

# EL BARRIO UNITE

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June 22, 2017

Honorable Manhattan Borough President Gale A. Brewer  
1 Centre Street, 19th Floor  
New York, NY 10007  
Re: Disgraceful CB11 Meeting of June 20, 2017

Dear Hon. Manhattan Borough President Gale A. Brewer:

My associates of El Barrio Unite and N.E.R.V.E., Inc. along with the 267-community resident present were completely appalled by the abusive display of assumed power exhibited publicly by the CB11 Chair- Mrs. Diane Collier and her Leadership team at last night's June 20<sup>th</sup> Public Meeting convened at the Icahn School of Medicine, in East Harlem. What the Chairperson of CB11 and the Chairperson of the Land Use Committee and the Chairperson of the Rezoning Task Force did last night was contrary to Roberts Rules of Order in the way these three Chairs prevented a "Substitute Motion" of a straight "NO" vote ("with no considerations") which the CB11 leadership effectively prevented to be discussed and voted on to circumvent the debacle of a "NO vote with consideration" which was designed by the CB11 leadership to basically appease some real estate interests as a watered down "yes" vote. The confusion created with the "No, with consideration" was unacceptable to voting members of CB11 and the general public. DNA Info reported that CB11's Marie Winfield called into question the legitimacy of the vote, saying she refused to vote on a piece of paper while insisting members speak their decision. "I wanted to vote in the public meeting," she said. "The vote should be invalidated."

What happened next was a public spectacle created by the CB11 leadership who could not and refused to accept the public outcry thereby creating an unsafe condition to the resident members opposing the Rezoning of East Harlem at this public session designed to accept the participation of the community's concerns. Instead what was predesigned as the conclusion of this CB11 spectacle was a prearranged motion meant to dispel the public outcry opposing the rezoning with clever phrasing that was absolutely unnecessary, raising serious questions that must now be answered. The contemptuous motion was announced as a "NO Vote with considerations attached". Now, Ms. Brewer- What exactly does that mean?

The last time (November 23, 2015) this issue was voted on by the CB11 membership, with a majority of 30 to 1 in opposition to the Mayor's Rezoning, MIH and QZH Plan, the CB11 Opposition Vote was delivered as a "No Vote with Conditions". And what difference did that make since the Mayor's office did not satisfy any one of the eleven resolutions included in that November 23, 2015 vote? Perhaps it was meant to keep the totally unsupported option to continue as an administrative charade for some future vote two years down the line with no

changes. Evidently so, because that is exactly what happened. And the community hasn't forgotten.

So now June 20, 2017, the same leadership with numerous new and different CB11 members attempted to pull the same exact ploy to circumvent the community's voiced opposition to the Rezoning Plan in its entirety, knowing full well the wrath of the public opposing this plan would be greater than before. And CB11 forced the hand of the public to reject that line of leadership completely by demanding a more open set of considerate actions to reach an equitable resolution to this volatile situation created by the CB11 Leadership.

Sensing the growing public anger and the CB11 contempt against the public, I offered the only viable solution that was overlooked by Ms. Collier, Vasquez and Henry and the less than half of present membership eager to further infuriate the public with their inept and inconsiderate action witnessed by all. This display of ignorance was unacceptable to the public present and numerous flair ups resulted in an early end to this important meeting.

That could have been handled better by following proper procedures for dialogue with an allowance for a "Substitute Motion" and rolling the dice with a procedural vote on the issue to settle the matter fair and square. But No, the CB11 Leadership stated that the Substitute Motion can only be discussed as "New Business" after the "No with consideration" motion was voted on. Which is incorrect. This is absolutely unfair for the CB11 Leadership to do and the enraged public demanded a redress which of course Mrs. Diane Collier, Candy Vives and LaShawn Henry prevented with their capricious improper leadership. Let's visit the legality of their actions, and open the radio waves for community comment. Robert's Rules of Order – A Quick Guide to Motions and Voting Motions are statements that describe a proposed action or decision. Although the formality of Robert's Rules can seem cumbersome, the process of making motions ensures that no decision is accepted without the opportunity for discussion and a vote. Typically, the motion making process progresses as follows: A member of the group proposes a motion: "I move that..." • Motions require that a second member of the group agrees to consider the proposal to ensure that the proposal is meaningful to more than one person. A member of the group chooses to second: "I second" or "I second for discussion" if you want to be clear that you are not in support but want to entertain a conversation about the proposal. • Without a second the motion will die. Once the group has had a chance to speak in favor or against the motion, the Chairman will lead a vote. Types of Motions Main motion - A motion must be made and seconded to initiate discussion on an issue (a limited amount of discussion may be allowed at the discretion of the Chairman prior to a motion being made). Motions are projected onto a screen for all to see before being voted on. Substitute motion - Used to propose an alternative action to the main motion. Up to one main and two substitute motions may be on the floor at one time. If a substitute motion passes, it does away with the prior motions. If it fails, the previous motion comes back up for consideration. In other deliberative assemblies, using Robert's Rules of Order, a substitute amendment is a form of the motion to amend. It could be debated, modified, and voted on like other amendments. A substitute can be a sentence, paragraph, section, or article within a motion or resolution, or it can be the entire motion or resolution. It could be used to improve a poorly worded motion or resolution which helps to pass it. Procedure When a substitute is proposed, both the substitute and the wording of the motion that is being substituted for are considered. [5] In this case, the substitute could be amended and the original motion

could be amended. Then a vote is taken on whether to put the substitute (with any modifications) in place of the original motion (with any modifications). This makes it fair for the proponents of the original motion (if only the substitute could be considered and passed, then the proponents of the original motion wouldn't get a chance to advocate and possibly improve their motion if that was the case). If the substitute amendment passed, the main motion as amended would still need to be voted on. Robert, Henry M.; et al. (2011). Robert's Rules of Order Newly Revised (11th ed.). Philadelphia, PA: Da Capo Press. p. 157. ISBN 978-0-306-82020-5.

Madame Borough President, I submit that your office review the facts involved in this poor display of leadership and redress this issue completely with a public apology by the CB11 Leadership to the public and concerned citizens of East Harlem and NYC. Furthermore, a special session must also be convened in order to allow the Substitute Motion to be discussed by the CB11 membership as it should have been correctly and without impediment on the evening of June 20, 2017 so that we may resolve the ill atmosphere created by Ms. Collier, Henry and Vasquez. Without this action Ms. Brewer, you will become complicit in a growing Citywide Opposition to the Mayor's Rezoning that may lead our city into a hotter set of circumstances that must now be diffused by greater consideration to the Public Demand to Stop the Rezoning of our beloved communities.

Kindly show your leadership of compassion and better judgement with a more positive display.

Respectfully submitted,

Roberto Anazagasti, and Roger Hernandez, Jr.