
FINAL REPORT OF THE NEW YORK CITY CHARTER REVISION COMMISSION

JANUARY 1989 — NOVEMBER 1989

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NEW POWERS, NEW RULES FOR THE COUNCIL

The City Council exercises the legislative powers of the City, within parameters set out in the state constitution, state law, and the city charter. It is the local lawmaking body, and under the pre-1989 charter exercised joint authority in budget adoption and budget modification with the Board of Estimate. Unlike councils elsewhere, however, prior to the 1989 changes, it did not have jurisdiction over zoning matters.

The New York City Council acts on most matters by majority vote, and may override a mayoral veto of a proposed local law by a two-thirds vote. On budget matters, however, a two-thirds vote was required in either the Council or the Board of Estimate, with a simple majority in the other body to override a mayoral veto.

The pre-1989 charter established the office of vice chairman of the Council and provided that this official succeed to the Council presidency in the case of a vacancy in that office. By the Council's rules, the vice chairman also served as the Council's majority leader if he or she was a member of the majority party.

The vice chairman/majority leader was the center of organizational power within the Council. The Council's Rules Committee, in consultation with the vice chairman, recommended all committee members and chairs for Council approval. Additionally, the vice chairman referred proposed local laws and resolutions to committees for consideration and action, and had the power, as did the chairman of each committee, to set committee agendas. The vice chairman allocated Council resources, set the time for Committee meetings to avoid scheduling conflicts and appointed the Council's central staff. Of the Council's committees, only the Finance Committee was established by the charter.

The Commission, while mindful of the need for strong leadership for the effective functioning of the City's legislative body, nevertheless sought to

respond to the considerable concern about excessive concentration of power within the City Council which was expressed during the charter revision process. Symbolic of the enhanced role that the Council was expected to play in the governance of the City, the title of its leader was changed from vice chairman to speaker. But, to balance the considerable authority of the leader, the powers of the entire body to control the appointment of committee chairs and the creation of committees was given a charter basis. Additionally, full Council approval was required for stipends for members in leadership positions. A land use committee with representation from each borough was required by the new charter. The capacity of individual sponsors and the council majority to move matters out of committee was enhanced. And, advance notice of Council meetings and records of committee hearings and votes was also required.

Finally, many groups advocated the establishment of an Independent Budget Office to offset the authority of the mayor's Office of Management and Budget and to provide a resource to individual Councilmembers, independent from the authority of the Council's majority leader. This office will provide Councilmembers and other officials with information on actual and estimated city revenues, the fiscal implications of all proposed local laws, and any other fiscal information or analysis requested. All City agencies will be required to provide the Independent Budget Office with information requested by it. Its director will be chosen jointly by a representative of the City Council, the comptroller, a representative of the borough presidents and the Council president. The appointment will be made upon the recommendation of a screening committee of private citizens with expertise in economics, finance and public administration.

Under the former charter, the Council's oversight responsibilities derived from a variety of provisions that directed it to receive and react to mayoral reports and initiatives concerning taxation, budgeting and management in the City. Two bases for oversight were especially important. One gave each standing committee of the Council investigatory authority within its jurisdiction and allowed the appointment of special committees to investigate any matters concerning the property, affairs or government