



**New York City Council Parks & Recreation Committee  
Oversight Hearing on Public-Private Partnerships  
September 17, 2013**

I'm Holly Leicht, Executive Director of New Yorkers for Parks, an independent research-based organization championing quality parks and open spaces for all New Yorkers in all neighborhoods. Thank you for hosting today's hearing to discuss the much-debated topic of conservancies.

Despite their significant role in some of the city's most utilized parks, conservancies – a term I'll use generically to apply to non-profit organizations with varying operating agreements with the Parks Department – have only been around since the mid-1980s. Most began as grassroots efforts aimed at improving abysmal conditions in parks resulting from the City's fiscal crisis of the '70s. Today, there are hundreds, if not thousands, of volunteer groups dedicated to New York's parks, but fewer than 30 that have formal legal agreements with the City.

Even those organizations with legal agreements have differing roles. Most fundraise and operate programs, some provide park maintenance, and several undertake capital projects with oversight by the Parks Department. The work they do, and particularly the private funds they raise, allows the Department to spread its public budget more broadly across the parks system as a whole. For this reason, these organizations benefit all New York City parks, not just those in which they operate.

Some critics argue that conservancies remove control of parks from the Parks Department, encouraging privatization of these public assets, and breed inequity among parks. Let me address these in turn.

Conservancies have a dual reporting structure for maximum oversight. In almost every case, the head of the conservancy is also the park administrator, meaning he or she reports jointly to a nonprofit board of directors that bears fiscal responsibility for its activities, *and* to the borough commissioner of the Parks Department. As nonprofit 501(c)(3) organizations, conservancies have to account to the IRS for every dollar they bring in and spend, and this financial information is publicly available. In addition, the Parks Department has ultimate approval over all decisions and activities of conservancies. Far from ceding control, this belt-and-suspenders approach means there are more checks and balances for these parks than for other city parks.

As for inequity, while there's no doubt that conditions vary from park to park across the five

boroughs, our research on public-private partnerships and park maintenance makes clear that singling out conservancies as the source of the problem misses the mark. Parks with conservancies are not uniformly better maintained than those without. That's in part because the majority of conservancies have modest revenues and struggle to keep their parks at a standard of care that New Yorkers rightly expect. To truly address inequitable park conditions, the Parks Department needs more full-time maintenance and enforcement staff, and it needs greater control of its capital budget so it can target funds more effectively, prioritizing those parks with the greatest need. It is by bolstering and redistributing the *public* budget for parks, not reallocating relatively small amounts of private funding, that we will equalize the standard of care across all 1,700 city parks.

All this is not to say the conservancy model is perfect. Last year, NY4P analyzed 26 legal agreements between conservancies and the Parks Department and developed the following recommendations to encourage greater consistency, transparency and accountability, while still allowing for flexibility in recognition of the diversity among these organizations:

- 1) There are now enough conservancies in existence to identify what works and what doesn't. A standard license agreement should be developed, incorporating best practices from existing agreements. This new template should be used for organizations seeking to enter into their first license agreement with DPR, as well as for organizations whose agreements are being renegotiated at the end of their terms.
- 2) All agreements should require that the DPR Commissioner and relevant borough commissioner be *ex officio* members of the organization's board of directors to ensure DPR involvement in decision-making. In addition, Community Committees such as that for Prospect Park should be required to ensure public input.
- 3) All organizations' 990 tax filings should be available in one place on the DPR website. Ideally, DPR would also require organizations to report their financial information annually in a more simplified, consistent form that would be posted on its website.
- 4) Parks maintained by private organizations should be held to the same maintenance standards as other city parks. License agreements should explicitly mandate that all parks be inspected through PIP, the department's Parks Inspection Program.

Public-private partnerships for parks are still relatively new, but we now have enough experience with them in New York City to tweak the model and encourage best practices as we move forward to renew agreements and create new conservancies. New Yorkers for Parks firmly believes that conservancies play a critical role in helping to manage our city's parks, and with increased consistency and transparency, they will be even more effective in assisting the Parks Department so that precious public resources can be weighted toward those parks most in need of them.