



## Hudson River Park Trust Transparency Plan October 2021

The Hudson River Park Trust (the “Trust”) is pleased to report on its efforts to promote and increase transparency and accountability.

The Trust, a joint partnership between New York State and New York City, was established by New York State legislation known as the Hudson River Park Act, Chapter 592 of the 1998 Laws of New York as amended (the “Act”). Embedded in the Act are requirements for the Trust to cooperate and coordinate matters relating to Hudson River Park (the “Park”) with the federal government; the State and City of New York; and community, environmental and civic groups. For this reason, extensive and direct community engagement is embedded into the Trust’s operations and has been since inception. For example, senior members of the Trust’s staff regularly attend meetings of the three local community boards abutting the Park as well as those of the Park’s Advisory Council, and in the last year, staff has made a practice of preparing written update reports for the Advisory Council and posting them to the Trust’s website as well. The Trust’s President also provides updates of developments in the Park during the Board of Director’s meetings, which occur six times a year and are open to the public, among other measures.

In preparing this Transparency Plan, Trust staff reviewed the Trust’s current policies and procedures on transparency and internally discussed areas for improvement. The narrative below summarizes key components of the Trust’s existing procedures on transparency and also identifies areas targeted for improvements. Trust staff will also meet with the Board of Directors’ Governance Committee to consider additional measures for transparency and will plan to review this Transparency Plan with its Governance Committee on an annual basis.

### **I. The Trust’s Interaction with the Public**

The Trust engages extensively with the public, both formally and informally, across multiple departments and at senior levels of staff.

The Act created an Advisory Council comprised of elected officials at the City, State and federal levels, representatives from Community Boards 1, 2 and 4 in Manhattan, and representatives of park, environmental, civic, labor and business organizations. The Advisory Council currently includes 51 members and holds public meetings advertised on the Trust’s website on matters regarding the Park. The Trust invites the Advisory Council Chair to provide a report at all Trust Board of Directors’ meetings. The Advisory Council typically meets at least six times a year. Multiple members of the Trust staff attend Advisory Council meetings, with staff answering questions and providing updates on Park initiatives and activities regularly, subject to the agendas created by the Advisory Council leadership.

Over the past year, to improve communications between the Trust and Advisory Council and public access to information shared at Advisory Council meetings, Trust staff (i) created a new Advisory Council section on Hudson River Park's website that includes agendas and minutes of meetings, any written reports prepared for the meetings, letters adopted by the Advisory Council for the Trust or other agencies, and membership lists; (ii) extended Trust participation at meetings to include additional staff members beyond the Trust's Executive Vice President to present at and answer questions based on the Advisory Council's meeting agenda and the various staff members' areas of expertise; and (iii) began the practice of preparing a written report shared with the Advisory Council and posted on the Trust's website that summarizes key construction, design, operations, programming, environmental, and other initiatives in the Park.

Trust staff also regularly attends meetings of Manhattan Community Boards 1, 2, and 4 to address upcoming Park projects and initiatives, to field questions on matters of interest to the Community Board members, and to listen to any concerns raised about operations, funding or others aspects of the Park. The Community Boards often reach out to the Trust staff prior to their respective meetings on particular topics that they want Trust staff to present on. The Trust thus prepares presentations targeted to specific issues routinely and ensures that appropriate staff attend such meetings to present the information and to answer questions.

One of the Trust's signature successes over the years has been the extensive community engagement process that the Trust requires as new sections of the Park receive funding commitments and undergo design processes. The Trust works with its design teams and the community boards to organize broadly promoted meetings at which members of the public are invited to share their thoughts and ideas about the design program. As conceptual and then schematic designs are prepared, the Trust returns to the communities with the design teams to share design progress. Members of the Trust Board of Directors typically also attend such meetings. This process has resulted in enriched designs that have a high level of community satisfaction.

The Act designated approximately 400 water acres within the Park's boundaries as the "Hudson River Park Estuarine Sanctuary" and required the Trust to create an "Estuarine Sanctuary Management Plan" in association with the NYS Department of Environmental Conservation and other agencies, educational and research institutions to provide for conservation, environmental education and research, public recreation, and authorized commercial, municipal and other permitted water dependent maritime uses. The Trust created a Technical Advisory Committee ("TAC") comprised of federal, state and city agencies, and subject experts in these various areas to help guide planning of this document inclusive of the recently adopted 2021-2030 "Action Agenda." In addition, the Trust also conducted targeted surveys to schools, boathouses, and others to solicit information. Because the Trust intends for the Action Agenda to remain a meaningful, well-utilized document for years to come, the Trust has committed to convene an annual meeting of the full TAC for the purposes of: 1) sharing and reviewing progress toward accomplishing Action Agenda goals in the preceding year; and 2) identifying

and discussing Action Agenda priorities and funding targets and opportunities for accomplishing Action Agenda goals for the coming year. A report on annual progress, priorities and Sanctuary funding opportunities will be made available to the Trust's Board of Directors and Advisory Council as well.

The Trust also engages the public in connection with any "Significant Actions" of the Trust as required by the Act. Examples of Significant Actions include long term leases and concession agreements, permanent art installations, transactions involving the transfer of excess development rights, and rulemakings and other major policy documents that impact the Park. The Significant Action process requires the Trust to issue public notices inviting public review and comment for at least a 60-day period, and to hold a hearing regarding the proposal, which notice is posted on the Trust's website, the City Record Online, the New York State Register, and several local publications. The notice is also circulated to Community Boards 1, 2 and 4; the City Planning Commission; the Advisory Council; local elected officials representing communities neighboring the Park; and to other interested community leaders, neighbors, partners and organizations.

Beyond these measures, the Trust also meets periodically with other community, environmental and other organizations when invited, again typically in a Q&A format.

## ***II. Redesigned Website Increases Public Access to Information***

In order to increase and improve public access to information, the Trust launched a redesigned [hudsonriverpark.org](http://hudsonriverpark.org) website in July 2020. The redesigned website permits the Trust to make significantly more records available to the public online, creates a more user-friendly environment for finding information, complies with all ADA requirements for website accessibility, and provides for significantly improved mobile use. To promote ease of access for those for whom English is not a preferred language, the Trust's website is also newly compatible with Google translate, including its interactive map.

To improve transparency related to actions by the Trust's Board of Directors, Trust staff implemented a practice of posting all Board memos and proposed resolutions the day before the scheduled Board of Directors' meeting online; this gives the public access to the same information provided to the Board related to contracts, policy documents and other actions that are subject to Board approval. Prior to 2019, the public could only view copies of the Trust's minutes once they were available, typically weeks after a Board meeting. Thus, the new system is a significant improvement. At all Board meetings, the Trust's President also provides a detailed report to the Directors and the public regarding such matters as the status of design and construction within the Park, updates on public programming and educational events, an update on the Trust's financials, along with other recent developments in the Park or issues. A video of each Board meeting is posted on the Trust's website so that anyone who was unable to attend the meeting can review the video. The President's report is also included in the Minutes of the Board meeting.

Moving forward, to improve transparency, the Trust will also post the President's Report in the section of the Trust's website that includes the Trust agenda and minutes so that the public will also have direct access to the President's Report immediately after the Board meeting. This improvement will be implemented commencing with the next scheduled Board meeting in December 2021.

The Trust's website has an extensive "Public Information Page" that provides legally mandated reporting records for the last four years for financial materials (audited financial statements, annual financing plans, approved budgets, and quarterly financial statements), as well as mandated public authority reports (mission statements, performance measures, internal controls, procurement policies and reports, investment policies and reports, other public disclosures, ADA policies and policies specific to activities and rules for the Park). The Trust also posts procurement opportunities online on its "Bids and Business Opportunities" page, which includes MWBE and SDVOB information, and all required contract forms.

The Trust tracks and provides an annual public report of its performance in the following areas:

- Planning and designing the Park
- Constructing the Park
- Operating and Maintaining the Park
- Providing Free and/or Low Cost Public Recreational, Educational and Cultural Opportunities
- Promoting Environmental Stewardship and Enhancing the Estuarine Sanctuary
- Establishing an Estuarine Sanctuary Management Plan
- Operating under a model of economic self-sufficiency

Finally, Trust staff routinely uses Facebook and Instagram to announce public program and educational events to expand its outreach. It will continue to monitor the number of persons reviewing the Trust's website and social media pages to ensure that the Trust is reaching out to the public in the most efficient and effective manner possible.

Commencing in 2022, Trust staff will create a working group of senior staff to review the Trust's website and identify areas of improvement. The working group will perform this exercise twice a year.

### ***III. FOIL Requests***

The Trust's redesigned and robust website has led to improved response time to Freedom of Information Law (FOIL) requests because much of the requested information is already available on the Trust's website. Thus, many responses now include a direct website link to the information requested. Trust Legal staff reviews new FOIL requests daily and reviews outstanding FOIL requests on a weekly basis to ensure that response times are timely. In addition to maintaining a FOIL information page on the Trust website, the Trust also

participates in OPEN FOIL NY, the centralized online location for filing FOIL requests with New York State agencies and authorities. The Trust receives approximately 30-40 FOIL requests annually. In cases where only one or two records are requested and where the requested information is immediately available in electronic format, the Trust will normally provide a response within five business days. For larger requests or records that are not available at the time of the request, the Trust responds by indicating an approximate date for a response in accordance with FOIL.

The majority of the FOIL requests received by the Trust are for information in connection with procurement and business opportunities with the Trust. The Trust posts all competitive solicitations filed with the New York State Contract Reporter on its website page for “Bids and Business Opportunities”, and provides contract award information on the website page for “Board Meetings, Bylaws & Other Materials”. In order to facilitate ease of accessibility to this information, commencing in 2022, the Trust will also post contract awards together with the competitive solicitation document on the “Bids and Business Opportunities” page of the website.

#### **IV. Project Sunlight Database**

The Trust reports lobbying activity through the Project Sunlight database in accordance with the Public Integrity Reform Act of 2011, and also reports such activity in its Lobbying Report in connection with annual PARIS filings and on the Trust website. All Trust procurements have a designated point of contact and Trust staff are trained not to speak to potential bidders or proposers during the procurement period but instead to refer all requests for information to the designated contact.

Trust Legal Staff will provide supplemental training for senior staff members in early 2022 related to lobbying policies, including the requirement to record all potential contacts, and the Trust’s obligations under Project Sunlight. Such training will occur each year.

#### **V. Open Data NY**

In accordance with Executive Order 8.95, the Trust regularly uses technology to promote transparency, improve government performance and enhance citizen engagement. Because the nature of the Trust’s operations is to plan, design, construct and operate the Park, these functions do not create a significant amount of “Publishable State Data” as defined by the Executive Order.

Nonetheless, commencing in 2022, the Trust will compile data and provide information to Open Data NY on an annual basis that: (i) reflects the number of public programs and educational programs offered by the Trust; (ii) provides the number of visits to the Park’s Wetlab; and (iii) quantifies the amount of waste that is collected as part of the Park’s robust composting program.

Further, the Trust recently hired a new Director of Public Safety and he along with other Trust staff will consider how additional reporting on safety within the Park can be assembled and shared publicly either through Open Data NY or via the Trust's website or other means.