired?

12 MITCHELL SILVER: They can go to nycparks, just
13 type in parks jobs, and it will take them right to
14 the website and there are jobs available within the
15 capital division. I do believe we're competitive, we
16 offer benefits, fringe benefits that the private
17 sector does not offer and plus, they get to do
18 extremely rewarding work of improving New York City
19 Parks for the next generation.

20 So, we encourage people that are interested to
21 apply.

22 CHAIRPERSON KALLOS: I'm on your site and the
23 only position I see under design and construction is
24 landscape architect, lead mechanical engineer and
25 capital support coordinator. Are those three

2 positions account for the 50 openings or are there
3 more that need to be publicly listed?

4 THERESE BRADDICK: It's important to clarify that
5 the 50 positions are across the entire division.
6 It's not just for design -

7 CHAIRPERSON KALLOS: How many jobs are there
8 across the entire division?

9 THERESE BRADDICK: Our headcount right now is
10 468.

11 CHAIRPERSON KALLOS: Okay, and so, how many of
12 the design staff would you account that 50 if you
13 were to estimate?

14 THERESE BRADDICK: I do not know that number off
15 the top of my head.

16 CHAIRPERSON KALLOS: Okay, I appreciate the
17 honesty. I appreciate you letting us know that you
18 are at least more than 10 percent down and perhaps
19 even 1/3 down in terms of your headcount. How many
20 people would you need so that when the rush of 100 or
21 120 projects comes in on July 1st, that you are able
22 to take those projects and move them forward without
23 any delay?

2 MITCHELL SILVER: Again, Council Member, we're
3 doing that now. That is happening right now, if you
4 look at the chart -

5 CHAIRPERSON KALLOS: But you testified that there
6 might be a delay of up to 12 months before -

7 MITCHELL SILVER: It's not a delay, it's that
8 once we get the funds, it is very difficult to assign
9 120 projects all at once. We look at the boroughs
10 and assign it when a staff person becomes available.
11 It is not a delay, it's just that as you start to
12 allocate work, you want to make sure you have the
13 capacity to do the work. So, I wouldn't call it a
14 delay, it's just within the first year of just
15 assigning the project to a staff person.

16 CHAIRPERSON KALLOS: How many staff do you need
17 in order to make the process for assigning projects
18 that take less than 12 months.

19 MITCHELL SILVER: I'd have to get back to you
20 because under my leadership we are able to get it
21 within the fiscal year, before that, it was longer.
22 I will have to get back to you to find out -

23 CHAIRPERSON KALLOS: On this same slide, internal
24 review takes one month. Is that a place where we
25 could find some time savings?

1
2 MITCHELL SILVER: We already did, that used to be
3 five reviews, it's now down to two. So, now, we're
4 able to actually collapse that down. It used to be
5 longer, where five different leaders within Parks
6 used to review it. It was probably three months we
7 got down to one.

8 CHAIRPERSON KALLOS: Can we get it down to weeks
9 instead of months?

10 MITCHELL SILVER: Possibly but it went from
11 several months down to one month. That's what was
12 stated in testimony. We used to have five reviews
13 from different leaders down to two.

14 CHAIRPERSON KALLOS: The next item is external
15 reviews. So, you are saying it takes three months at
16 the community board.

17 MITCHELL SILVER: This is combined together. We
18 have to go to Community Board, Public Design
19 Commission and in some case Landmarks. It's rarely
20 both but it does take that time to schedule a meeting
21 with the Public Design Commission and also, we have
22 to meet with the Community Board, that's correct.

23 CHAIRPERSON KALLOS: I have never seen a project
24 get three months of review at the Community Boards
25

2 and even with the Public Design Commission, most of
3 the projects move fairly quickly.

4 I know that a lot of folks have questions, but I
5 think my point here is that I think if we a. hire the
6 number of people you need for your design team and
7 make the assignments quicker, I think there is a
8 chance to cut at least a year off the timeline and
9 how long people have to wait.

10 In terms of Contracts, I'm the Contracts Chair,
11 you mentioned that all the contracts are now online.
12 Where can I find those online?

13 THERESE BRADDICK: They are on the website, on
14 the capital portion of the website.

15 CHAIRPERSON KALLOS: I'm on the capital project
16 section of the website, where in particular?

17 THERESE BRADDICK: In one second and we'll get
18 some assistance and tell you exactly where to go.

19 CHAIRPERSON KALLOS: Thank you.

20 THERESE BRADDICK: If you can try to search
21 contracts on the website.

22 CHAIRPERSON KALLOS: I did.

23 THERESE BRADDICK: And what came up?

24 MITCHELL SILVER: Ours that popped up is contract
25 resources.

2 CHAIRPERSON KALLOS: I got business
3 opportunities, capital projects, bid solicitations,
4 bid results.

5 THERESE BRADDICK: Bid solicitations.

6 CHAIRPERSON KALLOS: So, those are the bids.
7 Where are the actual completed contracts?

8 THERESE BRADDICK: They are not completed
9 contracts. What it is, you're allowing someone to
10 pick up the actual book itself to bid on the project.

11 CHAIRPERSON KALLOS: Got it, okay. So, if your
12 following along, if you go to the Parks website, you
13 can't go and look at the contract for a completed
14 project or a current project, you can look at
15 opportunities to bid on projects.

16 So, thank you, I'll turn it back to the Chair,
17 thank you.

18 CHAIRPERSON KOO: Thank you. Council Member
19 Grodenchik, you have questions right.

20 COUNCIL MEMBER GRODENCHIK: Thank you Mr. Chair.
21 Good morning Commissioner, good morning Therese. I
22 have to be very nice; she is a constituent.

23 Commissioner, I'm going to give you an
24 opportunity. I mean, you may not want it, but I will
25 give it to you anyway.

2 If you had a magic wand and could do one thing
3 that would speed up this process, what would that be?

4 MITCHELL SILVER: I am pausing because I don't
5 know. I never had a magic wand, so I wouldn't know
6 what to do. Probably create world peace and see what
7 I could change.

8 COUNCIL MEMBER GRODENCHIK: It's limited to Parks
9 Contracting, this magic wand okay.

10 MITCHELL SILVER: Alright, I think we're going in
11 a right direction. There's been great headway; the
12 administrations, meeting with the capital agencies.
13 I think procurement, we all recognize is the area
14 that we can focus on and work is being done with MOCS
15 and passport.

16 We're encouraged by some of the ideas from DDC in
17 a blueprint. And so, I'm very encouraged that to me,
18 the magic wand is that how we can just take a deep
19 dive and look at procurement. I think our
20 presentation really highlighted that.

21 So, that would be my magic wand, is how we can
22 just take a look at procurement and continue some
23 reforms that we've been putting place.

24 COUNCIL MEMBER GRODENCHIK: Alright, I was going
25 to ask another question, but I don't want to preamp

2 my colleague Andrew Cohen. So, I'm going to pause
3 there and I'm going to turn it back to the Chairman.

4 Thank you, good to see you Commissioner.

5 MITCHELL SILVER: Alright, thank you.

6 CHAIPERSON KOO: Thank you, Council Member Cohen.

7 COUNCIL MEMBER COHEN: Thank you Chair. Good
8 morning Commissioner, how are you?

9 MITCHELL SILVER: Good morning.

10 COUNCIL MEMBER COHEN: I know that there has been
11 a lot of discussion on the amount of time and I do
12 think that echoing what Chair Gibson said. I do
13 think that some progress has been made. I mean,
14 obviously, on our end it's frustrating that these
15 projects take as long as they do.

16 But I want to talk about cost. We've seemed to
17 like almost like just raised the white flag on cost
18 and as I allocate my precious capital dollars, it's
19 becoming to me not viable to fund Parks projects
20 because they are so expensive.

21 I was wondering if you could just talk a little
22 bit because and we've done this hearing. We all know
23 the drill, we've done it before, but I've never seen
24 any contractors here and I wonder if you could talk a
25 little bit about the universe of contractors. How

1 many there are, if you bid a project, how many bids
2 you tend to get. Is it really a small universe, is
3 it a big universe, what's going on out there?

4
5 MITCHELL SILVER: Well, thank you for the
6 question. I do believe at a previous hearing we had
7 the building industry to come in to shed some light
8 about what is happening in the market and I did
9 answer questions about just how expensive this market
10 is.

11 In terms of price, this is one of the most
12 expensive markets. This is a state that supports our
13 working families, workers. We have insurance that
14 has to be addressed. We look at all those factors,
15 but this is a very expensive city to do work in.

16 We don't mind taking a deeper dive. We've met
17 with contractors to get some of their insight. We're
18 addressing some of those issues.

19 From our point of view, we're trying to figure
20 out how to make construction cheaper. Streamlining,
21 we're no longer putting comfort stations in the
22 middle of the park. We're putting it closer to the
23 street, so we minimize utility runs.

2 As you see, we're now looking at comfort stations
3 and restrooms of how it can be cheaper. We're
4 standardizing our equipment.

5 So, when we put it out to bid, we're trying to
6 minimize higher costs for projects and that's what
7 we're trying to do, but certainly, we don't mind
8 having conversation with contractors and bringing
9 them in. In fact, one of the contractors knew about
10 this hearing, came in and wanted to also address both
11 some support and some concerns that they have.

12 So, I think it would be a good conversation to
13 have. It is something we do welcome, but they are
14 hard working firms, they are doing great work. We're
15 seeing emerging MWBE's being very successful and
16 we're taking a hard look at how we can streamline and
17 keep our costs down.

18 COUNCIL MEMBER COHEN: Could you just address
19 like, if you have a \$5 million playground and you
20 build out of a playground, how many bids do you get
21 and sort of, how many contracts, you have 600 capital
22 projects going, how many contractors are in that
23 universe that you are working with?

24 MITCHELL SILVER: I'll let the Deputy
25 Commissioner answer but on average, we get three to

2 four. If we get one or two, it's very difficult to
3 bid that out. In some cases, we don't get any. So,
4 I think it varies on average, I will say three to
5 four, but I will let the Deputy Commissioner provide
6 more clarification.

7 THERESE BRADDICK: No, the Commissioner is
8 accurate. It is about usually three to four,
9 sometimes it can be up to twelve and then as he said,
10 sometimes you might only have one bidder. And
11 typically, when you only have one bidder, because
12 there is no competition there, we typically have to
13 reject that bid and then rebid the project.

14 COUNCIL MEMBER COHEN: And how many bidders are
15 in your stable? How many people are doing business
16 with the Parks Department or is it the lion's share
17 going to small group?

18 THERESE BRADDICK: It's about 59, 60. There
19 universe is about 60.

20 COUNCIL MEMBER COHEN: And could you say, is 90
21 percent of the work going to a small percentage of
22 that?

23 THERESE BRADDICK: I don't know that percentage
24 over the top of my head, but we can look that up.

2 COUNCIL MEMBER COHEN: I would be interesting in
3 knowing, I mean, if you could provide us the number
4 of contractors who are building our parks and the
5 percentage of work that they get. I think that that
6 would be worth taking a look at.

7 THERESE BRADDICK: We do have a lot of repeat,
8 but we also have I think as the Commissioner
9 explained, we do have a lot of new vendors that come
10 in our way and in some ways it's a little bit of a
11 mixed bag. We're very proud of that fact that we're
12 the entre to those new vendors but it also sometimes
13 is very difficult when they are not familiar with the
14 city's process.

15 MITCHELL SILVER: And we also have to manage the
16 number of projects any firm can handle, so they're
17 not overextended.

18 So, there is a balance even though with that
19 existing pool, there are some we know that can handle
20 many jobs or others that we have to give them just a
21 few jobs.

22 COUNCIL MEMBER COHEN: I guess, just in my brief
23 moments left, just to cut to the - what safeguards
24 are there that there is not collusion among the
25 bidders. I mean, I understand the bureaucracy as

1
2 someone who works in government, I've gotten my head
3 around it a little bit that the obstacles that you
4 face and the challenges. But it's still very hard to
5 fathom that a comfort station is \$3 million or \$3.5
6 million dollars. Van Cortlandt park abuts the
7 neighborhood Fieldston and one time a constituent
8 recommended, why don't we just buy one of the
9 mansions in Fieldston with seven bathrooms and let
10 people use it, because it would be cheaper than
11 building the bathroom and it's not easy to
12 understand.

13 MITCHELL SILVER: Again, we appreciate the
14 question. We do welcome a further conversation about
15 the cost. We did our own analysis to find out if
16 there are any patterns we could determine. We didn't
17 really see anything specifically. I do not believe
18 there is collusion and there are cases where I have
19 to reject a bid once I saw the comfort station
20 starting to approach \$4 million, we had to reject
21 that. We felt it was just for the purpose of the
22 taxpayers, there's no way that in clear conscience we
23 could award that contract.

24 So, we're open to the conversation to see what we
25 can do and to share what we're doing to keep some of

1 those prices down and it maybe a different bathroom.

2 I won't even say a comfort station, a different
3 bathroom or restroom in the future, but we're doing
4 everything we can to keep those costs down.
5

6 [UNIDENTIFIED]: Thank you Mr. Chair. Hello
7 Commissioner and team, always great to see you. Over
8 the years, we have encumbered the procurement process
9 with so many protections, each of which I think had a
10 really well-meaning purpose originally to fight
11 corruption primarily, but other ways to safeguard the
12 public money and it's added up to something like Rube
13 Goldberg diagram, flow chart. I've actually seen
14 this; it takes up an entire wall in very small font.

15 You said in your opening statement, I think it
16 was you or maybe it was Therese, that about three
17 quarters of the time in that procurement process, are
18 steps in which you're at other agencies. Where it's
19 actually not sitting at the Parks Department. So,
20 this could be everything from the City Law Department
21 to Mayor's Office of Contract Services.

22 It might be the City's Public Design Commission.
23 There may be cases where DOT has to sign off, I'm not
24 sure about that. Do I have this right that such a
25 huge portion of the time these plans are stuck in

2 other agencies, could you expand on that a little bit
3 and tell us what we can do as the City Council to
4 push those agencies to expedite the process, so that
5 again, 75 percent of the procurement is not stuck at
6 non-parks agencies?

7 MITCHELL SILVER: Well, those conversations have
8 already started. One we have recommended was Local
9 Law 63, it is a small first step but that's two
10 months out of the design process which would be most
11 beneficial.

12 As Council Member Kallos said, very frustrated by
13 getting those parks assigned to a designer, that is
14 one tool we use that is not inhouse, but we use
15 outside sources but at the beginning of the year, it
16 forces us to delay those projects by two months.

17 So, taking a look at Local Law 63, would be one.
18 This is the chart you are referring to, maybe we'll
19 make a mural of it on a handball court somewhere in
20 the city.

21 Change of colors, but you're correct. I think
22 this is where the Administration is taking at look at
23 but you're right, a lot of these rules were put in
24 place for good reasons.

2 So, I think it does warrant a fresh look at how
3 we can streamline this process because if one thing
4 goes wrong, if we don't get a successful bid and we
5 have to restart, those are three or four months. If
6 there is due diligence, that's a long delay.

7 So, within this one, based on the rules, if one
8 issue goes sideways, it can potentially take this
9 seven to ten-month process and can last up to a year
10 and a half if not longer.

11 [UNIDENTIFIED]: Could you identify which agencies
12 are responsible for the longest time delays in the
13 procurement process?

14 MITCHELL SILVER: Here are the agencies that we
15 have to work with. I don't know if I could assign -
16 each of them are trying to move it out very quickly
17 as possible but there is MOCS, OMB, Law, DOI and then
18 DLS, the Comptroller, and then as I mentioned, we
19 have both city and state laws we have to follow.

20 So, everyone is doing their part, it's just
21 collectively these are the rules that we have to
22 follow, and I can name some of the issues if
23 something goes wrong in its procurement process.

2 [UNIDENTIFIED]: Just to pick an example, so how
3 much time does the Law Department take in the
4 procurement process?

5 MITCHELL SILVER: About 30 days.

6 [UNIDENTIFIED]: 30 days. What are they doing
7 for those 30 days?

8 MITCHELL SILVER: They're reviewing the contract.

9 [UNIDENTIFIED]: Okay, so if we can push them to
10 do that in a week, then we just save three weeks.
11 What about -- so DOI Department of Investigation, how
12 much time do they take?

13 THERESE BRADDICK: They are allowed to take 30
14 days as well.

15 [UNIDENTIFIED]: Another 30 days. Sorry DLS is
16 Legislative Services or what's DLS?

17 THERESE BRADDICK: Labor.

18 MITCHELL SILVER: Labor.

19 [UNIDENTIFIED]: Ah, Labor Relations you mean?
20 Oh, the Department of labor.

21 THERESE BRADDICK: Department of Labor Services.

22 [UNIDENTIFIED]: And they're doing what?

23 THERESE BRADDICK: Once second, we'll get the
24 right answer for you.

2 [UNIDENTIFIED]: Okay and you know I'm going to
3 ask the same question about OMB and MOCS. Like how
4 much time are each of them taking and why do they
5 need that?

6 THERESE BRADDICK: OMB is allowed to take 30 days
7 in order to process a CP. I'm sorry, a CP is a
8 Certificate to Proceed which basically says the money
9 is available for you to move the project forward.

10 [UNIDENTIFIED]: Right, so we have five agencies,
11 each of which are given 30 days. Why couldn't they
12 do that work concurrently?

13 MITCHELL SILVER: In some cases, they do.

14 [UNIDENTIFIED]: And are we pushing any of them
15 to reduce that 30-day turnaround?

16 THERESE BRADDICK: We always push them to and we
17 track very carefully how many days that they take to
18 do that. But we do not control -

19 [UNIDENTIFIED]: I know the Parks Department
20 doesn't control it and these agencies are not here to
21 answer these questions, but I think we've identified
22 an area that we have to push. Which is agencies
23 beyond Parks which are grabbing a significant amount
24 of time if you sum it up collectively. And I think
25 we have to push every one of those agencies either to

1
2 reduce the time it takes or to work concurrently with
3 other agencies.

4 We cannot have Parks projects stalling for each
5 of five agencies. You're not counting PDC there
6 either.

7 MITCHELL SILVER: PDC is design process.

8 [UNIDENTIFIED]: Ah, okay, well, I'm going to
9 throw them in as well. So, now we have half a dozen
10 other agencies which stall the Parks Capital process
11 at one point or the other and each of them we need to
12 push to tighten up the timeline.

13 MITCHELL SILVER: But I think also to be fair,
14 that all of these agencies are following specific
15 regulations.

16 [UNIDENTIFIED]: If it's on us to change the
17 rules, we'll do that. Someone needs to tell us what
18 rules they need to change.

19 As I said, when I opened, this I the result of
20 generations of good government work, much of which
21 originate from the Council, but you add it all up and
22 it becomes totally unworkable. And it has lead to
23 unacceptably long procurement and design process.

2 So, if someone can tell us the laws to tweak,
3 we'll do it. My time is up, and this is definitely
4 something I think we need to pursue.

5 Thank you, Commissioner, thank you Mr. Chair.

6 CHAIRPERSON KOO: Thank you. Council Member
7 Gjonaj.

8 COUNCIL MEMBER GJONAJ: Thank you Chairs.
9 Council Member thank you for taking most of my
10 questions.

11 For the record, Commissioner, there is a God, I
12 lost my voice so I can't even beat up on you today.
13 It's terrible, I'm sure you are disappointed.

14 But for the record, we've gone through this a few
15 times. The six agencies: MOCS, OMB, LAW, DOI, DLS,
16 and Parks Department, don't they all fall under the
17 picture of this administration?

18 MITCHELL SILVER: Yes, they do.

19 COUNCIL MEMBER GJONAJ: So, what's the problem?

20 MITCHELL SILVER: As I have stated that those
21 conversations, those agencies, have occurred. MOCS
22 is now with their passport is looking to streamline
23 the process. So, things are trending in the right
24 direction based upon those conversations but there is
25 always room for improvement.

1
2 COUNCIL MEMBER GJONAJ: Commissioner, very fond
3 of you. I like you personally and I really see the
4 hard work that you've put into this. All it's going
5 to take is that this Administration to come up with a
6 real commitment to put all of you in one room and
7 say, figure this out but there is no desire. And I'm
8 not looking to throw anyone under the bus, but when
9 there is no leadership and there is no desire, your
10 hands are tied.

11 And I don't care to hold back anymore because
12 this is the definition of insanity doing the same
13 thing over and over again and expecting a different
14 result.

15 All of the issues that you've mentioned could
16 have been addressed, should have been addressed and
17 it's not too late but I assure you for the next year
18 and a half or two years, this administration is not
19 going to solve this problem. There is no desire.

20 Talk about comfort stations and that we're going
21 to use instead of a stick building that we'd have
22 modulars, this was done in previous administration
23 and a decade later, we're coming right back to well,
24 why don't we look at modulars instead of having these
25 structures built.

1
2 We constantly waste time, we make it look like
3 we're about to do something, we just make matters
4 worse.

5 Why aren't we doing more work inhouse? When we
6 know that you can do it cheaper, quicker, more
7 efficient and save time and taxpayer dollars. And
8 part of the problem that no one has alluded to is all
9 of the money that comes out of our discretionary
10 funding is posted for the world to know.

11 So, when I put \$3 million in a budget for a
12 skatepark, every contractor knows I can bid up to \$3
13 million. They know exactly what the previous
14 projects or other projects have been given out.
15 There's no inclination to shop it around.

16 Using the transparency that by being too
17 transparent, we are forcing the prices to go up and
18 there is price fixing. We've allowed it to happen.
19 Every contractor knows a skatepark in the Bronx that
20 I put discretionary funding in for is \$3 million.
21 What do you think the bids going to be? \$3 million.

22 What happens to the money on projects that we
23 allocate that we over allocated? Where does that
24 money go?

2 MITCHELL SILVER: Let me respond to a few of your
3 questions. You had mentioned inhouse crews. We have
4 tested and, in some cases, used inhouse crews.

5 Because we have so many projects, we would have to
6 hire an entire team but there was a case in Staten
7 Island where we renovated a comfort station inhouse.

8 We did synthetic turfs inhouse, but those staff are
9 assigned to do all the borough trades and so, as a
10 pilot, we wanted to see if it worked and it worked.

11 But we would need to have an entire construction team
12 to do that, maybe a conversation for another time,
13 but we do know we can do it and they do a lot of
14 trade renovations within the borough.

15 So, that is to answer that question. So, it is
16 something we do explore, and we do save a lot of
17 money particularly on synthetic turf, on certain
18 comfort station renovations, certain borough trades
19 within our buildings, doing outstanding work. And
20 it's something we're going to explore more and more
21 to do.

22 COUNCIL MEMBER GJONAJ: Commissioner, thank you
23 but what's the hold up. Why can't we become or have
24 an inhouse contractors? It's successful, it works,
25 it comes up to be a fraction of the cost.

2 MITCHELL SILVER: I appreciate the question. You
3 mentioned we have about 60 contractors, with very
4 specialized talent. I don't know if Parks itself can
5 have a whole construction team to build those hundred
6 or so projects a year. It's something we'll sit down
7 and explore with you, but I'm not sure how do we get
8 from going from now a full construction team for all
9 Park projects, but we are doing more and more inhouse
10 and it is saving us some money.

11 COUNCIL MEMBER GJONAJ: Not some, a lot.

12 MITCHELL SILVER: It's saving us - yeah.

13 COUNCIL MEMBER GJONAJ: And I'm going to just
14 Chair, with your permission, just ask one more last
15 question.

16 I've lost all faith in this Administration. To
17 not only address this issue, but when it comes to
18 some of the more basic issues.

19 We held several months ago, a grass summit
20 meeting bringing in Parks, DOT, Sanitation, just to
21 figure out who is responsible to maintain Parks and
22 city property. No one admitted to their
23 responsibilities. I've mentioned this to you in the
24 past. Imagine, we have all of these agencies with
25 budgets and no one takes responsibility for the

oversight and responsibility of maintaining of
something that's so basic as just cutting grass.

So, why should we believe that any of these
issues that you brought up will be addressed?

MITCHELL SILVER: One, this is an Administration
that does have an outstanding reputation of getting
things done. But one issue you spoke about in
particular was a parkway and if you recall, we got a
cut. We thank you for bringing it to our attention
and as a result, we're looking harder at those assets
where there may be joint jurisdiction.

In terms of the capital process, I too have to
applaud the Administration that through MOCS and
Passport and our ability to make some innovations,
the ideas that DDC is bringing to the front has in
fact moved things forward and we had a great deal of
support for even for the Parks Capital process going
from a starkly many, many years down to three to four
years.

So, I'm optimistic about the changes we could
make, and this hearing is even highlighting that
forward momentum that we'll continue making that
progress going forward.

2 So, I ask you to maintain your optimism and I do
3 believe that more positive change is on the way.

4 COUNCIL MEMBER GJONAJ: We cut the grass, we
5 don't know who is going to be responsible for the
6 next grass cutting Commissioner and there's 30 plus
7 locations like that throughout the city that I'm
8 aware of.

9 Where nobody claims responsibility, no one makes
10 the necessary maintenance until months are spent
11 trying to get something as simple as grass cut.

12 So, yes, the grass was cut by you in cooperation
13 with DOT, but can you answer who's going to be doing
14 the next scheduled grass cutting?

15 MITCHELL SILVER: We will have that answer for
16 you very shortly, so we do not have to go through
17 that pain again next season.

18 COUNCIL MEMBER GJONAJ: Thank you.

19 CHAIRPERSON KOO: Thank you. We acknowledge
20 Council Member Ulrich joined us and he has a
21 question.

22 COUNCIL MEMBER ULRICH: Thank you Mr. Chair and
23 thank you Commissioner for your testimony. I did get
24 a chance to read it over. I first want to give a
25 shout out if I can to my Borough Commissioner Mike

2 Docket, who's doing an outstanding job in the Borough
3 of Queens. His office is very responsive, and
4 they've been very helpful to a lot of my constituents
5 with particular issues.

6 So, if you can give him a raise, give him a
7 raise, he deserves it. Because he has to deal with
8 people like me 24/7.

9 I want to ask you about - I know that it was
10 mentioned earlier when I wasn't here about the
11 possibility of project labor agreements or the
12 potential to allow for more, what we often refer to
13 as bid bundling.

14 In other words, if we have to fix one handball
15 court in my district or renovate one tennis court in
16 my district, why can't we bundle several of those
17 smaller capital projects into a larger capital
18 project, so that we're not starting from scratch
19 every time we need to renovate a handball court or a
20 tennis court.

21 I was told several years ago, prior to this
22 administration, the previous administration, that the
23 concern with that particular issue was that it would
24 somehow disenfranchise MWBE's and that was a concern
25 that was related to me and the capital division here

2 at the Council. But we were very frustrated when
3 each Council Member is trying to rebuild or fix a
4 skateboard park, a handball court, the tennis court.
5 Again, some of these smaller projects, has parks
6 gotten better with those type of capital projects and
7 how do you handle them?

8 MITCHELL SILVER: Well, we do use bundling in
9 certain cases. The PLA right now is under
10 negotiation, so I prefer not to discuss the PLA. But
11 I'll have the Commissioner respond more about what
12 has changed and what practice is different today than
13 in the past.

14 THERESE BRADDICK: Thank you Commissioner. So,
15 we have used bid bundling in the past and we still
16 continue to do it, but we've learned quite a bit
17 about when it works and when it doesn't work.

18 Clearly, what we've learned is that you should
19 not bundle things when it crosses over boroughs,
20 because individual contractors often times then can't
21 handle work in more than one borough at a time.

22 So, it can work when it's a very discrete
23 project. It's a similar scope of work and it's done
24 within the same geographic area. But again, when we
25 done it and the work is done over a series of

2 boroughs, we always find that someone is not going to
3 be happy because one project is going to move forward
4 in one borough but someone else then is going to get
5 a delayed project.

6 COUNCIL MEMBER ULRICH: So, it's really a
7 capacity issue in terms of vetting these potential
8 contractors?

9 THERESE BRADDICK: It is a capacity issue, but we
10 have never found that even for some of our larger
11 contractors, when you bundle things across boroughs
12 that it works.

13 COUNCIL MEMBER ULRICH: That's fair enough. The
14 second issue I want to bring up it relates to public,
15 private partnerships. I really believe that if the
16 City of New York wants to achieve top quality
17 customer satisfaction or service that city agencies
18 deliver, that we need to do a much better job of
19 engaging the private sector.

20 Now, the Parks Department has gotten very good in
21 Queens with teaming up with Jeff Blue and the Mets
22 and some of the larger corporate folks but I'm really
23 looking at the neighborhood by neighborhood and block
24 by block potential that I think is really untapped.

2 If you look at Sanitation for instance, they have
3 Adopt a Liter Basket, a local pharmacy or a grocery
4 store can adopt a basket. If you look at DOT, you
5 have a local catering gourmet, adopt a highway or an
6 area a mile, but when it comes to green streets for
7 instance, something as small and mundane as a green
8 street that is not being well taken care of because
9 Parks resources are spread so thin, why don't we
10 allow for public private partnerships to adopt a
11 green street or other opportunities to bring in
12 private money and private enterprise or private
13 companies to help us enhance green space in the city?

14 MITCHELL SILVER: Well, Council Member, thank you
15 for the question. We actually do have a marketing
16 team that does just that. We have Adopt a Park
17 program and we're also reaching out to the private
18 sector whether it's a number of them. I don't want
19 to name them specifically, that actually will invest
20 in basketball court refurbishment, skateparks
21 refurbishment and their actually doing that on their
22 own.

23 And so, we have a whole division that reaches out
24 to the private sector and I get a quarterly report on
25 what is the adopted Park program.

2 I'm hoping this will get the word out, that we
3 encourage more and more to come in. But as we see an
4 opportunity, we'll solicit that company to see if
5 they want to provide something in their park.

6 We've been great with sports coating skateparks
7 across our city and we welcome more of it.

8 COUNCIL MEMBER ULRICH: I'm just concerned again,
9 about the smaller neighborhood by neighborhood, block
10 by block green spaces. So, like those little
11 triangles or those green spaces. When we have a
12 Gowanus group or a fraternal organization or a civic
13 organization that says, hey, we have money, we want
14 to hire a landscaper, we want this to be maintained
15 at a higher level. How do we engage that? Who do I
16 engage in your office? Who do I contact?

17 MITCHELL SILVER: The person right here and like
18 I said, we welcome those opportunities if you have
19 people that are interested.

20 COUNCIL MEMBER ULRICH: I have two spots in
21 particular, but I'd love to continue the conversation
22 offline with the Assistant Commissioner.

23 MITCHELL SILVER: Yes, Sam Biederman.

24 COUNCIL MEMBER ULRICH: Okay, Sam and maybe
25 afterwards we can chitchat about this, but I have

2 some interesting ideas and I'd love to see Parks be a
3 little bit more flexible that all.

4 SAM BIEDERMAN: We'd love that. We'd love to
5 talk to you, so I'll get you after the hearing.

6 COUNCIL MEMBER ULRICH: Thank you sir.
7 Commissioner, thank you again. Thank you.

8 CHAIRPERSON GIBSON: Thank you Council Member
9 Ulrich and thank you again. I just had a couple of
10 questions before we get to our next panel for today's
11 hearing.

12 So, there is an important connection between both
13 capital and maintenance as it relates to staff and as
14 I mentioned earlier in this adopted budget in June,
15 we were very successful in achieving almost 300 new
16 Parks staff. For many of us that is an important
17 part of not only just maintaining Parks, but the
18 presence of PEP officers and you know, for us in
19 Bronx county we've got the opioid situation we're
20 dealing with. So, the needles that are so rampant in
21 our parks is also very concerning.

22 So, adding those Park gardeners, the PEP officers
23 has been tremendous. So, I wanted to ask in terms of
24 the staff itself, do you feel that we have enough in
25 terms of capacity of all of the capital projects to

2 date that we have, and you know you'll get more in
3 the next two budget cycles. What are we doing to
4 make sure that we also have capacity in terms of the
5 capital division itself and the staff, the designers,
6 the architects, etc.?

7 MITCHELL SILVER: Well, for any new land, we
8 typically work with OMB to add staff if it's a new
9 park. Most of the work that we do is improving an
10 existing park and so, we are certainly grateful for
11 both the Mayor and Council and the park advocates who
12 advocated for more parks staff.

13 And so, we have and right sized what those crews
14 should be. What are the locations, where they are
15 needed most and we continue to work both with the
16 advocates, our administrators to make sure that
17 they're adequately served.

18 When we do add new park land, that's when we look
19 at adding more staff but through our existing park
20 system, we're very grateful for the additional staff
21 and we're doing our best just to make sure we keep up
22 those inspection ratings.

23 CHAIRPERSON GIBSON: So, are we also looking at
24 and you said the majority of our park capital work is
25 renovation of existing parkland.

2 MITCHELL SILVER: For the new capital parks that
3 we have and new projects, so as an example, the
4 Jerome neighborhood rezoning that we achieved two
5 years ago, we have \$60 million set aside for new park
6 land, \$25 million for Grant Park, about \$4.6 for
7 Corporal Fischer, which these are brand new build
8 outs. Bridge Playground, we also have the Harlem
9 River, Greenway, the esplanade along the Harlem River
10 in the Bronx.

11 So, these are all major capital projects that
12 obviously will fall into Parks portfolio. So, what
13 timeline and how often are you looking at brand new
14 park projects when they come online and comparing
15 that to the overall budget needs of that borough in
16 terms of adding more staff.

17 MITCHELL SILVER: Right.

18 CHAIRPERSON GIBSON: Because I think you know,
19 just like we look at SCA and new schools, new
20 housing, all of that interagency coordination is
21 really important to make sure that everyone is having
22 the same conversation as it relates to staff and
23 capacity.

24 MITCHELL SILVER: Thank you for the question. As
25 the new parks come online, we do start those

2 conversations with OMB about new needs, about now
3 that we have x-amount of acres coming online of new
4 park, we look at some of those staffing levels to
5 make sure that we can adequately serve all the parks
6 as well as the new parks in the borough.

7 So, that happens in the new needs. It usually is
8 when we anticipate a park opening, so that we can go
9 ahead and initiate that new need request.

10 CHAIRPERSON GIBSON: Okay, and I wanted to ask,
11 we've talked a lot about the Public Design
12 Commission. What role does the Public Design
13 Commission play in each of our Parks Capital
14 projects?

15 MITCHELL SILVER: Well, it's for all city
16 designed projects.

17 CHAIRPERSON GIBSON: Okay.

18 MITCHELL SILVER: We happen to be the agency that
19 provides the most work to PDC. They're required to
20 sign off on the final design. It depends on the size
21 of the project. There is conceptual, there is
22 preliminary and then final design.

23 So, they get to ultimately approve what that
24 design is going to be.

2 CHAIRPERSON GIBSON: Is there a minimum amount of
3 the project, a minimum amount that they look at or
4 they look at all capital projects?

5 MITCHELL SILVER: Yeah, anything that's on public
6 property.

7 CHAIRPERSON GIBSON: Okay.

8 MITCHELL SILVER: And it's not just Parks, it's
9 all agencies.

10 And what was stated is that because we meet early
11 on some of our standard design, prior of me getting
12 here, only 20 percent got approved the first time,
13 now we're over 90 percent.

14 So, PDC' been a great partner, I think they
15 understand our new design approach and it's really
16 saved us a lot of time.

17 CHAIRPERSON GIBSON: Okay, another partner is the
18 Department of Design and Construction DDC.

19 MITCHELL SILVER: Yes.

20 CHAIRPERSON GIBSON: Parks often partners with
21 DDC on some of the larger capital projects, how does
22 that interagency coordination work and when do you
23 decide or who decides if DDC takes a Parks project?

24 MITCHELL SILVER: Well, there was an old process
25 and a new process. They handle about 5 percent, 4-5

2 percent of our portfolio. Now, we identify it
3 upfront and we do frontend planning. So, DDC is at
4 the table as we start designing the process, plus
5 they could take advantage of design build which can
6 be a huge asset.

7 So, in the past, we would advance it and then we
8 would hand it over to DDC. Now it's more coordinated
9 at the front end and as a result, we do expect a much
10 more streamlined and expedited process.

11 CHAIRPERSON GIBSON: So, exactly what types of
12 park projects does DDC handle?

13 MITCHELL SILVER: They tend to be the larger
14 engineering type projects buildings, bridges. And
15 also, they tend to be the larger ones, example are
16 Ocean Breeze, the Bronx River House. These are very
17 large multimillion-dollar engineering architectural
18 projects and bridges. So, that tends to be their
19 portfolio.

20 CHAIRPERSON GIBSON: Okay, well, my final
21 question, I have to go vote next in the room. Is
22 when you look at the landscape of Parks and a lot of
23 this Administrations priorities, we have had
24 different programs like the Anchor program. For us
25 in the Bronx, the Saint Mary's Park. We've had the

2 CPI, Community Partnership Initiative and that's
3 garnered a lot of new park renovations.

4 So, what I want to ask is moving forward, we have
5 two ears in this administration, and I want to look
6 at other opportunities where we can embark on new
7 initiatives.

8 I've not seen that level of priority and really
9 attention given to recreation centers. I love
10 recreation centers and they need a lot. They have a
11 lot of capital needs. I represent the Mullaly
12 Recreation Center which is right next to Yankee
13 Stadium and that capital is about \$11 million from
14 roof to ground. Just in terms of the needs.

15 So, I guess what I'm asking and what I'm offering
16 in the next few weeks as we prepare for a new budget
17 season, I would love to see the administration come
18 out with an ambitious priority focused on parks
19 recreation centers.

20 Many of them are operated by local CBO's in
21 conjunction with the Parks Department and they
22 operate the programs and that's great but when you
23 look at the capital work, it's just enormous for our
24 Council budgets to absorb and so, I would love to see
25 something happen where they can be a focus, like the

2 Anchor program, like CPI, but let's look at something
3 for our rec centers.

4 MITCHELL SILVER: Thank you for that
5 recommendation, it's point well taken and as you do
6 know we are investing in a number of our rec centers,
7 Mullaly, that was a public-private partnership and
8 we're looking to do more on other rec centers, but
9 when we talked about that capital assessment, the rec
10 center was part of that portfolio.

11 So, your recommendation is well taken and it's
12 something we will go back and have that conversation.

13 CHAIRPERSON GIBSON: Okay, great. Thank you very
14 much Commissioner. I'll turn it back over to our
15 Chair Koo.

16 CHAIRPERSON KOO: Thank you. Commissioner let me
17 ask you one or two questions before we have to go to
18 our public participation.

19 I want to ask you something about the design
20 process of capital project. How often is the design
21 work contracted out?

22 MITCHELL SILVER: On sites which includes no
23 building, that we do about 30 percent is outsourced
24 to outside designers. And for buildings, I believe
25 it's about 60 percent is outsourced to outside

2 designers. So, that tends to be the breakdown for
3 each. So, sites is just playground, no buildings and
4 then one with a building then at 60 percent of the
5 time.

6 CHAIRPERSON KOO: So, on average, how often does
7 the Public Design Commission reject designs that are
8 submitted by you guys?

9 MITCHELL SILVER: Well, on the first round, it's
10 now under 10 percent. Before it was 80 percent, so
11 we're having great success with the Public Design
12 Commission.

13 We meet with them early and that has been
14 beneficial, and they understand our new design
15 approach. So, we applaud the Public Design
16 Commission for working with us.

17 CHAIRPERSON KOO: When a design is rejected, does
18 PDC explain their rationale?

19 MITCHELL SILVER: Yes, they are very clear on
20 their rationale and because as designers, you need
21 clear design direction. We come back, we see how we
22 could accommodate it and then we present it back to
23 PDC for approval.

2 CHAIRPERSON KOO: Okay, so, what is the current
3 approval rate for initial project design submitted to
4 the public, through the PDC?

5 MITCHELL SILVER: Initial is now 93 percent.
6 It's very high. That gives you an A.

7 CHAIRPERSON KOO: So, how come this is so much
8 difference? You said, right now is 10 percent
9 rejection, before it was 80 percent.

10 MITCHELL SILVER: Right, well, it was a different
11 administration, but we sat down early to understand
12 what were some of those concerns and then we shared
13 with them our new prototype for comfort stations. We
14 wanted to get some early feedback, each commission
15 has different members and expertise. And once we got
16 an understanding of what their expectation was, we
17 made sure we provided design that met some of those
18 concerns.

19 But our staff's worked very closely together, and
20 we have a pretty good post about what they find to be
21 acceptable and we avoided customize design which
22 sometimes could present a challenge.

23 CHAIRPERSON KOO: Okay, lastly, I want to ask you
24 something on the MWBE. What kind of things are you
25 doing to improve the MWBE contracts? Especially

2 among the women, Asian women and African American
3 women?

4 MITCHELL SILVER: Well, I can share with you the
5 MWBE in general. We applaud the Mayor's goal of 30
6 percent. We in the Parks Department at 27 percent
7 and through working with the city, we have
8 recruitment fairs. We're constantly reaching out on
9 a regular basis to draw in more eligible contractors,
10 minority business enterprises. And so, from our
11 point of view being the second rated agency at 27
12 percent of the 30 percent, we're inching toward and
13 maintaining, moving toward the Mayor's goal.

14 And so, this is something that we do on a regular
15 basis. We'll have to get back to you specifically, I
16 don't have the numbers on Asian or specifically women
17 owned businesses, but we'll see if we can parse that
18 number out for you.

19 CHAIRPERSON KALLOS: Council Member Rafael
20 Salamanca.

21 COUNCIL MEMBER SALAMANCA: Thank you Chair
22 Kallos. Good afternoon Commissioner. Commissioner, I
23 just wanted to ask you a few questions about capital
24 projects in my district.

1
2 Last year you and I, it was extremely cold, we
3 did the ribbon cutting. First, I want to say thank
4 you. My community has been very blessed with the
5 amount of capital infrastructure that you've put into
6 my communities in terms of the amount of playgrounds
7 that we've redone as part of your CPI. And I am
8 truly thankful and so is my community.

9 But we have two playgrounds in which we've done
10 the ribbon cuttings. They've been open and in
11 operation, but the comfort station still has not been
12 completed. You have Lions Playground and you have
13 Melrose Playground. I've been in direct contact with
14 my Commissioner Iris Rodriguez, I have a great
15 working relationship with her, but I wanted to take
16 this opportunity to ask, what's taking so long?

17 MITCHELL SILVER: It's two works, it's called Con
18 Ed, and this is something that we can certainly
19 follow up. I'll let the Deputy Commissioner go in
20 more detail, but right now this is an issue directly
21 not just for your comfort stations but for the others
22 there about the same as Con Edison.

23 THERESE BRADDICK: We are working very closely.
24 This administration has been very helpful. We

2 actually have biweekly phone calls with Con Ed to go
3 over the specific issues with those comfort stations.

4 CHAIRPERSON KALLOS: I'm sorry, Deputy
5 Commissioner, but comfort stations, you know they
6 revolve around water, so I would think that you would
7 talk about Environmental Protection. What is it that
8 Con Ed is not providing for these comfort stations?

9 THERESE BRADDICK: They have to provide the
10 electricity and the gas that comes in to heat the
11 building.

12 CHAIRPERSON KALLOS: Alright, and so, how long
13 has this been going on with Con Ed and why is this
14 the first that I hear of it?

15 THERESE BRADDICK: Well, we've been working,
16 we've been working very closely as I said, with the
17 Administration. We have regular phone calls; I do
18 not know. I am going to ask staff if they can give
19 me some detail on when we think we might be able to
20 resolve this by.

21 MITCHELL SILVER: Councilman, we will get back to
22 you specific on that.

23 CHAIRPERSON KALLOS: And then very quick
24 question, thank you. Why are you using gas opposed
25 to steam?

2 THERESE BRADDICK: We actually, when we can, on
3 our new comfort stations, we're actually using
4 electric. Electric has actually turned out to be
5 considering the size of the comfort stations itself,
6 it's actually more efficient and cheaper to use
7 electric.

8 So, for our newer comfort stations right now,
9 we're moving towards electric. That has been
10 something that we've looked at for a long time. It's
11 cheaper, it's more efficient.

12 CHAIRPERSON KALLOS: Alright, I just want to put
13 on the record, it's just taking too long. You know,
14 if we're doing ribbon cuttings, you know, these are
15 beautiful parks, we should provide the community with
16 a full package, a full park. You know, not comfort
17 stations that are just sitting there. You know, with
18 barricades around them while individuals are in the
19 playgrounds.

20 And then finally, two fiscal years ago, I was
21 able to through help with the speaker and also, it
22 was planned through the Mayor's budget, capital
23 budgets, baseball lights for two baseball fields in
24 my district.

2 A year went by after that funding was put in and
3 then I heard that there was going to be community
4 input. I just don't understand why after that money
5 was allocated, the Parks Department would allow a
6 year to go by for community input and then now, you
7 know, a project would take almost three years just to
8 put lights on a baseball field. What type of
9 community input are you asking for? Like, what kind
10 of lights they would like to see?

11 MITCHELL SILVER: Let me just clarify, because we
12 did have a meeting a couple years ago. Not every
13 project warrants a public meeting, and this is one
14 I'd have to concur. We'll double check with staff.
15 We had one of the meetings, where we were doing
16 something on a walkway and you know, when there is
17 nothing to ask the community, we can bypass the
18 public meeting.

19 So, let me go back to speak to staff to see where
20 we can correct that, but I do agree with you, that
21 having something that's a limited scope, whether it's
22 just lights going up does not necessarily warrant a
23 public meeting, just a public notification to the
24 Community Board.

2 So, that's something, thank you for bringing that
3 to my attention, I will correct and clarify going
4 forward.

5 CHAIRPERSON KALLOS: Alright, thank you
6 Commissioner. Thank you Chair for letting me ask my
7 questions.

8 CHAIRPERSON KOO: Thank you. Council Member
9 Barron, do you still have a question?

10 COUNCIL MEMBER BARRON: Yes, I do, thank you, Mr.
11 Chair. I want to thank the Commissioner for coming
12 and I want to acknowledge that we recently had a
13 renaming of a park, the Sankofa Park which is a park
14 that's over the African burial grounds where property
15 in my district and that has been renamed as Sankofa
16 Park.

17 We had a beautiful ceremony; Marty Mark did his
18 usual grand preparation and we thank you for that.
19 And for those of you who are listening, we advise you
20 to come to our ribbon cutting on this Friday. We
21 will have a ribbon cutting celebrating the reopening
22 of what the Parks Department calls Lindon Park but
23 what we call Sunny Carson Park. We want to invite
24 you to that, as well as to the reopening of the
25 Cypress Hill; Cypress Houses Park.

2 So, I'm very pleased and I want to commend you
3 and thank you for all of the work that's been going
4 on in the parks and look forward to a few other
5 projects that should be coming into the timetable to
6 be completed within the next year or two.

7 The question that I do have is the park, I'm not
8 sure if it's called Best Creek; I think we spoke
9 about it once before. It was park land that had been
10 given over to Sanitation and it was through a lawsuit
11 determined that it had to be returned to the city.
12 And it's a very extensive kind of reclamation that
13 has to go on. I understand that the Army Corp of
14 Engineers is a major player in redesigning this park
15 area and my question is, how can we get some movement
16 on this so that we can have a beautiful open area to
17 the public that can be accessible?

18 MITCHELL SILVER: Yes, I'm just checking in which
19 park specifically. I understand it's in design;
20 we'll make sure we get back to you on what is the
21 timeline for that project to move forward.

22 COUNCIL MEMBER BARRON: Okay, I appreciate that.
23 And again, thank you for all the great work that you
24 are doing in the east New York section of Brooklyn.
25 We do appreciate it, thank you.

2 CHAIRPERSON KOO: Council Member Kallos, and we
3 want to remind everyone that our time has run out, so
4 please ask short questions.

5 CHAIRPERSON KALLOS: It seems like a lot of folks
6 have been talking about the comfort stations. There
7 has been a lot of press coverage around the comfort
8 stations. And this is a question that was submitted
9 by you know, going in from the city.

10 In your testimony, you mentioned that you have a
11 new idea, new plan. You were talking about doing
12 bathrooms instead of comfort stations. In my limited
13 experiences, all the comfort stations in my district
14 are literally a men's room, women's room. They are
15 still labeled that way; there doesn't appear to be
16 nongender bathrooms and there is usually a closet and
17 that's about it.

18 So, I'm curious what you are looking for and what
19 the differences would be and what kind of cost saving
20 and time savings we could appreciate?

21 MITCHELL SILVER: Well, first, we get over
22 hundred million visitors to our parks every year and
23 we build all of our projects that is resilient and
24 strong.

2 It is not just a men's room and a women's room,
3 it also has a facility for park maintenance, that's
4 part of it as well. As well as all the
5 infrastructure to serve the comfort stations.

6 Going forward, we are looking again, we're not
7 going to put them in until we get some comfort
8 working with the Department of Buildings and other
9 entities to test out just a single unit bathroom.

10 So, this is something that we're going to explore
11 to get to a lot of parks that Council Member Gibson
12 talked about. It may not be a full station, but it
13 could be used by multiple genders, but just a one
14 stall unit. We're trying to figure out what's the
15 more inexpensive way to do it.

16 CHAIRPERSON KALLOS: The bathrooms I have in my
17 district only have one or two stalls.

18 MITCHELL SILVER: No, I mean, this is just one
19 unit. No, I'm just saying just one unit.

20 CHAIRPERSON KALLOS: I got it.

21 MITCHELL SILVER: So, we're trying to see what
22 makes sense for each playground and like I said, that
23 work is underway. We're trying to explore everything
24 because we too are concerned about the cost of
25 comfort stations.

2 CHAIRPERSON KALLOS: With regards to
3 public/private partnerships, I think I've done a
4 couple. I've got a couple under my belt to the tune
5 of I think \$15 million just for one of them to redo
6 four or five blocks.

7 One of the concerns I have is just as we do those
8 partnerships, how do we ensure that that funding that
9 is provided is maintained? In my district, New York
10 Presbyterian set aside \$1.5 million in 1989 to create
11 a trust and a guaranteed throughput of \$32,000 a
12 year. If that trust still exists and it was properly
13 invested and maintained at 7 percent interest, that
14 trust is now worth \$68 million, and it is earmarked
15 to provide care and maintenance for the server
16 esplanade.

17 I've been asking this for a couple of years, but
18 do you know what the status of that trust is?

19 MITCHELL SILVER: Council Member, this is the
20 first time I'm hearing about that trust, but I'll
21 certainly circle back to find our more information.
22 That is a lot of money and if it can be used to
23 maintain the East River Esplanade, we'll certainly
24 find out more about it.

2 CHAIRPERSON KALLOS: And then the thing I'd like
3 to touch base on is so, before I move along to
4 focusing just on construction, so we've established
5 that it can take 12 months just to get something
6 assigned once it's fully funded. That you do have 50
7 vacancies in the capital construction division. As a
8 follow up, I don't see jobs that relate to capital
9 construction in sufficient number or quantity or what
10 have you on your site. Will you post all of them by
11 tomorrow, send me the links and I will blast it out
12 to all my lists. These are high quality, good paying
13 jobs with benefits.

14 So, will those be updated, and will those be sent
15 to my office as well as all the committee chairs
16 here?

17 MITCHELL SILVER: We will follow up with you,
18 yes.

19 CHAIRPERSON KALLOS: Okay, and then will you
20 commit to staffing up those 50 positions before you
21 outsource another design contract?

22 MITCHELL SILVER: It is our desires that we
23 always are doing outreach. We even have fairs that
24 we're outreaching. It's not because we don't want to
25 fill them. We are in a competitive job market and we

2 want to attract them to parks. So, it's not as if
3 there are 50 vacancies and we're okay.

4 There is always people coming and going and it is
5 our goal to make sure all those positions are filled.

6 CHAIRPERSON KALLOS: With regard to construction,
7 if we can pull up Slide 13. When you get to slide
8 13, it will say at the end, an inspection and close
9 out, and that is a period of two months which seems
10 long to a year.

11 Can we get an understanding of why it would - I
12 see members of the audience who are also wondering
13 about that year. How do we get the closeouts down to
14 something reasonable instead of it actually taking 12
15 months?

16 THERESE BRADDICK: There are a couple of things.
17 Once we hold that substantial completion use
18 inspection, that first bullet there. The project is
19 actually opened to the public then. So, as far as
20 the public concerned, that portion of the
21 construction - the project is open to the public.
22 The year in there is because we do require a one-year
23 guarantee period in there where the contractor is
24 responsible to guarantee the workmanship of that
25 project.

2 CHAIRPERSON KALLOS: So, perhaps it doesn't
3 belong on a timeline so much as just being a 12-month
4 warrantee.

5 THERESE BRADDICK: Correct.

6 CHAIRPERSON KALLOS: Okay, in terms of the
7 construction, I was sharing this when we started but
8 in terms of constituents literally putting up signs
9 on top of your signs, saying call the Council Member,
10 here is his phone number, here is his email address,
11 this project is taking too long and I don't see
12 construction happening.

13 So, during the 12-18 months, I think what
14 frustrates my constituency and residence or anyone is
15 seeing a piece of the city closed off and not seeing
16 any construction workers on the site.

17 So, I guess one question is are there any
18 seasonal limitations to construction and when it can
19 happen?

20 MITCHELL SILVER: There are seasonal limitations,
21 whether it being the biggest factor, clearly rain,
22 high winds, but also cold weather. When the ground
23 becomes extremely hard and you cannot pour concrete,
24 there are certain things you cannot do and so, as you
25 start to move into December on into March, it becomes

2 a very difficult period for construction. And also,
3 a lot of our contractors are running multiple jobs
4 and so, they may have a crew on one site one day move
5 them to another site another day, but our resident
6 engineers do make sure that work is progressing. But
7 as you can see from our completion, we exceed the
8 target in terms of on time on budget.

9 CHAIRPERSON KALLOS: I would love to see that in
10 my district. I guess two pieces, one, can we start
11 saying to the contractors that they have to do an
12 exclusive contract with us or that they can't split
13 their teams between multiple parks projects. They
14 show up, they keep working on our site until the job
15 gets done. It's not our job to make their business
16 more profitable. And the good news is, it's the City
17 of New York. I'm hoping that we have enough
18 contractors where we could have multiple people
19 working.

20 So, if there is one company and they say, well,
21 it's going to take us 12 months because we have two
22 projects and we're due 6 months at each project, we
23 could just say, how about you do 6 months here and
24 we'll hire somebody else to do that same.

2 MITCHELL SILVER: Yeah, but also the factor is a
3 lot of our general contractors work with
4 subcontractors and so, it's not just their team.
5 Very often they sub a lot of the work out. We do
6 have our resident engineers, so the fact that someone
7 is not on that job that day, it could be a matter of
8 a subcontractor. They're focused on completing
9 something on another site.

10 CHAIRPERSON KALLOS: But I'm the client. So,
11 like, have any of you on this panel ever had work
12 done in your house? Nope, yes.

13 MITCHELL SILVER: We all have.

14 CHAIRPERSON KALLOS: And so, have you ever had
15 like that contractor that shows up does the demo and
16 then shows up three months later and then finishes
17 the project in a day or two. Like, I think that's
18 the – or what have been your experiences when you've
19 done work in your homes?

20 MITCHELL SILVER: In my home, it depends on what
21 the work is, but I have to be very clear, all of our
22 projects are done on time and I understand that
23 people are looking to see – they come at different
24 times, but all the work is done basically on time.
25 It is seasonal, weather dependent, ordering certain

2 material that didn't arrive yet. There are a lot of
3 different factors, but all of our projects are done,
4 if it's 12 months, it's either 12 months or less. If
5 it's 18 months, it's 18 months or less.

6 And we do have resident engineers to go check the
7 records to ensure projects are moving forward.

8 CHAIRPERSON KALLOS: So, what's happening behind
9 the Mayor's mansion at 88th Street. It's been more
10 than 18 months.

11 MITCHELL SILVER: Part of it is open right now,
12 and if there was an issue, I don't want to get into
13 too much detail, but there was one of the design
14 firms that everyone in the city had to cease doing
15 business with. We had to take that design in -

16 CHAIRPERSON KALLOS: So, I guess -

17 MITCHELL SILVER: So, part of it is now open for
18 the public.

19 CHAIRPERSON KALLOS: In terms of it, if there is
20 a seasonal issue, you've done a lot of projects in my
21 district in phases, could the Parks Department
22 reorient your projects towards doing certain types of
23 work during certain seasons and splitting up the
24 contracts, so that somebody comes in does the warm
25 weather work and then once the concretes poured and

2 the fasteners are there, you have a different
3 contractor who puts in the equipment in the cold
4 weather and then that way, you can get around it
5 because I can tell you, I'm looking around at all of
6 the developments going up around our city and somehow
7 the real estate board of New York and their folks in
8 their buildings, they can put up a skyscraper faster
9 than we can finish a park. And that's a problem to
10 me and they are able to do it when it's freezing out.

11 MITCHELL SILVER: I've heard that, I'm in
12 downtown Brooklyn where there is construction going
13 on constantly, I haven't found that to be the case.
14 That they are taking many years to complete projects
15 but just to emphasize the point, it is seasonal and
16 we're continuing to meet our targets and it's
17 something that we're committed to doing across the
18 board but I do hear that very often and I'm watching
19 several construction projects and we've now completed
20 many projects while they haven't even topped off
21 their skyscraper.

22 CHAIRPERSON KALLOS: In terms of timeline, you're
23 focusing the words on time. I guess the issues is,
24 can we get closer to how long does the actual work
25 take? How many man or woman hours are we actually

2 talking about and instead of just saying it's either
3 12 months or 18 months, actually just saying okay,
4 this is how many 100 hours it's going to take or
5 1,000 hours and let's just actually have realistic
6 goals adjusted and set to the actual project and
7 force the people who are bidding to say, you know
8 what, I'm going to actually do it and I'm not going
9 to try to shuffle people between jobs.

10 MITCHELL SILVER: Thank you for the question, we
11 can get back to our contracting team to find out what
12 legally we can and cannot do. We tend to give them a
13 duration period of time. It is to their benefit to
14 finish projects sooner. Most do and that's the
15 relationship we currently have with our contracting
16 community.

17 CHAIRPERSON KALLOS: Is there an incentive that
18 you created so that because you say it and fairly
19 honest and transparent. Like, a contractor currently
20 tries to do as many jobs as possible at the same time
21 and so, it's to their benefit to get as many jobs and
22 then – and juggle as many jobs. How do we create an
23 incentive for them to take one job, get it done
24 quickly and then get another job?

2 MITCHELL SILVER: Right, I'll let Commissioner
3 answer one part of it, but we do monitor when a
4 contractor bids on a project, we look at their track
5 record and how many they can handle.

6 There are some that have teams on all the jobs.
7 There are some that bring their expertise from one to
8 the other but there is constantly work going on and
9 so, because we have a limited pool, we have to work
10 with the contracting community we have. I will let
11 Commissioner respond to the incentives.

12 CHAIRPERSON KOO: Thank you. Thank you, Council
13 Member Kallos. Very short.

14 THERESE BRADDICK: We are looking into whether or
15 not we can do a cash incentive bonus in order to
16 finish projects early. It's something we're
17 exploring with the Administration but in particular
18 with OMB because the question will become who pays
19 that early incentive bonus. So, if it's a Council
20 funded project, who funds that extra cash to that
21 incentive to get them to finish early but we're
22 exploring it.

23 CHAIRPERSON KOO: Thank you. We have to move
24 into public testimony and since we are running out of
25 time, we have to take a recess, five minutes and move

2 the public participation next door. Thank you, thank
3 you Commissioner.

4 Our Committee meeting in a few seconds, okay.

5 The following people will be the first panel. Lynn

6 Kelly; Eli Dvorkin and Jonathan Rosenberg. Please get

7 ready and I also want to thank everyone for your

8 patience for this long, long meeting.

9 Please identify yourself and you may begin.

10 LYNN KELLY: Hi, good afternoon Council. My name

11 is Lynn Kelly; I'm the Executive Director of New

12 Yorkers for Parks. I stand here today also

13 representing the now 210 organizations in the Play

14 Fair Coalition.

15 Thanks for the opportunity to speak today. I

16 want to rather divert a little bit from my testimony

17 which my team is going to give to you and respond

18 directly to some of the questions and issues that

19 were raised today.

20 I speak from a position of both being an

21 advocate, having worked at a city agency that

22 distributes capital projects and having run an

23 organization that received substantial capital money

24 for projects.

1
2 I echo the frustration; Parks has done quite a
3 lot to improve its process. But I'm going to ask the
4 Council just point blank, where is OMB? Where is
5 MOCS? Where is the Law Department? Where is PDC?
6 Why aren't they here today and why aren't they
7 receiving the same amount of questioning with vigor
8 that the Parks Department has received for at least
9 as I've been present, four hearing that I have seen.

10 It's an important piece of the process when 70
11 percent of your procurement process is outside of
12 your control.

13 I'll also add from experience that while Parks is
14 correct, that some of these regulatory agencies might
15 have 30 days to approve or move whatever the next
16 step is. It's not like a ULURP clock where they're
17 actually required within that 30-day period.

18 So, someone can in fact sit on a contract and
19 decide on the 30th day they need another two weeks or
20 another two days and again, I don't think it's fair
21 to put the Parks Department in a position to tell on
22 or report on its other sister agencies that it's
23 required to work with.

24 I'll also say that for many years we've been
25 advocating for the Parks Department out of the

2 discretionary capital budget, which it used to have.

3 It no longer does at the level at which it did but

4 more importantly, it also needs to have a fully

5 funded needs assessment. How can an agency

6 realistically plan for anticipating what's going to

7 happen in the field and on a design and construction

8 budget when it doesn't actually have a needs

9 assessment and fully funded.

10 And the way that which it's being funded, it's

11 going to take 20 years. We find that unacceptable.

12 We think it's worth highlighting the positive

13 changes. As of now, Parks is the only - one of the

14 only agencies to actually be fully transparent by

15 putting capital projects on its website. I would

16 love to see some transparency at how long it takes

17 the other mayoral agencies. You know, for example, I

18 would love to see data on how long it take OMB to

19 approve capital projects or the Law Department to

20 improve contracts through the procurement process.

21 That data is not actually available to us on a

22 regular basis unless it's procured through legal

23 action, and often that takes a long time.

24 As Park advocates, we've been to at least three

25 hearings. This feels like de ja vu. This might be

1
2 my personal fourth and I really hope that there is a
3 citywide approach, not just a Parks Department
4 approach. Parks is trying, you know, as an advocate,
5 we don't always agree with the Parks Department, but
6 this is one where it's really unfair to continue to
7 point the finger and to continue to have everybody
8 come and spend a lot of time on this issue. When the
9 sister agencies that have a significant piece of the
10 process are not here to actually be questioned as
11 well.

12 So, we ask for the City Council to really take
13 this up as a citywide issue please, and to call those
14 agencies to task. Thank you.

15 JONATHAN ROSENBERG: Hi, good afternoon Chairman
16 Koo, Kallos and Gibson and Committee Members. I am
17 Jonathan Rosenberg; the Director of Budget Review at
18 the New York City Independent Budget office.

19 Thank you for providing me the opportunity to
20 testify today regarding methods to improve the
21 efficiency of Parks Departments Capital Projects.
22 IBO provides nonpartisan information on the city's
23 budget to members of the Council, other elected
24 officials, and the public. In that role we often
25

2 receive questions regarding the Parks Departments
3 Capital Budget.

4 These question range from the status of a local
5 project to broader questions about the city's capital
6 budgeting process. While we are able to provide
7 information on changes in the overall budget and
8 shifts and funding for specific projects, we often
9 find it difficult to track and identify the cause of
10 project delays and cost overruns. The questions IBO
11 most frequently receives.

12 Identifying the cost of delay or cost overrun for
13 a specific project is challenging given the nature of
14 the data provided in the capital commitment plan, the
15 city's capital planning document. The capital
16 commitment plan provides few details on the planned
17 timeframes of capital projects. It contains a
18 milestone field that in theory indicates the projects
19 current status along with projected start and end
20 dates for phases of the capital process.

21 Unfortunately, these fields are often left blank.
22 In addition to even when the information is included,
23 it's rarely up to date. Recognizing cost overruns
24 and city budget documents is similarly difficult.
25 The commitment plan is divided by budget lines and

2 further subdivided by projects. Project in the
3 commitment plan may represent discrete work or it
4 maybe for a bundle of similar projects.

5 While the commitment plan provides the total
6 funding plan for a project, there is little detail on
7 funding for the projects individual components.

8 Moreover, it's often unclear if funding levels
9 represent total estimated costs of the projects. If
10 funding is increased in subsequent plans, it can be
11 difficult to discern whether the new funding levels
12 represent an increased in cost, change in scope, or
13 if the additional funds are part of the initial cost
14 estimate. But are just newly reflected in the city's
15 budget's documents.

16 Earlier this year, IBO testified before the
17 Committee on Parks and Recreation on Intro. 161. A
18 proposed bill that require additional data
19 disclosures related to parks capital delays and cost
20 overruns to be included in the Parks Department's
21 Capital project tracker.

22 We are generally in favor of the city providing
23 more and better information to further oversight by
24 the Council, IBO and others that would help to
25 improve the capital budgeting process. As we

2 testified previously, without access to capital
3 project details, it is difficult for IBO and others
4 to determine the source of inefficiencies and
5 agencies capital program.

6 It's important to note the difficulties and
7 identifying delays and cost overruns is not limited
8 to the Parks Department, it is something we encounter
9 with capital projects citywide. Parks Department
10 capital projects by their nature are very visible and
11 often garner considerable public scrutiny more so
12 than projects for most agencies. The Parks
13 Department is certainly not the only agency
14 encountering capital project management issues.

15 As a lot of discussion has been today, there is
16 no need for the Parks Department to reinvent the
17 wheel when it comes to best practices and capital
18 project management particularly when there are a
19 number of promising concepts already underway and
20 other city agencies that have been discussed today.
21 Particularly DDC, as mentioned has issued a strategic
22 blueprint aimed at improving its capital project
23 delivery process.

24 DDC's plan focuses on ways that the agency could
25 streamline the construction of procurement process

2 including expanding the use of innovative project
3 delivery methods, such as design build, prioritizing
4 comprehensive frontend planning in an effort to
5 minimize the number of time-consuming changes and
6 improving the agencies outreach efforts.

7 These ideas and others used in different
8 construction agencies could be a value in making the
9 Parks Departments capital process more efficient. In
10 summary, without better data, a thorough analysis of
11 the Parks Department's capital program is difficult
12 if not impossible. More granular and updated
13 information would allow the Council, IBO and other
14 oversight agencies to identify bottlenecks, to make
15 recommendations on how to improve efficiency in the
16 capital process.

17 Thank you and I'm happy to answer any questions.

18 ELI DVORKIN: Thank you, my name is Eli Dvorkin;
19 I'm the Editorial and Policy Director at the Center
20 for an Urban Future. Thank you to the Committee for
21 the opportunity to testify today.

22 As you may know, CUF is a nonprofit, nonpartisan
23 think tank focused on expanding economic opportunity
24 and strengthening communities across all five
25 boroughs.

1 Last summer, we published a new leaf. A major
2 new analysis of New York City's aging Parks
3 infrastructure. Our report found that the average
4 New York City Park is now 73 years old and that parks
5 in every borough are struggling with aging assets
6 that are at or near the end of their useful lives.
7 Including drainage systems, retaining walls,
8 bulkheads and bridges.

9
10 Upgrading this essential urban infrastructure
11 comes at a cost. Over the past decade, state of good
12 repair needs, which include major infrastructure and
13 capital repairs increased by 53 percent from \$401.4
14 million in Fiscal Year 2009 to \$615.6 million today.

15 Yet, just 36 percent of these needs are funded
16 and planned in the current capital budget. But
17 funding alone won't be enough, to make lasting
18 progress, every capital dollar will have to stretch
19 much further than it does today. However, the city's
20 capital design, procurement, and construction
21 processes remain deeply flawed in general and
22 especially lengthy and frustrating when it comes to
23 parks.

24 While more progress is needed to improve project
25 delivery across the city, the Parks Department has

2 made significant strides under Commissioner Silver's
3 leadership. The department has implemented several
4 effective time saving measures as we heard about
5 previously, including standardizing designs and
6 minimizing changes in the construction phase. And as
7 a result, the majority of new projects are meeting
8 their benchmarks.

9 But building on this momentum will require a
10 major effort to streamline and improve the planning
11 and procurement phases, where projects end up mired
12 in a scoping and approvals process, that includes the
13 Parks Department but also elected officials,
14 community groups and community boards and multiple
15 oversight agencies including but not limited to OMB
16 and the Comptroller.

17 Elected officials can also play a vital role in
18 all of this. Improving the process by ensuring that
19 funded projects do not change in scope after planning
20 is underway.

21 To continue improving the capital process for the
22 city's public parks, we recommend four critical next
23 steps. First, as my colleague just mentioned, to
24 improve accountability and increase transparency, the
25 Parks Department should expand the capital projects

2 tracker to include the dates projects were fully
3 funded, projected in actual cost overruns, the time
4 changes, scope changes and most importantly the
5 reasons for specific delays and Intro. 161 could help
6 with that.

7 In addition, Mayor de Blasio and the City Council
8 should hold every agency with a role in the capital
9 construction process accountable to the goal of
10 delivering capital projects more efficiently. This
11 will require an interagency effort as my colleague
12 Lynn Kelly mentioned. With Council oversight as a
13 key role to reform processes at the Department of
14 Design and Construction, OMB, the Public Design
15 Commission, working with the Comptrollers office, and
16 every other agency with a rolled-up delay here, MOCS
17 and the Law Department all have a major role to play.

18 In addition, the Council should support a larger
19 dedicated capital budget for the Parks Department, so
20 the department can prioritize infrastructure projects
21 truly based on need. The city should establish state
22 of good repair capital funding that meets these needs
23 roughly \$600 million over the next three years to be
24 allocated at the discretion of the commissioner and
25 targeted to revitalize aging infrastructure and this

2 should be done in tandem with fully supporting the
3 needs assessment that is currently underway that has
4 made tremendous progress but that need significant
5 new resources to be able to be completed in the next
6 couple of years rather than couple of decades.

7 And finally, the Council should support further
8 increases in maintenance staff. To its credit, the
9 City Council approved the largest increase in expense
10 funding for the Parks Department in a generation this
11 past year, but further investments will be needed.

12 For instance, the Parks Department's full-time
13 headcount is still about one third lower than it was
14 back in the early 1970's and the systems masons,
15 plumbers, gardeners and other skill trades people are
16 stretched thin.

17 An increase in skilled maintenance workers now,
18 is an investment in prolonging the life of Parks
19 infrastructure in the future. Thank you.

20 CHAIRPERSON KOO: Thank you. I have a comment
21 for Lynn Kelly. It's our intention to invite other
22 agencies to come too but the administration said
23 Parks can do it on their own. So, that's why only
24 Parks come today, and we intended to invite the DDC
25 and other agencies to come.

2 CHAIRPERSON KALLOS: We invited MOCS and they
3 refused.

4 CHAIRPERSON KOO: MOCS, yeah.

5 LYNN KELLY: May I comment on that for a minute?

6 CHAIRPERSON KOO: Sure.

7 LYNN KELLY: This isn't the first time I've seen
8 where the Department, Parks Department has been
9 honestly left out on its own as opposed to be
10 accompanied by leadership in the administration or
11 other city agencies that it does projects with.

12 I think that's unfair. They are not solely
13 responsible for a lot of these projects and while I
14 appreciate what the Council is doing to try to
15 encourage representation from these other agencies, I
16 also know as advocates, we have a part to play as
17 well and I would welcome discussion after this about
18 how we can bring these other entities to the table.
19 So, that frankly, all of us don't have to sit through
20 a fifth hearing for four hours about the same subject
21 without the right parties at the table. It's not
22 fair to you, it's not fair to us. Especially given
23 the work that the Council has done with us in the
24 Play Fair Coalition in raising money for the Parks
25 Department.

2 CHAIRPERSON KOO: Thank you. So, Council Member
3 Cohen, you have a question.

4 COUNCIL MEMBER COHEN: Thank you Chair. I have
5 to admit that when I saw the topic today I was a
6 little - but you know, one thing that - you know,
7 several years ago, at least I thought I had an idea
8 about how to possibly make the process better and as
9 I look through this like, you know, saying that they
10 need more money. That's deck chairs on the titanic
11 and I don't know if you guys have it, like this is a
12 legislature, if there is a law or there is something,
13 we could do to make the process better, those answers
14 don't seem to be forthcoming from you know, as many
15 hearing as we've had on the topic.

16 You know, other than you know, throwing more
17 money at it does not really seem - I don't think any
18 of us are enthusiastic about that, but no one has
19 ever come to me and said, you know, the charter puts
20 this burden on whether it's all capital agencies or
21 just parks, and if there was a change in the Charter
22 this way, that would help.

23 Or that the state legislature has this
24 requirement. If they would change it, you know, we
25 know people in the state legislature, we could help.

2 But those ideas have not been really forthcoming from
3 the administration or from the advocates. So, I
4 think there's a frustration all around.

5 LYNN KELLY: May I respond to that Council
6 Member? So, I remember well when you came and
7 discussed with us your proposal at the time, it was
8 legislature at the state for a version, I think you
9 were calling it the Parks Construction Authority.
10 So, it was a version of how SCA is currently modeled
11 and handles their parks projects. Correct me if I'm
12 wrong, and we listened and there were components of
13 your proposal and your legislation that we thought
14 would be incredibly helpful in streamlining the
15 process. If you recall the one point where we
16 disagreed as advocates is in streamlining the
17 process. It was also removing the pieces of the
18 public process which to an advocate is removing our
19 voice at the process.

20 So, we had to agree to disagree on that moment
21 and time. I do think there is a role for advocates,
22 the Council, and if the Administration is not willing
23 to sit down with us, I mean, I would love to have a
24 meeting where we jointly go into Deputy Mayor Been
25 and we say, this is not just Parks, this is a larger

1
2 issue. We come up with - if it's not an eventual
3 charter change, I mean you have to crawl before you
4 walk and walk before you run and I think that there
5 needs to be a recognition on behalf of the other side
6 of city hall that there is genuine problem that needs
7 to be fixed.

8 You are absolutely correct; it can't be on any
9 one of shoulders. We have ideas but this is going to
10 take a movement I think to change and while there has
11 been best practices at other agencies that have
12 helped speed things along, it still to me, there is a
13 great void in the room to not have the other mayoral
14 entities oversight entities, particularly in the
15 procurement process. I mean that's a short-term fix
16 because it's all under the control of the Mayor.
17 It's not law in some cases, with the exception of the
18 comptroller, it's policy.

19 And we as a group should be driving and working
20 together on policy and policy improvements. So, this
21 is not going to get fixed overnight. You are 100
22 percent right, but I do think we can do better than
23 we're doing today and continuing to point the finger
24 at the Parks Department after they are legitimately
25

2 trying to make improvements, just doesn't seem the
3 best use of anyone's time.

4 COUNCIL MEMBER COHEN: Thank you.

5 CHAIRPERSON KOO: Council Member Kallos.

6 CHAIRPERSON KALLOS: So, I've been a contractor I
7 think about eight months now. So, this is my first
8 go around. I want to thank the Center for an Urban
9 Future. I cited your study in my opening statement
10 and New Yorkers for Parks.

11 In terms of wanting to know where the process is
12 as part of Passport, which the city has been working
13 on since this Mayor came in and the next version.
14 Everyone is supposed to be moved off index by April,
15 so we invite you our April hearing over the new
16 passport because we want to make sure that there are
17 public facing features where you should be able to
18 track that.

19 With that being said, if you are interested, the
20 city law already says you can pull these documents
21 and track these contracts by going to the 253
22 Broadway. I will give you a news flash that if you
23 try, you won't succeed, but if you were to try and
24 weren't able to succeed, I'd be interested in working
25

2 with you and resolving the issue and even being a
3 party to your litigation if you so choose.

4 With that being said, they are saying April for
5 compliance with a 20-year old law. So, I want to
6 thank you for that, and I guess, what are your
7 thoughts on the fact that they are operating on a 50-
8 person deficit for design and that it takes up to 12
9 months to assign a project for design?

10 LYNN KELLY: I would be happy to address that and
11 perhaps I know, because this is a subject that Eli
12 and I have both worked on together.

13 So, you obviously know we're grateful to the
14 Council for funding many positions having to do with
15 maintenance and operations at the Parks Department.
16 These are the funding that was approved last June
17 through the Play Fair Coalition, which New Yorkers
18 for Parks led. And we're going to be back, just so I
19 forewarn everyone, Play Fair is coming back in the
20 next year.

21 But what I will say to that is if you've ever
22 been to and I would encourage you and I'm saying this
23 without having the permission of the Parks
24 Commissioner. So, I'm putting you on the spot
25 Commissioner, but I would encourage you to take a

2 visit to the Homestead Center where a lot of the
3 capital programs unit operates out of. They are
4 operating out of trailers; conditions are very
5 difficult there. And they've been operating at a
6 deficit of staff for some time. So, it's no surprise
7 that there is a backlog of projects. And it is in
8 fact accurate that you can't launch all projects at
9 the same time. Does that mean there can't be
10 improvements made? Absolutely you are 100 percent
11 correct.

12 But I think you know, I will tell you having been
13 to these locations and worked with some of these
14 individuals from the other side, I ran a cultural
15 organization for six years that had \$50 million in
16 capital investments. These are the Cultural Affairs
17 and Parks and it's very difficult to attract talent
18 when you have a department that is woefully
19 understaffed, underfunded and under resourced in
20 terms of their location.

21 So, Parks is doing the best they can with what it
22 has but I wouldn't be surprised if that reflects some
23 of the omissions in staffing.

24 CHAIRPERSON KALLOS: So, as a — whether you're in
25 for-profit, non-profit or government, you have a

2 throughput. So, from my office, I know that we do
3 2,000 constituent service cases every single year.
4 And so, we know that our throughput is anywhere
5 between 20 and 200 cases in a given couple of weeks.
6 And so, we've been able to manage all of those cases
7 as they come in, because if you don't, you lose your
8 job.

9 So, I guess if we know that the parks throughput
10 is currently 100 at a minimum of 100 projects every
11 year, doesn't that mean that we should have the
12 staffing for 100 people and whether it's launching -
13 help me and this design process does take six to ten
14 months. So, it seems like it's a no brainer that we
15 should have the staff to launch 100 projects
16 concurrently and I'd like the IBO to comment to, but
17 I don't see why you can't launch 100 projects
18 concurrently. It's just a matter of having the
19 adequate staffing to handle the throughput.

20 I'm a systems architect, that's bandwidth.
21 That's all that means.

22 LYNN KELLY: So, this is really good information
23 because right now, New Yorkers for Parks in the next
24 three weeks are meeting with the members of the Play
25 Fair Coalition to start to put together our advocacy

2 platform for Play Fair for this next budget cycle and
3 surely, they've had frustrations with the length of
4 time and the capital process and staffing is a big
5 piece of that.

6 So, duly noted as we move forward in putting
7 together our advocacy work.

8 CHAIRPERSON KALLOS: And to IBO, does it make
9 sense to have enough staff to handle 100 concurrent
10 projects that are coming down the pike every single
11 year?

12 JONATHAN ROSENBERG: Yeah, I believe that
13 probably makes sense. I have a couple different hats
14 here. I worked with the Council for many years,
15 actually dealing with Parks Department projects for
16 most of that time and dealing with these same issues
17 and I haven't been at the Council for nine years and
18 I started there 15 years before. So, this has been
19 going on for a long time. I will say though that in
20 my experience, one of the issues and to give the
21 Parks Department a little bit of credit on this is
22 that - and I think they still do this. Is that they
23 do a little outreach to the members to try to have -
24 I can't vogue for the fact that they still do this,
25 but they did it in my time. That they used to do

2 outreach two members prior to or during the budget
3 process to give them a little bit of understanding of
4 what types of projects are available in their
5 districts. I don't know if they still do that with
6 you.

7 CHAIRPERSON KALLOS: Yes.

8 JONATHAN ROSENBERG: And providing some sort of
9 scope and estimate of project costs. I know when I
10 was at the Council, they often came back with – we'd
11 often come back with lots of projects that they
12 didn't actually scope out. They didn't have time to
13 give project costs to and we would give them about a
14 week or two to come back to us with project with
15 estimates and that would done through OMB.

16 I know that probably having more staff would
17 enable them to do better cost estimates, but they
18 often came back to us saying that this was too short
19 of a period of time to give that.

20 So, I do agree that more staff would probably
21 allow them to do a better job. I think though that
22 to find a perfect solution for this is probably never
23 going to know, – trust me, I would love to have more
24 staff as well. I'm sure you guys would as well, but
25 the fact is that in this city, we can't hire people

2 expeditiously. That's a whole other issue that IBO
3 is actually looking into. Just the process of hiring
4 in this city, I mean, you could have a whole hearing
5 on that. I don't want to necessarily get into that
6 here and I don't know specifically these 50 positions
7 we haven't looked at, but I'm assuming that relative
8 to other city agencies, they're probably around the
9 same percentage of vacancies.

10 So, long answer to your short question, yes, they
11 probably could do better with more people and more
12 heads filled.

13 CHAIRPERSON KOO: Council Member Gibson.

14 CHAIRPERSON GIBSON: Thank you so much for your
15 testimony and really for all of the work you do. A
16 lot of great suggestions here and I appreciate you
17 being honest, as you have been. I mean, we've talked
18 about this extensively a lot and as I meet with the
19 Bronx Park Commissioner and her staff every three
20 months and we go over all of my park projects,
21 whether they are funded by the Council or not, and we
22 talk about timeline, we talk about public private
23 partnerships.

24 And so, I guess that's my question to you is, you
25 know, obviously there are so much more that we can do

2 when you talk about park upgrades and park
3 renovations and these parks are very expensive and I
4 am always looking at the timeline that I have and
5 trying to achieve as much as I can. At least lay the
6 foundation, so that my successor can come in and
7 really complete a lot of these park projects.

8 So, in our district in the Bronx, we've been able
9 to work with private partners. I mean I'm blessed to
10 represent Yankee Stadium. So, the New York Yankees
11 have been very supportive of renovating my basketball
12 courts, some of the my rec center and you know,
13 looking at other ways working with you know, MSG, the
14 New York Nicks, Lady Liberties, I mean, I am willing
15 to work with any and everybody, as long as we are on
16 the same mindset where we want to invest dollars to
17 help kids and families.

18 And so, I guess I'm asking, is public private
19 partnerships is the way that you know, we try to get
20 more private dollars to really look at a public
21 benefit. So, what would you suggest to us in terms
22 of all of the recommendations you've talked about
23 which we will continue to talk about but how can we
24 tap into the private industry so that we can really
25 get more investments for our parks, and really

2 programming too? In the Bronx, I've been able to
3 work with the Bronx Lacrosse. We have a skatepark,
4 we have a lot of different things, it's not just
5 baseball and basketball. But we're also looking at
6 other things that kids are doing and it's not always
7 exposed to. There's this big momentum in the Bronx
8 that we may be getting a soccer stadium and that's
9 great because kids love to play soccer, but we don't
10 have a lot of field space.

11 And so, I just wanted to ask that you all since
12 you work with a lot of private partners and where you
13 see the Council and the Administration tapping into
14 that industry.

15 LYNN KELLY: May I? Thank you, Councilwoman.
16 Great question, it's something that we think about a
17 lot to in terms of our advocacy work and partnerships
18 and it's something I've thought about in Coney Island
19 and Snug Harbor and other parks have been affiliated
20 with.

21 My recommendation would be is if you haven't yet
22 met or familiarized yourself with City Parks
23 Foundation; they are the nonprofit arm for
24 programming and raising funds for programming in
25 parks, which you mentioned and I think also, they

2 have a good sense of the corporate partners that
3 maybe out there and interested. And I would also say
4 there are local community organizations and CBO's
5 probably which you are very familiar with in your own
6 district that may have done some research as to what
7 are the pillars.

8 You know, every corporation now has corporate
9 social responsibility pillars that they are looking
10 to fill and often environmental parks or health
11 following into one of those pillars and it's a unique
12 opportunity to identify funding for smaller
13 organizations to go after and to secure.

14 But it does take a conversation on both sides and
15 I also think a recognition that identifying and
16 securing healthy public, private partnerships is more
17 of an art than a science and takes time.

18 So, it's there, it can be done but there is a
19 setting of expectations as you go into it.

20 CHAIRPERSON GIBSON: Thank you.

21 ELI DVORKIN: I would just very quickly add, I
22 think as part of you know the oversight role in this
23 issue, it's incredibly important to make sure that
24 the least attractive, least sort of sexy parts of
25 parks infrastructure get the attention that they

2 deserve and I think one of the challenges with the
3 public/private partnership model around parks funding
4 is that you may find that it's easier to kind of
5 leverage that sort of support for something new,
6 where you get to have the experience of building
7 something the community didn't have already and
8 opening it to the public. Versus some of the issues
9 where the capital dollars do come into play in a
10 major way, but they don't reach that kind of level of
11 visibility. Whether that's a drainage system or
12 retaining wall.

13 And so, I think as part of that conversation, I
14 absolutely echo that Lynn mentioned and certainly the
15 City Parks Foundation would be a great place to kind
16 of see that grow and be able to expand across all
17 five boroughs and hit every community with those
18 resources but to also balance that out with the need
19 that when you need to replace and potentially we have
20 you know, hundreds if not thousands of retaining
21 walls that may need to either be significantly
22 repaired or fully restored in the years ahead.

23 We have drainage systems that are 50,60 years old
24 and that flood every single time that there is a
25 storm. You know, that maybe difficult to really

2 leverage private dollars to kind of tackle those
3 issues but I think it speaks to the value of that
4 citywide needs assessment that the number one
5 recommendation I would make is, make sure that the
6 Department itself is empowered to really assess it's
7 own needs and prioritize based on nothing more than
8 long term costs versus short term costs.

9 If you can solve a problem now that would
10 metastasize into a much bigger problem down the
11 road, that where we should be putting those capital
12 dollars. But that may be in conflict with what a
13 Council Member might be most interested in because
14 that's what the community wants. What a foundation
15 might be interested in. What a private funder might
16 be interested in and I think in all of this, we have
17 to prioritize the needs that are most acute because
18 that's where the real problems are in the system as
19 opposed to what maybe you know, expeditious in terms
20 of funding opportunities but cost us much more as a
21 city down the road if we leave those problems
22 unaddressed.

23 LYNN KELLY: May I tie two things together from
24 what we said, which I think is really important to
25 underscore. We've spoken about this needs assessment

2 for a long time, just to kind of play this out. So,
3 the rate at which the Parks Department is currently
4 being funded to complete this needs assessment
5 essentially, the planning tool to do the capital
6 projects. We're talking 20 years, right.

7 So, by the time it's done, the needs have
8 changed, the communities have changed, the
9 infrastructure has changed. There has been
10 additional climate change.

11 So, there's a key conversation that needs to be
12 had over the expense dollars it's going to take to
13 complete these needs assessment because Eli is right.
14 I as running a nonprofit, have a business plan which
15 shows for the next five years where I'm going, and I
16 take it to funders. I take it to donors, I take it
17 to corporations, and I say, help me get there. That
18 needs assessment is part of what Parks Department
19 should be leveraging to help all of us in our
20 communities get there.

21 But at the rate at which it's going, we're going
22 to be waiting a long time.

23 CHAIRPERSON GIBSON: Understand, I just wanted to
24 share an idea that's been happening over the past
25 couple of weeks. The district attorney's in three of

1
2 our county's have been working with the Department of
3 Education and it's a new initiative called Saturday
4 Night Lights and I look at it like midnight
5 basketball, it's just at Saturday Night at six
6 o'clock, not midnight and we're looking at schools
7 and underutilized gymnasiums and the idea is to bring
8 basketball and soccer and other activities for young
9 people that normally don't have a lot to do on
10 Saturdays.

11 Some of the PALS and the Kips Bay, Boys and Girls
12 Clubs and other places are not open Saturday nights.
13 So, the idea behind this is to provide a mechanism by
14 which young people can engage in activities on the
15 weekends and so, I'm working with them and we'll be
16 having a conversation to look at some of our rec
17 centers as well that may not be open on Saturday
18 night. So, we can do this Saturday Night Light
19 component.

20 But it's just all of the same spirit because
21 capital and to me programs are equally as important.
22 I care about the infrastructure, but I also care
23 about what's inside to. And a lot of our boroughs
24 you know, just don't always have access to programs
25

2 on the weekend hours and you know, we're trying to
3 build up so that there are more opportunities.

4 So, I thought that was a pretty interesting idea
5 and I'm looking forward to you know that peculating
6 and moving even further in other neighborhoods.

7 LYNN KELLY: Thank you. Thank you Chair.

8 CHAIRPERSON KOO: Okay, thank you for your
9 participation and we really appreciate your input and
10 your advocacy on these. Thank you.

11 LYNN KELLY: Thank you Council Members. We
12 appreciate you focusing on this. Thank you.

13 CHAIRPERSON KOO: Next panel will be Jessica
14 Morris, Maria Roca, Michael Plato. We are also
15 joined by Council Member Menchaca.

16 Bruce yeah, okay, you are joining. We're missing
17 one. Please limit your testimony to less than five
18 minutes okay. We're running out of time and you can
19 start after you identify yourself.

20 BRUCE JACOBS: Good afternoon, thanks for letting
21 me testify in front of you. My name is Bruce Jacobs;
22 Coalition of the Rockaways, U.S. Navy Veteran, 9-1-1
23 first responder, fighter for the Rockaways in
24 Southeast Queens and all of New York City and also
25 medical and religious freedom.

2 Now, I really wanted to ask him a question. My
3 think with going private, I want my youth. It seems
4 in my diverse neighborhood of Rockaways in southeast
5 Queens were being messed over.

6 We don't get nothing; everything is pushed off to
7 somebody else. I don't like privatization.
8 Privatization, all it goes is to nonprofits that put
9 the money into their pockets. I like what Ms. Gibson
10 said about big corporations. They put money into
11 neighborhoods to try to help. I don't like little
12 corporations. In my neighborhood, little
13 corporation, you go to the Parks Department, if it
14 ain't the Parks Department then you have to be a
15 member of their club.

16 If you're not a member of their club then you
17 feel funny going to it. And him saying about
18 contracts being pushed, there is no possibility that
19 it could be pushed, because if your pushing
20 contracts, I was in construction, I worked for the
21 Transit Authority for 30 years. You push contracts
22 and you get corruption. Corruption and then what do
23 you do, you have to investigate the contracts.

2 If you don't investigate the contracts and you
3 hire the wrong people, you know you're in a lot of
4 trouble.

5 In my neighborhood of Far Rockaway, we're going
6 through that and everyone thinks, you know, everybody
7 wants this. We want our parks built; we want our
8 recreation centers built. We want the Parks
9 Department to do it. Not private corporations.

10 Private corporations like I said, it leads into
11 all kinds of stuff. The infrastructure and the Parks
12 Department and everything all goes hand and hand.
13 The funds can't keep on going up because the city has
14 no money. If they have no money to fix the boilers
15 and buildings, you know, they have no money, they
16 have no money to fix the schools. They have no
17 money, they have no money to put on the streets for
18 protection for the law in order, for our people and
19 my people of Nicers and my people of you know Red
20 Fern and my people of Far Rockaway and my people of
21 the Hammel Projects.

22 Yes, we want parks, but we also want law in
23 order. So, you know, the idea of I want the Parks
24 Department to put up a portable you know temporary
25 bathroom. That's no good. That's just going to be a

2 waste of money that's going to lead into other stuff.

3 You need a permanent solution.

4 If you're just going to put up a temporary and
5 that's going to cost you \$2 million, the money ain't
6 going for the work. The money's going on designing.
7 The money's going on the contract looking out, the
8 community should have an opportunity to look into it.

9 Because he was saying, oh, it's taking long for
10 the community, it's taking long for the other
11 organization. No, they have to take long. If you
12 give a contract and it's not the right person, what
13 are you going to do then? Then it's going to cost
14 you triple the money. So, you're better off that you
15 find proper.

16 I'm all for parks being fixed up, I want the
17 bathrooms in the Rockaways and all of New York to be
18 fixed up, not these monstrosities that they put up.
19 That they're temporary structures but you know, I
20 really want it, I care about my neighborhood, I care
21 about my New York City, but our quality of life is in
22 a lot of difficult.

23 I appreciate the things that you guys do. I know
24 you guys are just doing your job, but not everything
25 is what kind of person you are or this or that.

1
2 Everybody is one person. You know, I don't want to
3 talk God, but we're all the same and I just want to
4 see our New York City go back to law in order and I
5 want the right development, not just you know,
6 pushing it to somebody who can't bundle.

7 If you bundle and give somebody a contract for
8 100 places, to me that's going to lead into
9 corruption and you know, the Coalition of the
10 Rockaways, we'll work with the Council to try to make
11 things good and I want to thank you very much for
12 letting me testify.

13 CHAIRPERSON KOO: Thank you.

14 Thank you, good afternoon Chairman Koo, Chair
15 Gibson, Chair Kallos, Members of the Committee and
16 thank you for your invitation to testify.

17 MICHAEL PLATO: My name is Michael Plato; I'm a
18 practicing architect and Co-Chair of the Public
19 Architecture Committee of the American Institute of
20 Architects New York Chapter, also known as AIA New
21 York.

22 Since its founding in New York City in 1857, AIA
23 New York has served as the leading professional
24 membership association for licensed architects,
25

2 emerging professionals and allied partners in our
3 city.

4 AIA New York and its more than 5,600 members
5 seeks to advance design and livability in our nations
6 city's. We applaud the recently enacted
7 modifications to the Department of Parks and
8 Recreations Capital Procurement process.

9 Expense budgeting of predesign activities such as
10 site testing, programming and planning ensures
11 projects move ahead with realistic budget and
12 schedule goals. Publishing the capita projects
13 database on the agencies website, promotes
14 transparency, accountability and trust in the work of
15 the Parks Department. We propose additional
16 improvements to the process without undermining the
17 principles of transparency, equity and value that
18 inform public procurement.

19 Amending Local Law 63 of 2011, so that
20 procurements advance concurrently with administrative
21 review and approval as opposed to sequential review
22 and approval will accelerate project delivery without
23 undermining the goals of the law.

24 Similarly, preapproval or concurrent review of
25 vendor responsibility whether unified under a single

2 lead agency and/or a responsibility database will
3 improve delivery time by shortening the lag between
4 bid opening and contract award.

5 Finally, qualifications-based selection currently
6 used for consultants mostly, must also apply to
7 construction contracts. This will open a path for
8 agencies to select the most qualified contractors for
9 each projects unique scope and characteristics,
10 raising the level of professionalism, effectiveness
11 and efficiency in executing public projects.

12 City procurement rules which bind all mayoral
13 agencies exist to ensure a level open and transparent
14 marketplace for all vendors while concurrently
15 ensuring that the city gets the best value for every
16 capital dollar.

17 Recent developments have advanced these goals and
18 we look forward to continued progress. Thank you for
19 inviting us to testify.

20 CHAIRPERSON KOO: Next please.

21 MARIA ROCA: Good afternoon Chairman Koo, Kallos,
22 Gibson and supporting staff, thank you. I am Maria
23 Roca; I'm the founder and the Chair of the Friends at
24 Sunset Park in Sunset Park Brooklyn and I have
25 changed my testimony like three times as the morning

2 and then the afternoon went on because other people
3 have said some of the things and so, I'm trying to
4 avoid to repeat.

5 But I am here representing thousands and
6 thousands of people who make use of every square inch
7 of green space in Sunset Park. Not only the park
8 itself, which is named like the neighborhood, we're
9 very original in Sunset Park, but also a number of
10 parks and also the park by the waterfront also.

11 Still not enough, because our neighborhood, you
12 probably know, is overcrowded on ever category that
13 you could imagine. Whether it be housing, whether it
14 be school seat, whether it be transportation, we are
15 on top of each other in every moment of our lives.

16 So, green space of course is most important to
17 us, quality green space. But I'm also here in
18 support of the very dedicated work that we call of
19 the New Yorkers for Parks, Partnerships for Parks and
20 the Municipal Arts Society with whom we collaborate,
21 and they are always very welcoming for our
22 perspective and our participation.

23 So, for that we are thankful because that's how
24 we get smarter in how we advocate for our park,
25 because those are the experts.

2 So, I'm going to speak mostly about - well,
3 emphasize and I can not over emphasize the importance
4 of working collaboratively with Parks patrons by the
5 Parks Department particularly on capital projects.

6 It has not always been as productive as we think
7 it could have been and as financially speaking, as
8 cheap as it could have been in the end.

9 Let's speak about, we had a major playground
10 project and the thoughts of the children and their
11 parents were totally ignored. And it seemed like the
12 decision had been made by the designers that this is
13 the kind of park in their head that we needed.

14 So, we're being told what we need when our
15 families are the ones using the park every day. A
16 very small playground given the population that uses
17 it mind you.

18 So, the parks were almost unanimously against the
19 sandbox in the park, for a variety of reasons. The
20 not enough space, you know, less space for running
21 around and the maintenance and health aspects of it,
22 because the Parks Department as many have said here,
23 the maintenance part of Parks Department is
24 underfunded.

2 So, it's not just building it but how are you
3 going to maintain it so that the children are healthy
4 and safe. There was also the issue of a water
5 feature right next to the sandbox. Imagine that, I
6 don't know what university they graduated from, but I
7 can tell you I didn't go to design school, but you
8 don't put a water feature spray feature next to a
9 sandbox.

10 What happened, that sand managed to get out of
11 the sandbox, wet feet even on a rain event and
12 clogged all of the drains in the playground. So,
13 now, it falls to maintenance of the Parks Department
14 to fix a problem that a design problem to begin with,
15 which the parents were against.

16 The late people said, you can't do that, and my
17 son is an adult now, but the parents of young
18 children explained of why it wouldn't work. The
19 designers were hell bent. The sandbox is going in,
20 if you don't like it, that's your problem. Not
21 exactly in those words but the attitude was there.

22 We didn't appreciate that. Now mind you, just
23 about every penny of every capital project that has
24 gone into Sunset Park in the last three, four years
25 has been participatory budget money. We are a

2 community; District 38 has had the highest voting on
3 participatory budget.

4 So, we are intimately involved in this process.

5 It's not that the money showed up out of nowhere and
6 here you are, here is the money. So, it is

7 important, we watch the projects, we are out there

8 when the construction workers, we are the ones who

9 report the problems. We watch, we are involved. We

10 don't believe in top down, it's our park, it's our

11 families and whatever we can do, well, we're doing as

12 much as we can do. Whatever you can do to sort of

13 reinforce that aspect of capital projects, by parks

14 or any other agency, if we were talking about other

15 agencies, that is so important because people really

16 don't trust government. And that's a shame.

17 CHAIRPERSON KOO: Thank you Maria. Thank you for

18 all your input and suggestions. Thank you.

19 Any questions? Thank you. So, we're going to

20 the last panel. Cori Provost, Adam Martindale. Any

21 more participation? If anyone wants to participate,

22 please fill out a slip and give it to the Sergeant at

23 Arms. Thank you, please identify yourself and start.

24 CORY PROVOST: Thank you, good afternoon, my name

25 is Cori Provost; I'm the Director of Government

2 Affairs for Prospect Park Alliance. I am here on
3 behalf of Susan Donahue who serves as the
4 Administrator and the President of the Prospect Park
5 Alliance. Definitely my pleasure to be able to
6 submit this testimony today.

7 As you may know, Prospect Park Alliance is a non-
8 for-profit that partners with New York City Parks
9 Department and the Community to foster stewardship of
10 Prospect Park. Established in 1987, the Alliance
11 helps to care for the natural environment, preserve
12 the parks historic design, provide facilities as well
13 as oversee over 25,000 permanent events annually.

14 Over the last 31 years, the Alliance has played a
15 pivotal role in restoring the park to its original
16 glory. During this time, we have worked closely with
17 the Mayor, the Speaker Cory Johnson, Borough
18 President Eric Adams, Majority Leader Cumbo, Council
19 Members Lander and Eugene and the entire Brooklyn
20 allegation and the communities that really surround
21 Prospect Park.

22 Listening to all the testimonies today, you know,
23 we definitely want to applaud all the recent efforts
24 that the New York City Parks Department has made for
25

2 commitments to enhance and improve the capital
3 process.

4 One effort that we would be strongly supportive
5 of is providing the Parks Commissioner with access to
6 a significant annual discretionary capital budget.

7 Unfortunately, as many of you may be aware, many
8 improvements generally infrastructure projects like
9 drainage pipes, do not receive the same amount of
10 attention as would a new playground or a comfort
11 station.

12 If the Commissioner had such a discretionary
13 capital budget to work with, we believe the agency
14 could start to move forward more quickly on vitally
15 needed infrastructure improvements that have
16 struggled to receive funding over the last years.

17 We also understand that there are a variety of
18 factors that slow down capital projects that are
19 beyond the control of the Parks Department. As I
20 believe Lynn Kelly said in her earlier testimony, the
21 Office of Management and Budget, the Mayor's Office
22 of Contracts, the Corporation Council to name a few,
23 all play a very vital and crucial role in pushing
24 forward capital projects and we want to emphasize
25 that looking at these processes holistically, to

2 determine opportunity areas outside of parks purview
3 for improving the capital process, is something that
4 we should definitely focusing on. And just further
5 understanding that park projects across the five
6 boroughs are constantly facing budget deficits due to
7 the ever-increasing cost of capital projects.

8 With contractors being able to essentially set
9 the cost standards for projects and the reality of it
10 being just very expensive generally to build anything
11 in New York City. We think therefore, strongly that
12 the Council should be looking at this in a very
13 holistic approach and all the agencies that play a
14 role in moving forward capital projects. Thank you.

15 ADAM MARTINEC: Madam Chairwoman, honorable
16 members, thank you for hosting this oversight
17 committee. My name is Adam Martinec; I'm the founder
18 and Executive Director for Inwood Hill Park
19 Conservancy.

20 I do research work in coordination with the New
21 York Botanical Garden. So, Inwood Park Conservancy
22 is a non-for-profit operating within Manhattans
23 northern most green space which is called a
24 [INAUDIBLE 1:14:10] Conservancy. It is an area of
25 145 acres.

2 So, we organize sustainable restoration
3 initiatives usually involving low tech civil
4 engineering projects such as building flood wall
5 barriers to reduce beach bound trash deposits and the
6 insulation of retaining walls to control for erosion.

7 Our group is formed to promote the environmental
8 health of Inwood Hill Park and to protect its fauna
9 and flora against long term threats such as
10 anthropogenic disturbances, which is human
11 disturbance in addition to K-9 activity, invasive
12 species, soil erosion and acidification.

13 Very much the unsexy issues that were described
14 earlier.

15 Since 1995, Inland Hill Parks beautiful landscape
16 has been maintained by northern Manhattan Parks
17 Department in conjunction with the New York City
18 Urban Park Rangers.

19 The National Resources group coordinated a
20 restoration project that profoundly improved the
21 parks ecosystem between 2001 and 2003. And they
22 conducted a study that identified every tree, shrub
23 and herbaceous plant with end the [INAUDIBLE 1:15:53]
24 nature preserve.

2 The data collected by NRG was strong enough to
3 launch this conservancy and this story has been an
4 example of how some and many of the enumerable
5 benefits of a robust community park infrastructure
6 and the contributions to public research, which is
7 something that other institutions are able to pick up
8 on their own.

9 On October 29, 2012, New York City was hit by an
10 extra tropical aftermath storm in the wake of
11 Hurricane Sandy that devastated Long Island sound and
12 many other places. On that date Inwood Hill Park's
13 nature center was flooded and damaged and through rot
14 was in need of repair.

15 The New York City's Parks Department has issued
16 an intent of rebuilding the center, Community Board
17 hearings have been held and design meetings were held
18 on October 29, 2019, just a week ago. I submitted
19 testimony before the Committee on Parks and
20 Recreation before Council Member Kallos describing
21 the need to invest in forest management as a means of
22 coastal resiliency and safeguarding against the
23 impact of climate change.

24 What was not said, and what I will say today, is
25 that it has been over seven years since Sandy began

2 on the restoration work and cleanup that was under
3 the previous administration and not Mayor de Blasio,
4 and Inwood Hill Park is still without a nature center
5 and the park has suffered for it. And without a base
6 of operations, the urban park rangers haven been
7 unable to perform operations on the scale and
8 magnitude necessary to affect meaning change in badly
9 hit areas. Fewer data collection missions are
10 carried out and the public loses site of the problems
11 that occur on a retiral basis in the face of this.

12 It is without hesitation that I say the nature
13 center has been a management disaster. NYC Parks has
14 tried to deliver on its promise to Community Board 12
15 for five years and between the Council and the CEDC's
16 implementation process, which I have not seen equal
17 scrutiny for, has taken a disorderly amount of time
18 to complete. I recognize that this is a uniform
19 process.

20 I respect the design, procurement and
21 construction process that the park has laid out in
22 the way of being more transparent and I do not
23 dispute that these rules are necessary. While it is
24 true that some agencies have less scrutiny and more
25 leniency to operate than others. I will say that

2 there is a real benefit to supporting public works
3 and that this is ultimately for the public.

4 So, I would therefore have you consider the
5 interest in having these park amenities provided in a
6 timely capacity and add it to the list of priorities
7 met by subcommittees and Parks and Recreations as
8 this is ultimately there work.

9 I will add one final conclusion in this, in that
10 as a constituent at the mercy of the Council for all
11 things, I have very little interest in hearing how
12 other departments in the Mayor's Office are not
13 compliant with Council regulations.

14 You know, I am sure there is appropriate meetings
15 for that, Finance Committee, oversight hearing it's
16 just not a forum when public citizens are coming
17 here, spending four hours of there time, listening in
18 on Council hearings trying to get the best for their
19 area and listening to blaming a minister who is here
20 representing the parks and only the parks. He is not
21 representing the CDC; he's not representing all these
22 other institutions.

23 So, I know, without taking any one protective, I
24 would love to suggest that we keep it confined to the
25 questions that they are able to answer, as it's

2 beneficial to us. We want to hear that; we don't
3 want to hear your grievances with other agencies.
4 Thank you so much.

5 CHAIRPERSON KOO: Thank you. Thank you for your
6 participation. Any questions?

7 CHAIRPERSON GIBSON: I'm sorry you guys, I
8 believe the last panel for this hearing and it's been
9 raised by a number of other panels and I just wanted
10 to get clarification and understanding what the ask
11 is. There has been talk about this parks
12 discretionary capital budget.

13 So, what I want to understand from both of you
14 that represent a number of advocates and residences.
15 Does that mean we want the Parks Departments Capital
16 Budget to be separate from the normal capital process
17 where there is oversight through OMB and the other
18 agencies? What exactly are we talking about and do
19 we expect to gain ground on that in terms of the
20 reality of what we're dealing with?

21 ADAM MARTINEC: So, if we can table the idea of
22 you know, where parks funding ultimately goes, that
23 once it's approved, - what the park ultimately
24 operates with is end marked dollars, which is that
25 they have appropriations preapproved for particular

2 needs. They are met over an extended period of time
3 and if they're met, that's great, if they are not,
4 they will be up here before an oversight committee.

5 What I'm proposing and what I think others are is
6 that it would be similar to the Borough Presidents
7 Office in that they do pass - they do not readily
8 pass like policy, but they have a discretionary
9 budget for which they are able to use in capital
10 allocations and give to various institutions as they
11 see fit. I think the Borough President shares; five
12 borough presidents share one percent of the budget
13 which is \$92.8 billion last year. So, they have a
14 considerable amount of discretionary funding before
15 then to allocate for these purposes.

16 I think if the park had the same leniency they
17 could see a lot more projects accomplished with a lot
18 more lack and I can't speak for other institutions
19 but it certainly seemed appropriate if you don't
20 immediately pass policy on your own to have a
21 discretionary budget, to be able to fund the things
22 that we don't have to come here and each time and sit
23 and go back and forth as to whether a million dollars
24 here or a million dollars there could be spent.

2 Indeed, if there is a discrepancy in the proceeds
3 of transparency, that's a different subject, but I
4 don't think there is any harm in promoting a
5 discretionary budget.

6 CORY PROVOST: Just to add in, I definitely agree
7 with everything that he was just mentioning. As it
8 relates to the Alliance and what we see as something
9 just that would be really good going forward if the
10 Parks didn't have that ability, that access. It
11 would be, I think very transformative going forward.

12 CHAIRPERSON KOO: Are there any more members who
13 want to participate? Seeing none, this meeting will
14 be adjourned. [GAVEL]

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C E R T I F I C A T E

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



Date April 1, 2018