

CAMPAIGN TO SAVE UNION SQUARE PARK

A GREAT VICTORY, CB-5, ROSIE MENDEZ AND NEXT STEPS

A GREAT VICTORY: We thank those of you who called, wrote letters and attended key meetings to make statements opposing the City's and Parks Department's plan to privatize the pavilion in Union Square Park. Our campaign won a resounding victory for children: The latest plan calls for maximum playground space of almost 15,000 square feet that will be about 7,000 square feet larger than the originally proposed 8,000 square feet of playground space in the park. Our hard work for a year-and-a-half has certainly paid-off: Now kids will have a playground spanning east-to-west across the north end of the park. We made that happen, thanks to your support.

CB-5 : We regret to report, however, that Community Board #5, at its February 9th meeting, approved a resolution supporting the City's and Parks Department's plan to privatize the pavilion by way of a seasonal restaurant. This was done despite a large turnout at both CB-5's February meetings and numerous speakers in opposition to such privatization. Of course, the resolution is not binding--unlike the approval of the NYC Art Commission which can legally reject the plan as it did with last year's proposal. But we are not deterred by the vote of a community board that time and again has not represented the wishes and needs of its community. We will *not* give up our fight to save the pavilion for public use instead of for an unneeded and unwanted restaurant.

ROSIE MENDEZ: We are disappointed in and sorry to report that Rosie Mendez, representative for City Council District 2 (which includes Union Square Park), helped the City and the Parks Department undermine her community's wishes on this issue. Mendez previously had written strong letters to the Mayor and to the Commissioner of Parks and spoke out against privatization of the pavilion at our October 16 press conference. However, she subsequently gave-in to Parks Department pressure. At the Feb. 9th CB-5 hearing, she publicly renounced her opposition to privatization by making a deal with Commissioner Castro--a deal to accept the restaurant plan--a deal that precludes her joining any legal action against their proposal. In addition, her staff tried to fool some elected officials, who are against privatization of the pavilion, into believing that other elected officials had also caved-in to accept the Parks Department's deal. We are encouraged that federal, state and city elected officials are still intent upon listening to the community and serving its needs.

To aid us, we have the strong support of more than a dozen elected officials and prestigious citywide organizations (see attached List of Supporters). Going forward, *your* support, as in the past, will be most important to our success. We now are exploring the possibility of litigation against the City and subsequent "alienation" proceedings by the State in order to win back our pavilion for the community

NEXT STEPS:

1. **THE NYC ART COMMISSION HEARINGS:** The project still needs the NYC Art Commission's approval. It will meet on Monday, May 15, at 3 PM for a hearing on the Union Square Park North renovation. In another Update we will inform you of the kind of issues that concern the Commission. Your attendance is urgently needed at this important hearing. **MARK YOUR CALENDAR!**
2. **LITIGATION:** To trigger state "alienation" proceedings, a law suit is required to bring the matter before the Assembly's Committee on Cities.
3. **NY STATE ASSEMBLY:** State Alienation proceedings: State Assembly members and other elected officials need to hear from the public in order to mount the Assembly's opposition to the restaurant plan. (See asterisked names on the attached Contact List.)

As a result of successful litigation against the City, the State Assembly can demand that the City bring its proposal to the Assembly so that it may rule as to whether a restaurant in the pavilion would be an "alienation" of public property—or an unneeded "amenity" in an area surrounded by over 100 restaurants and places to eat.

WHAT YOU, YOUR NEIGHBORS AND FRIENDS CAN DO:

1. **CONTACT YOUR ELECTED OFFICIALS:** They need hear from residents that this is an issue on which they should take action on behalf of the public. Receiving 100 or more phone calls and e-mails on this issue will ensure their attention and response. Contacting all of them would be very helpful (See asterisks for essential calls on the attached Contact List)*

Contact Rosie Mendez and Council Speaker Quinn to ,briefly, voice your opposition to and outrage at their approval of the Parks Department's plan.

2. **VOLUNTEER:** We plan to distribute literature in around the park during the next few months to apprise the public of our ongoing campaign and to enlist their support. To do this, we need your help. Call B. Lee to volunteer an hour or two 212 686-1229—leave your name and phone number.)
3. **CONTRIBUTE:** Even more than in the past, we will need contributions from *you* and the public in order to succeed through litigation. Please consider making a generous (tax-deductible) contribution, payable to NYC Park Advocates, PO Box 6155, NY, NY 10128

**WE NEED YOUR STRONG SUPPORT TO SUCCEED!
WE WILL KEEP YOU POSTED!**

*Your message should be short and to the point. For example: I am opposed to the plan for a restaurant in the pavilion of Union Square Park. The pavilion should be refurbished and returned to the public for community and children's activities.