



New York City Council Committee on Standards & Ethics
Amending reporting & donor disclosure requirements for organizations affiliated with elected officials (Local Law 181)
December 3, 2018
Lynn Kelly, Executive Director

Good afternoon, my name is Lynn Kelly, and I am the Executive Director for New Yorkers for Parks (NY4P). I would like to thank the City Council Committee on Standards and Ethics for allowing us to speak on this issue today.

As New York City's independent organization advocating for parks in all five boroughs, we are particularly concerned about the impact that Local Law 181 would have on conservancies and other public-private park partnerships that support our City's public open spaces. We ask that the Council reconsider the amendment of Local Law 181 and instead fully exclude park conservancies and public-private park partnership organizations from the Conflict of Interest Board reporting requirements set forth in the legislation at all donation levels. If such a change cannot be made, we ask that at a minimum the donation threshold for reporting be significantly increased from the proposed amendment level of \$5000, and that the reporting and review requirements set by the COIB be limited to the donor only. Additionally, we believe further clarity is required as to how organizations are considered "affiliated" for the purposes of this legislation and reporting requirement.

We think it's important to highlight the context for the genesis of park conservancies. As the municipal budget for parks shrank at the height of 1970s fiscal crisis, the condition of our public open spaces suffered greatly. Many of the parks we now consider to be the crown jewels of the City's park system were widely viewed as unsafe, poorly maintained, and a liability for residents and neighborhoods. In response, public-private organizations were established to enable private fundraising for capital reinvestment and the ongoing maintenance needs of some of our largest parks. The results of these organizations' efforts speak for themselves. Parks like Central Park and Prospect Park have once again become treasured local open spaces, while also attracting tens of millions of visitors each year.

The need for conservancies has not diminished with time, and the City's parks now benefit from the additional conservancies and similar public private partnerships, both established and more nascent, that operate today. The funding raised by all parks conservancies is funding that the City itself need not spend on the maintenance, programming, or capital construction in those parks. We fear that the reporting requirements set forth by Local Law 181 simply because there are elected and/or government officials on the boards of these organizations in *ex officio* positions will have a significant chilling effect on these organizations' ability to bring in vitally needed private dollars.

Additionally, the City Parks Foundation - which works closely with Parks Department staff and would be subject to Local Law 181 - provides a level of programming and service to local parks that is unmatched and critical for many neighborhood parks. The work done by CPF supports countless grassroots stewardship organizations in communities that lack the resources to financially support their parks on the scale of more resourced conservancies, and whose work is tremendously important to keeping local open spaces clean, safe, well-programmed, and welcoming to all. Without the support of CPF, many local park stewardship groups would not have access to the critical technical assistance resources we believe play an integral role in leveling the playing field for parks citywide.

Year after year, NY4P calls on the City to increase the budget for parks, and other public open spaces, and this call has been substantially unmet. The budget for parks remains at barely half of a percent of the total City budget, meaning that the Parks Department must consistently stretch its resources to the limit to keep our parks in good condition. Simply put, with a stagnant budget for City parks, it is essential that conservancies continue to be able to bring in the funding needed to maintain and grow their transformative upkeep and programming.

Although the proposed amendment to increase the donation threshold triggering reporting requirements would offer relief in some part, we are concerned that the unintended impacts of Local Law 181, even as amended, will force conservancies and other public-private partner organizations to scale back their important work, or in some cases cease their efforts entirely. For the smaller of these affected organizations, a gift at even the \$5,000 threshold level would be transformative.

Regardless of organizational size and capacity, the reporting requirements are likely to alienate donors wary of providing the names of their spouse, domestic partner, or children to be run through the Doing Business Database. For a volunteer-driven conservancy, or an organization with few paid staff members, the Conflict of Interest Board reporting requirements will also be an onerous task. And for nascent and small conservancies, many of which are operating in neighborhoods and parks that have traditionally not benefitted from private open space philanthropy, asking that their donors provide what many consider to be private information may preclude potential supporters from making any donations.

As an organization that advocates for increased governmental support for parks and for increased transparency, we can understand the spirit with which Local Law 181 was passed, but we believe the application of these reporting requirements is misguided as it relates to park conservancy and other public-private park organizations. None of these organizations are controlled by elected or City officials as they are structured, even with the presence of such officials on boards in an *ex officio* capacity. This independence has been key to the long-term success of the conservancy and public-private model of park maintenance and improvement, and is one of the reasons NY4P is supportive of this organizational structure. Millions of New Yorkers benefit from the work done by these organizations, and we urge the Council to reconsider this legislation as written.

Thank you very much for the opportunity to speak today.

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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. www.ny4p.org