



CITIZENS UNION OF THE CITY OF NEW YORK
Testimony before the City Council Committee on Governmental Operations,
250 Broadway – October 30, 2024

Introduction No. 1088-2024 (Adams)
A Local Law in relation to establishing a charter revision commission to draft a new or revised city charter

Good afternoon, council members. My name is Ben Weinberg, and I am the Director of Public Policy at Citizens Union. Citizens Union is a nonpartisan good government group committed to reforming New York City and State government by fostering accountability, honesty, and the highest ethical standards. We appreciate the opportunity to provide comments today.

New York City has recently completed a Charter Revision Commission process, culminating in five ballot questions. Citizens Union believes that process was flawed, and we have repeatedly criticized that Commission’s genesis, capacity, timeframe, and public input.

We have always supported periodic comprehensive reviews of the New York City Charter absent a political agenda via the appointment of an independent Charter Revision Commission to ensure that city government is operating effectively, efficiently, and in the public’s best interest. Charter commissions need the proper time and resources to conduct a thoughtful, open, deliberative process that seeks meaningful public input.

Therefore, we applaud Council Speaker Adrienne Adams for committing to re-establish strong standards for the Charter revision process and seeking a process that prioritizes strengthening our city rather than political gamesmanship.

Introduction 1088-2024 (Adams) contains some of these principles. In particular, Citizens Union supports the provisions that,

- require the Commission to “conduct an extensive outreach campaign [...] which encourages the public to participate in such hearings,”
- clarify the Commission would review “the entire charter,”
- ban the appointment of registered lobbyists as commissioners,
- define the Commission as an agency for purposes of the Freedom of Information Law, and
- require the Commission to maintain a website with agendas, transcripts, and webcasts.

However, we believe the bill can be improved in the following ways.

Commission appointments should be more evenly distributed across City Government

We are concerned that the proposed composition of the commission could give the Speaker sole control over the charter revision process. The bill would provide the Speaker of the City Council with the majority of appointments – nine out of seventeen – while every other citywide and boroughwide elected official would get one appointment (a total of eight). The same number - nine commissioners - would constitute a quorum (the bill defines the quorum as “greater than half the number of appointments made within 60 days of the effective date”).

Given the politicized charter revision process that was recently concluded and the damage it has done to the public trust in our city’s constitution, we do not believe the next Commission should be perceived as a Council-controlled commission, subject to the political jousting between the two branches of government.

We urge the Council to follow the approach taken by Local Law 91/2018, sponsored by then-Public Advocate Letitia James, which served as the basis for the current bill and more evenly distributed appointments across city government. The 15-member Charter Revision Commission created by that law included four appointments for the Speaker, four for the Mayor, and one for every other citywide and boroughwide elected official, with a quorum requirement of over half of the members. The Chair was jointly appointed by the Speaker and the Mayor.

As a less preferred alternative, Intro 1088 should establish a higher quorum for commission operations or set a supermajority voting requirement, which would encourage agreement from members appointed by officials from both the executive and legislative branches.

The bill should set a minimum timeframe of at least six months for the Commission’s work.

We were encouraged by the Speaker’s announcement¹ that this future Commission would have between eight and 20 months to work, depending on the election to which it chooses to submit questions.

However, we note that the bill, as written, does not require such a timeframe. Once appointed, commissioners can decide to file questions with the City Clerk at any time before the legal deadline (August before a November election).

Citizens Union supports state legislation² that would establish at least six months for charter revision commissions, and we have recommended the previous Charter Commission establish a similar timeframe.³ We believe this bill should set a minimum timeframe of at least six months.

¹ NYC Council Speaker Adams to Introduce Legislation Initiating Charter Revision Commission to Renew Confidence in City Government, Improve Governance and Transparency, Oct 21 2024 press release

<https://council.nyc.gov/press/2024/10/21/2722/>

² A5661A (Simone)/S9935 (Krueger)

³ Citizens Union Testimony before the 2024 City Charter Revision Commission, June 17, 2024 Government and Election Reform Forum & Hearing <https://citizensunion.org/portfolio-item/testimony-before-the-2024-charter-revision-commission-government-and-election-reform-hearing/>

Improve transparency requirements

We suggest two additions to the existing transparency provisions in the bill: (1) clarifying that lobbying activity involving the commission is a reportable action, and (2) clarifying the commission should maintain timely publications of meeting minutes, resolutions, and testimonies received, on top of hearing agendas, transcripts, and webcasts, already required by the current bill.

Thank you for giving us the opportunity to address you today. For information and questions, please contact Ben Weinberg, Director of Public Policy, at bweinberg@citizensunion.org.