



**CITIZENS UNION**  
**Testimony to the City Council Governmental Operations Committee**  
**Organizational Meeting**  
**February 9, 2010**

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Good afternoon, Chair Brewer, and other members of the City Council Governmental Operations Committee (Committee). My name is Dick Dadey, and I am the executive director of Citizens Union of the City of New York, an independent, nonpartisan civic organization of New Yorkers that promotes good government and advances political reform in our city and state. We first congratulate you publicly on your new role and look forward to working with you. New York is fortunate to have your continued leadership on the important issues facing New York City government that this committee will tackle in the next four years. We thank you for the opportunity to testify today and are encouraged by this inclusive and proactive process to outline the committee's work going forward.

While there are many topics that are germane to the work of the Committee, we would like to highlight several areas that Citizens Union believes will be areas of importance to the City in 2010 and beyond.

**I. Charter Revision**

With the expected formation of a City Charter revision commission (commission) by Mayor Bloomberg in the next month, Citizens Union will be conducting its own internal review of the City Charter and proposing a number of recommendations on how to strengthen city government's structure and improve its ability to serve New Yorkers. We believe that the Committee can play a valuable role in public education regarding the formation of the commission, its potential areas of review, and the timeframe for public input. Shortly after its formation, we encourage the Committee to hold a hearing and invite the commission to testify as to its intended work, as well as other interested parties.

As part of its review of the City Charter, Citizens Union will be focusing on ten major areas regarding charter revision which could be of interest to the Committee, including:

- (1) the oversight role of the city council regarding city agencies and the city budget process. ;
- (2) the roles and responsibilities of the borough presidents and public advocate;
- (3) city agencies' structure, function, and possible consolidation;
- (4) term limits;
- (5) ethics and lobbying oversight;
- (6) the laws subject to mandatory referendum;
- (7) land use and zoning;
- (8) the compensation structure for the city council;
- (9) voter participation and competitive elections; and
- (10) city service delivery and fiscal responsibility, such as procurement policy.

We will be testifying to the commission in regards to these issues, and will share our findings and recommendations with the Committee.

## **II. Campaign Finance**

With the experience of the 2009 City elections behind us, there will be more experience and data available to examine the implementation and functioning of the City's Campaign Finance Program, such as the debate program, public matching program, the doing business database, and the impact of the significant reforms enacted in 2007. We encourage the Committee to hold a hearing on these topics following the release of the Campaign Finance Board's Post-Election Report, which has proved in the past to be an excellent resource in evaluating the effectiveness of the program as well as providing legislative proposals for further reforms. We also urge the Committee to examine the issue of political party involvement in the primary elections.

In light of the U.S. Supreme Court's recent decision in *Citizens United v. Federal Election Commission* declaring limits on corporate independent expenditures unconstitutional, we believe that the City should consider its role in improving disclosure surrounding such expenditures at the local level, and we encourage the Committee to review this issue.

## **III. Lobbying and Ethics Oversight**

Citizens Union also encourages the Committee to examine the issue of ethics and lobbying oversight. We are concerned with the lack of reporting on lobbying activities by the City Clerk, who has not issued an annual report in several years. As previously mentioned, Citizens Union will be examining ethics and lobbying oversight in the context of charter revision, and believe that the City should examine creating a more independent body for ethics that would include lobbying oversight and one in which no one elected official controls the majority of appointments.

## **IV. Election/Voting Issues**

As the City finally moves ahead with the implementation of new voting machines, as required under the federal Help America Vote Act of 2002 (HAVA), there is a major need for a comprehensive and well-coordinated public education and implementation plan in preparation for this fall's elections. Citizens Union has followed this issue for the past several years, and has attended and testified at numerous hearings of the Committee on not only HAVA implementation but election administration, the Board of Elections of the City of New York's (Board) poll worker program, and a number of other election reform items geared toward increasing voter participation.

Citizens Union encourages the Committee to continue its oversight of the implementation of the City's new voting system by holding a hearing on the issue, in addition to the comprehensive public education campaign the Board is coordinating. Further, the Committee can also examine the Board's process for recruiting, training and placing poll workers, particularly given the fact that many of them will be using new equipment and will be on the front line of the transition to paper ballots. Ensuring that poll workers all receive the proper training will be a critical component of a successful transition.

The Committee has also held previous hearing on issues of increasing voter participation, like discussing the possibility of implementing Election Day Registration. We urge the Committee to

continue to focus on innovative ways the City and the Board can boost voter participation and provide voters with easier access in the casting of their ballots.

## **V. City Council Compensation**

As you know, the Council in 2006 raised the base pay for all sitting councilmembers as recommended by the Quadrennial Compensation Commission, but kept stipends for leadership positions and committee chairs. In keeping with a commitment to hold a public hearing, the Governmental Operations Committee held a hearing in December 2007 on the subject of elected official compensation, specifically on the issue of outside income and stipends. No action has been taken since then, however. Citizens Union urges the Committee to renew its commitment to addressing these issues, and recommends the Committee hold hearings and make recommendations on the following issues prior to the convening of the next Compensation Commission anticipated in 2011:

- (1) whether the position of Council members should be full or part-time;
- (2) whether earned outside income should be limited or banned, and what additional disclosure should be required;
- (3) whether pay increases should be prospective; and
- (4) the elimination of committee stipends.

## **VI. City Council Reform**

Following up from Citizens Union's recently released report, "Grading the New York City Council's Rules and Budget Reforms," Citizens Union urges the Committee to examine several issues regarding the Council's rules and internal procedures. Chief among the reforms outlined in the report that we encourage the committee to examine are:

- (1) Reducing by as much as half the number of council committees;
- (2) Evaluating how to further improve the already stronger discretionary budget allocation process taking into account the successful experience of changes made during the 2008 reforms and issuing an updated report;
- (3) Ensuring that previous reforms are implemented, such as the use of sponsor's privilege, by better educating members about their authority and how to exercise it, and giving councilmembers more freedom to act politically independent without weakening the ability of the speaker to lead the council effectively;
- (4) Increasing transparency by webcasting all meetings and hearings and providing archival video footage on the council website, and by providing council discretionary funding information in Schedule C in a spreadsheet format that allows for independent analysis; and
- (5) Creating a capital budget committee or subcommittee through which members can openly and formally discuss allocations in the capital budget.

## **VII. City Government Transparency and the Commission on Public Information & Communication (COPIC)**

Citizens Union would like to thank you, Councilmember Brewer, for your leadership regarding increasing transparency in New York City government. We encourage you to use your new role as Chair of the Governmental Operations Committee to examine these issues, including implementing webcasting of City government hearings and improving data access. We also

encourage the Committee to examine the functioning of the Commission on Public Information & Communication and any current efforts to reinvigorate it.

### **VIII. 2010 Census and Redistricting**

As City residents expect to receive census forms in March and the City gears up to ensure that all communities are counted, we encourage the Committee to examine the NYC 2010 Census Office's efforts in this regard. As you know, the 2010 Census will determine federal funding levels for the City, and it is important that there be an accurate count.

We also encourage the Committee to examine the way in which the City conducts the redrawing of the City Council's district lines, which will occur in 2012 following the receipt of the census data in March 2011. Citizens Union supports creating an independent, nonpartisan redistricting commission at the city and state levels, and encourages the Committee to examine improvements that could be made to what is already a more fair process for redistricting in the City.

Citizens Union looks forward to your leadership on these and many other issues, such as the way in which administrative trials are conducted at the Office for Administrative Trials and Hearings (OATH) and Environment Control Board (ECB), and oversight of other city agencies such as the Law Department and Department of Citywide Administrative Services.

Thank you for the opportunity to provide testimony today. Citizens Union looks forward to working with you and the committee over the next few years. I am available to answer any questions you might have.