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NYC Council Deputy Speaker Diana Ayala's Testimony to the Charter Revision Commission
July 12, 2024

Thank you Chair Scissura and members of the Charter Revision Commission for the opportunity to provide testimony.

A Charter Revision Commission (CRC) is a serious process that should provide legitimate and thoughtful ways to improve the City Charter, good government, and democracy. This undertaking requires due diligence, and it is too important to be rushed and done in haste. Recent Charter Revision Commissions have taken their time over several months, taking steps to adequately ensure members of the public can voice their opinions and meaningfully engage in the process. They have also sought to seriously assess proposals.

Yet, this current Charter Revision Commission, appointed by Mayor Adams, appears to be attempting to review the entire City Charter, propose changes to it, engage New Yorkers and experts for input, and put forth new ballot proposals to alter the City's constitution in less than two months.

This rushed timeline is an affront to a constitutional process that is essential for a healthy representative democracy to flourish and undermines the goal of advancing good government by cutting short its vital steps.

The 2019 Charter Revision Commission, for example, was established in December 2018 and issued its final report eight months later, in August 2019. That Commission convened expert forums that were open to the public to more closely examine proposals and heard testimony from experts around the country on the experiences of other cities and states on ideas being considered, wherever relevant.

The Mayor's Charter Revision Commission has fallen short of these basic engagement expectations established by previous commissions, and thus participation by everyday New Yorkers unaffiliated with organizations has been lacking.

A rushed process, like the one proceeding, inhibits the Commission's ability to successfully carry out its stated mission of reviewing the entire City Charter and putting forward thoughtful proposals. The Commission should avoid an outcome that would undermine good governance and democracy in New York City. It can do this by not rushing to introduce new ballot proposals for the 2024 General Election, and instead utilizing its entire term that runs well into 2025 to offer sound ballot proposals next year after taking the necessary time and efforts required of a constitutional process.

The Commission should not rush to develop new ballot proposals simply to deny voters the ability to cast their ballots on an existing proposal to expand advice-and-consent for additional agency commissioners, a local law that was recently enacted after inaction by the Mayor within 30 days of its passage and requires voter approval to take effect. New Yorkers' right to vote on this existing proposal should not be undemocratically blocked by this Commission.

The reported origin and subsequent focus of this Commission on the City Council's legislative process, with assertions about the ability of the public to provide input on City Council legislation, have been inaccurate.

They ignore the reality of the Council's long-established policies and procedures for city legislation that include multiple pathways for the public to engage and provide input, which are utilized to inform lawmaking and policy decisions.

Every bill has a public hearing, where any member of the public can either testify in-person or virtually; they can also submit written testimony without attending. Translation is often provided to members of the public upon their request. All hearings are webcast and all testimony received is added to a public record that is readily available through the Council's website, along with the archived webcast and transcript of the hearing.

Providing the public with ample opportunities to provide feedback and input is critical, which is why the Council accepts written testimony for legislation up to three days after a hearing is held.

Yet, the Mayor's Charter Revision Commission is only accepting written testimony until July 12, despite having another public hearing when the public can testify on July 22.

A recent report by Citizen Union, a good government organization, found that the Council typically spends over 280 days reviewing a bill between introduction and the final vote. For all pieces of legislation, the Council encourages robust engagement with stakeholders and is committed to reviewing public feedback.


For example, during last month's hearing on the FAIR Act, proposed legislation to reform the broker fee system, the Committee on Consumer and Worker Protection received 330 registrants and heard roughly five hours of testimony from 93 participants in person and via Zoom.

As lawmakers, we understand that engaging with New Yorkers on critical policy issues is not always easy. It's imperative that our legislative processes provide the space, time, and

opportunity for the public to weigh in on crucial legislation, unlike what is taking place with this current Commission.

This due diligence is the core foundation of our democratic process, and a practice that we must continue to uphold to advance a truly transparent and representative democracy. We urge you to avoid rushing to develop new proposals for the November 2024 ballot in such a short period of time, because they will alter our city's constitution for years to come and undermine our government and democracy.

Sincerely,

A handwritten signature in black ink that reads "Diana Ayala". The signature is written in a cursive, flowing style.

Diana Ayala
Deputy Speaker