

## Manhattan Community Board Five

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Vikki Barbero, Chair

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Wally Rubin, District Manager

June 10, 2020

Hon. Bill de Blasio  
Mayor  
City of New York  
City Hall  
New York, NY 10007

Dear Mayor de Blasio,

In addition to the input from Community Board Five regarding the proposed expansion of outdoor dining already submitted, we submit for your consideration further thoughts and questions about the future of our parks and pedestrian plazas.

The parks in Manhattan Community District Five are some of the most beloved and enjoyed public spaces in the city and, in this exceptionally challenging time for New Yorkers, offer a safe opportunity (given the following of public health protocols) to ambulate and be outdoors—providing a lifeline for New Yorkers concerned about their physical and mental health. But given the estimated \$37 million loss in revenue from suspended park activities, on top of the \$84 million that your administration is proposing to cut from the parks budget for Fiscal Year 2021, we question how the administration will ensure that these vital public spaces stay welcoming, accessible, and maintained—especially given the anticipation that the public health crisis is resulting in more intense use of our parks than ever before.

The conservancies that partner with the City in managing Central Park, Madison Square Park, Bryant Park, and Herald and Greeley Squares, as well as the Union Square Partnership, which assists in managing Union Square Park, will suffer enormous shortfalls of their own in the absence of the event fees, concession contracts and fundraisers on which they normally rely. And although CB5 has had our share of concerns about some of these sources of revenue, we have long understood their role in the health of our parks, and have built a reliable system for working with our partners to minimize their problematic elements and enhance the beneficial ones—resulting in the best possible outcome for the public. Without these sources of revenue, what can these private-public partnerships do to best hold up their end of the bargain? Will existing partnership agreements be open to modification?

Most importantly, is the administration considering any changes to the Parks Department's mandate to prioritize passive use in our parks? If there is any thought being given to opening up parkland for commercial or privatized use of any kind beyond what is already permitted, Community Board Five would insist on prompt notice and consultation to allow for the best outcome for the public.

The pedestrian plaza network in Community District Five is the most extensive and trafficked in the City. These public spaces are enormously important in alleviating congestion, calming traffic and providing respite for New Yorkers of all kinds. The BIDs who partner with the City in managing these spaces are, of course, also undergoing tremendous challenges—and we question how the City will work with them in managing the crisis. Once re-opening Phase Two allows for the possibility of extended food service use by adjacent restaurant operations, for example, what are the expectations of a BID’s responsibility to clean and maintain the portion of a plaza used by that private entity, given that their own resources are depleted? Which city agency will outline the precise obligations the BID will have, and will that be uniformly applied, or decided on a case-by-case basis? How much leeway will a BID have to weigh in on whether the proposed restaurant use of the plaza is desired—if their own programming or concession contract, for example, might be impacted? It is unclear how these difficult decisions will be made, and in what forum.

Finally, we question what protocols will now be put into place regarding applications for sidewalk cafes (both new and renewals): given the distancing of tables that is being recommended by the SLA, will the City require café layouts to adhere to the former standards, or as yet undeveloped new ones? Despite the DOT Commissioner’s recent public statement that City enforcement of new outdoor dining space would be handled with a “light touch,” does the administration recognize that the enforcement of social distancing is, in fact, of unparalleled importance? What will be the penalty of a restaurant failing to comply, when there is no interest in exacting further financial hardship on any small business in our district, but a critical interest in ensuring strict adherence to best practices for public health?

We look forward to working with our partners and the City to ensure that these concerns are addressed in an equitable manner for all New Yorkers.

Sincerely,



Vikki Barbero  
Chair



Clayton Smith  
Chair, Parks & Public Spaces Committee

Cc: Hon. Corey Johnson, Speaker of the City Council  
Hon. Keith Powers, New York City Council  
Hon. Carlina Rivera, New York City Council  
Hon. Gale A. Brewer, Manhattan Borough President  
Dermot Shea, Commissioner, NYPD  
Polly Trottenberg, Commissioner, NYC DOT  
Sarah Feinberg, Interim President, MTA-NYC  
Business Improvement Districts  
DCA  
SAPO/CECM  
Parks Department  
Madison Square Park Conservancy