

**MEETING OF THE
HUDSON RIVER PARK TRUST
BOARD OF DIRECTORS
Pier 40, New York, NY
December 2, 2021 at 4:00 pm**

MINUTES

Directors Present:

Vicki Been, Chair
Patrick Foster on behalf of Director Seggos
Erik Kulleseid
Rose Harvey
Tom Pegues
Sarah Nielson on behalf of NYC Dept. of Parks and Recreation
Aloysee Heredia Jarmoszuk
Idehen Aruede
Pamela Frederick

Appearances:

Hudson River Park Trust
Noreen Doyle, President and CEO
Kimberly Quinones, CFO and Executive Vice President, Finance & Real Estate
Christine Fazio, General Counsel

Also present:

Jeffrey LeFrancois, Advisory Council Chair
Connie Fishman, Friends of Hudson River Park

With a quorum being present, Chair Been called to order the December 2nd, 2021 meeting of the Hudson River Park Trust Board of Directors.

Chair Been stated that due to the coronavirus pandemic and consistent with legislation signed by Governor Hochul on September 2, 2021 that allows for virtual meetings under the Open Meetings Law, the meeting was held remotely via a Zoom teleconference enabling the general public to listen to the meeting. The meeting was also being recorded and will be posted on the Trust's website and a stenographer provided a transcript of the meeting.

The Directors received the Agenda materials in advance of this meeting and were free to ask questions or comment at any time on the action items submitted for approval. Chair Been noted questions or comments from the audience will not be entertained and that the Board memos and resolutions on today's agenda have been posted on the Trust website in the link entitled Board Meetings, Bylaws and Other Materials under Board Agendas and Minutes and thus are available to the public.

Chair Been then stated that there are ten items on the Consent Agenda for today's meeting:

- 1) Approval of Minutes and Ratification of the Actions Taken at the September 30, 2021 Meeting of the Hudson River Park Trust Board of Directors;
- 2) Authorization to Amend the Contract with Gilbane Building Company for Pier 26 Construction Management Services;
- 3) Authorization to Amend the Contract with CDR Studio Architects for Chelsea Waterside Kiosk Design;
- 4) Authorization to Amend the Contract with Joanna Pertz Landscape Architecture for Parkwide Landscape Architect/Site Civil Engineer Services;
- 5) Authorization to Amend the Contract with Gage Meyer Engineers for Pier 40 Roof Engineering Consulting Services;
- 6) Authorization to Amend the Contract with Melk Urban Design for Landscape Architectural Services for Pier 97;
- 7) Authorization to Amend the Contract with Q + A Events and Production LLC for Hudson River Dance Festival Production Services;
- 8) Authorization to Extend Term of Contract with Call-A-Head Corp for Portable/Temporary Restroom Services;
- 9) Authorization to Approve Amendments to Employee Handbook; and
- 10) Appointment to and Ratification of Board Committee Members.

Chair Been then called for a motion to approve all of the items on the consent agenda. The following Resolutions on the consent agenda were unanimously approved by the Directors.

HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the September 30, 2021 Meeting of the Hudson River Park Trust Board of Directors

RESOLVED, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on September 30, 2021 are hereby approved by the Board of Directors, and all actions taken by the Directors present at such meeting, as set forth in the Minutes, are hereby in all respects, approved and ratified as actions of the Hudson River Park Trust, and a copy of such approved Minutes are hereby ordered filed with the records of the Hudson River Park Trust.

HUDSON RIVER PARK TRUST - Authorization to Amend the Contract with Gilbane Building Company for Pier 26 Construction Management Services for a Total Board Authorization Amount of up to \$2,929,732

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Gilbane Building Company for Pier 26 Construction Management Services by \$250,000 for a Total Board Authorization of up to \$2,929,732 and extend the contract term by an additional 30 months through July 31, 2023; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST - Authorization to Extend the Term of Contract with CDR Studio Architects, PC for Chelsea Waterside Park Kiosk Design

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with CDR Studio Architects, PC for Chelsea Waterside Park Kiosk Design by an additional 18 months through May 22, 2023; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST - Authorization to Extend the Term of Contract with Joanna Pertz Landscape Architect, P.C. for Parkwide Landscape Architect/Site Civil Engineer Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with Joanna Pertz Landscape Architect, P.C. for Parkwide Landscape Architect/Site Civil Engineer Services by 15 months; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST - Authorization to Amend the Contract with Gage Meyer Engineers, PC d/b/a/ EDG for the Pier 40 Roof Engineering Consultant Services for a Total Board Authorized Amount of \$716,008

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Gage Meyer Engineers, PC d/b/a EDG for the Pier 40 Roof Engineering Consultant Services for an additional amount of \$100,000 for a Total Board Authorized Amount of \$716,008; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST - Authorization to Amend Contract with Melk Urban Design LLC (d/b/a !melk) for Landscape Architectural Services for Pier 97 for a Total Board Authorization Amount of up to \$3,053,142

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Melk Urban Design LLC (d/b/a !melk) for Landscape Architectural Services for Pier 97 for an additional \$75,000, for a Total Board Authorization Amount of up to \$3,053,142; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST - Authorization to Amend Contract with Q + A Events and Production LLC for Hudson River Dance Festival Event Production Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Q + A Events and Production LLC to extend the term for an additional one year and add an additional \$31,000 for a Total Board Authorization Amount of up to \$815,776; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.

HUDSON RIVER PARK TRUST – Authorization to Amend Contract with Call-A-Head Corp. for Portable/Temporary Restroom Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Call-A-Head Corp. for Portable/Temporary Restroom Services for an additional one-year term; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

HUDSON RIVER PARK TRUST – Ratification of and Authorization to Approve Amendments to Employee Handbook

RESOLVED, that based upon the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the amendments to the Hudson River Park Trust Employee Handbook; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

HUDSON RIVER PARK TRUST- Appointment of New Members and Ratification of the Hudson River Park Trust Board of Directors 'Audit, Finance & Investment, Design and Governance Committees

RESOLVED, based on the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby appoint Director Idehen Aruede as a member of the Hudson River Park Trust Board's Audit Committee and ratify the membership of the Audit Committee to include Directors Vicki Been, Basil Seggos, Jeffrey Kaplan, Michael Kuh, Tom Pegues, Aloysee Heredia Jarmoszuk, and Idehen Aruede; and be it further

RESOLVED, the Directors hereby appoint Director Idehen Aruede as a member of the Hudson River Park Trust Board's Finance and Investment Committee and ratify the membership of the Finance and Investment Committee to include Directors Jeffrey Kaplan, Vicki Been, Basil Seggos, Michael Kuh, Tom Pegues, Purnima Kapur, Aloysee Heredia Jarmoszuk, Lowell Kern, and Idehen Aruede; and be it further

RESOLVED, the Directors hereby appoint Director Gabrielle Fialkoff as a member of the Hudson River Park Trust Board's Design Committee and ratify the membership of the Design Committee to include Directors Pamela Frederick, Erik Kulleseid, Basil Seggos, Lowell Kern, Rose Harvey, and Gabrielle Fialkoff; and be it further

RESOLVED, the Directors hereby appoint Director Gabrielle Fialkoff as a member of the Hudson River Park Trust Board's Governance Committee and ratify the membership of the Governance Committee to include Directors Vicki Been, Basil Seggos, Michael Kuh, Aloysee Heredia Jarmoszuk, Lowell Kern, and Gabrielle Fialkoff; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the foregoing resolutions.

Chair Been then proceeded with the corporate actions, introducing the first item: request for Ratification of Four Contracts for the Gansevoort Peninsula Building Construction.

President Doyle began by stating that at the September 30, 2021 meeting, the Board approved Maximum Contract Values for each of the four procurements related to construction of

the new Gansevoort Peninsula Building with a commitment that the Trust would return to the Board for ratification with the final contractor selection and pricing. As discussed at the last meeting, the building is subject to Wicks Law. Accordingly, separate advertisements for the general construction, plumbing construction, mechanical construction, and electrical construction RFPs for the Gansevoort Peninsula Building were published on the Trust's website and in the New York State Contract Reporter between June 9 and September 3, 2021, inclusive of multiple extensions to the response period.

The Trust received five proposals for the Gansevoort Peninsula Building General Construction RFP, and the Trust's selection committee interviewed the three highest ranked respondents. Based on the submitted proposals and interviews, Trust staff has determined Padilla Construction Services, Inc. to be the highest ranked respondent. Padilla is a well-established company that has successfully completed general contracting work for the Trust, and which has also performed extensive municipal work throughout New York City, particularly for NYC Parks and the City's Department of Design and Construction. Padilla is a New York State certified MBE.

The Trust received two proposals for the Plumbing Construction RFP and both proposers were interviewed by the Trust's selection committee. Based on the submitted proposals and interviews, Trust staff has determined Eastern Plumbing & Mechanical Contracting, Inc. to be the highest ranked respondent. Eastern has extensive plumbing experience on a variety of projects throughout New York, including work for the Dormitory Authority, the New York City Health and Hospitals Corporation, and the New York City Department of Design and Construction. Eastern is a New York State certified WBE.

The Trust received only one proposal for the Mechanical Construction RFP and thus that procurement has failed based on the Trust's Procurement Guidelines. Trust staff has since determined it is in the Trust's best interest to make a single source award to the one respondent -- C.D.E. Air Conditioning Co. -- pursuant to the three criteria set forth in the Procurement Guidelines. First, staff does not believe that issuing a new RFP would result in a different outcome since extensive outreach for this procurement was already conducted and since the Trust already extended the submission date to provide more time for responses. Issuing a new RFP at this time would also delay completion of the new Gansevoort Peninsula Building, as well as increase its overall costs as the three other Wicks Law contractors would expect to be compensated for delays not caused by them. Second, staff has reviewed C.D.E.'s experience and background and has

determined that the firm has a good reputation as an experienced mechanical construction contractor that has performed mechanical construction work with other agencies, including the NYC Parks Department and Department of Design and Construction. Finally, the proposed pricing has been determined to be fair and reasonable based on staff review against projects of similar size, including the planned park building at Pier 97, as well as industry standards. Thus, the Trust recommends proceeding with the single source procurement with C.D.E.

Lastly, President Doyle advised that the Trust received five proposals for the Electrical Construction RFP. The selection committee interviewed the three highest ranked respondents, and based on the submitted proposals and interviews, Trust staff has identified Interphase Electric Corporation as the highest ranked proposer. Interphase has previously performed electrical work for the Trust for the Pier 26 Restaurant and post-Sandy reconstructions of electrical systems parkwide. Interphase has also completed numerous projects for other New York City agencies including the New York City Department of Parks & Recreation and the School Construction Authority.

President Doyle then requested Board authorization to contract with Padilla Construction Services, Inc. for the Gansevoort Peninsula Building General Construction Work for a Maximum Contract Value of up to \$7,936,100 including 15 percent contingency; with Eastern Plumbing & Mechanical Contracting, Inc. for the Gansevoort Peninsula Building Plumbing Construction Work for a Maximum Contract Value of up to \$649,000 with 10 percent contingency; with C.D.E. Air Conditioning Co., Inc. for the Gansevoort Peninsula Building Mechanical Construction Work for a Maximum Contract Value of up to \$543,475 with 10 percent contingency; and with Interphase Electric Corporation for the Gansevoort Peninsula Building Electrical Construction Work for a Maximum Contract Value of up to \$884,762 with 10 percent contingency for a Total Board Authorization for the four contracts of up to \$10,013,337. The total authorization is approximately \$2 million less than the aggregate amounts approved for this project at the September meeting. Funding for these contracts will be provided by the City of New York.

Chair Been asked if there were any questions or comments. There being none, upon a properly called motion, the following resolutions passed unanimously.

HUDSON RIVER PARK TRUST – Ratification and Approval of Contracts for the Gansevoort Peninsula Building General Construction, Gansevoort Peninsula Building Plumbing Construction, Gansevoort Peninsula Building Mechanical Construction, and Gansevoort Peninsula Building Electrical Construction for a Total Board Authorization Amount of up to \$10,013,337

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Hudson River Park Trust to contract with Padilla Construction Services, Inc. for the Gansevoort Peninsula Building General Construction Work for a Base Contract Amount of \$6,900,957 plus a 15 percent contingency for a Total Authorized Amount of up to \$7,936,100; and be it further

RESOLVED, the Board hereby ratifies and authorizes the Hudson River Park Trust to contract with Eastern Plumbing & Mechanical Contracting, Inc. for the Gansevoort Peninsula Building Plumbing Construction Work for a Base Contract Amount of \$590,000 plus a 10 percent contingency for a Total Authorized Amount of up to \$649,000; and be it further

RESOLVED, the Board hereby ratifies and authorizes the Hudson River Park Trust to contract with C.D.E. Air Conditioning Co., Inc. for the Gansevoort Peninsula Building Mechanical Construction Work for a Base Contract Amount of \$494,068 plus a 10 percent contingency for a Total Authorized Amount of up to \$543,475; and be it further

RESOLVED, the Board hereby ratifies and authorizes the Hudson River Park Trust to contract with Interphase Electric Corporation for the Gansevoort Peninsula Building Electrical Construction Work for a Base Contract Amount of \$804,329 plus a 10 percent contingency for a Total Authorized Amount of up to \$884,762; and be it further

RESOLVED, the Board hereby ratifies the Hudson River Park Trust to enter into the four contracts for the Gansevoort Peninsula Building construction for a Total Board Authorization of up to \$10,013,337; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolutions.

Chair Been then referred the Directors to the next item before the Board: request for Ratification of Four Contracts for the Pier 97 Building Construction.

President Doyle began by stating that the Board also authorized Maximum Contract Values for each of the four procurements related to construction of the new Pier 97 Building at the September meeting. As was the case for the Gansevoort Building RFPs, the Trust also extended

the proposal submission dates for the Pier 97 building construction RFPs with the goal of increasing the number of potential respondents.

The Trust received five proposals for the Pier 97 Building General Construction RFP. Staff interviewed the three highest ranked respondents and found Civetta & Sons to be the highest ranked respondent. Civetta is a well-established company that has completed extensive work throughout the city, particularly for the MTA.

The Trust received four proposals for the Plumbing Construction RFP and the Trust's selection committee interviewed the top three ranked firms. Based on the submitted proposals and interviews, Trust staff determined Eastern Plumbing & Mechanical Contracting, Inc. to be the highest ranked respondent. As noted for the Gansevoort Building Plumbing Contractor, Eastern has extensive experience on a variety of projects throughout New York and is a New York State certified WBE.

The Trust received three proposals for the Mechanical Construction RFP and all three were interviewed by the Trust's selection committee. Based on the submitted proposals and interviews, Trust staff determined ACS System Associates to be the highest ranked respondent. ACS has completed mechanical work throughout New York for such agencies as the Department of Design and Construction, School Construction Authority, and the MTA, and is a New York State certified MBE.

The Trust received four proposals for the Pier 97 Building Electrical Construction RFP and the Trust's selection committee interviewed the three highest ranked respondents. Based on the submitted proposals and interviews, Trust staff identified Interphase Electric Corporation as the highest ranked proposer, including for the reasons cited for the Gansevoort electrical contract.

President Doyle thus requested Board authorizations to contract with Civetta & Sons, Inc. for the Pier 97 Building General Construction Work for a Maximum Contract Value of up to \$10,525,375 including 15 percent contingency; with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work for a Maximum Contract Value of up to \$764,500 with 10 percent contingency; with ACS System Associates, Inc. for the Pier 97 Building Mechanical Construction Work for a Maximum Contract Value of up to \$407,000 with 10 percent contingency; and with Interphase Electric Corporation for the Pier 97 Building

Electrical Construction Work for a Maximum Contract Value of up to \$1,399,277 with 10 percent contingency, for a Total Board Authorization for the four contracts of up to \$13,096,152. The total authorization is approximately \$1 million less than the aggregate values approved at the September Board meeting. Funding for these contracts will be provided by the State of New York and restricted funds from the sale of air rights within Manhattan Community Board 4.

Director Kaplan asked why there were three proposals in response to the RFP for the Pier 97 Building Mechanical Construction Work and only one proposal in response to the RFP for the Gansevoort Peninsula Building Mechanical Construction Work. President Doyle answered that it was potentially because the Pier 97 Building Mechanical Construction Work was more enticing from a business and efficiency perspective. Kevin Quinn answered that firms picked their favorite between the two projects due to staffing concerns, and that because the two projects have slightly different mechanical systems, the Pier 97 Building project may be easier to install.

Chair Been asked how, in the event that one firm bids on two projects, the Trust would determine the firm has the capacity to undertake both projects. Mr. Quinn responded that the only firm involved in two projects is Interphase Electrical Corporation, who is undertaking the Electrical Construction Work at both the Pier 97 Building and the Gansevoort Peninsula Building. Further, Mr. Quinn explained that the electrical work is of a fairly small value and volume of work, and the Trust has worked with the firm many times in the past.

Chair Been asked why the contingency is sometimes 10 percent and sometimes 15 percent and how the contingency percentage is determined. Mr. Quinn responded that general construction contracts have 15 percent contingencies, in part because they deal with foundations, and that trade contracts have 10 percent contingencies. Further, the Gansevoort Peninsula Building has a lot of unknowns underground and the Pier 97 Building is partially over water, which affects the General Construction Work contract for both.

Director Kaplan asked who the construction manager was at Pier 97 and at the Gansevoort Peninsula Building and Mr. Quinn answered that Gilbane Building Company was the construction manager at both.

There being no further questions, upon a properly called motion, the following resolutions passed unanimously.

HUDSON RIVER PARK TRUST – Ratification and Approval of Contracts for the Pier 97 Building General Construction, Pier 97 Building Plumbing Construction, Pier 97 Building Mechanical Construction, and Pier 97 Building Electrical Construction for a Total Board Authorization Amount of up to \$13,096,152

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 2, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with Civetta & Sons, Inc. for the Pier 97 Building General Construction Work for a Base Contract Amount of \$9,152,500 plus a fifteen percent contingency for a Total Authorized Amount of up to \$10,525,375; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to contract with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work for a Base Contract Amount of \$695,000 plus a ten percent contingency for a Total Authorized Amount of up to \$764,500; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to contract with ACS System Associates, Inc. for the Pier 97 Building Mechanical Construction Work for a Base Contract Amount of \$370,000 plus a ten percent contingency for a Total Authorized Amount of up to \$407,000; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to contract with Interphase Electrical Corporation for the Pier 97 Building Electrical Construction Work for a Base Contract Amount of \$1,272,070 plus a ten percent contingency for a Total Authorized Amount of up to \$1,399,277; and be it further

RESOLVED, the Board hereby ratifies the Hudson River Park Trust to enter into the four contracts for the Pier 97 Building construction for a Total Board Authorization of \$13,096,152; and be it further

RESOLVED, that the President or the President's designee(s) be, and each of them is hereby authorized to take such actions as the President or the President's designee(s) may deem necessary or appropriate in order to implement the forgoing resolutions.

Chair Been then asked Ms. Doyle to present the President's Report. President Doyle began by addressing the Park's Design and Construction activities.

First, President Doyle announced to the Directors that the Trust would be hosting a "Groundbreaking and Thank You" celebration for Phase 2 of Chelsea Waterside Park. Phase 2 includes an expanded dog run with separate areas for small and larger dogs, a refreshed sports field, a permanent picnic area, many more planted areas, and public restrooms. As Directors Kern

and Frederick can confirm, the local community has been advocating for the restrooms in particular for more than two decades. President Doyle continued by stating that the event was an opportunity to thank all the community members and elected officials including longtime Chelsea Waterside Park Association member Bob Trentlyon who kept the faith while we awaited the opportunity to begin this work, which of course included the need to find the required funding. The ceremony was also the Trust's chance to publicly thank City Council Speaker Corey Johnson for providing \$5.2 million for the project, as well as Borough President Gale Brewer for providing the funding for upgrades to more efficient LED lights. Assembly Member Dick Gottfried, State Senator Brad Hoylman and of course Hudson River Park Friends provided funding for Phase 1, and President Doyle concluded by thanking all the partners again.

At the Gansevoort Peninsula, in-water work has ceased for the season in accordance with regulatory approvals. While the Trust had originally expected to complete all in-water work this season, site conditions proved more challenging than expected, and work will consequently resume in the spring. Work has now shifted to the sports field, where grading, curbing, light footings, and related conduit work is under way. Additional work related to the boardwalks and the 13th Avenue promenade will begin this winter. JR Cruz will also soon begin the Phase 2 site work in the zone comprising the shared use esplanade, dog run, exercise area, bikeway, and reconstructed Bloomfield Street entrance and exit.

At Pier 97, offsite fabrication of the Pier 97 Shade Structures is expected to be complete at the end of December. The Structures will then be stored by the contractor until the footings needed to support them are installed on Pier 97 in late winter or early spring. In the meantime, the Site work and electrical construction contractors have now mobilized on the pier and have begun some required demolition work. Once demolition is complete, installation of the drainage mat and cast-in-place concrete elements will commence.

President Doyle then referenced the memo for the amendment to the Melk contract that was part of the Board's consent agenda. The Trust has begun coordinating with NYSDOT to satisfy approval and procurement obligations for the esplanade and bikeway elements planned for the vicinity of Pier 97, which will be funded through a Transportation Alternatives Program, or TAP grant. The Trust will also be coordinating with the City's Department of Parks & Recreation for the seamless connection of these elements into Riverside Park South located to the north.

Next, President Doyle advised that two weeks ago, an impressive feat of logistics was accomplished at Clinton Cove. *Private Passage* by Malcolm Cochran was carefully lifted and transported to a specialized facility where it will be restored per the Public Design Commission's approved treatment plan, which was developed in conjunction with the artist. The artist was there in person to watch the operation, and is very appreciative of the steps taken to restore this wonderful sculpture. The conservation work is expected to take three to four months and the sculpture will be re-installed in spring 2022.

At Pier 84, the Trust is out to bid on the new dog run. City Council Speaker Corey Johnson and Manhattan Borough President Gale Brewer have both provided significant funding for this project. The Trust expects to return to the Board with a selected contractor for approval in early 2022.

At Pier 40, the reconstruction of the southern roof section is progressing well, with completion by the end of the year. In January, the Trust will be able to reintroduce parking in the area below the restored roof, generating additional revenue for park operations.

Next, President Doyle thanked Hudson River Park Friends Board Chair Mike Novogratz for his successful \$1.3 million challenge match for the Science Play Area in Tribeca, and advised that OLIN has begun the final design push needed to ready the plans for public procurement this spring. The Trust expects to have final construction documents by March, after which the Trust will issue a construction RFP with the goal of starting the science play area construction later in 2022.

President Doyle then shifted focus to the Trust's River Project team, stating that they had a busy fall, hosting three large public events – each with great success.

This year's SUBMERGE Marine Science Festival was held as a three-day event in mid-October and took place both in-person and virtually. Over 3,500 individuals participated, 2,670 of whom were local students, with many teachers incorporating SUBMERGE into their official fall curricula. Many schools brought multiple classes and tuned in multiple days. Prior to the event, River Project staff spent weeks working with partner organizations to involve them in programming. For example, the NY Aquarium focused on Atlantic sturgeon, and the Lamont-Doherty Earth Observatory offered a powerful presentation explaining sea level rise. This year's program also included a series of engaging panel conversations and live performances and involved collaborators like NYU and Killer Snails. For each event, staff made efforts to find ways

to elevate the voices and experiences of students. Additionally, the public also joined in-person Wetlab Look-ins, Tide Deck Tours & Shell-ebrate Oysters programs.

Following SUBMERGE, the River Project team was thrilled to bring back the popular Release of the Fishes event. Over 100 people joined in-person at the Pier 40 Wetlab. Students and visitors of all ages including incoming Council Member Eric Bottcher helped return fish and invertebrates to the Hudson River, ensuring that animals' behaviors are minimally impacted during the changing seasons.

To close out the season, the Trust hosted the annual Pumpkin Smash on Pier 84. 1,115 pounds of pumpkins were smashed, diverting seasonal organic waste from landfills and educating the Park community about composting.

Beyond programming, over the last year, the Trust's River Project team has considered ways to expand accessibility to its educational programming. One interesting initiative is the effort to translate educational lessons and materials into multiple languages. A current focus is the popular STEM at Home activity series, which invites students to engage with the Hudson River from anywhere through hands-on experiments and projects using common household materials. Over the past year, the Trust has worked with a number of corporate volunteer groups largely recruited through Hudson River Park Friends to translate these lessons into Spanish, Portuguese, Polish, Korean, Hindi, Mandarin and Russian. To date, 12 lessons in Spanish have been posted to the website, with additional lessons in other languages soon to follow. Beyond written translation, the Trust also continues to offer ASL and captioned videos for virtual events, including for the SUBMERGE festival.

President Doyle continued stating that this fall, Hudson River Park Friends received two grant awards that will support additional River Project initiatives. The NYS Department of Environmental Conservation is providing funding that will enable the Trust to purchase and deploy an autonomous aquadrone called a WasteShark, which is designed to collect floating debris in the water while simultaneously gathering geospatial and water quality information. The River Project team scouted and researched this little robot prior to COVID, and it's exciting to think about being able to deploy it in 2022.

The other award received was from the Hyde & Watson Foundation to help install a water quality data display. The displays will feature the Park's new River Health Dashboard and communicate Hudson River's water quality data to Park patrons, boaters and students. The Hyde

and Watson grant builds off work accomplished through the 2020 “Innovate for Social Impact” award from Cantina, a highly regarded design innovation agency that—among other things—works with organizations to design user friendly experiences involving complex technology. Through Cantina, the Trust has created a river health dashboard that will support the Park’s stewardship and environmental education efforts while also helping non-motorized boaters make informed decisions about days when water quality conditions are poor.

Next, President Doyle announced that the Public Programs department has also concluded a very successful 2021 season that featured the transition of programs from virtual back to carefully designed in-person programming as the summer progressed. Patrons and visitors took full advantage of the Healthy on the Hudson exercise programs along with participatory dance, and certainly enjoyed the reemergence of live music performances. The department is now planning for 2022. As noted in the Board materials, the Trust hopes to bring back the Hudson River Dance Festival produced in collaboration with the Joyce Theater in June in Chelsea. In August, the Trust is already looking forward to hosting the best Blues BBQ festival in NYC, this time at Pier 76. The Trust has issued a Request for Proposals for a producer for that event so the Board will be hearing more about it in early 2022.

President Doyle then directed the Board to the Board packet which included the six month financials for fiscal year 2022. Kim Quinones, the Trust’s Chief Financial Officer, and Sikander Zuberi, Vice President of Finance, presented the financials to the Directors of the Finance and Investment Committee meeting held on November 15th. The six-month financials have also been posted on the Financial and Budget Information page of the Trust’s website for the public to view. As noted in the financial report, the Trust recorded total operating revenues of \$18.8 million, and operating expenses, net of reimbursable expenses, of \$10.6 million, for a surplus of \$8.1 million before capital expenditures for the first six months of the fiscal year. Revenues were 67% and expenses were 42% of budgeted amounts for the full year. Directors will recall that the current budget was prepared with conservative assumptions given the continuing impacts of COVID on many of the Park’s tenants. While revenues are better at this time than budgeted, they are still down as compared to pre-pandemic levels. Spending for capital improvements and equipment totaled \$13.8 million or 40% of the amount budgeted for the full fiscal year, but capital spending is expected to increase during the second half of the fiscal year due to all of the construction contracts that are now approved. President Doyle noted that, in addition, since the September 2021

Board meeting, the Trust has received an additional \$438,436 in reimbursements from FEMA related to the Sandy repairs. The total amount received to date is over \$32 million with approximately \$1.8 million pending review with FEMA.

President Doyle advised that despite the effort made by the Office of General Services and its insurance broker Gallagher in minimizing the increase to the extent possible, she indicated a large increase in the Trust's general liability insurance premium. The premium for the \$100 million of general liability coverage increased by 16.6 percent as compared to the previous year. Specifically, the premium increased from approximately \$5.64 million in 2021 to just over \$6.5 million for the policy period between December 1, 2021 and November 30, 2022. Part of the increase is due to the large amount of construction under way this year. For this reason, the Trust had to separate liability coverage for Park operations from construction coverage. Thus, for the new term, Brit, a Lloyds of London carrier, is providing the primary coverage for claims against the Trust and its service contractors, and K2, an Allied World affiliate, is providing the primary coverage for claims made related to construction projects. The deductible for claims will remain at \$25,000 with an annual cap of \$150,000 for both. Pursuant to the Act, the State and City share the costs of the Trust's general liability, with the State paying 65 percent and the City 35 percent.

The next topic President Doyle addressed was the Governance Committee Meeting that took place on November 29, 2021 to consider the Transparency Plan dated October 2021, which was prepared in response to a Statewide request from Governor Hochul. The Trust has posted its plan on the Trust's website. While the Trust already posts a great deal of financial and other information on its website, moving forward, the Trust will be posting additional information, and accelerating the pace at which it is posted as well. For example, staff will post the list of selected vendors approved by the Board for various procurements to the Bids and Business Opportunities portion of the website to make it easier for the public to find out which vendor was selected for particular competitive procurements. Reports like this President's report will also be posted as part of the draft minutes so that the public does not have to wait until the next Board meeting for the official minutes to be adopted. Further, staff will form a subcommittee to review the website every six months to identify potential areas for improvement and will meet with the Governance Committee annually to discuss any updates or ideas related to the Trust's Transparency Plan.

The Governance Committee also discussed adopting a policy to create a formal review procedure for requests to install Monuments in the Park. The policy would require Board approval

for large scale monuments that occupy a large footprint or could create a change to surrounding uses, and would further identify the criteria to be considered for such installations. The criteria could include such considerations as whether the Monument is appropriate for the proposed location, is compatible with the surrounding Park context or interferes with Park functions or impacts park safety. The Board's Design Committee would review the proposal for aesthetics and to ensure it either does not impose significant maintenance costs related to its care, or comes with an endowment to cover such costs, or anything in between. The review process as discussed by the Governance Committee would include review by the Trust's Design Committee as well as public review through the local Community Board and/or Advisory Council. Based on feedback from the Governance Committee, the Trust intends to share a draft policy with the Directors for review, after which staff would present the final policy for Board review and approval at the January Board meeting.

Finally, President Doyle notified the Board that during the Executive Session portion of the recent Finance Committee meeting, the Trust provided an update on lease negotiations with Chelsea Piers. Once an agreement has been reached on the few remaining items, the Trust will share the proposed lease with the Board, after which time the proposed lease will be subject to public review through the Trust's Significant Action process, which will include a public hearing and comment period. As is the Trust's practice, the Trust will also meet with the Advisory Council and again with Community Board 4 to answer questions.

President Doyle was happy to announce that at Pier 57, the exterior perimeter walkway opened to the public in November. It's already been noticed by some walkers and joggers, and provides lovely views of the Hudson River, Little Island to the south, and Chelsea Piers to the north. The public rooftop park is projected to open in April. Google is planning to start moving into its offices at Pier 57 in January, and the public marketplace, Park environmental classrooms, and public living room are expected to open later in 2022.

Last, President Doyle thanked Debra Kustka, the Park's longtime Vice President of Operations, for her tremendous service and contributions to the Park. Debra is headed to one of the Trust's sister agencies for a position with even greater responsibility. Debra worked on Route 9A landscape design and bikeway issues before joining the Park, so she is one of the few who has watched the whole Park take shape and grow up. She has an astonishing eye for detail, and the Trust has relied on her to help us solve countless issues including many related to safety and

circulation, coordination with both the City and State Departments of Transportation, large and small events planning, and so many other things. The Trust will miss Debra, but we are very pleased for her that she gets to put her enormous experience to great public use.

Chair Been thanks President Doyle and asked Mr. LeFrancois to present the Advisory Council report. Mr. LeFrancois reported on the last meeting of the Advisory Council in which staff from the State and City Departments of Transportation attended to address the Route 9A Greenway and access into the Park from the east. He explained that the Advisory Council would continue to push for an expanded Greenway to address the different modes of transit and that the State and City needed to focus on the changing conditions to ensure the safety of users on the Greenway and entering into the Park. He concluded that the meeting with State and City Department of Transportation was very successful and informative. He also announced that the Advisory Council was forming a Historic Resources Working Group to address the west side story to share with the public and to consider which voices should share those stories.

Chair Been thanked Mr. LeFrancois and invited Connie Fishman to present on behalf of Hudson River Park Friends. Connie Fishman provided the Hudson River Park Friends report. She noted that the number of volunteers had doubled since last year but are still half of the number pre-COVID. She stated Friends was working to develop a Business Council to share information between local businesses and the Park. The Gala was also a huge success as an in-person event. She also explained that Friends had received grants to assist the Trust in purchasing the Waste Shark, the monitors for the Cantina water quality dashboard and new composting equipment. She further stated that Friends was establishing a dog run maintenance fund for next year through a GoFundMe-style campaign.

Ms. Fishman also advised that Friends has nine vacant board seats that need to be filled and that Diana Taylor would be replacing Mike Novogratz as Board Chair in March.

Chair Been thanked Ms. Fishman for her report and then asked the Directors if there was any further business. There being none, Chair Been called for a motion to adjourn. The motion was unanimously approved; the meeting was adjourned at 4:55 pm.