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Res. No. 970

Resolution calling on the New York State legislature to pass, and the Governor to sign, A.8452/S.7870, which would require the commissioner of the New York City Department of Parks and Recreation to establish an application process for sole-source concession agreements

By Council Members Williams and Brewer

Whereas, Many of the services provided in New York City ("the City") parks are delivered through concessions, in which private companies pay for the privilege of operating a business within a park; and

Whereas, There are approximately 400 concessions within City parks ranging from newsstands and gas stations, to amusement parks, ice skating facilities, restaurants and golf courses; and

Whereas, In 2024, the Department of Parks and Recreation ("DPR") registered approximately $160 million in concession contracts, ranging from established major companies to individual entrepreneurs; and

Whereas, Concessions accounted for approximately $53.2 million in revenue, which is over three-quarters of DPR's total revenue of nearly $70 million; and

Whereas, Chapter 14 of the New York City Charter requires that all concessions be awarded competitively and fairly; and

Whereas, Park advocates and elected officials have expressed that DPR needs to improve management of its concession solicitation and award process to ensure that contracts are executed in a timely manner, therefore enabling concessions to continuously operate; and

Whereas, An Audit Report on the Department of Parks and Recreation's Controls over the Awarding of Concessions, conducted by the New York City Comptroller's Office found that DPR has improperly granted sole-source concessions to not-for-profits with a lack of review by the Franchise and Concession Review

Committee; sole-source awards, contracts and associated revenues have lacked oversight, accountability and transparency; and DPR lacked written policies and procedures and adequate oversight of concession files; and

Whereas, Due to these inconsistencies, community-based not-for-profit organizations that provide cultural, environmental, educational and recreational services may be disadvantaged during the concession agreement process with DPR; and

Whereas, A.8452, sponsored by New York State Assemblymember Alicia Hyndman, currently pending in the New York State Assembly, and companion bill S.7870, sponsored by New York State Senator Leroy Comrie, currently pending in the New York State Senate, seeks to establish a formal, publicly available application process for sole-source concession agreements, which are specialized agreements to provide various programs and services in City parks; and

Whereas, A.8452/S.7870 intends to streamline the sole-source concession agreement process by providing consistent benchmarks for applicants and providing protection from unnecessary delays or arbitrary denials; and

Whereas, A.8452/S.7870 would ensure greater transparency, accessibility and accountability to the process by which DPR enters into sole-source concession agreements with not-for-profit organizations; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State legislature to pass, and the Governor to sign, A.8452/S.7870, which would require the commissioner of the New York City Department of Parks and Recreation to establish an application process for sole-source concession agreements.

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