

STATEMENT TO THE CITY CHARTER REVISION COMMISSION

BY

BRONX BOROUGH PRESIDENT FERNANDO FERRER

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FDNY AUDITORIUM @ METROTECH

The product – to date – of the 1999 Charter Revision Commission reflects its hurried schedule. A handful of hearings and meetings and a compressed timetable for staff work, coupled with a partisan agenda to hold down a public servant, has prevented the measured and complete deliberation that all New Yorkers deserve of its lawmakers.

The reduced number of proposals that meet a deadline less than a week away for the November ballot fulfills the political agenda of the Mayor and his handpicked commission. This Commission, by whittling down its proposals by about one-third, supports the notion that voters may face an ill-conceived Charter Revision proposal rather than a good government agenda.

Again, I challenge this Commission to prove that, in the words of Chairman Randy Mastro, “It is not about any one issue or any one man. It is not about the powers of the current administration..... It is about how New York City will be governed in the new millennium.” If that is truly so, then this Commission will prove its legitimacy by making any change in direct succession effective for the next municipal election cycle. If not, New York’s voters are nobody’s fools.

Virtually every item advanced by this Commission but one -- succession by special election -- remain issues that the executive branch alone, or the Council and the Mayor together, can resolve. At the Bronx hearing, I cited the Council’s rejection of City Hall efforts to merge the Department of Mental Health, Mental Retardation and Alcohol Services with the Department of Health. 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 Commission’s preoccupation with changing the process of succession smacks of nothing less than trying to serve the public something very rotten hidden in something sweet. We can protect civil, immigrant and children’s rights, as well as fight domestic violence, organized crime and guns without resort to Charter Revision. I urge the Mayor and the Council to collaborate on legislation to address these issues. At the Bronx hearing at inaccessible Calvary Hospital, I offered substantive proposals [list attached] that require Charter Revision. To examine and advance even those worthy proposals, would take more than the brief interlude we suffered these past few weeks.

Finally, if you must conclude that it makes sense to place Charter Revision on the ballot this year, show faith in the public. Let each proposal stand or fall on its own merit. Make the debate not about if you want a codification of human rights and protection of immigrants, you must also accept a change in how we select our chief executive in case of a vacancy at City Hall. If you place your final proposals on the ballot as one package, you show disdain for the intelligence of the voting public.

A Charter Revision must work to benefit all and truly empower all New Yorkers and contribute to a more livable City. This hastily convened Charter Commission and its hastily considered proposals insult the very democratic principles on which our city, state, and nation were built. Serve us all well by not placing any items on the ballot this fall.

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Attachment

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 Counsel 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.