



Legislation Text

File #: Int 0241-2018, **Version:** B

Int. No. 241-B

By the Public Advocate (Ms. James), the Speaker (Council Member Johnson) and Council Members Kallos and Rivera (by request of the Manhattan Borough President)

A Local Law in relation to establishing a charter revision commission to draft a new or revised city charter

Be it enacted by the Council as follows:

Section 1. There is hereby established a commission to draft a new or revised charter for the city of New York.

§ 2. Composition of the commission. a. The commission shall consist of up to 15 members to be appointed as follows:

1. four members appointed by the mayor;
2. four members appointed by the speaker of the city council;
3. one member appointed by each borough president;
4. one member appointed by the public advocate; and
5. one member appointed by the comptroller.

b. The speaker of the city council shall appoint from among the membership a chairperson.

c. All appointments to the commission shall be made within 60 days of the enactment of this local law, after which time any unused appointment authority granted by subdivision a of this section is forfeited. Any vacancy in the membership of the commission occurring after such date shall be filled in the same manner as the original appointment. A vacancy in the commission shall not impair the right of the remaining members to

exercise all the powers of the commission, and any number of commissioners greater than half the number of appointments made within 60 days of the enactment of this local law shall constitute a quorum.

d. No member of the commission may be removed except for cause by the appointing authority that appointed such member.

e. No commission member may be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person other than such a lobbyist who has business dealings with the city, as that term is defined in subdivision 18 of section 3-702 of the administrative code of the city of New York, may serve as a commission member only after approval by the conflicts of interest board and only subject to such restrictions or limitations on their duties and responsibilities for the commission as the conflicts of interest board may require.

f. No person is disqualified to serve as a commission member by reason of holding any other public office or employment, nor shall they forfeit any such office or employment by reason of their appointment hereunder, notwithstanding the provisions of any law.

g. Commission members shall receive no compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

h. The terms of office of the commission members expire on the day of the election at which the proposed new or revised charter prepared by the commission is submitted to the qualified electors of the city, or on the day of the second general election following the date of the enactment of this local law if no such questions have been submitted by that time.

§ 3. Commission mandate and powers. a. The commission shall review the entire charter and prepare a draft of a proposed new or revised charter.

b. The commission shall conduct not less than one public hearing in each of the five boroughs of the city and shall conduct an extensive outreach campaign that solicits ideas and recommendations from a wide

variety of civic and community leaders, and which encourages the public to participate in such hearings. The commission shall maintain a website that includes its public hearing agendas and transcripts, as well as webcasts of its public hearings.

c. The commission shall have power to conduct private hearings, take testimony, subpoena witnesses, and require the production of books, papers, and records.

d. The city shall make appropriations for the support of the commission and the commission may accept any services, facilities, or funds and use or expend the same for its purposes. In addition, the city shall have the power, on the request of the commission, to appropriate to such commission such sum or sums as shall be necessary to defray its expenses.

e. On request of the commission, the mayor may direct any board, body, officer, or employee of the city to cooperate with, assist, advise, provide facilities, materials or data, and render services to the commission.

f. The commission shall appoint and may at pleasure remove such employees and consultants as it shall require and fix their compensation.

g. No commission employee or consultant may be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person other than such a lobbyist who is a person doing business with the city, as that term is defined in subdivision 18 of section 3-702.18 of the administrative code of the city of New York, may serve as a commission employee or consultant only after approval by the conflicts of interest board and only subject to such restrictions or limitations on their duties and responsibilities for the commission as the conflicts of interest board may require.

h. No person is disqualified to serve as a commission employee or consultant by reason of holding any other public office or employment, nor shall they forfeit any such office or employment by reason of their appointment hereunder, notwithstanding the provisions of any law.

i. The commission shall be considered an agency for the purposes of article 6 of the public officers law.

§ 4. Submission of recommendation for voter approval. a. The commission may require that its proposed charter be submitted in two or more parts so arranged that corresponding parts of the existing charter shall remain in effect if one or more of such parts are not adopted, or may in lieu of a new charter submit a revision of the existing charter in one or more amendments and may also submit alternative charters or amendments or alternative provisions to supersede designated portions of a proposed charter or amendment if adopted.

b. The commission may submit its proposed new or revised charter to the electors of the city at a general or special election, and shall complete and file in the office of the city clerk its proposed new or revised charter in time for submission to the electors not later than the second general election after the date of the enactment of this local law.

§ 5. Severability. If any provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part, or inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situation shall not be affected.

§ 6. Effective date. This local law takes effect immediately.

BJR/KT/DSS
LS 1210
Int. 1830-2017
4/3/18