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THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

August 2, 2018

Cesar Perales, Chair
New York City Charter Revision Commission
1 Centre Street
New York, NY 10007

Dear Chair Perales:

The Executive Committee of Manhattan Community Board Six (CB6) would like to take this opportunity to comment on the recommendations of the Preliminary Staff Report for the Charter Revision Commission. The Commission has undertaken a broad and complex charge. We trust that during your deliberation you will distinguish between those items that need to be addressed as specific Charter revisions and those items that require a more flexible approach or be dealt with outside of the provisions of the Charter. For our part, we will limit our comments to those items related to community boards. We have adopted a structure for our comments to follow the items specified in the Preliminary Staff Report to the Commission.

1. Term limits for community board members as a method to increase diversity

There is no question that community boards should reflect the diversity of their districts. However, we believe that 1) term limits are not necessary to achieve that goal and 2) term limits would in fact result in negative consequences to board effectiveness.

Current Charter provisions, properly applied, can address the issue of diversity

There is no "automatic renewal" for board members. Each year, 25 positions – half the board membership - come up for appointment and those positions may be filled by new candidates or continuing board members. If the Borough President and Council Members identify deficiencies in the composition of the board those concerns can be addressed each year. While effective board participation should be considered in any reapplication for board membership, it should not be the sole or overriding factor.

Natural attrition in board membership provides a number of vacancies throughout the year. Vacancies should be filled promptly with board diversity in a number of demographic and personal categories playing a role. Meeting diversity goals as well as recruiting needed skill sets should be an on-going process not limited to a once a year exercise.

We have found that when a rigorous application and selection process is followed, diversity can be achieved without applying an arbitrary term limit that removes certain candidates from consideration. Statistics on length of service on a board may be one indicator of whether the opportunity to address diversity already exists. As an example, 50% of the current CB6 members have less than 6 years of board service, 70% have less than 10 years. The average years of board service is 8.5 while in 2014 the average years of service was 12.1 years of service.

Through the efforts of the Manhattan Borough President and taking advantage of natural turnover, members now range in age from less than 18 to over 80, with what appears to be a trend toward a younger average age while maintaining an appropriate distribution of ages. Race and ethnic categories approximate the composition of the community. Gender, sexual orientation, housing categories, geographic location within the district are all taken into consideration and represented. While diversity matters need to be addressed on an ongoing basis, significant progress has been made in Manhattan and we believe such results could be achieved throughout the City without imposing term limits.

We support thorough review of member participation in all aspects of board work. Attendance alone is not sufficient. Experienced members who do not meet a rigorous review standard should be denied reappointment. Members need to know the criteria that will be considered and will then know the basis of a denial of reappointment. At this point, members are only alerted that attendance can be an issue.

Term limits may sacrifice accumulated expertise

Community board business can be complicated. It is rare that a newly appointed member would have significant experience in all of the issues coming before the board or the knowledge of the City's organization or the statutory and procedural rules boards follow. As time passes, board members develop skills in matters such as land use planning, zoning, affordable housing, transportation matters, and many more. The learning curve can be steep and continues throughout one's participation on the board. Term limits can eliminate the benefit the board enjoys from members who have had several years to acquire expertise.

Along with the loss of expertise generally is the loss of appropriately experienced board leadership. It takes a period of time for a member to master the basics of board work and then time to obtain the well-rounded experience that is helpful for a board chair or a committee chair. And after serving as chair, the loss of that individual's perspective merely as a result of an arbitrary number of years of service would be unfortunate.

Term limits also disrupt the "institutional memory" of community boards. We often find that capital projects and land use planning can take 10 or more years to completion. An example from our district is the Solow site along First Avenue just south of the United Nations. ULURP took place over 10 years ago and included specially negotiated provisions including affordable housing. The majority of the site remains vacant and as final plans are submitted and construction begins, it will be helpful to have oversight by members of the board who participated in each stage of the project.

2) Standardize and enhance the existing appointment process

A more rigorous appointment process is welcome. However, in a city as diverse as New York, strict standardization could be problematic. Borough President Brewer has implemented a process to ensure a diverse candidate pool and superior selections. Her procedures have been revised over time but have always included demographic information and multi-step review processes. We recommend that the Borough Presidents confer on a regular basis to consider best practices. The Borough Presidents should be encouraged to report on the procedures they follow and how those procedures meet diversity concerns as part of the process of recruiting and appointing well qualified New Yorkers to the community boards. However, we believe that additional discussion is needed before enshrining a particular procedure in the Charter. A strictly outlined provision in the Charter prevents the application of innovative methods over time. If any reference to this aspect of the appointment process is inserted in the Charter, the outlines of a process must remain flexible to encourage increasingly improved methods.

3) Additional support and resources to Community Boards particularly in the context of urban planning

We favor as much additional support and resources, particularly in the area of ULURP and urban planning in general, as may be feasible within budget constraints. We recognize that planning efforts, such as the development of 197a plans or the vetting of the many ULURP applications that are regularly considered by community boards, are expensive and require both specialized expertise and detailed knowledge of a district. It also is problematic when the needs identified by one community board may be in conflict with the needs of a neighboring district or conflict with an approach favored by the Borough President. The competing points of view pose difficulties in any method of providing cost effective services that address the specific needs of a particular board. We have favored the approach of having a dedicated urban planner attached to each community board. We encourage continued conversation about how best to provide the required support including issues of supervision and budgetary control.

We would like to acknowledge that significant progress has been made through the Manhattan Borough President's Office in providing training in areas of most concern to community boards. The Borough Presidents are required to provide training in certain areas but, in Manhattan, training is available in a broader variety of subjects essential to effective board participation. We encourage all Borough Presidents to develop training of the type presented in Manhattan and perhaps look to sharing resources to provide uniform curriculums.

4) Adopt other methods to ensure that community boards are representative of the communities that they serve.

We welcome this goal and hope to participate in identifying other methods. We urge that the Charter remain flexible to allow for such methods as they are identified and refined. Not all aspects of the organization and functioning of community boards need to be set in the Charter. Innovation must remain possible and implemented on either a city-wide or borough-specific basis.

We appreciate the opportunity to submit comments and commend the Commission on the outreach the Commission has made to obtain community input.

Sincerely,

A handwritten signature in black ink, appearing to read 'Molly Hollister', with a long horizontal flourish extending to the right.

Molly Hollister
Chair, Manhattan Community Board Six