

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, November 16, 2022 12:44 PM
To: 'dbarbato@council.nyc.gov'
Cc: 'jcampagna@council.nyc.gov'

Subject: **Sept. 8, 2022 FOIL -- Compliance with Chapter 2, §29 of the NYC Charter: NYC Conflicts of Interest Board, NYC Dept of Investigation, NYC's 5 D.A.s, & the Office of the Public Advocate -- plus "allowance[s]" to City Council Committee chairs & officers**

TO: [New York City Council FOIL Officer Danielle Barbato](#)

Eleven days after sending you my below September 8, 2022 FOIL request, I received from you a [September 19, 2022 acknowledgment](#) stating that it was “being reviewed”, that you would be “back in touch when that process is complete”, and that you “expect[ed] to provide [me] with a response within 20 business days”.

I have no record of any subsequent communication from you regarding this September 8, 2022 FOIL request.

Please advise.

Thank you.

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From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Thursday, September 8, 2022 12:07 PM
To: dbarbato@council.nyc.gov
Cc: jcampagna@council.nyc.gov

Subject: FOIL -- Compliance with Chapter 2, §29 of the NYC Charter: NYC Conflicts of Interest Board, NYC Dept of Investigation, NYC's 5 D.A.s, & the Office of the Public Advocate -- plus "allowance[s]" to City Council Committee chairs & officers,

TO: [New York City FOIL Officer Danielle Barbato](#)

[Chapter 2, §29 of the New York City Charter](#), entitled “Power of investigation and oversight”, reads, in pertinent part:

“a. The council, acting as a committee of the whole, and each standing or special committee of the council, through hearings or otherwise:

- ...
1. shall review on a regular and continuous basis the activities of the agencies of the city, including their service goals and performance and management efficiency. Each unit of appropriation in the adopted budget of the city shall be assigned to a standing committee. Each standing committee of the council shall hold at least one hearing each year relating to the activities of each of the agencies under its jurisdiction.

b. Any standing or special committee shall have power to require the attendance and examine and take testimony under oath of such persons as it may deem necessary and to require the production of books, accounts, papers and other evidence relative to the inquiry. Copies of all reports or studies received by the council pursuant to section [eleven hundred thirty-four](#) and subdivision c of section [ninety-three](#) shall be assigned to the appropriate standing committees for review and action, as necessary.”

Among the “agencies of the city” are:

- (1) the New York City Conflicts of Interest Board – which the [Committee on Standards and Ethics](#) expressly identifies as within its jurisdiction;
- (2) the New York City Department of Investigations – which the [Committee on Oversight and Investigations](#) expressly identifies as within its jurisdiction;
- (3) New York City’s five District Attorneys – which the [Committee on Public Safety](#) expressly identifies as within its jurisdiction;
- (4) the Office of the Public Advocate – presumably within the jurisdiction of the [Governmental Operations Committee](#).

[Pursuant to FOIL](#), this is to request public records reflecting “review on a regular and continuous basis” of the aforesaid four “agencies of the city” and of the yearly hearings required to be held of their “activities”, presumably including of their annual reports, since 2016 by any of the City Council’s committees.

Additionally, this is to request public records reflecting whether, as [Chapter 2, §26\(b\) of the Charter](#) allows, committee chairs and officers of the Council are being paid “allowance[s] fixed by resolution, after a hearing” – and, if so, for what “particular and additional services pertaining to the additional duties of [their] position[s]”?

Thank you.

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