



**Hearing before the New York City Council  
Committee on Parks & Recreation**

**Int. 1466: Cleaning park playground equipment after the spraying of pesticides  
Int. 1680: Reporting on Park capital expenditures**

**December 5, 2017**

**Testimony By: Matt Drury, Director of Government Relations**

Good morning, Chair Levine, and members of the Committee on Parks and Recreation, my name is Matt Drury, Director of Government Relations at the New York City Department of Parks & Recreation. Joining me on this panel are Marechal Brown, Director of Horticulture, and Diane Jackier, Chief of Capital Strategic Initiatives. Thank you for inviting us to testify today regarding Intro 1466, pertaining to cleaning park play equipment after the spraying of pesticides, and Intro 1680, regarding the reporting of Park capital expenditures.

Regarding Intro. 1466, I'd like to begin by providing some context about NYC Parks. We are the steward of approximately 29,000 acres – 14 percent of New York City's land mass – including 10,000 acres of natural areas. We oversee more than 5,000 individual properties, ranging from parks and playgrounds to community gardens and Greenstreets. We operate more than 800 athletic fields and nearly 1,000 playgrounds, 66 public pools, 48 recreation facilities, 17 nature centers and 14 miles of beaches. Each of these individual properties requires targeted maintenance, and it is important to note some of the specific challenges we face in keeping New York City's parkland in the best condition possible.

In accordance with Integrated Pest Management (IPM) practices and strategies, herbicide applications are used in NYC Parks when other efforts will not suffice. Though our preference is to avoid the use of herbicides where possible, even in an ideal world, mechanical or manual efforts alone would neither reverse the damage done by invasive species, nor support the broad-scale successful establishment of healthy, suitable plants in our parks. More nuanced and targeted strategies, including herbicide applications, are occasionally necessary for us to reverse the damage of invasive plant colonization. Though our maintenance and horticulture staff do a tremendous job keeping our parks looking their best, mechanical and manual efforts require significant resources, often requiring frequent visits to a given site several times a season, whereas a single herbicide treatment can maintain these areas for an entire season.

We rarely apply herbicides in horticulture beds in parks, and we never apply herbicides in playgrounds, athletic fields or dog runs. When it is determined that the application of herbicides or other pesticides is necessary, our staff strives to strategically target the application. Further, while applying herbicides, our trained staff typically use a hand-wand applicator at ground level to specifically target the weed. NYC Parks does not use any broad application techniques. Our goal is to directly target the weed with as little herbicide as possible.

In instances where herbicide application is necessary, NYC Parks understands the importance of advance notice and transparency, to ensure that local residents and park users are made aware. In accordance with state and local law, NYC Parks provides on-site notification signage 24 hours before a herbicide application is completed, and for 72 hours following the application.

Intro. 1466 would require the Department of Health & Mental Hygiene to develop a rule, in consultation with Parks, to establish a minimum distance within which pesticides cannot be sprayed in proximity to playground equipment. Further, the bill would require Parks to clean playground equipment in the event that pesticides are sprayed within the minimum distance established by the Department of Health & Mental Hygiene. Since we do not use pesticides within children's playgrounds and play areas, and thus agree with the spirit of the legislation, we believe the bill to be duplicative of our current practices, and thus unnecessary. NYC Parks is confident that our current Integrated Pest Management approach and compliance with federal, state and local laws properly address safety concerns for all of our park users.



We'll now turn to Intro. 1680, which addresses public information regarding Parks capital projects through the agency's online Capital Project Tracker. Throughout the duration of this Mayoral administration, NYC Parks has undertaken a comprehensive and focused effort to streamline every portion of the capital process within our control, and to provide an unprecedented degree of public access to information about these efforts. We have seen significant and tangible improvements in our capital process, including increased efficiency and shorter delivery timelines for our projects, as well as greatly improved communication and engagement with the public and increased transparency regarding the status of our capital projects.

Our online Capital Project Tracker, launched in Fall 2014 and codified by Local Law 98 of 2015 as Administrative Code section 18-145, makes the capital process the most publicly transparent it's been throughout the agency's history. The Tracker is an online, searchable tool updated daily that allows anyone -- be it an elected official, supporter of a specific park, or just your average curious New Yorker -- to look up a specific park and learn more about the status of any capital project. We're proud to update the Council that since the launch of the Tracker, it has been viewed nearly 400,000 times. Over the past year, the Tracker has been viewed nearly 150,000 times, which is a 35% increase in page views from 2016.

NYC Parks is constantly refining and improving our communication efforts, and we are open to discussing further improvements that Council Members or other stakeholders would like to see made to the Capital Tracker. However, we believe these potential changes and adjustments should not be codified in local law, because the agency needs the flexibility to adjust the details of engagement and transparency efforts as conditions evolve. Moreover, layering additional administrative and reporting requirements into a process already governed by a complicated web of state and local laws may serve to only further hamper our ability to increase efficiency and improve delivery times. Finally, our Borough Commissioners and Capital staff proactively provide project updates to Council Members and Community Boards and are always available to discuss capital projects in greater detail with them and other public stakeholders who may be interested.

We appreciate the Council's interest and advocacy regarding these topics, and look forward to continuing to work with you and your colleagues to make New York City's parks and playgrounds better than ever. Thank you for the opportunity to testify today. We would be happy to answer any questions you may have.



**New York City Council Committee on Parks & Recreation  
Hearing on Int. 1680, in Relation to Reporting on Park Capital Expenditures  
December 5, 2017  
Emily Walker, Director of Outreach & Programs**

Good morning, my name is Emily Walker, and I am the Director of Outreach & Programs at New Yorkers for Parks. I want to thank the City Council Committee on Parks and Recreation for inviting us to speak on this important issue today. As the citywide, independent advocate for parks and open spaces throughout New York City, the process of capital improvements in parks has long been of great interest to us.

NY4P has long understood that the capital process for parks is a broken one, and the new legislation being discussed today reflects that deep frustration with the process – a frustration we believe is shared by everyday New Yorkers, members of the City Council, and the agency itself. In 2014, New Yorkers for Parks undertook a detailed survey of the process of capital projects management as it related to not just the Parks Department, but other City agencies that complete capital construction projects. Our findings showed that other City agencies were often able to execute capital projects more quickly, nimbly, and under-budget than Parks. These findings shaped a set of recommendations to NYC Parks that we are proud to say have had real impacts on how the agency manages this process. While we have stated this before, we believe it is still worth noting that the nature of parks make them inherently more challenging to improve – there are simply more stakeholders, more varied kinds of construction projects, and a procurement system beyond the agency’s control that result in some of the frustrations we’ve heard expressed today.

Despite these frustrations, we do want to commend NYC Parks on the changes it has implemented regarding the capital process. Many of these changes have made the process more transparent to the public, such as the development of the Parks Capital Tracker tool. This tool provides an invaluable service to the public in terms of understanding the process of how parks get built; what phase a specific project is in at any given time; and when folks can expect to see their park projects completed.

However, we would encourage NYC Parks to make this tool more readily available to the public through the home page of the NYC Parks website, as it is still not apparent where to find this tool within the site. There is valuable information kept within the Capital Tracker that could clarify the status of park renovations for the everyday users of a given space, but without an easy or intuitive way to find this tool, it will fail to serve its purpose in changing the public narrative about park capital improvements. Recent Mayoral and Council funding commitments to the capital division at Parks have allowed the agency to continue to build the ranks of staff, which has also resulted in a more streamlined capital process. It is our understanding that Parks has made strides in fostering a greater sense of staff accountability and empowerment within the capital division, while also minimizing the implementation of change orders.

Regarding today's legislation specifically, we recognize the need for more clarity about where things stand in the capital process, especially in light of the significant funding commitments made by Councilmembers citywide to improve parks in their districts. We do have some concerns that some pieces of the legislation may have the unintended effect of slowing down the overall process by adding another layer of required reporting, without funding to provide additional staff to take on these tasks.

However we do agree with the following changes to the Tracker with some caveats, namely:

- Sharing information on project delays would go a long way toward accountability and transparency, but do not feel that NYC Parks has enough capital staff capacity to regularly report on any such delays.
- Attaching the Council District and Community District information to a given project in the Capital Tracker makes sense, as this is information that already exists on the NYC Parks website for each open space in the agency's purview. However, the Capital Tracker should be easy to find on Parks' website to begin with.
- We would like to see clarity on the reporting requirements that ask for the 'average' amount of time for project completion, as well as the total number of capital projects currently under the NYC Parks jurisdiction. For the first requirement, it's unclear if the average would be a mean or a median, and we believe this distinction would impact the reported figure that the Council seeks to know.
- We also believe the requirement around the total number of capital projects is unclear as written – since many projects in the pipeline are only partially funded, it's unclear if projects that have had some, but not all, funding allocated would be included in this tally. Additionally, the legislation as written doesn't stipulate how to account for capital projects that are bundled across a borough, which is a common tactic used by the agency.

New Yorkers for Parks does believe that more steps could be taken to make the capital expenditure process more transparent, and we hope our comments today have helped the Council and Parks Committee consider ways to reasonably improve this process for both the City Councilmembers who provide vital funding for park improvements in their districts, as well as the everyday New Yorkers who benefit from these improvements. We look forward to working with both the Council and NYC Parks on continuing to reform the system of capital projects. Thank you for the opportunity to speak, and I welcome any questions you might have.

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*For over 100 years, [New Yorkers for Parks](http://www.ny4p.org) (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods.*

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I represent: New York's for Parks

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