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Int. No. 976

By Council Member Reynoso

A Local Law to amend the New York city charter, in relation to community board membership applications

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 2800 of the New York city charter is amended to read as follows:

a. For each community district created pursuant to chapter sixty-nine there shall be a community board which shall consist of (1) not more than fifty persons appointed by the borough president for staggered terms of two years, at least one-half of whom shall be appointed from nominees of the council members elected from council districts which include any part of the community district, and (2) all such council members as non-voting members. The number of members appointed on the nomination of each such council member shall be proportional to the share of the district population represented by such council member.

b. All candidates for appointment or reappointment to a community board shall file an application with the borough president on forms furnished by the department of citywide administrative services. Such

application shall include:

1. The name, residential address, primary phone number and email address of the applicant;

2. Whether the applicant's primary residence is public housing, a market rate rental, rent-regulated, part of a co-operative development, a condominium, a house, a dormitory, or other type of housing, a brief description of which shall be provided by the applicant;

3. The council district, community district and neighborhood where the applicant resides;

4. The employment status of the applicant, including whether the applicant is employed, unemployed, not employed by choice, retired, self-employed, employed by the city, employed by a governmental unit other than the city, or employed by a non-profit corporation;

6. Whether the applicant is a member of a union, and if so, the name of the union and the local unit to which the applicant belongs;

7. The applicant's occupation, title and area of specialization;

8. The name and address of the applicant's employer;

9. Whether the applicant owns a business in the community district, and if so, the type of business, the address of the business, and the number of employees;

10. Whether the applicant, an immediate family member, or any person with whom the applicant has a financial relationship is employed by, an owner of, or a member of any entity that has or may have proposals, programs, requests, applications, licenses, or any other matters that may come before the community board for review, funding, support, or approval during the applicant's term; the name of any such entities; the nature of any such interests; and the applicant's relationship to the person or persons having such interest or interests;

11. Whether the applicant is a student, and if so the name of the educational institution and anticipated date of graduation;

12. To the extent that the applicant chooses to respond, the applicant's age, veteran status, gender identity, sexual orientation, and disabilities;

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13. To the extent the applicant chooses to respond, whether the applicant identifies as African American/black, South Asian, European/white, Native American, Caribbean/West Indian, Latino(a)/Hispanic, Middle Eastern, or other race or ethnicity;

14. The levels of education the applicant has started and completed, including graduate degrees, professional licenses and certifications;

15. Whether the application is for a new appointment or reappointment to the community board;

16. If the application is for reappointment to the community board, the number of years the applicant has been a member of the such board;

17. If the application is for a new appointment, whether the applicant has ever been a member of the community board and the years of membership; and

18. The person or entity who is nominating the applicant, including whether the applicant is being nominated by the borough president, a council member, the community board, or other civic group or community association.

c. Each borough president shall make community board membership applications available on such borough president's website. Nothing in subdivision b of this section shall limit a borough president's ability to require applicants for community board membership to submit additional information on additional forms.

d. The city planning commission, after each council redistricting pursuant to chapter two-A, and after each community redistricting pursuant to section twenty-seven hundred two, shall determine the proportion of the community district's population represented by each council member. Copies of such determinations shall be filed with the appropriate borough president, community board, and council member. One-half of the members appointed to any community board shall serve for a term of two years beginning on the first day of April in each odd-numbered year in which they take office and one half of the members appointed to any community board shall serve for a term of two years beginning on the first day of April in each even-numbered year in which they take office. Members shall serve until their successors are appointed but no member may

serve for more than sixty days after the expiration of his or her original term unless reappointed by the borough president. Not more than twenty-five percent of the appointed members shall be city employees. No person shall be appointed to or remain as a member of the board who does not have a residence, business, professional or other significant interest in the district. The borough president shall assure adequate representation from the different geographic sections and neighborhoods within the community district. In making such appointments, the borough president shall consider whether the aggregate of appointments fairly represents all segments of the community. Community boards, civic groups and other community groups and neighborhood associations may submit nominations to the borough president and to council members.

e. No later than May 1 of each year, each borough president shall report on the composition of each community board including a quantitative analysis of the information provided on the application form required pursuant to subdivision b of this section. Such analysis shall include a comparison to information provided by all applicants to the same community board and information provided by applicants who were not appointed to such board. The borough presidents shall report such information to the mayor, the public advocate, and the speaker of the council. Such reports shall be published on the websites of the borough presidents.

[b]f. An appointed member may be removed from a community board for cause, which shall include substantial nonattendance at board or committee meetings over a period of six months, by the borough president or by a majority vote of the community board. Vacancies among the appointed members shall be filled promptly upon the occurrence of the vacancy by the borough president for the remainder of the unexpired term in the same manner as regular appointments.

[c]g. Members of community boards shall serve as such without compensation but shall be reimbursed for actual and necessary out-of-pocket expenses in connection with attendance at regularly scheduled meetings of the community board.

[d]h. Each community board shall:

(1) Consider the needs of the district which it serves;

(2) Cooperate with, consult, assist and advise any public officer, agency, local administrators of agencies, legislative body, or the borough president with respect to any matter relating to the welfare of the district and its residents;

(3) At its discretion hold public or private hearings or investigations with respect to any matter relating to the welfare of the district and its residents, but the board shall take action only at a meeting open to the public;

(4) Assist city departments and agencies in communicating with and transmitting information to the people of the district;

(5) Cooperate with the boards of other districts with respect to matters of common concern;

(6) Render an annual report to the mayor, the council and the borough board within three months of the end of each year and such other reports to the mayor or the borough board as they shall require (such reports or summaries thereof to be published in the City Record);

(7) Elect its own officers; adopt, and make available for reasonable public inspection, by-laws and statements of the duties assigned by the board to its district manager and other professional staff appointed pursuant to subdivision f of this section; and keep a public record of its activities and transactions, including minutes of its meetings, majority and minority reports, and all documents the board is required by law to review, which shall be made available, in accordance with law, to elected officials upon request and for reasonable public inspection;

(8) Request the attendance of agency representatives at meetings of the community board;

(9) Prepare comprehensive and special purpose plans for the growth, improvement and development of the community district;

(10) Prepare and submit to the mayor, on or before a date established by the mayor, an annual statement of community district needs, including a brief description of the district, the board’s assessment of its current and probable future needs, and its recommendations for programs, projects, or activities to meet those needs;

(11) Consult with agencies on the capital needs of the district, review departmental estimates, hold public hearings on such needs and estimates and prepare and submit to the mayor capital budget priorities for the next fiscal year and the three succeeding fiscal years;

(12) Conduct public hearings and submit recommendations and priorities to the mayor, the council and the city planning commission on the allocation and use within the district of funds earmarked for community development activities under city, state or federal programs;

(13) Consult with agencies on the program needs of the community district to be funded from the expense budget, review departmental estimates, hold public hearings on such needs and estimates, and prepare and submit to the mayor expense budget priorities for the next fiscal year;

(14) Assist in the planning of individual capital projects funded in the capital budget to be located in the community district and review scopes of projects and designs for each capital project provided, however, that such review shall be completed within thirty days after receipt of such scopes or designs;

(15) Evaluate the progress of capital projects within the community district based on status reports to be furnished to the board;

(16) Be authorized to assign a representative to attend any meeting held by a city agency to determine, in advance of drafting, the form and content of any environmental impact statement required by law for a proposal or application for a project in such board's district;

(17) Exercise the initial review of applications and proposals of public agencies and private entities for the use, development or improvement of land located in the community district, including the conduct of a public hearing and the preparation and submission to the city planning commission of a written recommendation;

(18) Assist agencies in the preparation of service statements of agency objectives, priorities, programs and projected activities within the community district and review such statements;

(19) Evaluate the quality and quantity of services provided by agencies within the community district;

(20) Within budgetary appropriations for such purposes, disseminate information about city services and programs, process complaints, requests, and inquiries of residents of the community district; and

(21) Conduct substantial public outreach, including identifying the organizations active in the community district, maintaining a list of the names and mailing addresses of such community organizations, and making such names and, with the consent of the organization, mailing addresses available to the public upon request.

[e]i. Each agency shall furnish promptly to each community board on request any information or assistance necessary for the board's work. Each agency shall also report periodically to each board on its service activities programs and operations within the community district.

[f]j. Each community board, within the budgetary appropriations therefor, shall appoint a district manager and shall be authorized to utilize the services of such other professional staff and consultants, including planners and other experts, as it may deem appropriate, all of whom shall serve at the pleasure of the community board and shall provide the board with the staff support and technical assistance it requires to fulfill the duties assigned to it by this charter or other law. The district manager shall (1) have responsibility for processing service complaints, (2) preside at meetings of the district service cabinet and (3) perform such other duties as are assigned by the community board in accordance with the statement of duties required by paragraph seven of subdivision d of this section. One of the board members shall be elected by the other members to serve as chairperson. The chairperson shall use no title other than chair or chairperson of the community board and the other members shall use no title other than member of the community board or community board member, except that any member who is elected or appointed to an official position on the board, including but not limited to, vice-chairperson, secretary, treasurer, or chair of a committee or subcommittee of the board shall be allowed to use such title when acting in such capacity. The department of investigation shall investigate any allegations concerning the misuse of a community board title and shall report its findings to the mayor, the council and the borough president in whose borough the community board is

located. The knowing and intentional use of an improper title by any member of a community board shall be punishable by a civil penalty of not less than one hundred dollars nor more than two hundred and fifty dollars for every infraction thereof. The chairperson of the community board or his or her representative shall be a member of the district service cabinet. A member of a community board shall be eligible for appointment to the position of district manager provided that such member does not participate in any manner in the selection of the district manager by the board and resigns as a member of any board prior to or upon assuming the duties of district manager.

[g]k. Each community board may employ such other assistants as it may require within budgeted appropriations for such purposes or funds contributed for such purpose. Any funds appropriated by the city to enable the community boards to conduct their duties and responsibilities pursuant to this chapter shall be allocated directly to each board subject to the terms and conditions of such appropriations. The basic budget appropriation for the personal service and other than personal service needs of each community board shall not include rent. Within reasonable limits appropriate to each board's location, rent shall be separately appropriated for the board.

[h]i. Except during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month. Notwithstanding the foregoing, a community board shall be required to meet for purposes of reviewing the scope or design of a capital project located within such community board's district when such scope or design is presented to the community board. Such review shall be completed within thirty days after receipt of such scope or design. Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting. At each public meeting, the board shall set aside time to hear from the public. The borough president shall provide each board with a meeting place if requested by the board.

[i]j. Each community board may create committees on matters relating to its duties and responsibilities. It may include on such committees persons with a residence or significant interest in the community who are

not members of the board, but each such committee shall have a member of the board as its chairperson. Except as otherwise provided by law, meetings of such committees shall be open to the public.

§ 2. This local law takes effect sixty days after it becomes law.

JHC
LS #5093
5/14/2018