



PUBLIC HEARING MEETING AGENDA

Monday, January 23, 2023 5:30pm
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

Pursuant to the Charter and Codes of the City of Poughkeepsie, Administrative Code, Section 14.04, a Common Council Public Hearing will be held on Monday, January 23, at 5:30pm and will be held in the Common Council Chambers, for the purpose of receiving comments on the proposed Local Law Adopting The City of Poughkeepsie Redistricting Plan Pursuant to Section 2.10 of The City Charter

- I.** Welcome
- II.** Roll Call
- III.** Public Participation:
- IV.** Adjournment:

**LOCAL LAW ADOPTING THE CITY OF POUGHKEEPSIE REDISTRICTING PLAN
PURSUANT TO SECTION 2.10 OF THE CITY CHARTER**

(LL-22-X)

INTRODUCED BY COUNCILMEMBER _____ :

SECTION 1. LEGISLATIVE HISTORY

The City of Poughkeepsie City Charter sets forth the process for redistricting at Sections 2.09 and 2.10. The Common Council appointed four members to the redistricting commission on April 4, 2022. Those four members then selected a fifth member to serve as the chair.

The Redistricting Commission submitted its proposed plan of redistricting on October 5, 2022. The Redistricting Commission presented its proposed plan to the Common Council on October 17, 2022. Pursuant to City Charter Section 2.10(b), the Common Council voted on November 7, 2022 to return the plan to the Redistricting Commission.

On November 15, 2022, the Redistricting Commission submitted a second map dated November 15, 2022 for the Council's consideration and the second map was discussed at the Council's meeting of November 21, 2022. After further study and review, the Council will be rejecting the Redistricting Commission's November 15, 2022 map.

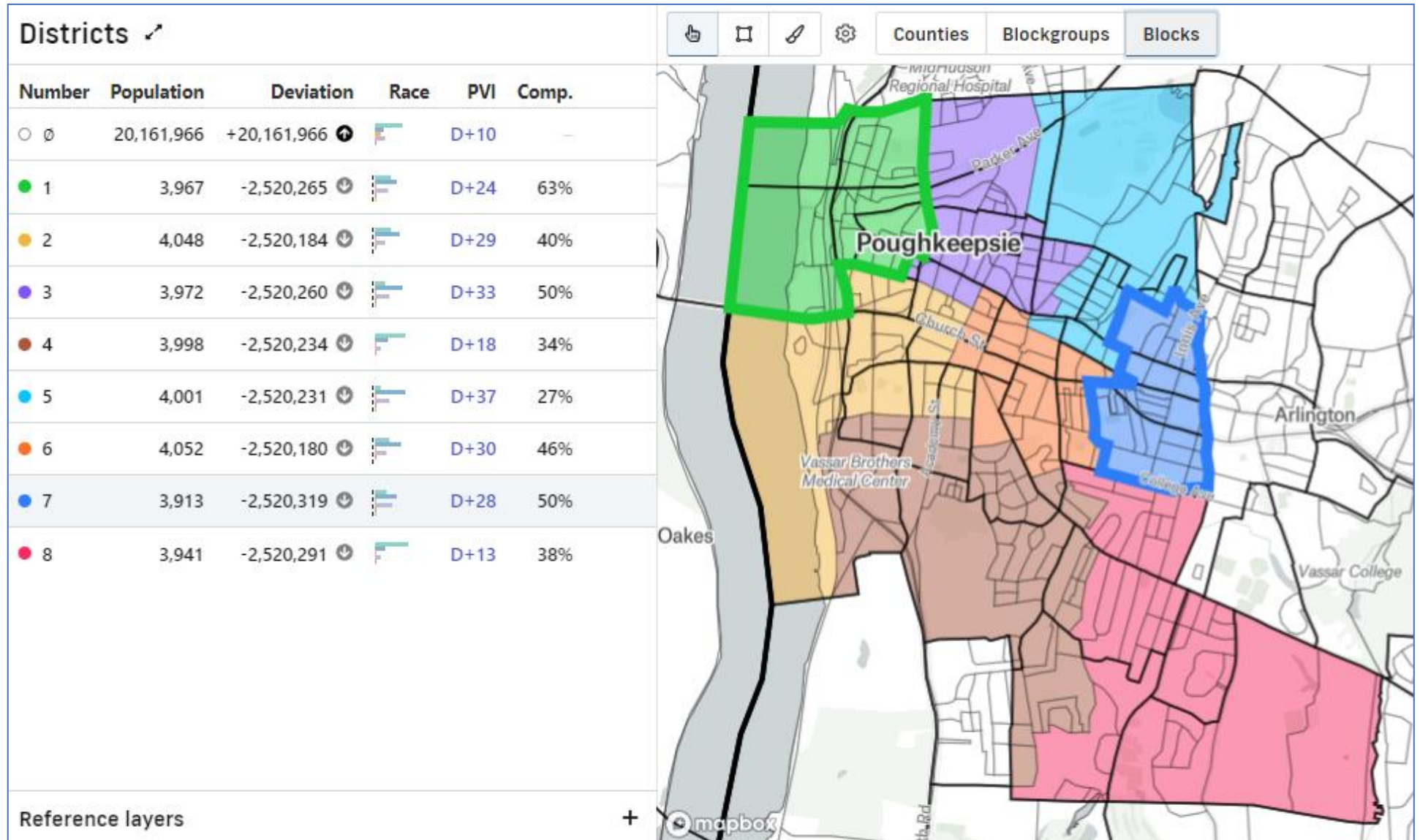
At this time, the Common Council proposes to adopt the attached "Map 1B- Last Revised November 28, 2022" which builds upon the work of the Redistricting Commission but addresses concerns discussed by the Council at the meetings of October 17, 2022 and November 21, 2022.

SECTION 2. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law adopting the City of Poughkeepsie Redistricting Plan pursuant to Section 2.10 of the City Charter and as set forth on the attached "Map 1B – Last Revised November 28, 2022."

SECTION 3. PERMISSIVE REFERENDUM. This resolution is subject to permissive referendum as required by the City and in accordance with Municipal Home Rule Law §24.

SECTION 4. EFFECTIVE DATE. This resolution shall take upon the expiration of the time period for filing a petition for permissive referendum pursuant to Municipal Home Rule Law and filing with the Secretary of State.

City of Poughkeepsie – Redistricting Map (Menist 1B, revised November 28, 2022)



Reference layers

RESOLUTION

R-22-81

INTRODUCED BY CHAIRWOMAN CHERRY:

WHEREAS, the Redistricting Commission submitted its proposed plan of redistricting to the Common Council on October 5, 2022; and The Redistricting Commission presented its proposed plan to the Common Council on October 17, 2022.

WHEREAS, the Redistricting Commission presented its proposed plan to the Common Council during the Common Council's meeting of October 17, 2022; and

WHEREAS, the Common Council has raised concerns with the proposed plans for Redistricting, particularly the need to incorporate Prisoner Adjusted Population data and compliance with Municipal Home Rule Law Section (13)(a)(i);

WHEREAS, pursuant to City Charter Section 2.10(b), the Common Council shall return the plan to the Redistricting Commission with its specific objections and those of individual council members in writing.

NOW THEREFORE,

BE IT RESOLVED, that Common Council hereby returns the proposed plan to the Redistricting Commission for further work in accordance with comments raised in the third WHEREAS clause, above, as well as with the attached specific objections as well as objections of individual council members in writing.

SECONDED BY COUNCILMEMBER _____ .

**AMENDED
RESOLUTION
(R-22-90)**

R-23-12

**RESOLUTION INTRODUCING LOCAL LAW ADOPTING THE CITY OF
POUGHKEEPSIE REDISTRICTING PLAN PURSUANT TO SECTION 2.10 OF THE
CITY CHARTER**

INTRODUCED BY COUNCILMEMBER MENIST: _____

BE IT RESOLVED that an introductory Local Law entitled, “**LOCAL LAW ADOPTING THE CITY OF POUGHKEEPSIE REDISTRICTING PLAN PURSUANT TO SECTION 2.10 OF THE CITY CHARTER**”, be and hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law to receive comment from the public on Monday, January 23, 2022 at 5:30 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER: _____

CHARTER

Section 2.08 Vacancy in Membership; Method of Filling; Term

- (a) A vacancy in the membership of the common council shall occur upon a member-elect's or appointees failure, refusal or inability to file the official oath of office or undertaking as prescribed by law; or upon the entry of a judgment of a court of competent jurisdiction declaring the most recent council election or councilmember's election to be void; or upon a member's, member-elect's or appointees conviction of a felony or of crime involving moral turpitude; or upon a member's resignation, or upon the violation of his or her oath of office, or upon his or her removal from office as provided by law, or upon his or her failure to attend three consecutive regular meetings of the common council without having been excused pursuant to its rules, or upon his or her permanent absence from the city or total inability for a period of sixty consecutive days to perform the duties of councilmember due to illness or injury, or upon the termination of his or her status as a qualified elector of the ward from which elected, or upon his or her death.
- (b) A vacancy in the membership of the common council shall be filled within thirty days after its occurrence by appointment of the common council upon the affirmative vote of a majority of its entire membership. The person selected to fill such vacancy shall assume his or her seat on the common council at its first meeting next following the taking and filing of his or her oath of office pursuant to law. He or she shall serve until the first day of January next following the first general election at which general election such vacancy shall be filled for its unexpired term.

Section 2.09 Redistricting Commission; Appointment; Terms; Vacancies; Termination

Not later than the first day of March of each calendar year ending with the digit "1", the common council, by resolution, shall appoint a redistricting commission to consist of five members, four of whom shall be appointed by the common council, who, upon the affirmative vote of not less than three such commission members, shall select a fifth member to serve as its chairperson. No member of the commission shall be employed by or hold any elected or appointed office of the city, and no more than two members shall be enrolled with the same political party. The common council shall provide a budget for the commission sufficient to support its reasonable and necessary activities, including the retention of staff and technical assistance which the city shall provide from its departments, offices and other units upon request, or which the commission may require from other sources. Members of the commission shall serve without compensation, however, other than for actual and necessary expenses within such appropriations as may be provided by the common council. No member of the commission shall be removed from office except for cause upon prior written notice and the right to public hearing. Vacancies on the commission other than in the office of chairperson shall be filled by the common council, and each such appointee shall be enrolled in the same political party as was his or her predecessor or, if his or her predecessor was not so enrolled, shall be similarly unenrolled. A vacancy in the office of chairperson shall be filled by the remaining four members of the commission in the manner hereinabove provided. The commission shall expire upon the common councils adoption of a plan of redistricting.

Section 2.10 Plans of Redistricting; Adoption

- (a) Not later than the first day of November next following its appointment, the redistricting commission shall submit a proposed plan of redistricting to the common council for its consideration of adoption by local law. Such plan shall reflect the number and geographic boundaries of the single member wards from which the subsequent membership of the common council, except as to the council chair, shall be elected. Such plan shall be based upon the

POUGHKEEPSIE CHARTER AND CODES

distribution of population throughout the city, shall be considerate of the diversity of the city's population, and shall be consistent with constitutionally and legally accepted principles of representation. In accordance therewith, it shall provide for wards consisting of contiguous territories wherein no city block shall be divided, and wherein the aggregate length of ward boundaries shall be as short as reasonably possible within the limitations herein provided for the creation of wards. In no event shall any deviation in population among wards exceed five percent of the average population for all city wards as shall appear in the most recent federal decennial census.

- (b) Not sooner than thirty days, nor later than forty days, next following the date on which the commission shall have submitted its proposed plan of redistricting as hereinabove provided, the common council shall vote to approve such plan by local law not subject to disapproval by the mayor, but subject to permissive referendum. Should the common council fail to approve such plan, it shall return it to the redistricting commission with its specific objections and those of individual members of the council stated in writing. Not later than the next following first day of February, the redistricting commission shall submit a revised proposed plan of redistricting to the common council for its consideration of adoption by local law. Such plan shall be consistent with all constitutionally and legally accepted principles of representation, including those hereinabove set forth in paragraph (a) of this section.
- (c) Not sooner than ten days, nor later than twenty days, next following the date on which the commission shall have submitted its revised proposed plan of redistricting as hereinabove provided, the common council shall vote to approve such revised plan by local law not subject to disapproval by the mayor, but subject to permissive referendum. Should the common council fail to approve such revised plan, it shall, within fifteen days next following its rejection thereof, approve a plan of redistricting consistent with all constitutionally and legally accepted principles of representation, including those hereinabove set forth in paragraph (a) of this section, which approval shall not be subject to disapproval by the mayor, but shall be subject to permissive referendum.

Section 2.11 Mandatory Councilmember Training

Each councilmember shall be required to participate in education and training related to his or her office. Each councilmember shall complete at least 8 hours of education and training by June 30th annually. The rules and procedures regarding approved sources for such mandatory training shall be set forth in the administrative code. Should any councilmember fail to complete his or her required education and training, then his or her salary shall be reduced pursuant to the rules and procedures set forth in the code.

ARTICLE III EXECUTIVE BRANCH

Section 3.01 Mayor; Election; Term; Qualifications; Compensation

There shall be a mayor, who shall be elected from the city at large at an odd-numbered year general election for a term of four years commencing the first day of January next following his or her election. The mayor shall be directly responsible to all the people of the city. At the time of his or her nomination and election, and throughout his or her term of office, the mayor shall be and remain a qualified elector of the city. The mayor shall receive such compensation as shall be fixed by the common council, with due consideration given to such recommendations as may be made by the salary review commission, but in no event shall such compensation be less than \$72,000 annually, nor shall such compensation be increased or