

September 24, 2024

New York City Council Committee on Parks and Recreation Oversight: Best Practices to Prevent Drownings at the City's Beaches & Pools

Testimony by: Sue Donoghue, NYC Parks Commissioner

Good afternoon, Chair Krishnan, members of the Parks Committee, and other members of the City Council. I am Sue Donoghue, Commissioner for New York City Parks. I'm pleased to be joined today by members of our senior staff, including our First Deputy Commissioner Iris Rodriguez-Rosa, Bonnie Williams, our Chief of Special Programs, and Matt Drury, our Chief of Citywide Legislative Affairs.

NYC Parks has long been committed to improving New Yorkers' quality of life through aquatic recreation, promoting health, fitness, and safety awareness at all our beaches and pools. Our public beaches and pools are an essential part of summertime in New York City and have become more critical than ever in providing relief from the heat as climate change brings us ever-increasing temperatures. I'm so proud of our Parks staff — lifeguards, filter plant operators, maintenance workers, Parks Enforcement Patrol, and everyone in between — who worked hard every day this summer to keep our pools and beaches open, clean, and safe for the enjoyment of New Yorkers and visitors alike.

In addition to 148 miles of waterfront parkland, our agency maintains over 14 miles of public beachfront - eight separate beaches, located at various points along New York City's shoreline, and 53 outdoor pools, all of which are open to the public every summer for swimming and other recreational activities, completely for free. I'm pleased to announce we recently completed our 2024 summer beach and pool season, during which 7.4 million visitors came out to enjoy our incredible beaches and over 1 million New Yorkers visited our outdoor pools.

As we testified before this Committee earlier this year, NYC Parks has been working tirelessly to increase the number of lifeguards serving our city and those efforts have already produced real results for New Yorkers. Today, we are thrilled to share that our lifeguard corps grew significantly over last year, with 930 lifeguards in our ranks at the season's peak, nearly a 10% increase in the number of lifeguards protecting visitors at our beaches and pools. Thanks to our intensive efforts this past fall and winter, we were able to increase the number of new lifeguard recruits by 46% by expanding testing and training sites, partnering with sister agencies like DOE to hold qualifying exams at their sites, allowing more flexibility for vision exam locations and other process improvements.

We are also very proud of the work we did in the off-season to successfully renegotiated the lifeguard union contract with District Council 37 for the first time in 40 years, which resulted in process improvements such as modified swim time requirements for lifeguards serving at shallow water pools. Additionally, we secured an increased baseline hourly wage of \$22.00 for our seasonal lifeguards and a \$1,000 retention bonus – all of which greatly aided our recruitment efforts. But our efforts to keep New Yorkers safe didn't end there - in the midst of extreme weather conditions, Parks implemented a new safety protocol during heat waves which allowed beach lifeguards, alongside our Parks Enforcement Patrol, to provide additional support in responding to emergencies past the end of swimming hours each day.

As we know all too well, water safety and swim instruction saves lives. Accidental drowning is the second-leading cause of unintentional injury-related death among children under the age of 14, with a disproportionate impact on black and brown youth, which is why we were thrilled to be able to bring our popular Learn to Swim program back to our outdoor pools this summer, which served 3,000 children citywide, through free classes offered in every borough for tots and children aged 1 ½ to 17. This was in addition to the summer swim instruction and aquatic exercise programming provided to over 1,500 children, adults and seniors at our indoor recreation center pools. Our Urban Park Rangers conducted tabling at our beaches around the city, with information provided in multiple languages, promoting ocean safety and informing the public about the danger of rip currents, and over 530 attendees at NYC Parks' youth summer camps received valuable exposure to swim instruction and water safety awareness programming.

In an effort to serve New Yorkers of all ages, this summer we were able to bring back our popular Senior Splash program for the first time since the start of the pandemic. The program — which served more than 900 seniors this year — offered free water aerobics classes for seniors at outdoor pools across the city, helping older adults to improve their fitness and socialize in a relaxing and enjoyable setting.

This Administration believes it is critical for New Yorkers to have equitable access to beautiful and safe swimming spaces during the hot summer months, and we are committed to investing in building and repairing our pools and related facilities. Most notably, this summer we were very pleased to reopen one of the jewels of our park system, Astoria Pool in Queens, following a transformative renovation. This historic pool, which is the City's oldest and largest, at nearly 90 years old and over a full acre in size, underwent a full-scale renovation, representing a \$19 million dollar investment in this beloved community amenity. We reconstructed the pool shell, installed new filtration, recirculation and treatment systems and upgraded other elements to improve pool operations and provide a more enjoyable experience for pool visitors.

Joined by Mayor Adams at the reopening ceremony for that classic facility at the start of the summer, we were thrilled to announce "Let's Swim NYC," a capital investment totaling more than \$1 billion dollars over five years to build, improve, and protect New York City's public pools. This funding marks the city's largest sustained investment in swimming infrastructure since the 1970s. Through this effort, the city is directing necessary funding towards 39 pools, including the construction of two brand new indoor pools and the full renovation of three additional pools. The historic investment is expanding recreational water access throughout the five boroughs, helping more New Yorkers learn water safety skills that saves lives.

Of course, there's always more work to be done, which is why we were so appreciative when Governor Hochul announced the results of the State's "NY SWIMS" funding initiative last month, through which the City was awarded over \$46 million dollars, which will allow for the full renovation of 4 existing city pool facilities and the construction of a brand new aquatic center to serve the Arverne and Edgemere neighborhoods in Queens. We are grateful for Governor Hochul's generous support and look forward to working with the State to deliver those projects for New Yorkers.

Looking ahead, keeping our beachgoers safe will continue to be our top priority, and our incredible lifeguards will continue to be a core component of our beach and pool operations. We are already hard at work preparing for the 2025 summer season, and we will continue to explore



every avenue to recruit and retain even more qualified lifeguards, including increasing opportunities for potential lifeguards to test and qualify. However, the reality is that the entire nation is still facing a very challenging environment for lifeguard hiring. We would like to ask the Council and other advocates to please continue helping us get the word out to potential lifeguards regarding this fun and rewarding seasonal employment opportunity. Given the strong ties and relationships you've all built over time in your local communities, we would love to see every Council Member and other elected officials recruiting 10 or more potential lifeguards to come out and take the qualifying swim tests for the 2025 season, which will begin later this year.

Specific to the legislation being formally heard today, we are in the process of reviewing the bills and look forward to discussing them further with the Council and our colleagues in the Administration.

We'd like to thank the Council for their support for our city's parks and open spaces, and for their partnership in educating New Yorkers about the importance of water safety. If there are any questions, we would be happy to answer those at this time.



New York City Council Committee on Parks and Recreation Tuesday, September 24, 2024
Oversight Hearing —
New York City Council
Council Chambers, City Hall
New York, NY 10007

Dear Chair Krishan, Council Members, and Colleagues

My name is Shanna Blanchard and I am writing on behalf of the Water Safety Coalition, a group of concerned citizens and non-profit organizations working to make water safety education an essential right for all, to save lives and create a more inclusive recreation community. We thank the City Council Committee on Parks and Recreation, Chair Shekar Krishnan for inviting us to submit testimony in this Oversight Hearing regarding "Best Practices to Prevent Drownings at the City's Beaches and Pools". We deeply appreciate the Council's championing of water safety legislation, local non-profits, and advocacy efforts.

We are particularly concerned about the impact of budget cuts on aquatics programs and staffing at the city's beaches and pools for the past few years. For years, New Yorkers have had limited access to the city pools due to budgetary restrictions and staffing shortages. Beyond these limitations, many New Yorkers do not have easy access to pools in their communities, even if they are open and accessible. Beaches and shorelines then become the default location to stay cool and get in the water for many New Yorkers, but when they are poorly staffed (maintenance, PEP, and/or lifeguards), life-or-death situations can occur and therefore, there are multiple drownings across the city each year. Increasing funding and putting in place policy for best practices around water safety in our city is critical to solving this public health crisis.

We were devastated to learn about each drowning death along the city's shorelines this year, a total of seven to date. Too often in our city, a day at the beach can turn into tragedy or near tragedy. Drowning and water-based accidents *are* preventable. Education is critical, and we strongly support T2024-2494, that would require the NYC Department of Parks and Recreation (NYC Parks) to develop written materials containing information about water safety and drowning prevention. However, we advise that the NYC Department of Education (NYC DOE) design and develop this curriculum, including synchronous and asynchronous materials, to be taught in the classroom and

deliver to NYC Parks for use in any programming and communications on or near the city's shorelines. We also support T2024-2401, a bill that would require the NYC DOE to conduct a feasibility study on how high school students could be trained and developed with the goal of preparing those students to become lifeguards at City managed beaches and pools. If realized and the training implemented, this can be a critical solution in the city's lifeguard staffing problems. Additionally, Int 0998-2024 would require the City of New York to create an interactive map with the location of each swimming pool under its jurisdiction and any planned maintenance or construction projects that could impact the accessibility of the pool or its programming. This bill can increase accessibility in pool access and swimming skills for those families and residents who need it most, and prevention tragic occurrences along the city's shorelines. Finally, we support the Res 0469-2024, that would recognize May 15 as Water Safety Day.

Collectively, this suite of legislation can be a huge step forward in the city's water safety investment and drowning prevention. We strongly support this legislation and look forward to working with the Council, Chair Krishan, and our colleagues on other strategies to make our city more water safety and collectively build a more inclusive aquatics culture.

Sincerely,

Shanna Blanchard
Chair, Water Safety Coalition
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New York City Council Committee on Parks and Recreation, Honorable Shekar Krishnan, Chair

Testimony of YMCA of Greater New York Submitted by Sharon Levy, Senior Vice President of Public Affairs

New York City Council Oversight Hearing Best Practices to Prevent Drownings at the City's Beaches and Pools September 24, 2024

I respectfully submit the following testimony on behalf of the YMCA of Greater New York.

The YMCA of Greater New York is committed to empowering youth, improving health, and strengthening community. With 24 YMCA branches and more than 100 community sites across New York City, the Y is among the City's largest providers of human services spanning from infancy to older adult — and an important anchor, convener, and catalyst for transformational change in underserved communities. The YMCA is also a proud member of the Interorganizational Taskforce on Lifeguard & Aquatics, and a supporter of New Yorkers for Parks (NY4P).

One of the ways the Y reaches the community is through our aquatic programs, placing children and adults on the path to develop lifesaving skills in the water. Utilizing 22 aquatic centers across all five boroughs, the Y provides pool access to tens of thousands of New Yorkers every year. We do this through programs like Second Grade Swim, swim instruction, summer day camp, adult lap swim, and a variety of other programs. Furthermore, through our newly created Aquatics Center for Excellence (ACE) we have been providing free lifeguard training and certification programs since 2022. The YMCA has certified 452 participants through our branch-based program and 4 in our first ever school-based program.

In 2023, the Y, along with other organizations, convened the Interorganizational Taskforce on Lifeguards & Aquatics, comprised of nonprofit providers and City agencies focused first on tackling the City's acute lifeguard shortage and then on the broader issue of water safety in our city. Over the last year, through the work of the taskforce, we have created new collaborations that have supported recruitment efforts, shared resources, and developed joint advocacy efforts to elevate these critical issues with our city and state elected officials, but there is still much to get

As New Yorkers, we pride ourselves on being a diverse and dynamic community. Yet, when it comes to knowing how to swim, or access to swimming spaces, we, as a city, fall short. We are a waterfront City — with 520 miles of waterfront — and yet too many New Yorkers never learn how to swim. With over 8 million residents (about half the population of New York State), and a warming global climate, our public pools are woefully insufficient to meet the need for quality swim instruction and recreation.

According to the Centers for Disease Control and Prevention (CDC), drowning is a leading cause of unintentional injury death worldwide, with children, and people of color disproportionately affected. Black children are five times more likely to drown than their white counterparts. It is time to take concrete steps to ensure every resident can learn, enjoy, and stay safe in the water. We believe the key to addressing these issues is improving access to swimming spaces and swim instruction for all New Yorkers. We can accomplish this by creating additional access to existing pools, public, private, and those run by nonprofit organizations. The city must increase funding for swim instruction and pool operations. Expansion of free swim lessons in pools across the city including Parks, DOE, and nonprofit pools will significantly impact the rate of injury and fatality from swim-related incidents. Currently, a small fraction of the budget goes toward swim instruction – a troubling reflection of its overall prioritization by the city.

Additionally, the lifeguard shortage has been an issue for years and was significantly exacerbated by the pandemic. We offer our most heartfelt condolences to the families and loved ones of the seven New Yorkers who lost their lives this past summer. It is an absolute tragedy that we had the highest number of drownings since 2019. We believe that through partnership and regulatory changes, we could increase the number of lifeguards in NYC exponentially. The NYC Department of Parks and Recreation should have the ability to accept nationally recognized lifeguard certifications like the Red Cross and YMCA certifications. This would allow us to train a more robust workforce, employ more lifeguards, and fill in the staffing gaps.

We also urge the City to work with nonprofit providers to establish a lifeguard development program and a training and certification program within our high schools. By engaging youth to strengthen their swimming skills and train to become lifeguards, we can not only create a sustainable pipeline of qualified lifeguards, but also foster a sense of responsibility and leadership among the next generation. Investing in training and mentorship opportunities for young New Yorkers can help address the immediate staffing challenges and cultivate a culture of safety and service.

Over the long term, we must prioritize the expansion of aquatic infrastructure. We commend the Administration for its current investments and look forward to ribbon-cutting for at least 3 new pools in the next few years. But we also want to highlight the need for even greater investment. This means building more pools, particularly in neighborhoods who do not have access to aquatic spaces. It also means finding ways to include pools as critical public investments, along with parks and other green spaces, in our capital planning process.

The YMCA of Greater New York believes universal swimming access is not just a matter of convenience or leisure—it's a matter of equity, public health, and safety. To summarize we call on our government partners to sustain and expand funding for the following:

Land-Based Water Safety Education

• A classroom-based set of lessons focused on water safety.

"Second Grade" Swim

• A partnership between nonprofits and the NYC Department of Education that brings students (2nd grade or similar age) to pools for multi-week swim safety classes in pools.

Swim Lessons

• Free swim lessons provided to New York City youth & adults provided by community-based organizations in all five boroughs.

Lifeguard Training and Certification

• Free lifeguard training and nationally recognized certification programs provided across all five boroughs to create a robust pipeline of youth prepared to undertake lifeguard training and certification.

By implementing these solutions, we can make significant strides towards creating a city where every resident, regardless of background or circumstance, can dive into the joy and safety of swimming. Let's ensure that swimming truly becomes an accessible and inclusive activity for all New Yorkers.

We appreciate your support, leadership, and partnership in addressing the City's water safety challenges. Thank you so much for fighting for the children, families, and adults of New York City. We look forward to working with you on the efforts to make swimming access for all a reality.

If you have any questions, please contact Sharon Levy, Senior Vice President of Public Affairs, at slevy@ymcanyc.org or 917-575-2736.

City Council Parks and Recreation Committee Hearing on: T2024-2401
Feasibility for a Junior Lifeguard Corp

Improving Lifeguard Retention

I attended the hearing on September 24th in person and I thank you for your diligence in recognizing a great need to address a perennial problem within the City of New York: not enough lifeguards. My name is Janet Fash. I am a seasonal Chief Lifeguard for NYC Parks for over 30 years and for over 45 years gave my summer seasons to this exhilarating job. I would like to discuss how municipalities all over the United States including some here in NY State run successful summer Junior Lifeguarding Programs that not only are successful recruitment for future lifeguards they provide excellent water awareness and education of ocean currents, weather and what to expect in the open water.

In order to create successful partnerships with the DOE and water safety providers some changes within Parks should be implemented immediately.

- 1. The rigid swim test for the open water beach jobs should be changed to the national standard set by the USLA (The United States Lifesaving Association) 550 yards in under 10 minutes which would improve lifeguard retention rate as the 100 yards pace would be 1:40 as opposed to right now it is at 1:30 for 450 yards in 6:50. If the national standard time is used the City of New York's lifeguard retention would improve and the senior lifeguards would pass the test legitimately instead of right now they pass subjectively while senior guards that have fallen out of favor fail. Testing examiners must come from the new management structure not from the Lifeguard School. Electronically padding should be utilized so all can see their times.
- 2. Lifeguards in NY City do not even receive a lifeguard training manual. There is no bonafide ocean training curriculum that is used across the board. After my involvement in a DOE initiative in 2005 thru 2008, the union that runs the operation took lifeguards from my command in a busy section of the beach. They would detail lifeguards in for just a day creating chaos. Some of these guards were ill prepared to be in a busy section of the beach because the training was haphazard. Some lifeguards that eventually were assigned to me said they learned more with me in one season than the previous 5 seasons. This is not rocket scientry, however, having the tools and the knowledge in every Chief lifeguards hands is critical. This May there was some positive change that occurred due to arbitration with Parks and DC37. The Parks department has a big job ahead of them, it is critical to get Lifeguard manuals into every lifeguard's hands and have policies and procedures in the hands of all personnel. Parks is going to work on this and it should be on the front burner and include national standards for the 8 beaches.
- Utilize the curriculum packet for the junior lifeguard program provided by the <u>United</u>
 <u>States Lifesaving Association</u>, which outlines lessons and the requirement for
 participating and one is the ability to swim 25 yards. There are 4 age groups ranging

from 9 years to 15 years old. Every year the USLA holds national competitions in various locations throughout the United states and junior lifeguarding is also represented. These junior lifeguard programs are run by Lifeguard personnel assigned to ocean beaches and some run for 6 weeks and begin an hour before the tour of duty. Each beach in the city ,once the requirements are met in a pool, should run a junior lifeguard program. In the initial years the junior lifeguard program could have competitions within the city beaches. This builds fitness and professionalism to the future lifeguards.

However I would be remiss if I did not bring up the historical systemic problems plaguing the NYC Lifeguard program. In NYC there is some sinister behavior within the symbiotic relationship with the lifeguard union and the Parks management which has been dysfunctional since 1978 when Parks signed a memorandum of agreement with DC37 Blue Collar division which is attached to the back of every contract making borough coordinators and a lifeguard coordinator from the existing ranks of Chiefs to ease the transition from winter to summer. That didn't exactly happen; instead some of these borough coordinator jobs which were supposed to be selected from the ranks of existing Chiefs were given to people that were not even lifeguards; in fact the DC37 blue collar division head that received the MOA was given a borough Coordinator chief line.

I myself was involved with a DOE initiative in 2005 and helped create a water safety video for assemblies and the following year a **lifeguard development program**. We didn't call it a junior lifeguard program because essentially we were training and preparing them for the city test so that candidates would enter the NYC lifeguard school. The DOE administrator overseeing the program, Hank lori had great difficulty communicating with the NYC Lifeguard coordinators at the time Richie Sher and Peter Stein. Subsequently, and unfortunately the Lifeguard Coordinators for the lifeguard school felt threatened and failed 19 out of 20 kids on the final test. In fact there was a City Council hearing November 12, 2008 to address the inefficiencies and the corruption that myself and other water safety professionals testified at.

I do think now with the national lifeguard crisis and the drownings regularly occurring on our beaches that the time is right to create a pipeline, however before we do that I do want to also bring up other issues that should be addressed within the existing program that would help you retain senior lifeguards if the test is being administered honestly.

COVID-19 was a clear example of how Parks and the Union have a severe lack of communication and respect. Some of my best lifeguards no longer work and in a large part their own union made it difficult to return. Despite Parks receiving a waiver from the state in 2021 that lifeguards could return to their previous assignment due to the dire shortage without testing in the pool (similar to Jones Beach and other NY state muniipalities, Lifeguard Coordinator and Local 508 Treasurer at the time, Javier Rodriguez continued to test and fail returning lifeguards contributing to the shortage. Parks Chief Personnel officer, David Terhune gave lifeguards a verbal that year that they would retain their seniority without the usual medical or school note. The following season some of these lifeguards were told that wasn't true. Some had even given

proper notes in and Parks made it difficult. We lost lifeguards unnecessarily because of the lack of transparency between the union and Parks. Now today there is a problem of Professional institutional knowledge of ocean beach lifeguarding for NYC lifeguards. The top 2 ocean chiefs have retired and the union run operation sent a pool supervisor to the ocean beach never having worked in that environment as a lifeguard, a Lt. Lifeguard, nor a Chief Lifeguard.

Now I want to reiterate that Parks is going to have a difficult time without true intervention to actually manage and supervise the Lifeguard school personnel. The contract does not hinder managers from creating policies and procedures and standards. The only mention of the swim test in the union contract states: in Article XXIII Section 8: Physical and performance standards qualifications, shall remain the same for each Lifeguard or Chief* lifeguard thereafter (*including details of). As most of you are aware, the NYC Parks Department has a Lifeguard school run by the same unionists for over 30 years so any attempt to provide the best service to the public and the lifeguards is met with resistance. The time is right for change and the new Parks management team needs to put policies and procedures in place. I have offered my assistance. The NY Fire Department has over 700 policies and procedures whereas the NYC lifeguard program has none other than the mandated beach safety plan submitted to the health department which is not distributed and available to the rank and file. There are many changes that need to be enacted. I thank you for your diligence and tenacity.

From: shawn slevin <shawn.slevin@swimstrongfoundation.org>

Sent: Monday, September 23, 2024 11:52 AM

To: Testimony
Cc: Shawn Slevin

Subject: [EXTERNAL] Testimony: Best Practices to Prevent Drownings at the City's Beaches and

Pools

Greetings and thank you for the opportunity to present testimony with regard to

- Oversight Best Practices to Prevent Drownings at the City's Beaches and Pools
- Int. No. 988
- Preconsidered Int. No.
- Preconsidered Int. No.
- Res. No. 469

Swim Strong Foundation agrees with the adoption of all of these measures as we continue to build out an aquatic culture in NY City. This is a complex issue, requiring the collaboration of many city agencies and public and private partnerships.

Reducing drownings in NYC requires a layered approach which additionally includes:

- Educating our citizens about Situational Knowledge of Water to help us all manage the risk when in, on, or around water. This is critical as climate action is bringing more and more water into our daily lives. Swim Strong has reached 55,000+ students with our free "A Conversation About Water Safety" free Assembly, supported by the Speaker's Initiative.
- Funding for not for profits to expand low to no cost swim lessons for families in need.
- Add mobile/roving lifeguard patrols during daylight hours when lifeguards are off shift, during the Summer season. Add drone patrols for coverage when season is ended, but weather warm enough to encourage swimming in the ocean.
- Add AI technology to drones to enhance their ability to see individuals potentially in trouble in the water.
- Modify Parks P.E.P. workers roles to include education, not just enforcement.

Swim Strong is grateful to the City Council for their work towards stemming the tide of unnecessary drowning deaths of our citizens. Much more is required and we stand with you to deliver the knowledge and skills needed for all of us to live in harmony with the water that shapes and surrounds us.

Shawn Slevin

E.D. Swim Strong Foundation

Watch this 3 min video to understand water safety very differently

https://youtu.be/Hy49qY3QN_s

Shawn M. Slevin (pronouns: she/her)

www.SwimStrongFoundation.org

https://www.linkedin.com/company/3323158/

https://www.facebook.com/SwimStrongFoundation/

https://www.instagram.com/swimstrongfoundationinc/

 $\underline{https://www.youtube.com/channel/UCtR8Oznna6qMgpY2MSg5Yhg}$

https://twitter.com/SwimStrongNY



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