



Community Board 12 - Manhattan Washington Heights & Inwood

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Shahabuddeen A. Ally, Esq., Chairperson
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October 18, 2018

Hon. Gale Brewer,
Manhattan Borough President
One Centre Street, 19th Floor
New York, NY 10007

Hon. Letitia James,
Public Advocate
One Centre Street, 15th Floor
New York, NY 10007

Hon. Corey Johnson,
NYC Council Speaker
250 Broadway, Suite 1856
New York, NY 10007

Re: Opposing the New York City Charter Commission's recommendations for imposing term limits on Community Board members and creating a Civic Engagement Commission.

Dear Borough President Brewer:

At the General Meeting, Tuesday, September 25, 2018 Community Board 12 Manhattan, passed the following resolution with a vote of 36 in favor, 0 opposed, 0 abstention, 1 not voting opposing the proposals to impose term limits on Community Board members and the creation of a Civic Engagement Commission and calling upon the Mayoral Charter Review Commission to reconsider its ballot initiatives and work with in cooperation with the City Council Charter Review Commission

Whereas: Commissions established by the City Council and the Mayor have undertaken separate reviews of the City Charter, New York City's equivalent of a constitution. Although the commission established by the Mayor (the "Mayoral Charter Review Commission" or "MCRC") commenced work first, in February 2018, planning for the commission established by the City Council (the "City Council Charter Review Commission" or "CCCRC") began in 2017, legislation passed to establish the CCCRC in April 2018; and

Whereas: In 2017 a bill was drafted by Public Advocate Letitia James and Manhattan Borough President Gale Brewer that proposed a charter review commission whose members to be appointed by the Mayor, City Council Speaker, the Public Advocate, the five Borough Presidents and the City Comptroller. Before this bill could be passed into legislation Mayor de Blasio announced, in his 2018 State of the City address, plans to create his own commission. Members of the MCRC are appointed solely by the Mayor; and

Whereas: The Mayoral Charter Review Commission was tasked with making proposals in 2018 and voters would be asked to approve them in November 2018. The process undertaken by the Council Charter Review Commission takes more time, its proposals go to voters in November 2019; and

Whereas: The stated mandate of the MCRC is limited to charter changes aimed at improving the city's campaign finance system and encouraging voter participation in elections. However, on August 14, 2018 the MCRC adopted a resolution (the "Resolution") including ballot

initiatives that recommend imposing term limits on community board members - a limit of four consecutive full two-year terms - and establishing a Civic Engagement Commission ("CEC"), a majority of whose members are appointed by the Mayor; and

Whereas: The stated role of the CEC is to set policies in furtherance of its mission to promote civic participation and engagement, provide oversight and implementation of a citywide participatory budgeting program, provide technical assistance including urban planning and other resources to community boards, coordinate civic engagements efforts with City agencies, support and partner with community-based organizations, take actions to encourage, promote and facilitate voter registration and voting, and perform language-access functions as outlined in the Resolution; and

Whereas: The stated purpose of imposing term limits on Community Board members is to strengthen Community Boards by enhancing diversity; and

Whereas: In testimony given before the MCRC on July 24, 2018 Manhattan Borough President Gale Brewer stated her support for increasing Community Board diversity but her opposition to imposing term limits. Borough President Brewer stated that Community Board members have an incredibly important role in the City's land use process; must learn about zoning, tax incentives, housing finance, landmarking, how technical rules and programs apply to particular developments and more. She further stated that it is her strong belief that only when community board members have mastered this knowledge, something that takes full time students and planners years to develop, can community board members meet developers on somewhat of an equal footing. Term limits would deny community boards the ability to develop vital expertise and institutional memory. Borough President Brewer additionally stated that she is proud that during her five years as Manhattan Borough President there has been a nearly 60% turnover in Board members without the use of term limits, because of extensive outreach and recruitment, scrutiny of attendance records, and constant communication with community boards; and

Whereas: Borough President Brewer's July 2018 testimony also commended and recommended expansion of two successful technical assistance programs – the Urban Fellows Program run by the Fund for the City of New York which places recent planning program graduates in a community board office for a year, and Beta NYC, developed in conjunction with CUNY's Public Service Corporation and the Fund for the City of New York which trains students to use open data and to help communities and community boards to analyze issues, produce maps and develop applications to enable boards to function more effectively. The Resolution includes no reference to or acknowledgement of these programs; and

Whereas: In a letter dated August 21, 2018 the Borough Presidents of Manhattan, the Bronx, Queens and Staten Island collectively expressed serious concerns about the Resolution. They stated that to impose term limits on community board members only serves to further empower real estate developers, their lobbyists and technical advisors because their proposed projects would not be appropriately reviewed and analyzed from the community perspective and by limiting the number of terms members can serve would force a mandatory "brain drain" on community boards, weakening their ability to serve as advocates for neighborhood concerns. They also stated that the proposed CEC duplicates

the powers and duties of borough presidents pursuant to City Charter section 82 to provide technical assistance to member of community boards; there are unanswered questions related to how CEC will be held accountable; the interplay between CEC, the Borough Presidents, the City Council and the Community Boards is not addressed; and placing this and other proposals on the ballot for November without first having heard public response to the proposals and how the MCRC chose to address critical questions in the course of its review of the City Charter is haphazard and reckless; and

Whereas: Community Board 12-Manhattan ("CB12M") agrees with the testimony provided by Borough President Brewer in July 2018 and with the concerns expressed by the Borough Presidents of Manhattan, the Bronx, Queens and Staten Island in August 2018. Imposing term limits on community boards, a matter already rejected by CB12M in February 2015, would weaken community boards and adversely impact their ability to effectively serve the communities they represent. Creating the CEC is a cynical power grab aimed at weakening both Community Boards and Borough Presidents. Now, therefore, be it

Resolved: Community Board 12-Manhattan opposes the proposals to impose term limits on Community Board members and the creation of a Civic Engagement Commission and calls upon the Mayoral Charter Review Commission to reconsider its ballot initiatives and work with in cooperation with the City Council Charter Review Commission; and be it further

Resolved: If the Mayoral Charter Review Commission fails to reconsider its ballot initiatives, Community Board 12-Manhattan strongly urge residents to defeat these ballot initiatives and call upon the City Council, the Borough Presidents, and Public Advocate to raise public awareness of the adverse impacts of these ballot initiatives and advocate for their defeat.

Sincerely,



Shahabuddeen A. Ally, Esq.
Chairperson

cc: Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Ruben Diaz Jr., Bronx Borough President
Hon. Melinda Katz, Queens Borough President
Hon. Eric L. Adams, Brooklyn Borough President
Hon. James S. Oddo, Staten Island Borough President
Hon. Letitia James, Public Advocate
Hon. Scott M. Stringer, Comptroller

Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator
Hon. Marisol Alcantara, State Senator
Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodríguez, Council Member
Hon. Mark Levine, Council Member

