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Chair

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The City of New York
Community Board 8 Manhattan
Charter Revision Task Force
Monday July 8, 2024 6:30 PM
Conducted Remotely on Zoom

Please note: The resolution contained in the committee minutes are recommendations submitted by the committee co-chairs to the Community Board. At the monthly full board meeting, the resolution is discussed and voted upon by all members of Community Board 8 Manhattan.

Resolutions for Approval:
Unanimous: Items 1, 3-9, 11, 12
Non-unanimous: Items 2, 10, 13

Minutes

CB8 members in attendance: Russell Squire, co-chair, Shari Weiner, co-chair, Valerie Mason CB8 Chair, Michele Birnbaum, Barbara Rudder, Judy Schneider, and Ed Hartzog

The meeting was called to order at 6:30 PM by Task Force co-chair Shari Weiner. Shari provided background on the function of the City Charter and the ways in which it can be amended. She stated that on May 21, 2024, Mayor Eric Adams the 2024 Charter Revision Commission ("Commission"). He charged the Commission with reviewing the entire Charter with an emphasis on whether the Charter can be amended to promote public safety and fiscal responsibility. Shari stated that all written testimony had to be submitted by this Friday, July 12, 2024, that the final Commission meeting will be held on July 25, 2024 and that by August 5, 2024, the Commission must submit its recommendation to the City Clerk.

Task Force co-chair Russell Squire then set forth the purpose of the Task Force and how it would proceed.

The Task Force was very pleased to be joined at this meeting was representatives of the Independent Budget Office ("IBO"). The IBO had submitted numerous recommendations to the Commission in the area of fiscal responsibility. Shari introduced the IBO speakers who were: Taina Guarda, Chief outreach and engagement office, Marla Simpson, Special Assistant to the Director, Val Gudino, Assistant Budget and Policy Analyst.

The first speaker was Ms. Simpson. She went through a slide presentation of the many IBO recommendations to the Commission. Next Ms. Gudino, who attended Commission hearings, discussed recommendations made at the public hearings.

Shari then set forth the recommendations submitted to the Commission by City Council Speaker Adrienne Adams.

Russell then asked for questions for the speakers. After the Q &A session Russell lead the discussions on what recommendations CB8 should send to the Commission. The decision was made to use the IBO recommendations as a basis for the Task Force's discussion and that a separate recommendation would be passed for each recommendation.

The approved resolutions follow:

Resolution No. 1: Units of Appropriation

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, units of appropriation (corresponding in lay terms more or less to line items) in New York City budget legislation are usually too large and undifferentiated;
WHEREAS, units of appropriation often do not specify funding amounts for specific programs and agencies; and
WHEREAS, the New York City Charter should be revised to require more specificity regarding units of appropriation in budget legislation;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to require more specific units of appropriation in budget legislation, including a separate unit of appropriation for each city agency with an operating budget over $2 million.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 2: Civilian Complaint Review Board budget

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the budget for the Civilian Complaint Review Board should be determined in the same manner as the budgets for other city agencies, through laws passed by the New York City Council and approved or vetoed by the Mayor of New York City, in accordance with those officials' respective judgment; and
WHEREAS, regardless of whether one thinks the current budget of either the Civilian Complaint Review Board should be raised or lowered, or whether the budget of the New York Police Department should be raised or lowered, the budgets for those two entities should not be linked by a mandated funding percentage specified in the New York City Charter;

THEREFORE, BE IT RESOLVED that CB8M opposes revising the New York City Charter to require that the Civilian Complaint Review Board budget should be a fixed percentage of the budget of the New York Police Department or otherwise raised or lowered in direct proportion to the New York Police Department budget.

Passed 4-3-0
Yes: Birnbaum, Rudder, Schneider, Squire
No: Hartzog, Mason, Weiner

Resolution No. 3: Independent Budget Office analysis of the fiscal impact of certain city legislation

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, New York City's Independent Budget Office provides independent analysis of the fiscal impact of proposed legislation, free of political bias and the influence of the elected officials and/or agencies proposing particular legislation;
WHEREAS, the Independent Budget Office only provides analysis of the fiscal impact of legislation when requested by city elected officials; and
WHEREAS, the Independent Budget Office's analysis of the fiscal impact of certain proposed legislation would be beneficial to both elected officials and the public even in cases where it has not been requested by elected officials;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to require that the Independent Budget Office be mandated to provide independent analysis of the fiscal impact of certain city legislation.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 4: Threshold contract amount for public hearings

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the current threshold for public hearings related to New York City contracts is $100,000;
WHEREAS, CB8M supports transparency and public input in decision-making regarding whether New York City should enter into large contracts; and
WHEREAS, CB8M is concerned that any reduction in public hearings in connection with New York City contracts would diminish transparency and increase the potential for waste, fraud, and abuse;

THEREFORE, BE IT RESOLVED that CB8M opposes any increase in the threshold contract amount for public hearings to be held on New York City contracts.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 5: Two year limit to the duration of emergency contracts

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, New York City may enter emergency contracts without abiding by the processes and restrictions that would otherwise be required for contracts;
WHEREAS, such emergency contracts may extend for longer than two years;
WHEREAS, the processes and restrictions that are ordinarily applicable to New York City contracts provide important safeguards for promoting transparency and public input and avoiding waste, fraud, and abuse; and
WHEREAS, for contracts that New York City needs to enter subject to a bona fide emergency, two years should be a sufficient duration, after which New York City should abide by the otherwise applicable processes and restrictions;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to limit the duration of emergency contracts to no longer than two years.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 6: Procurement Policy Board (PPB)

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, for many years, New York City has been notorious for being extremely late in making payments to vendors with which it does business;
WHEREAS, extensive delays in payment by New York City have a detrimental impact on the businesses to whom payment is due;
WHEREAS, many of these vendors are small businesses that are vital to the fabric and economic health of New York City, and for whom the delays in payment are particularly deleterious and jeopardize their ability to continue to operate;
WHEREAS, because New York City is a governmental entity, vendors to whom New York City owes money may have less recourse against the city than they would have against non-governmental entities;
WHEREAS, there is no reason that New York City should not be able to pay its obligations in a timely manner, and the failure to do so reflects poorly on New York City, is inconsistent with the proper role of the city as being

worthy and exemplary of the trust of its people, and is unbecoming of a city that prides itself on being a global economic hub;
WHEREAS, the New York City Charter allows, but does not require, the Procurement Policy Board (PPB) to make rules that would require New York City to pay its vendors in a timely manner; and
WHEREAS, the PPB has not made such rules;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to require the PPB to make rules that would require New York City to pay its vendors in a timely manner.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 7: City fiscal monitors and reserve accounts

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, it is prudent for New York City to maintain sufficient reserve accounts (including the Rainy Day Fund) to enable the city to withstand the impact of emergencies and other unfavorable events;
WHEREAS, the use of the city's reserve accounts should be restricted to situations where it is genuinely needed so that the reserve accounts will be available under such circumstances;
WHEREAS, the city's reserve accounts should not be just another source of funding to be assigned to the ordinary operation of New York City;
WHEREAS, the circumstances under which the city's reserve accounts can be used should be defined with greater particularity in the New York City Charter;
WHEREAS, New York City's fiscal monitors play an important role in ensuring that public money is allocated and spent responsibly; and
WHEREAS, the New York City Charter should ensure that New York City's fiscal monitors have the information they need to perform that role;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to ensure that all relevant information is made available to City fiscal monitors; and
BE IT FURTHER RESOLVED that the same amendment should tighten the requirements for the City’s reserve accounts, including the Rainy-Day Fund.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 8: Opposition to any changes affecting ULURP

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the Uniform Land Use Review Process (ULURP) provides an opportunity for public review and input, including through New York City community boards, on zoning changes and other significant land use decisions;
WHEREAS, public review and input into zoning changes and other significant land use decisions, including specifically through New York City community boards, is essential to the wellbeing of New York City and the quality of life of its residents;
WHEREAS, New York City community boards play an important role in ULURP and are uniquely well-positioned to advise on proposed changes to the New York City Charter affecting ULURP; and
WHEREAS, reducing the zoning changes and other significant land use decisions that are subject to ULURP would be detrimental to the wellbeing of New York City and the quality of life of its inhabitants;

THEREFORE, BE IT RESOLVED that CB8M opposes any changes to the New York City Charter affecting ULURP.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 9: Expand the authority of the Department of Consumer and Worker Protection

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the New York City Department of Consumer and Worker Protection plays an important role in safeguarding the rights and welfare of consumers and workers; and
WHEREAS, the work of the Department of Consumer and Worker Protection should not be hindered by its inability to obtain information related to the ownership of the entities it is investigating;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to expand the authority of the Department of Consumer and Worker Protection to demand business ownership information for entities under its investigation.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 10: Aligning the Department of Transportation Charter Language with federal standards

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the New York City Department of Transportation seeks to align Charter language with federal standards, to reduce public hearing requirements, to have the ability to issue financial grants with partners, to expand its jurisdiction over sidewalk/roadway cafes, and to streamline the process of adding e-bike charging cabinets on streets; and
WHEREAS, public input on the above items, including through New York City community boards, is essential to quality of life of New York City residents and should not be abridged or curtailed;

THEREFORE, BE IT RESOLVED that CB8M opposes the Department of Transportation's Charter revision proposals to align Charter language with federal standards, to reduce public hearing requirements, to have the ability to issue financial grants with partners, to expand its jurisdiction over sidewalk/roadway cafes, and to streamline the process of adding e-bike charging cabinets on streets.

Passed 6-1-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Weiner
No: Squire

Resolution No. 11: Remove term limits for community board membership

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, New York City community boards play a vital role in providing community input to government decisions affecting New York City, its neighborhoods, and their residents and other stakeholders;
WHEREAS, in the course of their community board service, community board members often develop a great deal of practical experience and subject matter expertise relevant to dealing with elected officials and agencies and addressing the issues facing the community;
WHEREAS, community board term limits lead to the sudden loss to the community board of many years of relevant experience and substantial subject matter knowledge that is beneficial to the community boards' work; and

WHEREAS, the need for community board members to be reappointed every two years provides a sufficient limit on the terms of members whose membership on the board would no longer be beneficial and is a better mechanism to limit terms than an arbitrary restriction on the number of consecutive terms that members can serve;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to remove term limits for community board membership.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 12: Ballot measures be presented on ballots objectively, factually, and accurately

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, New York City ballot measures often deal with issues of city law and government that are complicated and/or unfamiliar to the general public;
WHEREAS, such ballot measures should be presented to the public in a manner that enables voters to understand what they are voting on; and
WHEREAS, descriptions of ballot measures should not promote a particular viewpoint or outcome;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to require that ballot measures be presented on ballots objectively, factually, and accurately.

Passed 7-0-0
Yes: Birnbaum, Hartzog, Mason, Rudder, Schneider, Squire, Weiner

Resolution No. 13: Office of Public Advocate

WHEREAS, CB8M is concerned that the charter revision process this year is too rushed and has not provided sufficient opportunity for public input;
WHEREAS, the role of and need for the New York City Public Advocate is too vague;
WHEREAS, all New York City elected officials should be advocates for the public, such that a separate city-wide office to perform such a role is unnecessary;
WHEREAS, the role of the Public Advocate emerged from particular political circumstances rather than a generalized necessity for that office;
WHEREAS, the role of the Public Advocate as successor to the Mayor of New York City should the Mayor leave office before the end of their term can be adequately filled by the New York City Comptroller, which is also a city-wide elected office; and
WHEREAS, this resolution relates solely to the need for the office of Public Advocate and is not intended to cast aspersions on any past, present, or future holders of the office;

THEREFORE, BE IT RESOLVED that CB8M recommends that the Charter Revision Commission approve a ballot initiative to amend the New York City Charter to abolish the office of Public Advocate; and

BE IT FURTHER RESOLVED that the same ballot initiative should designate the Comptroller as the successor to the Mayor should the latter leave office before the end of their term, subject to the same requirement pertaining at present that a special election to replace the Mayor be held within ninety days of the vacancy of that office.

Passed 5-1-1
Yes: Mason, Rudder, Schneider, Squire, Weiner
No: Hartzog
Abstain: Birnbaum

Russell thanked the Task Force members for their participation. The meeting was adjourned at 8:45 PM

Respectfully submitted,
Russell Squire and Shari Weiner, co-chairs