

August 10, 1999

FERRER TO CITY CHARTER REVISION COMMISSION:

“Don’t Try to Serve the Public Something Very Bad Hidden in Something Sweet.”

Bronx Borough President Fernando Ferrer, who opposes any change in succession to the office of Mayor, challenged the Charter Revision Commission to demonstrate its legitimacy by “making any change in direct succession effective for the next quadrennial.” At the Tuesday, August 10, 1999 public hearing of the Commission at Calvary Hospital in The Bronx, Ferrer also questioned the process and made programmatic recommendations, including a proposal to strengthen the CCRB by baselining its budget.

“Any examination and discussion of the City Charter – the fundamental governing law of our city – must include a deliberation that gives **all** New Yorkers a fair, convenient, and timely opportunity to participate,” stated Ferrer who said the schedule ignores this mandate. “Public forums, during July and August, span too brief a time. Moreover, this summer schedule naturally discourages discussion and attendance.”

“It also appears that – as is the case here in The Bronx – the commission set some hearings and meetings at sites truly inaccessible to those without a car,” complained Ferrer. “This site, with no subways, suggests this Commission seeks no real input from the many residents of this borough. This ill-conceived schedule – certainly no one asked my assistance to find the more accessible Bronx sites – sets the wrong tone for many New Yorkers. It suppresses participation. Sites in Queens [*Ridgewood*] and the eastside of Manhattan require New Yorkers to take buses from the subway. Staten Island’s site lacks accessibility to mass transit – even if many residents of that borough drive.”

Ferrer challenged the Commission to hold itself to the standard recently stated by its Chairman, Randy Mastro, who stated that the Commission “is not about any one issue or any one man. It is not about the powers of the current administration. Rather, it is about the next administration and the administration after that. It is about how New York City will be governed in the new millennium.” Ferrer retorted: “If that is truly so, then you will prove the legitimacy of this Commission by making any change in direct succession effective for the next quadrennial. And, if you are not, New York’s voters are not fooled.”

Ferrer cited many of the 40 items in the Commission staff report [*as revised July 27, 1999*] as issues that the executive branch alone, or the Council and the Mayor together, can resolve. Ferrer recounted the the Council’s rejection of City Hall’s efforts to merge the Department of Mental Health, Mental Retardation and Alcohol Services with the Department of Health. In 1998, Ferrer opposed this, stating “when mental health services are lumped together with public health services, the needs of the mentally ill are ignored.” Ferrer added: “This piecemeal approach to Charter Revision suggests a political intent to use Charter Revision to achieve parts of City Hall’s legislative agenda, opposed by the Council.”

“The 1988 and 1989 [Ravitch and Schwarz] Commissions scheduled and held many more public meetings and hearings,” said Ferrer. “This included 29 public hearings and 25 public meetings over two and one-half years. Hundreds of smaller discussions with various communities and organizations and vast in-depth mailings of printed materials supplemented an enormous outreach effort.”

Ferrer said a discussion of measures this Commission might review – and failed to consider – shows the need for further deliberation and a shift away from any deadline for ballot action this season. This includes:

- Creating an Independent CCRB by base-lining its budget as a percent of the NYPD [*0.36% of the City-funded portion of the NYPD budget*] and establishing a mechanism to make the appointed CCRB members more reflective of the City and controlled less by the administration.

- Making elected officials accountable by barring mayoral rate-setting boards and authorities from imposing budget allocations unless the Council grants such authority, as in the example of the Water Board setting rates after, rather than, as it does now, before, the budget's adoption.
- Budgeting for the delivery of city services where appropriate by borough and community district, instead of this Commission's plan to centralize in the Mayor, powers currently exercised by neighborhood-based Council Members.
- Shifting responsibility for preparation of the Mayor's Management Report [MMR] to the Independent Budget Office and renaming the document, the Independent Management Report.
- Empowering the City Council to require reporting by mayoral and city agencies of essential data in the MMR. [*Examples include: precinct staffing; borough command staffing; specialized unit staffing; 911 Response Times to Crimes in Progress [CIP] to identify areas that may need more attention by Borough and Precinct, and segmented by Critical, Serious, non-Critical and overall response times; and efforts to maintain the City's watershed, including DEP's compliance with federal and state mandates to maintain the quality of NYC's drinking water.*]
- Maximizing community participation in City approval of major concessions for private use of public spaces, including parkland by involving the Borough Presidents, Council Members and Community Boards in formulating of rules defining and governing major concessions.
- Empowering the Council to review Board of Standards and Appeals dispositions, a power held by the Board of Estimate but not passed on by 1989 Commission to the Council.

“To place on the ballot, as one package, the items this commission ultimately adopts on or about September 1 would show disdain for the intelligence of the voting public,” admonished

Ferrer. “Let individual proposals stand or fall on their own merit. Don’t try to serve the public something very bad hidden in something sweet. The debate ought not to be if you want a codification of human rights and protection of immigrants, you must also accept a weakening of the City’s legislature.”

“A Charter Revision, however, that seeks equality for all New Yorkers, not merely to help some and hurt others, would truly empower New Yorkers and contribute to a more livable City.” concluded Ferrer. “This hastily convened Charter Commission and hastily considered proposals insult the very democratic principles on which our city, state, and nation were built.”

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