

Abstracts

Question # 1: Campaign Finance

This proposal would amend the City Charter to lower the amount that a candidate for City elected office may accept from a contributor. It would also increase the public funding used to match a portion of the contributions received by a candidate who participates in the City's public financing program. In addition, the proposal would make public matching funds available earlier in the election year to participating candidates who can demonstrate need for the funds. It would also ease a requirement that candidates for Mayor, Comptroller, or Public Advocate must meet to qualify for matching funds.

Contribution Limits. Currently, the maximum total amount a candidate may accept from a contributor per election cycle (including both the primary and general elections) is (a) \$5,100 for candidates for Mayor, Public Advocate, or Comptroller ("Citywide offices"); (b) \$3,950 for candidates for Borough President; and (c) \$2,850 for candidates for the City Council. These limits apply both to candidates who choose to participate in the public financing program ("participating candidates") and to those who do not ("non-participating candidates") and are indexed to inflation.

Under the proposed Charter amendments, these contribution limits would be reduced. The maximum total amount a *participating* candidate may accept from a contributor per election cycle would be \$2,000 for candidates for Mayor, Public Advocate, or Comptroller; \$1,500 for candidates for Borough President; and \$1,000 for candidates for the City Council. The maximum total amount a *non-participating* candidate may accept from a contributor per election cycle would be \$3,500 for candidates for Mayor, Public Advocate, or Comptroller; \$2,500 for candidates for Borough President; and \$1,500 for candidates for the City Council. The proposed contribution limits for participating candidates are lower than those for non-participating candidates because only participating candidates are eligible to receive public matching funds. The proposed amendment would not alter existing prohibitions and limits based on the identity of the contributor, including the prohibition on contributions from corporations, LLCs, and partnerships, and the limits on contributions from lobbyists and those doing business with the City. Additionally, all contribution limits would continue to be indexed to inflation.

Office	Current Limit	Proposed Limit (Participants)	Proposed Limit (Non-participants)
Citywide offices	\$5,100	\$2,000	\$3,500
Borough President	\$3,950	\$1,500	\$2,500
City Council	\$2,850	\$1,000	\$1,500

Public Funds Matching Formula. Currently, participating candidates, who meet certain qualifying thresholds, are eligible to receive public matching funds at a rate of \$6 in public funds for every \$1 in matchable contributions, up to the first \$175 per contributor. Thus, a \$500 contribution is currently matched with \$1,050 in public funds (6 x \$175), generating a total of \$1,550 for the candidate.

Under the proposed Charter amendments, the public match would be increased to \$8 in public funds for every \$1 in matchable private contributions, up to the first \$250 per contributor to candidates for Citywide office and up to the first \$175 per contributor to candidates for Borough President or City Council. Thus, a \$500 contribution to a candidate for Citywide office would be matched with \$2,000 in public funds (8 x \$250), generating a total of \$2,500 for the candidate, and a \$500 contribution to a candidate for Borough President or City Council would be matched with \$1,400 (8 x \$175) for a total of \$1,900. The proposed amendment would not alter existing laws that render certain contributions ineligible for public matching, such as contributions from lobbyists and those doing business with the City.

Office	Current Match	Proposed Match
Citywide offices	6:1 on first \$175	8:1 on first \$250
Borough President	6:1 on first \$175	8:1 on first \$175
City Council	6:1 on first \$175	8:1 on first \$175

Maximum Amount of Public Funds (“Public Funds Cap”). Under current law, the total amount of public matching funds that a participating candidate may receive, per election, is capped at 55% of the expenditure limit applicable to participating candidates for the office being sought. Under the proposed amendments, the cap on the total amount of public matching funds that a participating candidate may receive, per election, would be increased from 55% to 75% of the expenditure limit for the office being sought. Thus, based on the current expenditure limits, which are indexed to inflation and which these amendments do not alter, the maximum amount of public

matching funds available to candidates would increase as shown in the table below:

Office	Current Public Funds Cap (55% of Expenditure Limit)	Proposed Public Funds Cap (75% of Expenditure Limit)
Mayor	\$4,007,300	\$5,464,500
Comptroller or Public Advocate	\$2,505,250	\$3,416,250
Borough President	\$902,000	\$1,230,000
City Council	\$104,500	\$142,500

Qualifying Thresholds. To qualify for public funds, participating candidates currently must raise matchable contributions totaling at least certain threshold dollar amounts (differing by office), counting only the first \$175 per donor. The proposed amendments would not alter the monetary thresholds, but would permit candidates for Citywide offices to count the first \$250 per donor, tracking the change in the matching formula for those offices. This would make it somewhat easier for candidates for Citywide offices to qualify for matching funds.

Timing of Disbursement of Public Funds. Under current law, participating candidates who meet the qualifying thresholds for receipt of public funds (“qualifying candidates”) are eligible for an initial disbursement of public funds in June of the election year. That disbursement is limited to \$250,000 for candidates for Mayor, \$125,000 for candidates for Comptroller and Public Advocate, \$50,000 for candidates for Borough President, and \$10,000 for candidates for City Council. The remaining public funds are not disbursed until two weeks after petitions for the primary ballot are filed, which is typically in early August of the election year, about five to six weeks before the primary.

The proposed amendments would allow qualifying candidates to receive public matching funds in February and April of the election year, in addition to June, August, and beyond, and would remove the monetary limits on the pre-August distribution of funds. However, qualifying candidates would not be eligible to receive any disbursement of public funds prior to August of the election year unless they submit a certified statement attesting to the need for the funds and demonstrating that they meet provisions in the current law that require candidates seeking more than a certain amount of public funds to show that they have a viable opponent or that they are running against an identified opponent in an open election.

Implementation. The proposed Charter amendments regarding campaign finance would apply to participating candidates who choose to have the amendments apply to their campaigns beginning with the 2021 primary election. The amendments would then apply to all candidates beginning in 2022. Those candidates who choose to operate under the post-amendment system for the 2021 primary and general elections will be allowed to retain any campaign contributions received prior to January 12, 2019, to the extent such contributions complied with the pre-amendment law, and such contributions would be eligible for public matching under the pre-amendment law.

Question # 2: Civic Engagement Commission

This proposal would establish a new Civic Engagement Commission in order to enhance civic participation, promote civic trust, and strengthen democracy in New York City. The Commission would consist of 15 members. Of the 15 members, the Mayor would appoint eight members, including at least one member from the largest political party and at least one member from the second largest political party; the Speaker of the City Council would appoint two members; and each Borough President would appoint one member. The Mayor, Speaker, and Borough Presidents would be required to consider candidates who are representative of, or have experience working with, immigrants, individuals with limited English proficiency, people with disabilities, students, youth, seniors, veterans, community groups, good government groups, civil rights advocates, and categories of residents that are otherwise historically underrepresented in or underserved by City government.

Members of the Commission, who must be residents of the City, would be prohibited from serving as an officer of a political party or being a candidate for nomination or election to the office of Mayor, Public Advocate, Comptroller, Borough President, or City Council Member. Commissioners other than the Chair, who would serve at the pleasure of the Mayor, would serve four-year terms, except that initial appointees, whose terms would commence on April 1, 2019, would serve terms ranging from two to four years. This ensures that terms of members end in different years, with the purpose of preventing wholesale turnover of the commission and promoting continuity.

The Mayor would designate a Chair, who would also serve as the Executive Director, from among his or her appointees to the Civic Engagement Commission. The Chair/Executive Director would be charged with the organization and staffing of the office.

The Civic Engagement Commission would have, subject to appropriation, the following powers and duties:

- Implement a Citywide participatory budgeting program established by the Mayor, to be implemented no later than the Fiscal Year beginning on July 1, 2020, and establish a participatory budgeting advisory committee;
- Develop new initiatives to support and partner with community-based organizations, institutions, and civic leaders in the public and private sectors in their civic engagement efforts;
- Develop a plan to consider the language access needs of limited English proficient New Yorkers in developing and implementing its programs and services;
- Establish a program for providing language interpreters at poll sites in New York City to be implemented in the 2020 general election and a language assistance advisory committee to provide recommendations for such program; and
- Partner with New York City agencies to increase awareness of and access to City services, assist the agencies in developing and promoting civic engagement initiatives, and develop strategies to centralize public information about opportunities for civic engagement.

The Commission would also be required to annually report on participatory budgeting, poll site language assistance, and any other information it deems relevant.

The Mayor would be authorized to transfer to the Commission, by executive order, any directly related powers and duties currently being performed by the Mayor's Office or any department whose head is appointed by the Mayor. Heads of Mayoral agencies would be required to cooperate with and offer assistance to the Commission in carrying out its functions.

If approved by the voters, these amendments would take effect on April 1, 2019.

Question #3: Community Boards

The City's community boards are advisory bodies with a formal role designated by the City Charter in various matters, including land use. This Charter amendment would: (a) impose term limits of a maximum of four

consecutive full two-year terms for community board members with certain exceptions for the initial transition to the new term limits system; (b) require Borough Presidents to seek out persons of diverse backgrounds in making appointments to community boards and set forth application and reporting mandates related to such appointments; and (c) require the proposed Civic Engagement Commission to provide resources, assistance, and training related to land use and other matters to community boards.

Term Limits. Community board members are appointed by the Borough Presidents, with input by City Council Members and community groups. For each community district, the Borough President appoints up to 50 community board members for staggered two-year terms. The Charter does not currently impose term limits for community board members. This proposal would limit appointment of community board members to four consecutive two-year terms, starting with terms for which appointments or reappointments are made on or after April 1, 2019. However, members appointed or reappointed for a term commencing on April 1, 2020, could be reappointed for up to five consecutive two-year terms, in order to prevent a heavy turnover of community board membership in 2027 and 2028. Appointments made for terms commencing after April 1, 2020, would be subject to four consecutive two-year term limits. These term limits would be prospective only; terms served before April 1, 2019, or April 1, 2020, would not count toward the term limits that start on those dates. Additionally, members who have served for the maximum number of consecutive terms would not be barred from re-appointment after one full term out of office.

Appointment Process. The Charter provides for the nomination and appointment of community board members. Under the Charter, the Borough President must assure adequate representation from the different geographic sections and neighborhoods within the community district, and consider whether the aggregate of appointments fairly represents all segments of the community. Members must reside in the City and maintain a residence, business, professional, or other significant interest in the community district. Not more than 25% of the appointed members may be City employees, and none may be employees of the Borough President or nominating City Council Member. Members must be at least 16 years old, and no more than two members of each community board shall be less than 18 years of age.

This proposal would require Borough Presidents to seek out persons of diverse backgrounds, including with regard to race, ethnicity, gender, age, disability status, sexual orientation, and language, as well as other factors which the Borough President may consider important in promoting diversity

and inclusion of underrepresented groups and communities on community boards, to apply for appointment to community boards.

This proposal would also require Borough Presidents to make available on their websites applications for community board membership, and require the applications to request certain information regarding the applicant: name; address; residence, business, professional or other significant interest in the community district; past service on a community board; age; work and education history, special skills, and professional licenses; relevant professional, civic, or community involvement experience; an option to provide additional demographic information that the applicant chooses to disclose; and any additional information that the Borough President determines is relevant or necessary to the application process. The application would also be required to include a statement describing the applicant's interest in the position, disclosures of City employment and potential conflicts of interest, and a certification that the applicant meets all requirements for the position and will abide by all applicable conflicts of interest laws.

Additionally, this proposal would require Borough Presidents, starting on July 1, 2019 and annually thereafter, to submit to the Mayor and Speaker of the City Council, and make available on Borough President websites, a report disclosing information about community board membership and the recruitment and selection process. The report would include: the number of vacant community board member positions, the number of applicants for open community board member positions, the number of applicants interviewed, and the names of members and their dates of appointment or reappointment, length of service, nominating City Council Member or other nominating party, and community board leadership positions, if any. The report would also include demographic information about community board members that was voluntarily disclosed, in aggregated and anonymous form; the Borough President's plan for recruiting candidates and filling vacancies, including outreach efforts and methods used to promote a diverse and inclusive pool of candidates; a general description of the evaluation criteria used by the Borough President to select members; and any tools used by the Borough President to promote objectivity in the selection process.

Assistance and Training. This proposal would require the proposed Civic Engagement Commission, subject to appropriation and in consultation and coordination with the Department of City Planning, other relevant City agencies, and the Borough Presidents to the extent practicable, to provide assistance and training to community boards beyond the forms of assistance now provided by City agencies. The Civic Engagement Commission would be

required to identify qualified firms, professional staff members, or consultants to provide urban planning and other technical assistance related to land use matters, and to administer a program for providing such services to community boards upon request. It would be required, to the extent practicable, to ensure that these forms of assistance are provided impartially to all community boards, in a manner consistent with their needs and objectives, and to provide a means for community boards to give feedback regarding the assistance provided to them. The Civic Engagement Commission would also be required, in consultation with the Mayor's Office of Immigrant Affairs, to identify and provide services requested by community boards to address the needs of limited English proficient individuals, such as staff training and language assistance tools. This element of the proposal would only become effective if this ballot question and the ballot question establishing the Civic Engagement Commission are both approved.

This proposal would also require community boards to maintain websites that provide adequate public notice of upcoming meetings, minutes from past meetings for the previous twelve months, and contact information. The Department of Information Technology and Telecommunications (DOITT) would be required to provide technical assistance and support to community boards in maintaining websites and assistance to the Borough Presidents in making community board applications available online.

Effective Date. These amendments would take effect on January 1, 2019, except that the amendments requiring a proposed Civic Engagement Commission to provide resources to community boards would take effect on April 1, 2019.