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Int. No. 322

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A Local Law to amend the New York city charter, in relation to giving council members the power to make appointments to community boards

Be it enacted by the Council as follows:

Section 1. Paragraph a of subdivision 17 of section 82 of the New York city charter, as added by a vote of the electors on November 6, 2018, is amended to read as follows:

17. a. No later than July 1, 2019, and by July 1 of each year thereafter, each borough president shall submit to the mayor and the speaker of the council and shall make available on the borough president's website a report in a format that is searchable and downloadable that shall include the following information for the previous calendar year, or as otherwise specified:

(i) The names of persons serving in community board member positions in the previous calendar year, disaggregated by community district, including the first date of appointment, dates of reappointment, if any, length of service, [nominating] appointing council member or other nominating party, and community board leadership positions, if any;

(ii) Demographic information about community board members voluntarily disclosed pursuant to clause (v) of subparagraph 1 of paragraph b of this subdivision for each community board in an aggregate form that is anonymized. provided, however, that age shall be reported in 10 year age ranges, and provided further that no information shall be required to be reported pursuant to this subparagraph if such information may be withheld from disclosure pursuant to article 6 of the New York public officers law;

(iii) The number of vacant community board member positions within the borough, disaggregated by community district and by whether they are borough president or council member appointments;

(iv) A description of the borough president's recruitment plan for filling vacant community board member positions, including:

(a) A description of outreach efforts to publicize community board member openings; [and]

(b) The particular methods used to seek out candidates for membership from diverse backgrounds, including with regard to race, ethnicity, gender, age, disability status, sexual orientation, language, geographic residence, and other characteristics the borough president deems relevant to promoting diversity and inclusion of under-represented groups and communities within community boards[:]; and

(c) A description of any coordination with relevant council members as part of the recruitment plan.

(v) The number of applicants for open community board member positions received, disaggregated by community district;

(vi) The number of persons interviewed for open community board member positions, disaggregated by community district;

(vii) A general description of the evaluation criteria followed in the selection process;

(viii) Any particular tools employed by such borough president in the selection process, such as the use of a screening panel;

§ 2. Section 1135 of chapter 49 of the New York city charter, as amended by a voter of the electors at the general election on November 7, 1989, is amended to read as follows:

§ 1135. Restriction on community board membership of employees of council members and borough presidents. No person who is employed by a borough president or a council member may be appointed to serve on a community board to which such borough president or council member may make appointments [or to which such council member may make recommendations for appointment].

§ 3. Subdivision a of section 2800 of the New York city charter, as amended by a vote of the electors on

November 6, 2018, is amended to read as follows:

a. For each community district created pursuant to chapter [sixty-nine] 69 there shall be a community board which shall consist of (1) not more than [fifty] 50 persons, [appointed by the borough president,] one-half of whom shall be appointed by the borough president and [at least] one-half of whom shall be appointed [from nominees of] by 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] by each such council member shall be proportional to the share of the district population represented by such council member. The city planning commission, after each council redistricting pursuant to chapter [two-A] 2-A, and after each community redistricting pursuant to section [twenty-seven hundred two] 2702, 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. Members appointed to community boards shall be appointed to serve staggered terms of [two] 2 years. One-half of the members appointed to any community board shall serve for a term of [two] 2 years beginning on [the first day of] April 1 in each odd-numbered year in which they take office and [one half] one-half of the members appointed to any community board shall serve for a term of [two] 2 years beginning on [the first day of] April 1 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] 60 days after the expiration of his or her original term unless reappointed by the borough president or council member, and provided further that no person shall be eligible to be appointed as a community board member if that person has previously held such appointment for [four] 4 or more consecutive full terms that commenced on or after April 1, 2019, unless [one] 1 full term or more has elapsed since that person last held such office; provided however, that in the case of a community board member appointed or re-appointed for a term that commenced on April 1, 2020, the borough president or council member may appoint such member for up to [five] 5 consecutive terms commencing on such date. Not more than [twenty-five] 25 percent of the appointed members

shall be city employees. No more than [two] 2 members shall be less than [eighteen] 18 years of age. 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 and appointing council members shall assure adequate representation from the different geographic sections and neighborhoods within the community district. In making such appointments, the borough president and appointing council members shall consider whether the aggregate of appointments fairly represents all segments of the community. The borough president and appointing council members shall seek out persons of diverse backgrounds, including with regard to race, ethnicity, gender, age, disability status, sexual orientation, language, and other characteristics the borough president deems relevant to promoting diversity and inclusion of under-represented groups and communities within community boards, to apply for appointment. Community boards, civic groups and other community groups and neighborhood associations may submit nominations to the borough president and to council members.

§ 4. Subdivision b of section 2800 of the New York city charter, as amended by a vote of the electors at the general election on November 7, 1989, is amended to read as follows:

b. 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, the appointing council member, 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 or by the appointing council member for the remainder of the unexpired term in the same manner as regular appointments.

§ 5. This local law takes effect immediately upon certification that it has been approved by the electors at the next general election succeeding its enactment.

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