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NYC Parks

November 22, 2023
Kenrick Sifontes, Audit Director
State of New York, Office of the State Comptroller
59 Maiden Lane, New York, NY 10038

Dear Mr. Sifontes:

Commissioner Donoghue asked me to respond to your e-mail, dated October 25, 2023, requesting a status on the Comptroller audits of the Parks Department's ("Parks") Park Accessibility for People with Disabilities (Report # 2021-N-7). Attached, please find the Audit Implementation Plans ("AIPs"), which detail our initial responses and progress on executing the appropriate audit recommendations. In addition to the information contained in the AIPs, I have highlighted some of the actions taken to resolve outstanding matters and address our mutual concerns.

We have completed two out of the seven recommendations as follows:

1. Parks has a unit that is dedicated to overseeing concessions.
2. We have incorporated ADA indicators in the Mayor's Management Report.

We are in progress for completing three of the seven recommendations as follows:

1. We continue our efforts to ensure that all information is accurate on our website.
2. We are in the process of preparing a Draft Transition Plan that will be shared among other parts of the Agency.
3. Two of the signage issues have been resolved and two are in process.

We disagree with two of the seven recommendations as follows:

1. Parks has limited resources and does not believe it is sound practice to reassess information that was gathered back in 2006. The Agency directs funding to the improvement of properties as funding becomes available.
2. With regards to developing policies and procedures, Parks has numerous mechanisms designed to ensure ADA-compliance built into its Capital Process, from public outreach through design and construction.

I hope that you find this information helpful.

Sincerely yours,

David Cerron
Assistant Commissioner

cc: S. Donoghue, Commissioner; I. Rodriguez-Rosa, FDC; M. Focht, DC; T. Braddick, DC;
V. Cirrito, AC; N. Prince, Chief; J. Zuckerbraun, Chief; R. Munaswar, Director

AUDIT IMPLEMENTATION PLAN
AUDIT TITLE: NY State Comptroller’s Audit Report,
NYC Department of Parks and Recreation, Park Accessibility for People with Disabilities
Report 2021-N-7,
Date: March 2023

Findings	Recommendations	Corrective Action / Implementation Status
<p><u>While Parks has made progress in making more of its facilities accessible for people with a disability, its accessibility efforts are primarily focused on ensuring newly funded capital projects are ADA compliant, rather than removing identified barriers at existing facilities.</u></p>	<p>Reassess the information and status of accessibility barriers identified in the 2006–2009 Survey and revise as needed, review the potential barriers identified in this report to determine if they present accessibility issues, and begin addressing those barriers that can be rectified without much difficulty and expense. (Recommendation #1)</p>	<p>Disagree: Parks has limited resources and does not believe it is sound practice to reassess information that was gathered back in 2006. The Agency directs funding to the improvement of properties as funding becomes available.</p>
<p><u>Agency officials do not adequately monitor concession contractors to ensure they are complying with contractual obligations and other accessibility requirements.</u></p>	<p>Monitor concession facilities’ compliance with contractual obligations and other accessibility requirements. (Recommendation #4)</p>	<p>Complete: Concession licensees are required to comply with all City, State and Federal requirements to provide safe and accessible recreation opportunities for everyone. ADA language is included in all RFPs and is a ratings priority. Parks Revenue Architects work with concessionaire’s architects on design to assure accessibility is included in all design and construction projects.</p>
<p><u>Agency officials do not ensure that the facility accessibility information posted on its website is accurate and updated.</u></p>	<p>Ensure the accessibility information posted on the Parks’ website is accurate. (Recommendation #5)</p>	<p>In process: Parks will continue our efforts to gather additional accessibility information throughout its vast network of facilities to be published on its website. With even more accurate and comprehensive information, the public will be able to reliably plan visits and be informed about accessible features.</p>
<p><u>Parks has not finalized a Transition Plan, nor has it developed formal rules, policies, and procedures pertaining to its ADA compliance.</u></p>	<p>A. Finalize and communicate the Transition Plan, establish the timeline, and monitor its implementation. (Recommendation #2)</p>	<p>A. In process Transition Plan: Parks is in process of preparing a DRAFT. The Capital Division has been taking the lead, determining strategy and prioritization of assets. The plan will then circulate among other parts of the Agency, adding sections as required. Scheduled completion date for the Transition Plan is June 30, 2024.</p>

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	<p>B. Formally develop and communicate rules, policies, and procedures pertaining to ADA compliance and implementation, as well as the duties and responsibilities of the ADA Coordinator. (Recommendation #7)</p> <p>C. Ensure accessibility signs at entrances to facilities are only placed at locations that comply with ADA requirements. When facilities are not accessible, provide directional signs to the nearest accessible alternative. (Recommendation #3)</p>	<p>B. Disagree Formally develop and communicate rules, policies and procedures pertaining to ADA compliance and implementation... Parks has numerous mechanisms designed to ensure ADA-compliance built into its Capital Process, from public outreach through design and construction.</p> <p>C. Complete Ensure accessibility signs at entrances to facilities.... Of all the instances of inaccessible elements identified, 83 pertained to signage. 79 of these instances were outdoor signs, which are not mandated by the Americans with Disabilities Act. ADA regulations require accessible signage within accessible indoor facilities. Outdoor directional signage in parks and outdoor areas is recommended but not mandatory as per the ADA. We have resolved two of the issues, at Morningside Park and Rippers Snack Bar, and are in process for the other two, Jay Hood Wright and Faber Park.</p>
<p><u>We also note that accessibility has not been among the agency’s performance indicators in the Mayor’s Management Reports during the last 10 years. Prioritizing the improvement of facilities’ and amenities’ accessibility and including it as a goal and performance indicator could raise awareness and act as a catalyst for additional funding.</u></p>	<p>Prioritize the improvement of facilities’ and amenities’ accessibility as a goal and performance indicator. Engage with the Mayor’s Office to include accessibility as part of Parks’ performance indicators in the Mayor’s Management Report. (Recommendation #6)</p>	<p>Complete: Please see attached link https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/dpr.pdf</p>