

Oversight - New York City Art Commission NYC PDC Executive Director's Testimony

Good afternoon, Majority Leader and Chair Van Bramer, and members of the Committee on Cultural Affairs, Libraries and International Intergroup Relations of the New York City Council. My name is Justin Garrett Moore. I am the Executive Director of the New York City Art Commission, now known as the Public Design Commission, and I am honored to appear before you today.

Introduction

As you may know, the Public Design Commission was established as the Municipal Art Commission by the New York City Charter in 1898. The Commission was tasked with the oversight of all public artworks and monuments, but its purview quickly expanded to include structures and open spaces on or over City-owned property. In 2008, the agency was renamed the Public Design Commission to better reflect its mission. The Commission is an advocate for excellence and innovation in the public realm, ensuring the viability and quality of public programs and services throughout the city for years to come.

The Commission comprises 11 members and includes an architect, landscape architect, painter, sculptor, and three lay members, as well as representatives of the Brooklyn Museum, Metropolitan Museum of Art, New York Public Library, and the Mayor. The Commission also acts as caretaker and curator of the City's public art collection, which is located throughout the city's public buildings and open spaces.

The Commission holds monthly public meetings to review architecture, landscape architecture, new art installations, the conservation and relocation of existing artworks, infrastructure, street furniture and lighting, signage and any other permanent structure on public property.

The Commission members are volunteers and are supported by a small staff and an Executive Director who are responsible for managing the review and approval process and any interagency and City Hall coordination.

Executive Director Introduction

I was appointed Executive Director in April, replacing Faith Rose. My background is in architecture and urban design, and prior to coming into this role, I was a senior urban designer for the Department of City Planning for eleven years. At the Planning Department, I had the fortune to work on public projects across the city, from the BAM Brooklyn Cultural District and Coney Island to Hunter's Point South in Queens. As a designer and public servant, I have worked to promote quality and diversity in the city's varied contexts and communities.

My late mentor, Moji Baratloo, once stated that "once people know how important their environment is, they can make it better." Design is an important tool that we collectively as a city and government have to make our environment better for all New Yorkers. By promoting quality design, we can

improve our city's long-term resilience and sustainability, enhance access, mobility and public services, and contribute to the unique character and rich culture that make New York special. In other words, public design is not only about aesthetics. In the architecture field, we talk about design accomplishing utility, commodity, and delight. Good design is functional and lasting. Good design is conscious of the use of resources, including natural resources and money. Good design makes us feel better and more comfortable in our environment and in our communities.

New York City is fortunate to have had, since 1898, a public entity responsible for the design of our collective public realm across all five boroughs. If you have some spare time one day, I invite you to visit our Commission's archive at 253 Broadway to explore the richness, diversity, and legacy that is in the design of our city's built environment. Under the de Blasio administration and One NYC, the PDC is working to build on this legacy and bring public design to the service of a larger vision to address growth, equity, sustainability and resiliency in our city. Greater equity and access, in particular, is something that we are focused on -- that it is our responsibility to promote and provide for quality of design and public infrastructure for all of our communities and including communities and populations that have not seen considerable investment in their public realm in decades.

Our Commissioners come from a variety of backgrounds including architecture, landscape architecture, community planning, design, transportation, the fine arts, real estate development, law, and cultural and public institutions. I can say with confidence that our current board members—and including those appointed to the PDC during the de Blasio administration—are both qualified and diverse, and that they are engaged and take seriously their responsibility to serve the public's interests in how the public realm is designed and built. They provide a range of high-level professional expertise and experience with public projects and an understanding of the big picture of why the design of the city matters. For example, the Commission's landscape architect member Signe Nielsen's experience with public projects, including city capital projects with multiple agencies, and her esteemed background in park, open space, and streetscape design are a valuable asset to the Commission and to the city. The members' knowledge and eye for technical and design details helps the PDC serve as a type of quality control, peer review, or even expert consulting on public projects large and small. Responses to comments may take one more cycle of review to address the concerns, but it can result in a project that will look better, last longer, and/or provide the greatest public benefit possible for the resources available. One of our lay member commissioners, Shin-pei Tsay brings her background in transportation planning and community design to help inform the review of Vision Zero, greenway and plaza projects that come through the PDC to meet the best practices for national and global street planning and design. Overall, each of our Commissioners' insights and involvement in the city's capital project and design review process add much-needed perspectives, value, and oversight to these important and lasting changes to our city.

The PDC's Role

The PDC provides an independent review of agency projects and works to ensure quality and consistency for the city's public realm. This important objective is not necessarily the scope or responsibility of a given project or even a given city agency. The Public Design Commission is the only place where our city's public capital projects are reviewed and understood on a citywide and comprehensive level for their design and construction.

The Commission operates as a city agency and our small staff of six is formally a part of the Mayor's Office. Multiple capital agencies submit their projects to the PDC for review. We have reviewed between 800 to over 1,000 projects annually in recent years—or somewhere between 50 and 100 projects per monthly review cycle. The PDC's staff reviews the submissions to ensure they are complete and clear, works with the city agencies to address any questions or concerns, and ensures the Commission members have all of the information they need to review each project efficiently. Many of these projects are simple renovations, repairs, or replacements, and these projects move quickly through the process. Some projects, particularly larger or new construction projects, can involve multiple cycles of review as the projects develop through various stages of design and construction. Our review process is based on the general development process found in any design project. It begins with a conceptual review, forward to a schematic (or what we call a preliminary) level review, and then to a final approval at construction and a project's completion. Depending on complexity and project type, certain projects may have a more limited number of review cycles, while others may involve multiple iterations. This allows the design review process to be constructive as projects are developed and suited to the scope of a given project.

The monthly Commission meetings are open to the public and videos of the meetings are available online. The individual agencies are responsible for bringing their projects to the Community Boards for public input; and the Community Board recommendations are provided to our Commission for their consideration. In addition, subcommittees of the Commission meet between meetings to provide feedback on projects. This can help to accelerate reviews and provide for early input on design proposals.

The Commission also explicitly seeks to promote excellence and innovation in the design of the city and its' public spaces, infrastructure, and art. We work with agencies to align larger visions and goals for the design and construction of the city, and through events, discussions, and our annual Excellence in Design Awards we seek to raise the bar for the quality of our city, from the Battery to Brownsville. We are partners with agencies around some of the city's most transformative initiatives, from Vision Zero and Great Streets to Parks without Borders and the Community Parks Initiative, to the Citywide Ferry Service and promoting quality mixed-use and affordable housing developments on City-owned land. The Commission and our staff are proud of the important work that we do, and the value that we bring to the city and its' future.

The PDC's Review Process

We acknowledge that at times the PDC's review process has been misunderstood and even mysterious or opaque. It seems like more than a few people have a not-so-nice 'Art Commission or PDC story.' The perception is that projects can get 'stuck' at PDC, thereby causing a butterfly effect of unanticipated delays or costs. There have been some cases where this criticism is warranted; these issues can often be attributed to a lack of early interagency coordination. My predecessor and I take this seriously and we have made changes, and we will continue to work to improve the City's multiple design review processes and to help bring more understanding and predictability to the PDC's review process. But I also want to be clear that the large majority of the hundreds of project submissions that come through the PDC each year are approved within one or two cycles.

It is important to note that the PDC does not have the ability to have staff approval for its projects. My staff and I assist our Commissioners with the review of projects, but the projects do need to go to the full Commission for approval. Faith Rose initiated the PDC's 'pre-submission services' that allow capital agencies to work with PDC staff and committees to review projects earlier in the process. This provides for early feedback on projects so that major issues can be flagged early, and it can provide greater transparency, communication, and certainty on the review of projects. We have continued with this program, and will be making a budget request to provide for additional staffing to expand these services. I am confident that as we build this capacity for greater interagency coordination on projects earlier in the process, there will be fewer surprises and resulting added delays or costs associated with feedback from the Commission's review.

The Public Design Commission also has established general design guidelines for pedestrian bridges, artificial turf, distinctive sidewalks, planters, distinctive lighting, newsstands, and commemorative markers. These guidelines are intended to provide a general sense of what the Commission supports, clarify requirements, provide guidance to applicants, streamline the review process, and ensure consistency in rulings. We hope to expand upon these guidelines for other types of projects and to continue improving our coordination with the agencies and our review process.

Proposed Reporting Bill No. 1276-A and Greater Transparency

With respect to the proposed reporting legislation, we are committed to transparency and openness about our operations. We'd like a little more time to review the legislation further, and following this hearing, we would look forward to sitting down with you to discuss the bill in greater detail.

From our initial review, we are not opposed to the idea of a report, though we would like to evaluate further how intensive gathering some of the information would be for our staff. The legislation also includes some information that is beyond the purview of the PDC. However, we do think it is valuable to report on our reviews, and that this can help us to better understand how we can improve and streamline our process with the various agencies. For example, we compiled 2015 data for the PDC's review of projects submitted and found that:

83% of projects were approved in one cycle

15% of projects were approved in two cycles

And only 2% of projects were approved in 3 cycles

Our preliminary estimates for 2016-to-date indicate that we are seeing a similar distribution for project approvals relative to the number of review cycles. We look forward to working with you on the details on how we can use annual reporting and greater transparency to improve outcomes for the important work of ensuring quality public projects for our city.

Thank you again for the opportunity to testify today. I am excited to continue working with the various agencies, the Council and other stakeholders to find ways to improve the way our city works, looks, and feels. I am joined today by the PDC's Deputy Director, Keri Butler, and we are happy to continue the dialogue and to respond to your questions and concerns.

THE FINE ARTS FEDERATION OF NEW YORK

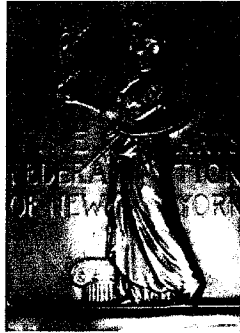
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Testimony

Oversight: The New York City Art Commission

Committee on Cultural Affairs, Libraries and International Intergroup Relations The New York City Council

September 20, 2016

Good afternoon, Chair Van Bramer and members of the Committee. My name is Jeff Byles. I am President of The Fine Arts Federation of New York. With me is Elena Brescia, the Federation's President from 2009 to 2014. Thank you for this opportunity to testify about the New York City Public Design Commission.

The Fine Arts Federation was established in 1895. Since our inception, we have been comprised of at least a dozen member organizations of diverse constituencies with professional expertise in public art, architecture, landscape architecture, planning, urban design, and open space in New York City. Today, the organization is the only alliance of its kind acting on behalf of the city's art and design professions in support of a well-designed public realm. Pursuant to the New York City Charter, the Federation nominates seven of the Design Commission's 11 members. Those are the designated professional members, which include an architect, landscape architect, painter, sculptor, and three lay members.

Our constituents, and their thousands of individual members, know that Commissioners play a critical role as peer reviewers in the public design process. In making nominations for these positions, we strive to reflect the diversity of voices that constitute New York City. We seek candidates whose depth of expertise can add constructive insights to the many interlocking layers of public realm design. Above all, we seek individuals with a deep regard for the public interest. Our nominees must understand the constraints of the design process, and the need to balance all considerations while moving complex projects forward.

From prior hearings, we know Council Members have concerns about the Commission's review process. Let us reiterate that we strongly support the Commission's role as a citywide advocate for quality public design. No other agency has a mandate to promote public design excellence to the benefit of all New Yorkers. At the same time, we agree that improvements could be made to the review process. We believe that better interagency coordination, earlier in the design process, would help make reviews more efficient, and make the Commission a true partner with capital agencies, elected officials, and communities in creating public spaces that all New Yorkers can be proud of.

THE FINE ARTS FEDERATION OF NEW YORK

We have reviewed the proposed legislation, Int. No. 1276-A, requiring the Commission to report annually on its activities. We support this legislation, as we support transparency and accountability in all public affairs. We recognize, however, that reporting poses a significant responsibility for Commission staff. We support the allocation of resources to fulfill these new requirements, and to assist the Commission in serving the people of New York as an advocate for high-quality and inspiring public spaces.

Respectfully submitted,

Jeff Byles
President
The Fine Arts Federation of New York

Elena Brescia
Past President, 2009–2014
The Fine Arts Federation of New York



AIA
New York

September 20, 2016

Hon. James Van Bramer, Chair
Committee on Cultural Affairs, Libraries and International Intergroup Relations
City Hall, Committee Room
New York, NY 10007

Re: Public Design Commission

Dear Chair Van Bramer,

The American Institute of Architects New York represents over 5,200 architects and design professionals, and is committed to positively impacting the physical and social qualities of our city, while promoting policies beneficial to the welfare of our members.

The American Institute of Architects

AIA New York
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T (212) 683 0023

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Through their review of the design, construction, renovation, and restoration of our public buildings as well as the building and rehabilitation of our City's parks, the Public Design Commission has unquestionably helped shape New York's built environment—for the better.

The AIANY fully supports the Public Design Commission's role in city capital projects review and approval process, which ensures the quality and consistency for the design of the city's public realm. The Public Design Commission has continually exhibited an evenhanded approach when balancing the necessary values required of any design review process—including aesthetics, the quality of materials, functional needs, the preservation of cultural resources, environmental stewardship and the impact to our communities.

Furthermore, the Public Design Commission's range of interdisciplinary expertise and the scope of its' purview, which extends into the details of design, materials, maintenance and longevity, contextual appropriateness, is essential to achieving high-quality public spaces and facilities at a citywide level.

At AIANY, we believe high-quality design not only adds value, but helps to make our communities safer, healthier and more livable. The Public Design Commission has championed these values and recognizes the lasting impacts high-quality design can have on the vibrancy of an entire community -helping buildings work better for society and enabling society to perform better. This is what drives architects and design professionals in any project, large or small.

In regards to the proposed bill requiring annual reporting at the PDC, the AIANY supports legislation that provides greater transparency. An approachable, open Public Design Commission would be positioned better to promote and expanded upon the values mentioned.

In short, we continue to support the Public Design Commission and look forward to working collaboratively in the future.

Submitted on behalf of AIANY.

Benjamin Prosky
Executive Director

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September 20, 2016

Testimony to the City Council Committee on Cultural Affairs, Libraries and International Intergroup Relations from The Municipal Art Society of New York regarding Oversight of the New York City Art Commission.

The Municipal Art Society has been one of the watchful guardians over New York City's architecture and public art since 1883. It was this process of "watching" which brought to our attention the deteriorating state of many of the city's remarkable public sculptures throughout the five boroughs.

In 1987, in partnership with the then Art Commission, the MAS launched the Adopt-A-Monument program to restore 20 of the most threatened artworks damaged by pollution, neglect and vandalism. The program captured the imagination of civic-minded New Yorkers beyond our best expectations. The MAS found corporations, foundations, and private funders to underwrite the cost of the conservation; the Art Commission established the Conservation Advisory Group (CAG), an adjunct advisory committee composed of professionals in conservation and art history, to review and advise on the conservation of each "Adopt" project.

The success led to the second partnership with the Commission—the Adopt-A-Mural program initiated in 1991. To date, fifty-one works of public art have been rescued and restored and, importantly, maintained through this program—far-ranging in style, material treatment and location and representing an investment of over three and a half million dollars in the city. Included among these is the magnificent Beaux-Arts ceiling mural in this very chamber room, *New York Receiving the Tributes of the Nations*, painted by Tabor Sears, 1903, as well as iconic sculptures in your neighborhoods. Some of these are: the Lincoln and the Lafayette monuments, Prospect Park, Brooklyn; the Rocket Thrower from the 1964 World's Fair, Flushing Meadows Corona Park, Queens; the Heinrich Heine Fountain, Joyce Kilmer Park, the Bronx; and the Neptune Fountain, Snug Harbor, Staten Island.

Our twenty-nine-year collaboration with the Design Commission has made the conservation of these projects possible and successful through the vigilant oversight of the Design Commission staff working closely with the MAS. Each monument and mural treatment is carefully and technically evaluated by CAG members. The Commission then gives final approval. Every project has been on time and in budget.

Meticulous high standards are the hallmark of the Design Commission. Through their leadership, they have sought to maintain the civility and dignity of urban space that is a source of pride to New Yorkers.

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I represent: Five Arts Federation of New York

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