



GOVERNANCE

APPOINTMENT AND REMOVAL OF OFFICIALS

How It Is Now

- Ever wonder how commissioners, administration department heads, and unelected officials got their jobs? The Mayor appoints many of them.
- The City Council approves—through a process called advice and consent—some of the Mayor’s appointments. The vast majority of mayoral appointments don’t require advice and consent.
- The Mayor has authority to remove any public official at will (unless there is a law specifically stating otherwise), and the Charter doesn’t require another official or body to approve the Mayor’s removal of an official.

Why Should You Care?

- The Mayor has substantial power, and some have argued for a greater role for the City Council in appointing certain officials.
- Requiring the Council’s advice and consent for the Mayor’s removal of officials would act as a “check” on the Mayor’s authority – like how the US Senate acts as a check on the president.

What Experts and Advocates Are Proposing

- Establish an advice and consent process for the appointment and removal of certain government officials, such as the Police Commissioner or the Chief Administrative Law Judge.
- Establish three-year terms for certain appointed officials to allow for evaluation of performance.

PUBLIC ADVOCATE

How It Is Now

ROLE OF PUBLIC ADVOCATE

- Was created in 1993 to act as a watchdog for city government.
- Is elected citywide and succeeds the Mayor if the Mayor's office becomes vacant.
- Monitors the operation of city public information and service complaint programs and makes suggestions for improvement.
- Receives individual complaints about city services and investigates them, among other duties.



Why Should You Care?

- Some are concerned that the office doesn't have enough responsibilities, has too small a budget, and often functions as a launching pad for future political runs.

What Experts and Advocates are Proposing

- Modify the powers and responsibilities of the Office. For example:
 - Give the PA subpoena power, which would increase the PA's role as an investigatory agency, or empower the PA to direct the Department of Investigation to investigate.
 - Have the PA carry out appointment and removal for certain positions that might benefit from independence from the Mayor.
- Eliminate the office.

CORPORATION COUNSEL

How It Is Now

- The Corporation Counsel (CC) is head of the NYC Law Department. The CC acts as the attorney and counsel for the Mayor, other officials, and every city agency.
- The Mayor appoints the CC and can remove the CC at will.

Why Should You Care?

- There are concerns about whether the CC can adequately represent all non-mayoral entities such as the City Council and the Civilian Complaint Review Board.

What Experts and Advocates Are Proposing

- When there's a conflict of interest between an elected official and the CC, either
 - have the Law Department provide funding for outside counsel, or
 - represent both interests if possible within attorney rules of professional conduct
- Establish an advice and consent process for the appointment and reappointment of the Corporation Counsel, and establish a three-year term

TECHNICAL CHANGES TO THE CHARTER AND OTHER LAWS

How It Is Now

- **Board of Statutory Consolidation (BSC)**
 - The BSC is currently defunct, but it was intended to revise, simplify, consolidate, codify, restate, and annotate statutes, local laws, and departmental rules with the force of law.
 - It is made up of the Mayor, Comptroller, Public Advocate, and Corporation Counsel.

Why Should You Care?

- Having regular simplification of City law could affect how smoothly city government is run, and how effective city government is at its job.

What Experts and Advocates are Proposing

- Reconstitute the BSC and consider new ways to make its work more efficient.