

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL
OPERATIONS

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March 22, 2022
Start: 10:19 a.m.
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HELD AT: Remote Hearing - virtual Room 1

B E F O R E: Sandra Ung
Chairperson

COUNCIL MEMBERS:
Gale Brewer
Shahana K. Hanif
Lincoln Restler
Lynn C. Schulman

A P P E A R A N C E S (CONTINUED)

Dawn Pinnock
DCAS Commissioner

Carmine Rivetti
DCAS Chief of Staff

Barbara Dannenberg
DCAS Deputy Commissioner of Human Capital

Jerry Torres
DCAS Deputy Commissioner of Facilities
Management

Laura Ringelheim
DCAS Deputy Commissioner of Real Estate Services

Shameka Boyer Overton
DCAS Deputy Commissioner of Administration

Adam Buchanan
DCAS Deputy Commissioner of Citywide Procurement

Anthony Fiore
DCAS Deputy Commissioner of Energy Management

Joseph Wagner
DCAS Assistant Commissioner of Construction and
Technical Services

Keith Kerman
DCAS Deputy Commissioner of Fleet Management

A P P E A R A N C E S (CONTINUED)

Richard Thom

DCAS Deputy Commissioner of Fiscal and Budget
Management

Sanford Cohen

DCAS Deputy Commissioner of Office of General
Counsel

Silvia Montalban

DCAS Chief Equity Officer of Citywide Equity and
Inclusion

Nitin Patel

DCAS Deputy Commission of Information Technology

Sylvia Hinds-Radix

Law Department Corporation Counsel

Steven Stein Cushman

Law Department First Assistant Corporate Counsel

Muriel Goode Trufant

Law Department Managing Attorney

Jennie Nagle

Law Department Deputy Chief of Administration

Michael Ryan

Board of Elections Executive Director

Vincent Ignizio

Board of Elections Deputy Executive Director

A P P E A R A N C E S (CONTINUED)

Wilma Brown Phillips
Administrative Manager at Board of Elections

Georgea Kontzamanis
Operations Manager at Board of Elections

Gerald Sullivan
Director of Finance at Board of Elections

John Castelli
OATH Deputy Commissioner for Legislative Affairs

Marisa L. Senigo
OATH Deputy Commissioner for Public Affairs and
Communications

Maria Marchiano
OATH Deputy Commissioner and Chief Clerk

Brian Connell
OATH Assistant Commissioner for Financial
Services

Felice Robertson
Chapter Chair of New York DCAS

Towaki Komatsu

Glen Bolofsky
Representing 504 Democratic Club

Lena Cohen
United Neighborhood Houses

A P P E A R A N C E S (CONTINUED)

Ahmed Butt

Asian American Federation

Chai Jindasurat

Nonprofit New York

Wennie Chin

New York Immigration Coalition

Donna Romo

Floyd Feng

Coalition of Asian-American Children and
Families

Helen Ahn

Korean Community Services of Metropolitan New
York

Sean Lally

Medical Freedom Alliance

2 UNIDENTIFIED: Good morning and welcome
3 to today's remote New York City Council Fiscal 2023
4 Preliminary Budget Hearing of the Committee on
5 Governmental Operations. At this time, would Council
6 staff please turn on their video? Please place
7 electronic devices on vibrate or silent. If you wish
8 to submit testimony you may do so at
9 testimony@council.nyc.gov. That is
10 testimony@council.nyc.gov. Thank you. Chair, we are
11 ready to begin.

12 CHAIRPERSON UNG: Thank you. [gavel]
13 Good morning everyone. Welcome to the City Council's
14 Governmental Operations Committee hearing on the
15 Fiscal 2023 Preliminary Budget. My name is Sandra
16 Ung, the Chair of this committee. Today, we will hear
17 testimony from the Department of Citywide
18 Administrative Services, the Law Department, the
19 Board of Elections, and the Office of Administrative
20 Trials and Hearings regarding their Fiscal 2022 and
21 Fiscal 2023 budgets. The agencies testifying today
22 carry out many of the most important functions that
23 keep the City running, including managing the City's
24 vehicle fleet, defending us from lawsuits, conducting
25 our elections, and collecting administrative fines.

2 As members of the Committee on Governmental
3 Operations, it is our job to work with these agencies
4 to ensure that all this critical work is done as
5 effective and as efficient as possible. In order to
6 do so, we look forward to hearing more detail
7 regarding the agency's budget and whether or not this
8 funding is being used in the best possible way. I
9 would like to thank the committee staff, Senior
10 Financial Analyst [inaudible] and the Committee
11 Counsel Christopher Murray [sp?] for their work on
12 preparing this hearing. In addition, I'd like to
13 acknowledge we've been joined by my colleagues, City
14 Council Member Hanif, City Council Member Yeger, and
15 City Council Member Brewer, and I will acknowledge
16 them, more City Council Members as they join the
17 meeting. Now, I'd like to welcome Dawn Pinnock, the
18 Commissioner of the Commissioner of the Department of
19 Citywide Administrative Services to testify before
20 this Committee. Thank you for coming, Commissioner.
21 DCAS Fiscal 2023 Preliminary Budget totals \$1.3
22 billion, including to \$270.6 million in personnel
23 services funding to support the 2,408 budgeted
24 fulltime positions. \$760.8 million, or 56 percent of
25 DCAS overall budget, is allocated for the citywide

1 heat, light, and power bill. This is the City's
2 utility bill which DCAS manages and pays for all
3 other city agencies through its Energy Management
4 position. Today, we look forward to discussing many
5 aspects of DCAS operations, including the state of
6 the citywide electric vehicle fleet, a review of its
7 Fiscal 2022 Preliminary Mayor's Management Report,
8 the Agency's work in the response to ongoing COVID-19
9 pandemic, the anticipated impact of Russian invasion
10 of Ukraine would have on heat, light, and power
11 bills, among any other important topics. I'd like to
12 ask the Committee Counsel to administer the Oath and
13 swear in the testifying representatives.

14
15 COMMITTEE COUNSEL: Thank you, Chair.

16 I'm C.J. Murray, Counsel to the Committee on
17 Governmental Operations. Before we begin testimony,
18 I want to remind everyone that you will be on mute
19 until you are called on to testify, at which point
20 you will be unmuted by the host. I will be calling
21 on panelists to testify, so please listen for your
22 names to be called. Given the time constraints of
23 today's hearing, we'll be asking members of the
24 Administration to please keep your opening statements
25 brief to allow for sufficient time for questions.

2 During the hearing, if a Council Member would like to
3 ask questions, please use the Zoom raise hand
4 function, and I will call on you in order. We will
5 be limiting Council Member questions to three
6 minutes, which includes the time it takes the
7 panelist to answer your questions. Please note that
8 for ease of this virtual hearing, there will not be a
9 second round of questioning outside of questions from
10 the Committee Chair. All hearing participants who
11 wish to submit written testimony may submit it to
12 testimony@council.nyc.gov. Before we begin testimony
13 I will administer the Oath to all representations
14 from DCAS who will be providing testimony or
15 available for questions. Please raise your right
16 hand. I will read the Oath once and then call on
17 each of you individually for a response. Do you
18 affirm to tell the truth, the whole truth and nothing
19 but the truth before this committee and to respond
20 honestly to Council Member questions? Commissioner
21 Dawn Pinnock?

22 COMMISSIONER PINNOCK: I do.

23 COMMITTEE COUNSEL: Chief of Staff
24 Carmine Rivetti? Do we have Chief of Staff Carmine
25

1 Rivetti on? Deputy Commissioner of Human Capital,
2 Barbara Dannenberg?

3 DEPUTY COMMISSIONER DANNENBERG: I do.

4 COMMITTEE COUNSEL: Deputy Commissioner
5 of Facilities Management, Jerry Torres?

6 DEPUTY COMMISSIONER TORRES: I do.

7 COMMITTEE COUNSEL: Deputy Commissioner
8 of Real Estate Services, Laura Ringelheim?

9 DEPUTY COMMISSIONER RINGELHEIM: I do.

10 COMMITTEE COUNSEL: Deputy Commissioner
11 of Administration Shameka Boyer Overton?

12 DEPUTY COMMISSIONER OVERTON: I do.

13 COMMITTEE COUNSEL: Deputy Commissioner
14 of Citywide Procurement, Adam Buchanan?

15 DEPUTY COMMISSIONER BUCHANAN: I do.

16 COMMITTEE COUNSEL: Deputy Commissioner
17 of Energy Management, Anthony Fiore?

18 DEPUTY COMMISSIONER FIORE: Good morning.
19 I do.

20 COMMITTEE COUNSEL: Assistant Commissioner
21 of Construction and Technical Services, Joseph
22 Wagner? Mr. Wagner, you may need to accept our
23 request to unmute you. We can come back if Mr.
24 Wagner-- he gets to answer our question.
25

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2 ASSISTANT COMMISSIONER WAGNER: Good
3 morning.

4 COMMITTEE COUNSEL: Great. Commissioner
5 Wagner?

6 ASSISTANT COMMISSIONER WAGNER: Yes, I'm
7 here.

8 COMMITTEE COUNSEL: Great. Thank you.
9 Deputy Commissioner of Fleet Management, Keith
10 Kerman?

11 DEPUTY COMMISSIONER KERMAN: Yes.

12 COMMITTEE COUNSEL: Deputy Commissioner
13 of Fiscal and Budget Management Richard Thom?

14 DEPUTY COMMISSIONER THOM: I do. I will.

15 COMMITTEE COUNSEL: Deputy Commissioner
16 of the Office of General Counsel, Sanford Cohen?

17 DEPUTY COMMISSIONER COHEN: I do.

18 COMMITTEE COUNSEL: Chief Equity Officer
19 of Citywide Equity and Inclusion, Silvia Montalban?

20 CHIEF EQUITY OFFICER MONTALBAN: I do.

21 COMMITTEE COUNSEL: Deputy Commissioner of
22 IT, Nitin Patel?

23 DEPUTY COMMISSIONER PATEL: I do.

24 COMMITTEE COUNSEL: Thank you.

25 Commissioner Pinnock, you may begin your testimony.

2 COMMISSIONER PINNOCK: Thank you and Good
3 morning. Good morning, Chair Ung and other members
4 of the Committee on Governmental Operations. I'm Dawn
5 Pinnock and I proudly serve as the Commissioner of
6 the Department of Citywide Administrative Services,
7 more commonly known as DCAS. This morning I am
8 joined by members of the DCAS leadership team. At
9 DCAS, our mission is to make city government work for
10 all New Yorkers. We approach our work with a
11 commitment to our three core values: equity,
12 effectiveness, and sustainability. When we talk
13 about equity, we mean providing services that help
14 city government uplift and empower all New Yorkers.
15 Our commitment to effectiveness means ensuring that
16 city government agencies have the resources and
17 support needed to succeed. Our dedication to
18 sustainability means delivering city government
19 services in a way that protects the health of our
20 planet for future generations. DCAS is unique
21 amongst city agencies because we touch all aspects of
22 city government and provide services to every other
23 city agency. When a city agency has a job to do, it
24 counts on DCAS. I'm extremely proud of how the DCAS
25 team continues to rise to the challenge of helping

2 every agency meet its mission. As I mentioned,
3 sustainability is one of our agency's three core
4 values. Our commitment to sustainability is
5 important because DCAS oversees the reduction of
6 greenhouse gas emissions across all city property.
7 As part of this work, in December 2022, DCAS
8 published the Local Law 97 Implementation Action Plan
9 which provides a roadmap for reducing annual
10 emissions from government operations by 40 percent by
11 2025 and 50 percent by 2030. Guided by the Action
12 Plan, DCAS continues to partner with all city
13 agencies to implement projects to reduce greenhouse
14 gas emissions as much as possible, as quickly as
15 possible. Another key initiative I mentioned is the
16 city's transition to an all-electric vehicle fleet by
17 2035. DCAS received \$25 million in our expense
18 budget in Fiscal Year 2022 to purchase nearly 1,000
19 electric vehicle in the current fiscal year. These
20 are all on order now. We also received capital
21 funding of over \$69 million allocated across Fiscal
22 Years 22 and 23 to advance fleet electrification.
23 This program includes the purchase of 346 all-
24 electric cargo vans to replace gas and diesel units
25 citywide, 275 additional fast electric vehicle

1 chargers, 69 additional solar charging carports, 120
2 mobile charging stations, and retrofitting 125 city
3 fleet trucks to run on electric. DCAS completed our
4 first 100 electric vehicle fast chargers in December,
5 and as we ramp up the replacement of fossil fuel
6 vehicles with electric vehicles, having the charging
7 infrastructure in place to support the fleet will be
8 crucial. We are aggressively laying out the
9 foundation for the charging infrastructure needed to
10 sustain our current electric vehicle fleet and
11 electric vehicle fleet of the future. We appreciate
12 your continued support for this work. Next up, I'd
13 like to quickly explain and provide an overview of
14 our budget. It's important to understand that the
15 majority of DCAS's expenses cover utility costs for
16 city agencies. Currently, out of our 1.4 billion
17 budget for Fiscal Year 2023, \$760 million is budgeted
18 for heat, light, and power. These are fixed costs
19 based on forecasted energy usage and utility rates.
20 The good news is that DCAS is working every day with
21 agencies through multiple programs to reduce energy
22 use. The City has avoided more than \$90 million in
23 energy costs through the work performed to-date that
24 started in Fiscal Year 2014. The second largest
25

1 expense is the salaries of our 2,400 employees.

2 DCAS's work spans an array of different

3 responsibilities so we employ everyone from

4 carpenters to procurement professionals to architects

5 and everyone in between. In addition to these

6 expenses, DCAS is tasked multiple duties to ensure

7 the safety of the city employees and members of the

8 public who use our building. This includes clearing

9 snow, performing maintenance, addressing fire safety,

10 and providing custodial services. Our agency

11 received expense funds in Fiscal Years 22 and 23 for

12 life and safety initiative. The funding includes

13 \$17.6 million for façade projects in Fiscal Years 22

14 and 23, roof and interior repairs at \$9 million in

15 the current Fiscal Year, and repair of the rotunda at

16 52 Chambers Street which is projected to cost \$2

17 million over two fiscal years. That is how we use

18 our budget in a nutshell. The budget for the

19 upcoming Fiscal Year also includes new targets for

20 cost savings and revenue generation. DCAS, like every

21 other city agency, has identified budget reduction

22 initiative to help eliminate the budget gap caused by

23 the COVID-19 pandemic. These initiatives include the

24 elimination of 140 vacant positions. This headcount

1 reduction is projected to save \$9.7 million. DCAS
2 will implement and manage this reduction to have the
3 least possible impact, and to allow us to continue to
4 deliver high-quality services to our sister agencies
5 and the public. OTPS savings totaling \$800,000
6 dollars starting next fiscal year, year reductions in
7 purchasing supplies of contractual services. And
8 increased revenue from the sale of used fleet
9 vehicles, we project an additional one million in
10 proceeds for [inaudible] this Fiscal Year due to the
11 high market value of used vehicles. In terms of
12 generating revenue, the Fiscal Year 23 revenue budget
13 is \$53.3 million, primarily due to three areas. Our
14 projected \$33.6 million in private rentals of city-
15 owned properties, DCAS's largest source of recurring
16 revenue, \$7.9 million, the sale of surplus vehicles,
17 and other city-owned equipment, and \$3.8 million from
18 applicant filing fees or civil service exams. For
19 our Capital Plan, the Preliminary Budget reflects an
20 updated four-year plan of \$2.5 billion from fiscal
21 years 23 through 26. This plan includes maintenance
22 and enhancement to DCAS facilities, renovation of
23 lease spaces, and continuing our energy conservation
24 work. The Preliminary Budget for Fiscal Year 23 is
25

1
2 \$489 million and it will allow us to address two core
3 areas: DCAS' Capital Construction Program for city-
4 owned offices, and court buildings totals \$226.5
5 million in Fiscal Year 23. While this includes the
6 routine operations and maintenance of our building,
7 it's also part of a broader focus in helping agents
8 more efficiently use office space in our municipal
9 building. And the Capital Plan for Fiscal Year 23
10 includes \$206 million for energy conservation and
11 green energy projects. This includes lighting
12 retrofit, HVAC upgrades, steam distribution
13 improvement, and a variety of other clean energy
14 projects. In conclusion, I'd like to thank the
15 Council for their partnership and for providing us
16 the opportunity to testify today. I'm looking
17 forward to working each of you in my role as
18 Commissioner, and I would be happy to answer any
19 questions. Thank you.

20 COMMITTEE COUNSEL: Thank you. Next
21 we'll hear questions from Chair Ung. Chair, please
22 begin.

23 CHAIRPERSON UNG: Thank you,
24 Commissioner, for joining us today. DCAS current
25 year's budget approximately \$191 million higher than

2 Fiscal 2022 Adopted Budget, partly due to increases
3 in the federal funding to cover the costs associated
4 with COVID-19. Can you provide the Committee with
5 information what the current stockpile of COVID-19
6 equipment like masks, test kits that the City
7 currently has?

8 COMMISSIONER PINNOCK: Thank you for the
9 question. So, in terms of the current medical
10 stockpile, when we were creating that during the
11 height of the pandemic, the spend was approximately
12 \$400 million which contributed to necessary medical-
13 grade personal protective equipment, vents, and other
14 medical supplies. Where we currently stand between
15 the medical stockpile and inventory in-house at our
16 Middle Village [sic] location in Queens is
17 approximately 20-- excuse me, \$95 million that's left
18 on-hand. And so I will at this time turn it over to
19 provide more specifics as it relates to the medical
20 stockpile to our Acting Deputy Commissioner for
21 Procurement, Adam Buchanan.

22 DEPUTY COMMISSIONER BUCHANAN: Thank you,
23 Commissioner Pinnock, and thank you Chair Ung for the
24 question. So, it's important to note that DCAS
25 doesn't actually manage the medical stockpile.

2 That's managed by the contract for the medical
3 stockpile itself is held by the New York City
4 Emergency Management, NYCEM, and they monitor the
5 levels at the stockpile in conjunction with DOHMH and
6 Health + Hospitals Corporation. So, as Commissioner
7 Pinnock mentioned, we originally did approximately
8 \$400 million dollars' worth of procurements for the
9 medical stockpile. That included various PPE, masks,
10 gowns, face shields, gloves. We also procured
11 ventilators for the stockpile, lots of hand
12 sanitizer, and so in terms of specific questions
13 regarding the medical stockpile, those should be
14 directed to NYCEM and to DOHMH. Just a slight
15 clarification on-- so NYCEM will be able to tell you
16 exactly what's on hand at the medical stockpile.
17 They usually look to have between 30 and 90-day
18 supply at the highest burn rate that happened during
19 COVID-19, which would have been around April/May of
20 2020. DCAS itself, which we run the City central
21 storehouse, and we also run-- we have contracted for
22 a second location. We have approximately \$95 million
23 dollars' worth of items on-hand. Those items are
24 strictly for City personnel to support City
25 operations totally separate and apart from the

1 medical stockpile. We have things, similar items,
2 protective apparel, lots of hand sanitizer, masks,
3 and we currently have-- we have distributed
4 approximately 440,000 rapid test kits, and we have
5 approximately 760,000 rapid test kits on-hand. So, I
6 think we are, you know, well-positioned moving
7 forward to handle any spikes due to any variants that
8 may come along. You know, we've-- had to learn to
9 expect the unexpected.
10

11 CHAIRPERSON UNG: Thank you. That is
12 good to know. Hope there'll be no future spikes, but
13 you never know. But DCAS 2023 citywide heat, light,
14 and power budget, that totals \$760.8 million. Right
15 now, I think we all know the Russian invasion in
16 Ukraine has sent the global energy prices
17 skyrocketing. Is there any analysis on how this
18 impact will have on the citywide heat and light power
19 budget for the current and the following year?

20 COMMISSIONER PINNOCK: Thank you very
21 much for the question. And so we are currently in
22 the process of conducting that analysis, because we
23 do expect to see price escalation, because while we
24 can certainly control energy use across citywide
25 operations, there are other costs associated with our

1 commodities that we can't control. We can't control
2 the delivery costs. We can't control certain
3 escalations in price, and so we are expecting that.
4 And we can certainly circle back to the Committee
5 once our analysis has been complete, but we do expect
6 to have price escalation.
7

8 CHAIRPERSON UNG: Great. Thank you. Do
9 you know when that will be done, the budget for it?

10 COMMISSIONER PINNOCK: And so I will ask
11 our Chief Financial Officer Rich Thom to provide
12 greater clarification. Rich?

13 DEPUTY COMMISSIONER THOM: Yes, hi. Good
14 morning, Commissioner. Thank you. Good morning
15 Chair Ung. We are now working on the analysis based
16 upon more bills that have come in in February to see
17 what the prices are, and we will do the projection to
18 see where we end up landing this current Fiscal Year
19 and also for the next Fiscal Year, too.

20 CHAIRPERSON UNG: Great. I just-- is
21 there like a time estimate of what that projection
22 will be done?

23 DEPUTY COMMISSIONER THOM: We will have a
24 projection by, I would say, the first week of April,
25 I would say.

2 CHAIRPERSON UNG: Okay, so that's quite
3 soon, okay. Thank you. I'm just looking around to
4 see does any of my colleagues have any questions. I
5 also want to say I'm joined, I believe, with my
6 colleagues City Council Member Ariola and Schulman,
7 and Restler. So, okay. If none of my questions have
8 more questions, I'll just continue with mine. DCAS
9 miscellaneous revenue streams have steadily declined
10 from \$79.6 million in 2018 to \$53.3 million that's
11 budgeted for the Fiscal 2023 budget, and the primary
12 cause of decrease is decline in commercial rent
13 revenue. Can you provide information to why the
14 commercial rent has declined since 2018?

15 COMMISSIONER PINNOCK: I will turn that
16 question over to Laura Ringelheim who serves as our
17 head of the Real Estate Service Division.

18 DEPUTY COMMISSIONER RINGELHEIM: Morning,
19 Chair Ung and Council Members. So, that-- the
20 revenue that we generate from leasing depends on a
21 number of factors, but mostly including leases that
22 expire. So that number usually rises and falls each
23 year, and I would refer the question to our Deputy
24 Commissioner Thom. I believe it's the Grand Hyatt
25 lease which the City will no longer be getting

2 revenue from that lease. That was the major lease
3 change, although we do have about 400 leases, so a
4 variety of them will come and go. Sometimes, you
5 know, it's going to go up if we add new ones, but
6 this was a big difference from previous fiscal years
7 because of that revenue loss.

8 DEPUTY COMMISSIONER THOM: Yeah, so it
9 was converted from a rental payment to pilot payments
10 starting in FY21. So that was the big reason for
11 that drop.

12 CHAIRPERSON UNG: So, do you anticipate
13 that the rent revenue projections will continue to
14 decline in the next couple of fiscal years?

15 DEPUTY COMMISSIONER RINGELHEIM: I don't
16 think it will continue to decline at that rate. That
17 was a big fall. So where a pilot being that DCAS
18 would have the revenue come directly to it, and that
19 would go to the general fund pilot. It's no longer
20 coming to DCAS. So there's still a tax rate that the
21 City's getting on that property. However, we don't
22 see any major leases that are expiring, our less of
23 revenue, in the near future. You know, some of the
24 properties that you see that might fluctuate would be
25 situations where the property is in litigation, and

1 we're trying to work out what the rent would be with
2 that particular tenant, and when those are resolved
3 we'll be entitled to back rent, but at this time that
4 may account for some of those fluctuations.
5

6 CHAIRPERSON UNG: Thank you. Let's see
7 if any other Council Members have any other
8 questions. So I will continue on. The Department
9 will generate a savings of \$23.4 million across
10 Fiscal 2022 and 23 through the reductions of 140
11 vacant positions across the agency. That generates a
12 savings of \$6.7 million Fiscal 2022 and \$9.7 million
13 in Fiscal 2023. Can you provide information of which
14 of the department divisions have the most vacancy
15 reduction as far as the savings initiative?

16 COMMISSIONER PINNOCK: So, thank you so
17 much for the question. As you can imagine, we are a
18 citywide service deliverer. Losing 140 vacancies and
19 it's a big-- I'm sorry, my lights just shut off. The
20 energy conservation at its best here. So, thank you.
21 Lights just came back on, alright. So, using 140
22 vacancies, 140 vacant positions is significant. And
23 so as mentioned, it amounts to a savings of \$9.7
24 million in Fiscal Year 23. What we decided to do
25 given the fact that all of areas provide citywide

1 service, we decided to take a really thoughtful look
2 across the entire organization. So we looked at age
3 [sic] vacancies by every service area. We also
4 looked at opportunities for automation,
5 consolidation, and then as a result, we came up with
6 a cross-section of vacancies to contribute to the
7 reduction. So, our list of vacant positions, it
8 includes some managerial positions, some clerical
9 titles, but when you look at the full number and
10 break that down, the largest number of vacancies came
11 from our facilities management service area, because
12 that particular group serves as over half of the
13 organization's headcount. So, but there was a cross-
14 section of vacancies taken from all of our service
15 areas.
16

17 CHAIRPERSON UNG: Thank you. And will
18 this have any impact on the facilities management?

19 COMMISSIONER PINNOCK: So, certainly in
20 the short term we don't foresee there being any
21 impact to core services, and that is the reason why
22 we decided to look across the Agency and to identify
23 opportunities for consolidation and streamlining. And
24 if we do encounter any issues relating to our
25

1 provision of services, we will certainly work
2 directly with OMB to address any shortfalls there.

3
4 CHAIRPERSON UNG: Thank you. And did OMB
5 have any discussion with you about further savings to
6 be imposed on the Executive Budget?

7 COMMISSIONER PINNOCK: As it stands right
8 now, those conversations have really been
9 preliminary. Our reductions that were submitted were
10 fully approved by OMB, and so we did agree to
11 continue to work together very closely to backfill
12 those vacancies that we do still have, and then
13 circle back in the event that we have any concerns
14 about service shortfalls.

15 CHAIRPERSON UNG: Thank you. I have a
16 few more questions, but I see my other colleagues
17 have questions. I'm going to let them go first.

18 COUNCIL MEMBER RESTLER: Thank you so
19 much, Chair Ung, it is good to be with you always.
20 I'm really happy that you're chairing our Government
21 Operations Committee, and it's wonderful to be with
22 the DCAS team. I want to formally congratulate my
23 friend Dawn Pinnock on being the Commissioner. Dawn
24 is one of the, like, superstars in city government.
25 So it's great to see you not just in the Acting role,

1 but in the permanent role. It was a really wise
2 choice by the Mayor and he deserves a great deal of
3 credit. I want to just say hello to many friends at
4 DCAS. I see Laura. I see Sandy [sic], Keith, many
5 people who I have a lot of respect for many, many
6 years. So, it's fun to get the whole DCAS team in
7 one place. Just a few questions I'd love to ask.
8 I'll start with our fleet wizard, Keith, if it's
9 okay. I recall the outgoing Mayor made a commitment
10 to a fully electric fleet by 2030. Are we on pace
11 for that? Can we move any faster? And secondly, why
12 can't we just eliminate all SUVs from the fleet,
13 period?
14

15 DEPUTY COMMISSIONER KERMAN: Okay, so
16 first, so the commitment was to go to-- for all
17 light-duty vehicles by 2030 to electric, and we're
18 moving fast towards that. We currently operate the
19 largest electric fleet in New York City with 3,100
20 total plug-in vehicles. We do have the largest order
21 of electric vehicles we've ever made, 1,300 vehicles
22 that we're-- 1,350 actually in Fiscal Year 22. One
23 of the big pieces of that, and that goes to your
24 second question as well, we are introducing nearly
25 200 Ford Mach-E Mustangs, actually a crossover

1 vehicle, not an SUV, into law enforcement. So, you
2 know, our biggest fleet of any type is policing and
3 law enforcement, and that's where most of the SUVs
4 are, right? So, you know, we are implementing the
5 hybrid interceptor. It is a hybrid SUV. So that is
6 a really big transition for us, and we're hoping to
7 see those vehicles very soon, and we need to make
8 sure they work for the Police Department. They have
9 to go through a lot vetting, a lot of testing, lights
10 and sirens. There's a lot of technical and
11 operational work, but that would be a huge
12 transformation for us, and that would get to the
13 majority of your second question. So, making a lot
14 of progress on electric fleet. It's light-duty 2030,
15 light-duty and medium and non-emergency trucks by
16 2035, and then an extra five years to deal with what
17 will be the most difficult, right, the fire trucks,
18 the specialized emergency services units, some of
19 these specialized units like snow melters [sic], and
20 we have a lot of interesting stuff.

21
22 COUNCIL MEMBER RESTLER: [interposing]

23 And--

24 DEPUTY COMMISSIONER KERMAN: [interposing]

25 And then on the SUVs, again, NYPD, if we can get this

1 electric vehicle program, which is really a
2 crossover, that takes care of about 60/70 percent of
3 the SUVs. Then we are working in solutions, but you
4 know, Sanitation has-- a big piece of the rest of the
5 SUVs are Sanitation response, and that is tricky
6 because they do need the 4x4 functionality in the
7 winter storms. So we are going to hybrid electric
8 there, but that's-- that's one of the challenges--

10 SERGEANT AT ARMS: [interposing] Time
11 expired.

12 DEPUTY COMMISSIONER KERMAN: [inaudible]
13 operational needs.

14 COUNCIL MEMBER RESTLER: Even Bill de
15 Blasio switched out from an SUV to a minivan. We
16 should be able to do it across the board, and these
17 are gas-guzzlers at a time when we just can't afford
18 to have them, and I appreciate all of the very good
19 and creative work you're doing, but we need to shrink
20 the fleet. And I know you're focused on it, and I'm
21 impressed always every time I hear from you about
22 everything that you're doing to make that happen, but
23 all of the growth that we saw during the fleet in the
24 de Blasio Administration, we need to see it reduced
25 twice as fast in the Adams' Administration. And I'm

1 going to push with everything I can on the Council
2 side. We want to be a creative partner in helping
3 and advocating for whatever solutions we can. I
4 realize that for some of our uniformed agencies these
5 are harder solutions, but we have non-uniform
6 agencies that are using SUVs as well, and there's
7 just no reason. And I'm excited to hear about the
8 pilot that you're pursuing. The Mach-E sounds
9 interesting. Anything we can do to help on the
10 Council side, please let us know, because it's just
11 of utmost importance and there's no excuse in my
12 opinion for the proliferation of SUVs that we have
13 from City agencies, and really appreciate your
14 leadership in trying to make that-- to reverse that.
15 I'll defer back to the Chair, but I'll jump back in
16 whenever you let me, in case you wanted to-- if you
17 had more questions, Chair.

19 CHAIRPERSON UNG: I do actually have a
20 follow up question on the SUV. Just to clarify, how
21 many SUVs are in the fleet today?

22 DEPUTY COMMISSIONER KERMAN: There are--
23 I don't want to guess the number, so I'm going to
24 check on that number for you. The majority of our
25 SUVs are in policing and in-- then over at

1 Sanitation. Let me-- and I can get you the exact
2 number in just one second. One of the benefits of
3 doing it online is you can look something up. So
4 there are 4,385 total SUVs in the fleet, 2,859 of
5 those are at the Police Department. Then, 555 at
6 Sanitation. So, those are the numbers, and we have
7 been reducing. We did 100 vehicle reduction in the
8 last year of SUVs. So we are trying to reduce them,
9 and again, you know, we need a solution to really get
10 to the SUVs and scale. We need that Police
11 Department program to work, and that's launching as
12 we speak. So that ultimately-- NYPD is the majority
13 of these SUVs. We have a plan to switch that vehicle
14 to all electric and smaller vehicle, and that's
15 launching now.

17 CHAIRPERSON UNG: Okay, thank you. I
18 believe that Council Member Restler has another
19 question regarding-- probably regarding this.

20 COUNCIL MEMBER RESTLER: That's okay. I
21 actually was hoping to ask Commissioner Pinnock and
22 the team about renewable energy and I recall there
23 was again a kind of big Executive Order and
24 commitment to get us 100 percent renewable energy in
25 our city operations. What's the time line in your

1 understanding to achieve those goals, firstly, and
2 then secondly, Local Law 97 compliance? And I know
3 that for our old city building this is no easy thing
4 to accomplish. How can we help DCAS and support your
5 efforts to comply with Local Law 97 and reach our
6 energy production goals as in City buildings as
7 quickly as possible?
8

9 COMMISSIONER PINNOCK: Thank you so much
10 for that question, Councilman Restler.
11 Congratulations to you as well.

12 COUNCIL MEMBER RESTLER: Thank you.

13 COMMISSIONER PINNOCK: And so I will
14 start off talking a bit about the importance of
15 compliance with Local Law 97, and then I'll turn it
16 over to our Chief [inaudible] Officer Anthony Fiore.
17 So, as you know, in support of Local Law 97 we came
18 up with a very comprehensive implementation plan
19 which really sets out a road map of all city
20 agencies. We are for the first time in the City's
21 history, we've attached carbon emission reduction
22 goals by agency, and so most notably the two
23 overarching mandates would be tied into a 40 percent
24 reduction, you know, in our carbon emissions as a
25 city by 2025 and 50 percent by 2030. So, under

2 Anthony's leadership we've taken a multipronged
3 approach. In addition to signing a contract they
4 really support that well and through the [inaudible]
5 100 percent renewable energy. So I will turn that
6 over to Anthony to walk you through our process and
7 how you can help.

8 COUNCIL MEMBER RESTLER: Thank you.

9 COMMISSIONER PINNOCK: Thank you.

10 DEPUTY COMMISSIONER FIORE: Thanks--

11 COUNCIL MEMBER RESTLER: [interposing]
12 [inaudible] help her.

13 DEPUTY COMMISSIONER FIORE: Thank you,
14 Commissioner. Thank you, Council Member, for the
15 question. Thank you, Chair, and the rest on the
16 committee. Appreciate you all and the work that you
17 do. I just want to start by saying DCAS really takes
18 a comprehensive and holistic approach to energy
19 management. We offer eight major types of support
20 including data analysis, technical guidance,
21 strategic planning, energy management, professional
22 support, training outreach and education, contracting
23 support, enhanced O&M [sic] practices, and then
24 investments in energy efficiency technologies,
25 including emerging technologies, and clean energy

1 generation. To your question on the supply, as
2 Commissioner Pinnock mentioned, we did sign a
3 contract with the state to purchase enough renewable
4 energy to meet 100 percent of our consumption of
5 electric. That contract has been signed. It has
6 been registered. We expect the commercial operation
7 date or the first project to supply that energy to
8 start by the end of 2025. With regard to efficiency
9 and buildings, you hit the nail on the head. You
10 know, two-thirds of our emissions come from
11 buildings--
12 buildings--

13 SERGEANT AT ARMS: [interposing] Time
14 expired.

15 DEPUTY COMMISSIONER FIORE: If you'd like
16 I can continue, or? Okay. Two-thirds of our
17 emissions come from buildings. Ninety percent of
18 buildings that exist today will be here in 2050, so
19 that's where the primary work has to occur. We did
20 produce an implementation action plan that not only
21 looked at the mandates of Local Law 97, but tried to
22 weave together other commitments the City has made
23 including the 100 percent renewable energy, the 100
24 [inaudible] blocks [sic] of solar, 20 percent
25 reduction in energy consumption among other

1 commitments. The plan really considered policy
2 compliance with practical and technical feasibility
3 as well as cost, and it focused on buildings, but it
4 also looked government-wide, so at other sectors like
5 fleet and energy supply. What we did is we broke all
6 the buildings down into typologies. We identified
7 emission reduction opportunities that could be
8 applied for those typologies, and then we determined
9 the amount of emission reductions required for
10 buildings after taking consideration actions in those
11 other sectors. And then we applied these to each
12 agency's portfolio, and from the first time ever have
13 come up with agency-specific emission-reduction
14 opportunities. So that agency heads have a clearer
15 transparency and expectation of what's required from
16 their agencies. The report also recommended a number
17 of implementation support initiatives. Five key
18 areas: accountability infrastructure, human capital,
19 project implementation support, integrated capital
20 planning, and optimized building operations. So, I'm
21 talking through this fast. I'm happy to answer any
22 follow-up questions, but I also offer that this
23 implementation action plan is posted on our website,
24 and I think as far as how Council can help us.
25

2 Taking a look at that, and if you have any thoughts
3 or ideas, we would love to sit down with you and
4 discuss those in further detail.

5 COUNCIL MEMBER RESTLER: And maybe shame
6 some of the agencies that aren't cooperating.

7 DEPUTY COMMISSIONER FIORE: Yes. Yes.

8 COUNCIL MEMBER RESTLER: Or nicely
9 encourage them to do what they're supposed to do, one
10 or the other, but that--

11 DEPUTY COMMISSIONER FIORE: [interposing]
12 Yeah, and not all agency is created equal, right? So
13 and I'm happy to discuss that in detail whenever you
14 like.

15 COUNCIL MEMBER RESTLER: We would love--
16 I'd love to work with you on that. So I'll take a
17 look at that report and definitely be in touch with
18 you. Thank you, Chair Ung, for the extended time.

19 COMMITTEE COUNSEL: Chair, I believe
20 you're on mute.

21 CHAIRPERSON UNG: Oh, I'm sorry,
22 apologies. I just meant-- I am good with DCAS. Thank
23 you. I-- yes. I am done with all my questions.
24
25

2 COMMISSIONER PINNOCK: Thank you so much
3 for the opportunity to testify before you today. We
4 look forward to working with you and the committee.

5 COMMITTEE COUNSEL: Chair, I see Council
6 Member Restler has his hand raised. Council Member
7 Restler?

8 COUNCIL MEMBER RESTLER: Thank you. Just
9 very briefly. I'm sorry, Chair Ung. I just wanted
10 to ask about a topic that I know Commissioner
11 Pinnock, you have a lot of experience in and Deputy
12 Commissioner Dannenberg as well. Sexual harassment
13 in New York City, and could you speak to how-- the
14 work that DCAS is doing to convene HR professionals
15 around the City and how we're ensuring really-- how
16 we're doing our best to encourage positive workplace
17 climates and ensuring accountability and oversight
18 and proper and thorough investigations when there are
19 issues that of course will occur in a 400,000-person
20 workforce, to make sure that New York City workers
21 are protected.

22 COMMISSIONER PINNOCK: Thank you so much
23 for that question. So we've really taken a
24 multipronged approach. So, in addition to developing
25 a computer-based training for sexual harassment

1 prevention that is required for all city employees.
2 Every year after we finish a training cycle, we go
3 back and we enhance that training. So, recently--
4 we're in cycle four now of the training, and so we've
5 beefed up areas relating to the role of an upstander
6 [sic] and a bystander. We've given more directives
7 and direction to managers. We've also added other
8 components around reporting. Really all the goal of
9 making the process around sexual harassment complaint
10 reporting even more transparent. So every year we
11 really take pride in being better. To-date, we've
12 trained close to 100,000 employees in terms of sexual
13 harassment. Our cycle ends at the end of September.
14 So we are well on our way to having all employees
15 trained and to be fully complaint with the Local Law.
16 in addition to that, we do have a team of
17 investigations and compliance professionals, and even
18 throughout the height of the pandemic we continue to
19 fully investigate any sexual harassment complaints
20 that were reaching the highest levels of every city
21 organization, and so that team continues to work with
22 agency heads, in some cases City Hall to best advise
23 them and provide them with recommendations on how to
24 remedy issues that we're seeing. In addition, we
25

1 beefed up our reporting in our database which, you
2 know, we're actually working to try to enhance now.
3 Really, going through all of that data with all of
4 EEO professionals so they can understand what trends
5 we're seeing and then having conversations about how
6 to once again improve behaviors in the work place,
7 because in some cases things may not rise to a
8 complaint, but certainly if there are concerns about
9 how people are talking to each other, how people are
10 engaging and meeting publicly, privately. We want to
11 make sure that we're providing agencies with that
12 information. And then lastly, what we continue to do
13 is meet with our HR and EEO professionals, in some
14 cases, because during the pandemic we were meeting
15 weekly to talk about different policies and changes,
16 but also to have them understand the overlaps between
17 their jobs and the connections that they have to
18 improving workplace culture. So we are extremely
19 proud of the work that we've been doing, and
20 certainly we're open to figuring out how we can best
21 improve the work going forward. So thank you for the
22 question.
23
24
25

2 COUNCIL MEMBER RESTLER: Thank you for
3 your response, and I'm sorry Chair Ung, I promise to
4 be less annoying the rest of the day. Thank you.

5 CHAIRPERSON UNG: Thank you. I believe
6 Councilwoman Brewer has a question, too.

7 COUNCIL MEMBER BREWER: Thank you very
8 much, Madam Chair. I'm at another meeting, so I hope
9 I'm not asking what has already been asked. First of
10 all, thank you Carmine. Thank you, Keith. These are
11 people I've known for 30 years, and I have great
12 respect for them and I thank them, and if you haven't
13 been there for 30 years, I apologize. I'm not
14 saying-- good things about you, but I've been around
15 40 or 50 years. My question is, and Carmine knows
16 this, is about food purchase. You know, I'm big on
17 local food purchase. I think you do seniors to a
18 certain extent, certainly Correction, HRA, and I have
19 to work on the other agencies. So, this has been
20 something that I've been working on for many years.
21 But how do we get more local purchase? How do we
22 purchase the onions from New York State, the apples,
23 the-- and on a regular basis? The state under
24 Commissioner Ball [sic] who's head of Agriculture has
25 been doing this for a while. So I'm-- we have a

1 report that you're supposed to put out on a regular
2 basis. It's not quite up to date. So, I just was
3 wondering if I could hear a little bit about local
4 food purchase from the state farms in New York. And
5 thank you.

6
7 COMMISSIONER PINNOCK: Thank you so much,
8 Council Member Brewer. I'll turn it over to our
9 Acting Deputy Commissioner for Procurement Adam
10 Buchanan to talk about how we try to purchase more
11 locally.

12 COUNCIL MEMBER BREWER: It's the law, just
13 in case, you know. At least best effort. I wish I
14 could mandate it. Go ahead.

15 DEPUTY COMMISSIONER BUCHANAN: So, thank
16 you for the question Council Member Brewer. I'm
17 going to have to get used to calling you Council
18 Member and now Borough President Brewer--

19 COUNCIL MEMBER BREWER: [interposing] You
20 can call me Gale. Gale is fine. Go ahead.

21 DEPUTY COMMISSIONER BUCHANAN: So, you
22 know, before the pandemic I thought we had what was a
23 really productive meeting with your office regarding
24 this issue, and I'm really happy to report that, you
25 know, in FY21 we were at 11 percent of our food

1 purchases from New York vendors, and already just in
2 the first two quarters of FY22 we're up to 33
3 percent. So we have started to mandated. As you well
4 know, there are a couple different ways that we can
5 incentivize procurement from New York producers. You
6 have the 10 percent price preference which we've
7 implemented in all of our food procurements. That
8 doesn't always get the New York producers over the
9 finish line. But what we also did, and thanks in
10 large part to your guidance and your advocacy in this
11 area, is we took a look at our portfolio and we saw
12 that we could also just start mandating things to
13 come from New York State. So we've looked through
14 our entire food portfolio and we've determined where
15 we're not even going to accept any bids from any
16 vendors who are outside of New York State. So, you
17 know, I'm happy to say that in a couple different
18 areas we have processed fresh and frozen foods. We
19 have Halal and Kosher meals. We have fresh fruits
20 and vegetables, meats and poultry and baking products
21 all coming from New York State right now, and so
22 really proud of what we've been able to accomplish
23 there, thanks in large part to your pushing on this
24 issue.
25

2 COUNCIL MEMBER BREWER: Okay, I thank
3 you. Thank you very much. I hope we can meet and
4 maybe figure out how to even push it up, and I'd love
5 to get some details. But thank you very much, 11 to
6 33 percent is a big start. Thank you.

7 DEPUTY COMMISSIONER BUCHANAN: We'd love
8 to do that.

9 COMMITTEE COUNSEL: Chair, I don't see
10 any other hands raised, so if you'd like to move on
11 to the next portion of the hearing.

12 CHAIRPERSON UNG: [interposing]
13 [inaudible] Sorry. I know it's a long day for
14 everybody, just the beginning of the day. So, next
15 I'd like to Corporation Counsel Sylvia Hinds-Radix,
16 the Head of the Law Department, to testify before
17 this committee. Thank you for testifying before
18 today's hearing. The Law Department's Fiscal 2023
19 Preliminary Budget totals \$239 million, including
20 \$163.2 million in personnel services funding to
21 support 1,698 budgeted fulltime positions. Today, we
22 look forward to discussing the many aspects of the
23 Law Department's operation, including a citywide
24 savings program. It reviews Fiscal 2022 Preliminary
25 Mayor's Management Report among other topics. I

2 would now like the Committee Counsel to administer
3 the Oath and swear-in the testifying representatives.

4 COMMITTEE COUNSEL: Thank you, Chair. To
5 all the representatives from the Law Department who
6 will be providing testimony or available for
7 questions, please raise your right hand. I will read
8 the Oath once, and then call on each of you
9 individually for a response. Do you affirm to tell
10 the truth, the whole truth, and nothing but the truth
11 before this committee and to respond honestly to
12 Council Member questions? Corporation Counsel Sylvia
13 Hinds-Radix?

14 CORPORATION COUNSEL HINDS-RADIX: I do.

15 COMMITTEE COUNSEL: First Assistant
16 Corporation Counsel Steven Stein Cushman?

17 FIRST ASSISTANT COUNSEL CUSHMAN: I do.

18 COMMITTEE COUNSEL: Managing Attorney
19 Muriel Goode-Trufant?

20 MANAGING ATTORNEY GOODE-TRUFANT: I do.

21 COMMITTEE COUNSEL: And Deputy Chief of
22 Administration Jennie Nagle?

23 DEPUTY CHIEF NAGLE: I do.

24

25

2 COMMITTEE COUNSEL: Thank you,
3 Corporation Counsel Hinds-Radix. You may begin your
4 testimony.

5 CORPORATION COUNSEL HINDS-RADIX: Good
6 morning, Chair Ung and distinguished Members of the
7 Government Operations Committee. Thank you for your
8 continued commitment to the Law Department, and thank
9 you for all of the hard work that you do every day
10 for the people of the City of New York, the city that
11 we love. It is a pleasure of mine to have the
12 opportunity to discuss the Law Department's Fiscal
13 Year 2023 Preliminary Budget with you today. I am
14 joined by First Assistant Corporation Counsel Steven
15 Stein Cushman, Managing Attorney Muriel Goode-
16 Trufant, and Deputy Chief of Administration Jennie
17 Nagle. The Law Department represents the City, the
18 Mayor, the City Council, other elected officials,
19 City agencies, and all affirmative and defensive
20 civil litigation. As a prosecuting agency, the
21 Department brings proceedings in Family Court
22 alleging violations of criminal law and represents
23 the people of the State of New York in proceedings
24 filed in Criminal Court to enforce the City's
25 Administrative Code. Law Department attorneys draft

1 and review local and state legislation, real estate
2 leases, procurement contracts and financial
3 instruments for the sale of municipal bonds. The
4 Department also provides legal counsel to City
5 officials on a wide range of issues such as civil
6 rights, education, intellectual property, land use
7 and environmental policy. The Department's work
8 embraces all City entities and operations; our impact
9 is tremendous. The Department currently has on board
10 approximately 800 assistant corporation counsels and
11 some 660 legal support professionals. We are proud
12 to be a diversity, equity and inclusion leader in the
13 legal profession. Approximately 30 percent of our
14 lawyers are ethnically diverse and 59 percent are
15 women. The Law Department plays an important role in
16 enhancing the City's fiscal strength and advocating
17 for the public good. For example, through the work
18 of our Affirmative Litigation Division, in this
19 fiscal year already we have recovered \$15 million
20 dollars for the City and City entities, and we
21 anticipate recovering approximately \$23 million more
22 by the end of the Fiscal Year. This includes
23 monetary recoveries for unpaid cigarette taxes,
24 property damage, social services overpayments,
25

1 judgment collection activities, and for breach of
2 contract, trademark infringement, and design and
3 construction litigation, among other things. Over
4 and above these recoveries, we have been rec-- we
5 have received several large settlements reached in
6 the litigation against manufacturers and distributors
7 of opioids. As you may be aware, the City, and
8 thousands of other cities throughout the US, brought
9 claims against the manufacturers, distributors, and
10 marketers of prescription opioid products. The City,
11 in connection with the State and other localities in
12 New York, will receive funds from settlements with
13 three big opioid distributors and manufact-- and two
14 manufacturers. In addition to these financial
15 recoveries, during this Fiscal Year, our Affirmative
16 Litigation Division continues to pursue civil
17 enforcement actions to protect city residents. There
18 are ongoing court actions brought to compel
19 compliance with code requirements in order to protect
20 tenants and the public. We were able to settle the
21 first suit brought to enforce the City's unlawful
22 Eviction Law with the property owners agreeing to
23 forfeit the two million dollar property, which will
24 be converted into affordable housing. We also worked
25

1 with the Department of Consumer and Worker Protection
2 to bring the first lawsuit to enforce the City's
3 "Freelance Free Act" against L'Officiel, USA, the
4 American subsidiary of the French-owned global media
5 company. The city law provides timeframes for
6 payments to these freelancers. We also anticipate
7 saving the City between \$150 and \$200 million this
8 Fiscal Year in payouts from judgment and claims fund
9 through our continuing activity to compel insurance
10 companies to defend and indemnify the City. In these
11 cases, our Tort and Affirmative Litigation Divisions
12 are enforcing coverage for lawsuits arising out of
13 the work performed by private contractors and
14 permittees. Every case that the insurance company
15 steps up to defend is a case that does not have to be
16 defended by city attorneys, thus saving enormous
17 legal resources. Settlements and judgments paid by
18 the insurers in cases falling within the policy
19 coverage also save the City substantial sums. Since
20 the start of this project in the late 1990s, we have
21 saved the City over two billion dollars. Another
22 example of Law Department efforts, which result in
23 cost savings in the work of the Tort Division-- is
24 the work of the Tort Division's Risk Management Unit.
25

2 They work with all City agencies to mitigate or
3 eliminate risks to City residents; short-term by
4 identifying dangerous conditions that can be
5 remediated quickly and long-term by identifying
6 agency operations or practices that are often the
7 subject of litigation, as well as discussing ways to
8 make meaningful changes. The Risk Management Unit
9 meets regularly with City agencies to discuss matters
10 that are frequently the subject of litigation to
11 strategize about possible operational changes to
12 mitigate risk. Our Commercial and Real Estate
13 Litigation Division defends the City in a wide range
14 of contractual disputes. These disputes include
15 three categories of agreements: contracts with
16 private companies to build or repair the City's
17 infrastructure; leases of important public
18 properties; and contracts for all types of goods and
19 services. These claims are largely based upon
20 negotiated terms of pre-existing agreements and
21 typically involve significant exposure to the City.
22 In Fiscal Year of 2021, the Division resolved \$385
23 million in claims for \$120 million, resulting in a
24 \$265 thousand dollar-- million dollar savings.
25 Similarly, our Tax and Bankruptcy Division's defense

2 of real property tax assessments protected \$57
3 million in property tax receipts in Fiscal Year 2021
4 and \$41.5 million during the first half of Fiscal
5 Year 2022. While the pandemic slowed some aspects of
6 our work in the courts, others intensified, including
7 defending emergency applications seeking injunctions
8 to halt various requirements related to masks,
9 vaccines, and other COVID precautionary measures. As
10 we emerge from the pandemic, we have seen an increase
11 in workload, a growing return to in-person court
12 appearances and trials, and they decrease in the
13 resources at our disposal to craft our responses. As
14 you may be aware, our office works side by side with
15 Council attorneys crafting local laws and then
16 defending those laws if and when they are challenged.
17 To name just a few, over the last year, we've
18 collaborated in our defense of local laws providing
19 relief and protections to commercial and residential
20 tenants who became vulnerable as a result of the
21 COVID-19 pandemic; capping the fees that may be
22 charged to restaurants by delivery service apps;
23 requiring hotel owners to pay severance to employees
24 who were laid off due to hotel closures; and
25 prohibiting employers from terminating or refusing to

1 hire employees based on their sexual or reproductive
2 health choices. In addition, our collaborations
3 regarding these laws, the Law Department also had
4 great success defending critical public health orders
5 regarding masking and vaccinations. Given the urgent
6 nature of the pandemic, many of these challenges were
7 brought on emergency applications that caused the
8 Department to work more expeditiously to prepare its
9 response. Our Labor and Employment Law,
10 Administrative Law and Regulatory Litigation and
11 General Litigation Division attorneys were often
12 given a short hour to review papers, speak with
13 stakeholders, including the Council with respect to
14 local laws, and prepare a response to these emergency
15 challenges. In some cases, our attorneys were asked
16 to work through the night to be prepared to defend
17 these laws and policies the next day. We are
18 grateful to those attorneys, as well as the staff at
19 City agencies and at the Council, for supporting our
20 successful defense of these laws and policies. These
21 successful efforts were highly resource-intensive and
22 retaining adequate staffing is critical to
23 maintenance of the Law Department's ability to
24 preserve the high standard of responsiveness moving
25

1 forward. This was in addition to our efforts to
2 defend the City and its employees in litigation in
3 more than 62,000 cases. During the pandemic, we
4 experienced an increase in pending cases,
5 particularly in our largest division, Tort. In Tort,
6 there are now more than 26,000 cases, 2,000 more than
7 a year ago. Included in this number are newly filed
8 COVID-19-related cases, newly filed Child Victims Act
9 cases, as well as long-standing cases, for which
10 trial dates in hundreds of cases in State Court have
11 been delayed because of the pandemic. In addition to
12 growing case numbers in State Court, our office has
13 an active and challenging federal practice marked by
14 our participation in in-person Federal Court trials
15 since October of 2020. Despite obstacles and
16 staffing concerns, we are pursuing innovative
17 strategies to manage the workload across all our
18 divisions in the face of a tight labor market and
19 budget constraints. We are in constant communication
20 with Office of Management and Budget to address our
21 current issues. Finally, I'd like to share some
22 information on our Family Court Division. All the
23 work of our Family Court Division is geared toward
24 strengthening families and communities. Its mission
25

1 is two-fold through Juvenile Justice and Interstate
2 Child Support. We are the presentment agency in all
3 juvenile justice and adolescent offender cases
4 referred to the City's Family Courts. Under the
5 rehabilitative mandate of the Family Court Act, the
6 Family Court Division must work to achieve outcomes
7 that serve the needs of each individual youth brought
8 before the court while at the same time protecting
9 the interests of crime victims and ensuring the
10 safety of the community at large. Our Family Court
11 Attorneys work in approximately 30 locations
12 including nights and weekends, and holiday court
13 operations. The introduction of older youth through
14 Raise the Age legislation has resulted in increased
15 charge severity and individual needs of youth in
16 Family Court. As is the case across New York City,
17 we have continued to experience an increase in
18 firearms cases. In 2021, there were 337 firearms
19 cases referred citywide. This surplus-- this
20 surpasses the number in 2020 when there were 283
21 firearms referrals and in 2019 when there were 128
22 firearms referrals. The goal for youth in juvenile
23 justice is to identify strengths as well as resources
24 and opportunities to foster success in the community.
25

1 To do so, our staff members are dedicated to outreach
2 across the five boroughs, by attending events in
3 schools and communities in order to meet and support
4 all those who may need our assistance. In juvenile
5 justice proceedings, the law requires a determination
6 that balances the needs of the youth and the
7 community's safety. More than 85 percent of the
8 cases in the Division result in community-based
9 outcomes including diversion and restorative justice
10 despite the continued difficulties presented by the
11 pandemic and the number of diversions-- the number of
12 diversions have continued to grow. Throughout all
13 matters, we look forward to matching youth, families
14 and impacted community members with appropriate
15 services and opportunities geared toward preventing
16 system involvement; providing rehabilitation;
17 securing restorative services, and promoting enhanced
18 outcomes. My testimony today provides a limited
19 analysis of the very broad and varied docket. By
20 keeping the interests of all New Yorkers at the
21 center of our work, we can do what is right and
22 reinforce trust in government and in the rule of law.
23 This is our core commitment. I thank you for your
24 support to the Law Department and look forward to
25

2 your continued collaboration. We would be happy to
3 answer any questions that you may have.

4 CHAIRPERSON UNG: Thank you. Thank you,
5 Corporation Counsel Hinds-Radix, for your testimony,
6 and thank you so much Law Department for all your
7 hard work. I have a couple of questions. The
8 Department's Fiscal 2023 budget is 50.8 million less
9 than its Fiscal 2023 Adopted Budget due to its
10 reduction on contract budget. Can you provide
11 information of why the Department's contract budget
12 for Fiscal 2023 is approximately 46 million less than
13 Fiscal 2022 Adopted Budget?

14 CORPORATION COUNSEL HINDS-RADIX: The
15 decrease is due to the drop in the Law Department's
16 other than personnel services. Overall, the budget
17 for the Fiscal Year 2022 is 1.23-- 123.5 million, and
18 it drops to 75.9 million in the Fiscal Year 2022.
19 The reduction is due to the fact that we are funding
20 on a year-by-year basis for things like monitorships,
21 special masters, and other major case expenses whose
22 needs fluctuate from year to year. We are currently
23 in discussion with OMB about our needs for the next
24 Fiscal Year and how best to deal with and with what

2 we have already done. This takes into consideration
3 three percent cut that's been required.

4 CHAIRPERSON UNG: Great, thank you.

5 Also, the Department will generate savings of 5.5
6 million in Fiscal 2022 and 7.1 million in Fiscal 2023
7 through the reduction of 97 vacant positions across
8 the agency. Can you provide information as to which
9 of the Department divisions has the most vacancy
10 reduction?

11 CORPORATION COUNSEL HINDS-RADIX: I'd
12 like to refer that question to Muriel Goode-Trufant.

13 MANAGING ATTORNEY GOODE-TRUFANT: Good
14 morning. The cuts throughout the Law Department have
15 been done on a proportionate basis, and so the
16 divisions that are most affected are Tort and Family
17 Court, as they are our largest divisions.

18 CHAIRPERSON UNG: Okay, what impact would
19 this have on both Department's operations, in Tort
20 and Family Court?

21 MANAGING ATTORNEY GOODE-TRUFANT:
22 Throughout the Department we are working diligently
23 to meet need all of our needs, the needs of
24 litigation, the needs in our transactional work, and
25

1 we continue to be in discussion with OMB as to make
2 certain that we meet all of our obligations.

3
4 CHAIRPERSON UNG: Thank you. While
5 speaking of Family Court, there was a report released
6 by the New York Bar Association [inaudible] courts
7 that was reported NBC New York on February 4th, 2022
8 highlighting the failures of Family Court in New York
9 City. It reports a backlog of cases associated with
10 custody, visitation, adoption, child support, among
11 others. What has the Department done to decrease the
12 backlog of these cases in Family Court?

13 CORPORATION COUNSEL HINDS-RADIX: These
14 reports concern improving access to Family Court for
15 litigants. Our Family Court Division is one of those
16 litigants. Our Department does not control the
17 Family Court system. This is under the Office of
18 Court Administration who is responsible for our
19 Family Court. We are continuing to do the work that
20 we do in the Family Court and get access to the court
21 as it becomes much more operational.

22 CHAIRPERSON UNG: Thank you. Talking
23 about monitors, you know, there's an article post--
24 an article on New York Post that says the City has
25 spent 111 million on monitors and special masters

2 overseeing agencies, the failures, including living
3 conditions in public housing and alleged racist
4 practice in the City jail amongst many other issues.
5 Can you walk us through the process of how a monitor
6 gets appointed to a city agency?

7 CORPORATION COUNSEL HINDS-RADIX: The
8 monitors are under control of the city agencies, and
9 the appointments of monitors are usually done by the
10 courts. The court appoints the monitor and agencies
11 are supposed to become compliant with the court's
12 order in order to comply with the monitorship [sic].
13 So, we work closely with the agencies to give them
14 the information and the assistance that they require
15 in order to be in compliance with the court's order.

16 CHAIRPERSON UNG: I'm sorry, maybe you
17 were not-- but does the Law Department, is the Law
18 Department involved in any way in terms of the
19 allocation of the funding to monitors or the budget
20 to the monitors?

21 CORPORATION COUNSEL HINDS-RADIX: The Law
22 Department pays several of the monitors, and there is
23 an Assistant Corporation Counsel assigned to each of
24 the monitors who go over the receipts that are
25 submitted by the monitors to ensure that we are

1 properly billed or to have any discussion with them
2 about any of-- anything that is seen on the receipt
3 that's submitted to us that has to be corrected. But
4 we don't make a determination as to what is received
5 by the monitors. That is-- that is set by the
6 court's order.

8 CHAIRPERSON UNG: I see. But we do play
9 a role in-- is there-- do we a play a role in the
10 budgeting of those monitors?

11 CORPORATION COUNSEL HINDS-RADIX: I
12 misunderstand your question, Council Member.

13 CHAIRPERSON UNG: So, how-- so, like, do
14 the Law-- sorry. Does the Law Department play a role
15 in the-- you said the receipt, right, how the
16 receipts are billed?

17 CORPORATION COUNSEL HINDS-RADIX: No, we
18 play a role in how they're paid. They submit to us.
19 We are the-- the bills from the monitors are sent to
20 us--

21 CHAIRPERSON UNG: [interposing] Okay.

22 CORPORATION COUNSEL HINDS-RADIX: to the
23 Law Department, and some of these bills-- and I have
24 listed some of the monitors. We have monitorships on
25 the Floyd case, on the two Gilliana [sic] case, the

2 Nunez, and in my report there are lists of the
3 monitorships and the numbers that we pay.

4 CHAIRPERSON UNG: Right. So do we just
5 pay the bill as presented to us? Like, how do we
6 assess? Like, you know, do we assess that the bills
7 are reasonable?

8 CORPORATION COUNSEL HINDS-RADIX: Yes,
9 that's-- and I thought I had explained. Maybe I
10 didn't do that clearly enough, Council Member, and
11 I'm sorry. The bills are-- there is an Assistant
12 Corporation Counsel that gets these bills, who is
13 assigned to the monitorship [sic] who gets the bills.
14 We go over the bills and make any recommendation to
15 the monitors with reference to any inadequacies or
16 anything that is incorrect on the bill to ensure that
17 the City does not overpay for anything that is
18 requested by the monitor.

19 CHAIRPERSON UNG: Okay, understood. Is
20 there a general-- I mean, I know this is really
21 specific. Maybe we could follow-- we could follow
22 [inaudible] you know, not in the hearing. But just
23 in general, how do they do that? How do they make
24 those assessments?

2 CORPORATION COUNSEL HINDS-RADIX: Are you
3 talking about the Corporate-- our Assistant--

4 CHAIRPERSON UNG: [interposing] Yes,
5 [inaudible].

6 CORPORATION COUNSEL HINDS-RADIX:
7 Corporation Counsel?

8 CHAIRPERSON UNG: Counsel, yes, yes.

9 CORPORATION COUNSEL HINDS-RADIX: There
10 are things that are listed by the monitor that are
11 done, hourly rates, any of the reports that they are
12 making that they're billing for. Our-- because our
13 Assistant Corporation Counsel have been working with
14 them, they're familiar with the case and know the
15 issues that should be raised with records to what is
16 submitted to us.

17 CHAIRPERSON UNG: Thank you. And if you--
18 [inaudible] provide more information to the Committee
19 with that, that would be great. And also, can you
20 provide the Committee with a list of the current
21 monitors right now that's assigned to City agencies?

22 CORPORATION COUNSEL HINDS-RADIX: Yes, I
23 have it. I have that, and I can-- that can be
24 provided.

2 CHAIRPERSON UNG: Thank you. Thank you.

3 I appreciate that. I'm just looking to see if
4 anybody has any questions. No, okay. So I'll just
5 ask one last question about workers' compensation.
6 Under state law, people who are entitled to workers'
7 compensation payments from a city has the right to
8 receive those payments via direct deposit. Does the
9 Law Department Worker's Comp Division currently have
10 the ability to make those deposits, albeit direct
11 deposits? Sorry-- the payment to be a direct
12 deposit.

13 CORPORATION COUNSEL HINDS-RADIX: Thank
14 you, Council Member. Our Office has worked with the
15 Comptroller's Office in order to send out payments
16 electronically to recipients of workers'
17 compensation.

18 CHAIRPERSON UNG: Great, that's good.
19 So, how does the Worker's Compensation Division
20 notify individuals of their right to wrote and direct
21 deposit?

22 CORPORATION COUNSEL HINDS-RADIX: I
23 believe they're in monthly communication with them,
24 because certainly people who have regular payments
25 due from Workers' Compensation would receive regular

2 communications from them. I will follow up and we
3 can provide you with the information as to exactly
4 how individuals are notified that they can enroll in
5 direct deposit.

6 CHAIRPERSON UNG: Thank you. And just
7 one last question. How long have the worker's comp
8 have this ability to do-- to make the direct
9 deposits?

10 CORPORATION COUNSEL HINDS-RADIX: The
11 work started during the pandemic. I don't recall the
12 exact date that the switch-over was made, but during
13 the pandemic we worked very closely with the
14 Comptroller's Office for this capability.

15 CHAIRPERSON UNG: Great, thank you so
16 much. And I believe Council Member Restler has his
17 hand up.

18 COUNCIL MEMBER RESTLER: Thank you,
19 Counsel, and thank you Chair Ung. [inaudible] Radix,
20 congratulations on your confirmation and your leader
21 for the Law Department. I am going to take the
22 liberty of raising with you the same two things that
23 I said to you when I had a chance to speak to you
24 before your confirmation. One, you were so lucky to
25 have Steve Stein-Cushman to your right. He is good.

1 Truly, I've got a list of my ten favorite people in
2 City Government, and Steve might just be at the top
3 of it. He is superb on every complex question.

4 There is no smarter, more creative person with better
5 institutional memory on Land Use, on procurement, on
6 everything, like-- oh, my gosh, I just-- when I
7 worked in City Government it was just a pleasure and
8 a joy to get to call Steve and ask for advice. So,
9 it's good to see Steve, and it's nice to see you.

10
11 CORPORATION COUNSEL HINDS-RADIX: Council
12 Member, that's why I brought him along.

13 COUNCIL MEMBER RESTLER: There you go. I
14 mean, seriously. It's just-- he's a good egg.

15 FIRST ASSISTANT COUNSEL CUSHMAN: Really
16 kind, but it's good to see you.

17 COUNCIL MEMBER RESTLER: Truly, truly,
18 truly. I mean it from the bottom of my heart. The
19 question I have for you, Judge Hinds-Radix, is I'm
20 really interested in the Affirmative Lit Unit at Law,
21 and how we can beef that up and really make that a
22 place where we are proactively addressing the needs
23 of New Yorkers. And I just-- I know that I heard the
24 Mayor in frank speak to this a little bit as well. I
25 was just wondering if you could-- I know you're just

2 a little bit in, but if you could speak to your
3 vision for the Affirmative Litigation Unit and how we
4 could do more there to protect the interest of
5 vulnerable New Yorkers.

6 CORPORATION COUNSEL HINDS-RADIX: Well,
7 you know, Council Member, I got here, and you'll see
8 from a-- a major part of my report that Affirmative
9 Lit has done significant work, and we have-- we
10 collectively met with the Department Litigation Unit.
11 We've expressed to them your concerns from the
12 Council's concerns and interest, your concerns, the
13 Mayor's concerns, and we are-- if you would look, I
14 guess. We recently had an additional posting for
15 affirmative litigation because we are very, very
16 happy that you are-- you have that interest. I told
17 you we will reach out to you and ask you for anything
18 that you think that we should be looking at. We
19 consider affirmative litigation an important part of
20 the work that we do for the City, and we-- I'm
21 telling you, we are really sitting and taking a very
22 good look at it and just see how can enhance it and
23 to make sure that all of the interests that you have
24 are met.

2 COUNCIL MEMBER RESTLER: wonderful. I
3 really appreciate that. We'd love to further that
4 conversation. I really think there are opportunities
5 to use the army of smart, great, experienced people
6 of the Law Department to hold that actor accountable
7 in New York City, and it's not just about-- you know,
8 and doing that proactively. So, I have some ideas
9 I'd love to share. Don't need to bother you at this
10 oversight hearing, but-- or this budget hearing, but
11 really do welcome the opportunity to partner with you
12 and engage to think about ways that we can-- that the
13 Law Department can just protect our communities more
14 effectively. So thank you very much, and thank you
15 Chair Ung for the opportunity.

16 CORPORATION COUNSEL HINDS-RADIX: Thank
17 you, Council Member.

18 COUNCIL MEMBER RESTLER: Thanks.

19 CHAIRPERSON UNG: Thank you, Council
20 Member Restler. If nobody else has any more
21 questions, I'm asking Steve [sic] we could have a
22 five minute break before our next testimony. If
23 everyone's good with that, let's go for the five
24 minute break.

2 CORPORATION COUNSEL HINDS-RADIX: And we
3 thank you, Council Member, very much for permitting
4 us to testify here before you and thank you for your
5 continued support.

6 CHAIRPERSON UNG: Thank you. Thank you
7 for coming today.

8 [break]

9 COMMITTEE COUNSEL: Chair, if you're
10 ready to start, we can go ahead into the BOE portion.

11 CHAIRPERSON UNG: Thank you. Now, I'd
12 like to welcome Executive Director of the BOE Michael
13 Ryan to testify before this Committee. Thank you for
14 testifying before today's hearing. The BOE's Fiscal
15 2023 Preliminary Budget totals 132.9 million,
16 including 61.1 million in personnel services funding
17 to support the 570 budgeted fulltime positions. The
18 BOE is responsible for conducting all elections in
19 the City's Federal and State and Local. Today, we
20 look forward to discussing many aspects of BOE's
21 operations, including review on any lessons learned
22 from the citywide elections in November 2021, its
23 funding necessary to carry out early voting, rank
24 choice voting, state budget proposals, along other
25 important topics. With that, I'd like to ask the

2 Committee Counsel to administer the oath and swear in
3 to testifying representatives.

4 COMMITTEE COUNSEL: Thank you, Chair. To
5 all representatives from the Board of Elections who
6 will be providing testimony or available for
7 questions, please raise your right hand now. I will
8 read the oath once and then call on each of you
9 individually for a response. Do you affirm to tell
10 the truth, the whole truth and nothing but the truth
11 before this committee and to respond honestly to
12 Council Member questions? Executive Director Michael
13 Ryan?

14 EXECUTIVE DIRECTOR RYAN: Yes.

15 COMMITTEE COUNSEL: Deputy Executive
16 Director Vincent Ignizio?

17 DEPUTY EXECUTIVE DIRECTOR IGNIZIO: Yes.

18 COMMITTEE COUNSEL: Operations Manager
19 Georgea Kontzamanis.

20 EXECUTIVE DIRECTOR RYAN: She will not be
21 offering testimony.

22 COMMITTEE COUNSEL: Great. Thank you.
23 Administrative Manager Wilma Brown Phillips?

24 EXECUTIVE DIRECTOR RYAN: It's not planned
25 for her to [inaudible] testimony.

2 COMMITTEE COUNSEL: Okay. Finance
3 Officer Jared Sullivan, or is that it?

4 EXECUTIVE DIRECTOR RYAN: The same.

5 COMMITTEE COUNSEL: Okay. Thank you--

6 EXECUTIVE DIRECTOR RYAN: [interposing]
7 [inaudible] It'll be myself and Mr. Ignizio.

8 COMMITTEE COUNSEL: Great. You may begin
9 your testimony.

10 EXECUTIVE DIRECTOR RYAN: Thank you,
11 Chair Ung and members of the New York City Council
12 Committee on Governmental Operations and Finance. I
13 am Michael Ryan. I'm the Executive Director of the
14 Board of Elections in the City of New York. Joining
15 me here today at this hearing are Deputy Executive
16 Director Vincent Ignizio who is a recent addition to
17 the board and a former member of the City Council.
18 So,--

19 DEPUTY EXECUTIVE DIRECTOR IGNIZIO:
20 [interposing] I don't have my pin on me.

21 EXECUTIVE DIRECTOR RYAN: He has that
22 distinction. We also have Administrative Manager
23 Wilma Brown Phillips, Operations Manager Georgea
24 Kontzamanis, and Director of Finance Gerald Sullivan.
25 Before discussing the Mayor's Executive Budget of

1
2 2023, I want to thank the City Council and the
3 Mayor's Office for providing the necessary funding to
4 operate the Board in Fiscal Year 2022. That funding
5 has met-- allowed the Board to meet its
6 constitutional and statutory mandates, as well as the
7 needs of the voters of the City of New York. And I
8 extend a very special thank you during these very
9 difficult times that have been challenging for
10 everyone. In the interest of time, we have submitted
11 written testimony, and if the Chair so desires, we
12 can dispense with the reading of the written
13 testimony, rely on its submission, and open it up to
14 questions. Otherwise, I can proceed. Your choice.

15 CHAIRPERSON UNG: Thank you. I
16 appreciate that, actually. So, let's get to the
17 question part of the hearing today. So, in the
18 November General Election that occurred last year, we
19 see the City's largest transfer of power since 2013.
20 What lessons have BOE learned from the election to
21 help prepare for its next citywide General Election
22 in 2023?

23 EXECUTIVE DIRECTOR RYAN: So, Madam
24 Chair, as we do with each election, after the
25 election is concluded, we do a comprehensive meeting

1 with all of our vendor partners, particularly our
2 voting machine vendors, and now we have the added
3 vendor of Poll Pads [sic] which we started using in
4 2019. While there are no drastic changes from the
5 Board's operation, we are in a constant state of
6 adjusting processes based on new statutory
7 requirements, and we've been-- that has been ongoing
8 in my tenure in earnest since 2019, and we're
9 constantly tweaking. There are no major overhauls.
10 The last major overhaul that we did was in 2019 when
11 we were one of the jurisdictions in New York State
12 that fully implemented electronic poll books for
13 elections, which have performed well, have been well-
14 received by the poll workers and the voters, and
15 certainly help us with post-election tasks such as
16 the voter history tabulation to ensure a timely
17 certification.

18
19 CHAIRPERSON UNG: Okay, thank you. So
20 there was no major takeaways from the November
21 election that would be good going forward for 2023?

22 EXECUTIVE DIRECTOR RYAN: Nothing major,
23 but as I indicated, Madam Chair, we're always looking
24 at the process, and we're always looking for a better
25 way to run the railroad, so to speak. So, we have

1
2 undergone some major issues as I said, reflecting
3 back to 2019 with the electronic poll books. In 2020
4 we were necessitated by circumstance to bring online
5 the online voter absentee ballot application portal,
6 which we did. What was added to that process most
7 recently was the absentee ballot tracker. We also
8 added into the process of technology, a way to track
9 how busy a particular poll site is, especially during
10 early voting to give voters the opportunity to have
11 more choice so that they can go on to our website and
12 see if the poll site was seemingly busy at a
13 particular time of day. They could elect to-- no pun
14 intended-- to go and participate at a different time.
15 So we've undergone some major changes in the
16 elections process over the last several years, and
17 we're constantly working. We just met with the one
18 of the vendors yesterday to continue to refine some
19 of these large scale changes that occurred over the
20 last several years.

21 CHAIRPERSON UNG: Thank you. Do you
22 [inaudible] anticipate elections yet to take place in
23 the current fiscal year?

24 EXECUTIVE DIRECTOR RYAN: So, we have--
25 we have fully conducted three elections this Fiscal

1 Year since January 1st, and the dates are detailed in
2 my testimony. We are presently conducting one, and
3 as a matter of fact, Election Day for that election
4 is now. So, we have taken a break from conducting
5 elections to come join you folks because money for
6 next year is important. So, and then there is a
7 possibility that we may have a fifth if we get a
8 proclamation from the Governor depending on Assembly
9 Member Perry's-- it is Assembly Member, correct?
10 Yes, we just wanted to make sure it wasn't senator.
11 Assembly Member Perry has been extended the honor of
12 becoming an Ambassador for Jamaica, and depending on
13 when his resignation is complete, a special election
14 may be implicated in that district as well.

16 CHAIRPERSON UNG: Thank you. And do you
17 believe right now the current year's budget is
18 sufficient to carry out all these--

19 EXECUTIVE DIRECTOR RYAN: [interposing]
20 No.

21 CHAIRPERSON UNG: No?

22 EXECUTIVE DIRECTOR RYAN: But as is
23 stated in my testimony, we have over the course of
24 quite a number of years now developed a very solid,
25 firm working relationship with the Office of

1 Management and Budget. They understand the unique
2 needs of the Board of Elections, and we are working
3 very closely with them to get the appropriate funding
4 to have the board "be made whole" by the end of the
5 year. And the reason that we specifically leave out-
6 - there's a couple of reasons why we leave out
7 funding for special elections in a budget. One is
8 you don't know specifically when those issues may
9 arise. Secondly, it really doesn't make sense to
10 budget for an event that is either not known or not
11 anticipated, because you would be unnecessarily
12 encumbering funds, City funds that might have other
13 uses, for an event that doesn't occur. So, we think
14 it's a-- we think it's a prudent and fiscally
15 conservative way of handling that business, and the
16 Office of Management and Budget I think both
17 appreciates that from a planning perspective and from
18 a mutual needs perspective.

20 CHAIRPERSON UNG: Thank you. And when do
21 you anticipate receiving funding associated with
22 early voting for Fiscal 2023?

23 EXECUTIVE DIRECTOR RYAN: so there is no
24 separate funding for early voting for the election
25 cycle. It's embedded in the budget, and as we are

1 conducting early voting over a period of several
2 years now, we're doing our best to continue to adjust
3 the baseline needs of the budget in partnership with
4 OMB based on our most recent past experience.

5
6 CHAIRPERSON UNG: Thank you. So, in the
7 last election, how many of the early voting sites
8 were public versus private locations?

9 EXECUTIVE DIRECTOR RYAN: I don't have
10 that split with an exact figure, but I can tell you
11 out of the-- now are you talking about for Election
12 Day or for early voting?

13 CHAIRPERSON UNG: Early voting, for early
14 voting.

15 EXECUTIVE DIRECTOR RYAN: Early voting,
16 it was approximately half, and for Election Day it's
17 typically around 700 out of 1,200, and early voting
18 runs to a similar number, but we'll get that, those
19 specific numbers to you in writing.

20 CHAIRPERSON UNG: Thank you. And then, if
21 you could also get to me and the Committee the total
22 cost of the leases for the private voting, early
23 voting, that'll be great.

24 EXECUTIVE DIRECTOR RYAN: And so-- and
25 just-- when we started the early voting process, we

1 attempted to get a formula from state legislature
2 regarding how we should break out costs, and they
3 referred us back to the existing election law which
4 does not provide a formula, but indicates certain
5 categories of reimbursement that could occur, and so
6 there is no strict formula for that, and we have done
7 the very best that we can considering the diverse
8 needs of all of the communities that we have to serve
9 throughout the City, and also with respect to the
10 more onerous and somewhat adverse impact that
11 conducting early voting in school facilities has
12 particularly during the pandemic-- the pandemic
13 created some significant challenges, and keeping
14 members of the public away from children was
15 certainly something-- a goal that we did not fully
16 meet, but we certainly tried to achieve.

18 CHAIRPERSON UNG: Of course. So you said
19 it was-- it was half/half [sic] right now private and
20 public for early voting. Is there a plan to decrease
21 the number of private locations? I do understand all
22 you said about the considerations that must be used
23 during those times, but is there a general, a plan,
24 to think about decreasing the number of private
25 locations for early voting?

2 EXECUTIVE DIRECTOR RYAN: So, in general,
3 there is a push-pull with respect to utilizing
4 schools for any election. It always is going to have
5 some impact on the school, and that is the primary--
6 according to the election law-- the primary type of
7 facility that we should use, and they have a tendency
8 to be more centrally located in the various
9 neighborhoods. But when you add early voting into
10 the mix, you're adding nine days of early voting--
11 sometimes that school may also be an Election Day
12 site, which means that the 10th day is a day before
13 at least for equipment delivery, and then a day after
14 at least for equipment taking. So, at a bare minimum
15 you're talking about a two-week impingement on a
16 school facility and that would be at a minimum twice
17 a year. And as we've now seen with some of the
18 recent changes on the state side with respect to
19 special elections. Some districts, we had back to
20 back or simultaneous special elections in Brooklyn in
21 February. That means potentially facilities in that
22 in those areas could have had an additional two weeks
23 on top of that. So--

24 DEPUTY EXECUTIVE DIRECTOR IGNIZIO:

25 [interposing] Madam Chair, it's worthy to note that

1 there isn't many elected officials throughout the
2 City that are seeking to get out of schools and to
3 get into private sites, and are trying to encourage
4 us to look at multiple sites that they have
5 throughout the five boroughs.

6 EXECUTIVE DIRECTOR RYAN: So, it's a
7 tension. I don't mean that in the colloquial sense,
8 but in the operational sense, right? There's a
9 tension between the additional funding expended to be
10 in private sites, versus the impact on the schools.
11 But I would also like to point out that schools are
12 not the only governmental sites that could be made
13 available for elections. And we have in the past
14 requested of state legislators during formal
15 testimony and in this body, during formal testimony
16 as well as private conversations, if there are other
17 locations, government-owned locations that are
18 available, then we are certainly willing to evaluate
19 those locations for suitability for the use of an
20 elections both demographically or conveniently
21 located within the demographic of a particular area
22 and accessibility pursuant to the Americans with
23 Disabilities Act, because go figure, not all public
24
25

1 buildings comply with the Americans with Disabilities
2 Act.

3
4 CHAIRPERSON UNG: Thank you for pointing
5 out. So, go through-- just wrap up the answer to the
6 question. Is there the-- is there a plan to look at,
7 you know, all the considerations, the public versus
8 the private sites, or is this going to remain status
9 quo, the way it is right now?

10 EXECUTIVE DIRECTOR RYAN: It's an as-
11 needed basis, and there is going to be added pressure
12 on the early voting process, because not only has the
13 New York State Legislature not scaled back the nine
14 days of early voting, they have actually recently
15 passed legislation that require expanded hours for
16 early voting.

17 CHAIRPERSON UNG: Right.

18 EXECUTIVE DIRECTOR RYAN: And also,
19 reduced the ratio of voters per site, which is going
20 to increase our responsibility in terms of early
21 voting locations, and I alluded to that in my
22 testimony. When you see we started out several years
23 ago with 61 sites. We now most recently used 106
24 sites, and we're going to be pressing up, you know,
25 approximately to 130 sites throughout the City. So,

1 that pressure is not going to decrease any time soon.
2
3 Actually it's going to increase.

4 CHAIRPERSON UNG: No, I appreciate all
5 that BOE has done in terms of early voting. It's
6 certainly, just going forward, something just to, you
7 know, think about. You know, if it's private or
8 public to think about more sites, right? That needs
9 to be thought about for the voting process. So,
10 next, the Municipal Voting Law, I think we all know
11 that last year the City Council enacted a law that
12 gave certain non-citizens a right to vote in the
13 municipal elections in 2023. What does the BOE
14 anticipate the cost of this municipal elections to
15 be?

16 EXECUTIVE DIRECTOR RYAN: We have not--
17 we have not finalized the budget for that. We're
18 going to have to do some set-up work, some changes to
19 the technology and the background work performed by
20 the voter registration system, but in large measures,
21 you'll have your one-year set-up, let's call it that,
22 right? But then moving forward, the costs
23 associated, the increase cost associated with
24 conducting municipal elections as it were is going to
25 be in large measured dependent upon the number of

2 individuals that actually register. So we'll have
3 the cost associated with printing the voter
4 registration forms, and once it's-- all of that is in
5 place, moving forward we'll have to see how many
6 people actually registered because we may have
7 increased ballot costs associated with printing
8 separate ballots during those elections when there's
9 non-municipal contests on the ballot at the same
10 time. You'll see that fairly regularly with the
11 District Attorney's races, but you know, it's a
12 misnomer to believe that in the off-year elections
13 that City primaries and other office primaries don't
14 cross over, and when they do we're going to have to
15 separate out those ballots.

16 CHAIRPERSON UNG: So, knowing all that,
17 have BOE taken steps to prepare itself for all these
18 issues that-- all these logistics that you just
19 mentioned?

20 EXECUTIVE DIRECTOR RYAN: This process
21 started several years ago when I was called upon to
22 testify at the hearings associated with formulating
23 the resolution that led to municipal voting. So we
24 have been positing and planning since that time, and
25 we've had-- I won't say separate conversations, but

1 we build it into our ongoing elections planning.
2 Certainly, the Board is in a seemingly perpetual
3 state of conducting elections. So we're in constant
4 communication with our internal folks and our
5 external vendors. The voting equipment that we
6 presently utilizes recognizes an oval on a piece of
7 paper. So that really doesn't have an impact to the
8 voter in terms of the voter experience. It does have
9 an impact on the back end for us, the election
10 planning phase where we have to, you know, test a
11 different number of ballots in the lead-up. But
12 considering that this will only, you know, primarily
13 affect the primaries, you know, that's-- it's not
14 going to have an insurmountable impact on us. Where
15 I do think, you know, there's a spot that folks have
16 to consider, particularly the local parties, is the--
17 this Intro. 1867 permits non-citizen voters through
18 signed petitions, and that may very well have an
19 impact on the local parities in terms of preparing
20 their previously omnibus petitions [sic], and may now
21 have to separate out the petitions for city contests
22 in order to ensure that municipal voters do not, for
23 lack of a better term, spoil an omnibus petition by
24

1 signing a document that they are not eligible to
2 sign.
3

4 CHAIRPERSON UNG: Thank you for pointing
5 that out. So, in terms of the budget, when do you
6 anticipate the budget to be finalized?

7 EXECUTIVE DIRECTOR RYAN: So, where--
8 like I said, I'm not anticipating that it will be an
9 insurmountable budgetary cost. We are-- we have been
10 in conversation with OMB and we expect that, if
11 anything, to be a new need in the January plan for
12 next year. It's not something that yes, it's going to
13 happen in Fiscal Year 2023. From a budgetary
14 perspective, it is not a house on fire emergency to
15 deal with right this minute, and while we're still in
16 the process of finalizing the plan that needs to be
17 submitted July the 1st, we wouldn't want to, you
18 know, shoot for the moon and then scale back. It's
19 better to ask for a specific dollar amount later from
20 a budgetary planning perspective than it is to ask
21 for more money than you need now. I think that would
22 have more of an adverse effect on the City budget.

23 CHAIRPERSON UNG: And the BOE is on track
24 to submit its plan for July 1st?

25 EXECUTIVE DIRECTOR RYAN: Yes.

2 CHAIRPERSON UNG: Okay, thank you. And
3 we're here joined by Council Member Borelli who also
4 I believe has his hand up, too.

5 COUNCIL MEMBER BORELLI: Thank you very
6 much. Since Mr. Ryan has brought up and was asked
7 about non-citizen voting, I just want to ask you if
8 in your knowledge this is in fact the state election
9 law: Section 5-102, qualifications of voter's age and
10 residence. "No person shall be qualified to register
11 for and vote at any election unless he is a citizen
12 of the United States and is or will be on the day of
13 such election 18 years of age or over, and a resident
14 of this state and of the county, city, or village for
15 a minimum of 30 days preceding such election." Is
16 that your understanding of the State Election Law
17 Section 5-102?

18 EXECUTIVE DIRECTOR RYAN: I am certainly
19 aware of the provisions of the election.

20 COUNCIL MEMBER BORELLI: Does this
21 statute require citizenship for registering for
22 voting in any election of city, town, county, or
23 village elections?

24 EXECUTIVE DIRECTOR RYAN: As I said, I'm
25 aware of the provisions of the election law, and

2 respectfully, this matter is presently being
3 litigated where-in the Board of Elections is a
4 defendant in two separate actions, one involving this
5 specific question, another involving a different
6 constitutional question where-- and we are a-- the
7 Board I should say is a defendant in that action, and
8 we have not had the opportunity to have the benefit
9 of counsel just yet. The outside counsel issue has
10 been now resolved, and we have not had the benefit of
11 consulting with outside counsel and have a-- the
12 Commissioners determine ultimately what the public
13 and/or litigation position of the Board.

14 COUNCIL MEMBER BORELLI: Has your agency
15 taken any steps to implement the procedural
16 requirements of Intro. 1867?

17 EXECUTIVE DIRECTOR RYAN: We have until
18 July 1st to submit that report, and we certainly will
19 be on track to do that, unless a court of competent
20 jurisdiction directs us that one or both of the
21 lawsuits reaches a different constitutional
22 conclusion than Intro. 1867.

23 COUNCIL MEMBER BORELLI: What is the
24 penalty for an election-- what is the charge level of
25

1 an election official who willfully ignores State
2 Election Law?

3 EXECUTIVE DIRECTOR RYAN: I think it can
4 be at least a misdemeanor and potentially a felony
5 depending on what the individual transgression may be
6 alleged.

7 COUNCIL MEMBER BORELLI: So, is it clear
8 that your agency will take no action on implementing
9 Intro. 1867 until the court determines the legality
10 of the issue?

11 EXECUTIVE DIRECTOR RYAN: We will
12 continue to do the planning necessary. Do we lose
13 everybody?

14 COUNCIL MEMBER BORELLI: No.

15 EXECUTIVE DIRECTOR RYAN: Oh, okay,
16 because I lost your picture. Our screen went blank.
17 Okay. We'll continue--

18 COUNCIL MEMBER BORELLI: [interposing] I'm
19 as handsome as ever, Mike.

20 EXECUTIVE DIRECTOR RYAN: Right. Matter
21 of fact, I was just about to turn my-- this question
22 and answer over to Deputy Executive Director Ignizio.
23 No, I'm teasing. We will--

2 DEPUTY EXECUTIVE DIRECTOR IGNIZIO:

3 [interposing] Why is that, Mike?

4 EXECUTIVE DIRECTOR RYAN: We will do what
5 we can preliminary and what we think is necessary in
6 order to submit the plan, and then from-- moving
7 forward we have six months beyond the submission data
8 of the plan to worry about actual implementation.

9 So,--

10 COUNCIL MEMBER BORELLI: [interposing] So
11 just to sum, you will not be taking any action
12 because the question of whether this is legal or not
13 has not been settled, and Commissioners and officials
14 are under potential penalty of felony if they do this
15 before it's settled in court.

16 EXECUTIVE DIRECTOR RYAN: So, I don't
17 think it's quite that clear. I'm going to-- no pun
18 intended here, split a hair on this, but we have not
19 had the benefit of counsel to direct us what we
20 should be doing in light of our litigation because
21 when we initially addressed this matter with the Law
22 Department, the Law Department's legitimate concern
23 was that there was a possibility that-- not a
24 probability, but a possibility that the Board's
25 decision might run perpendicular to the City-- the

1 Mayor's position and the City Council's position, and
2 because that possibility existed and because the Law
3 Department had certain reductions in their staff,
4 they could not guarantee that they could firewall off
5 our concerns in a separate unit, and that's why we
6 had to go forward to seek outside counsel. But we
7 have not--

8
9 COUNCIL MEMBER BORELLI: [interposing] Are
10 there--

11 EXECUTIVE DIRECTOR RYAN: had those
12 conversations yet with the outside counsel. We just
13 signed the documents yesterday.

14 COUNCIL MEMBER BORELLI: Are there any
15 other examples where your agency violated the plan
16 English reading of a State Election Law?

17 EXECUTIVE DIRECTOR RYAN: Well, as I
18 said, that-- the issues that you're seeking to
19 address here, and I understand why you're doing them,
20 and they're legitimate issues to discuss, but those
21 matters, what you-- the conclusions that you're
22 reaching are presently the subject of litigation
23 wherein the Board of Elections is a defendant, and I
24 would be loathe under any circumstances and
25 particularly under these circumstances to step into

1 the middle of a court case before the matter is even
2 heard by a judge.

3
4 COUNCIL MEMBER BORELLI: No, no, and
5 thank you, and that's my final question. I'm not--
6 I'm not trying to reach any conclusion. I'm just
7 reading the plain English reading of the statute, "No
8 person shall be registered and qualified to register
9 and vote unless he is a citizen of the United
10 States." I mean, that's the plain English of the
11 State statute, and with that, I have no more
12 questions. Thank you.

13 EXECUTIVE DIRECTOR RYAN: And Council
14 Member Borelli, I would just like to say, I was not
15 intending to be [inaudible]. I was just acknowledging
16 that we have pending litigation and we are a
17 defendant in that litigation.

18 COUNCIL MEMBER BORELLI: Oh, of course,
19 and I think you should be careful with words for that
20 very reason. I appreciate it. Thank you.

21 EXECUTIVE DIRECTOR RYAN: Thank you very
22 much.

23 CHAIRPERSON UNG: Thank you. I believe
24 Councilman Yeger, did you have your hand up before,
25 and do you have a question to ask now?

2 COUNCIL MEMBER YEGER: I did. The leader
3 actually hit on most of the topics, so I don't really
4 have to be the one who repeats it. But just Mr.
5 Director, from the perspective of myself and myself
6 only, I think you're going to hear a lot of elected
7 officials in the City telling you you must, you must,
8 you must do this, do this, do this, and banging on
9 the table, and I just want you to know that there are
10 members of this Council, those are here now in this
11 session and those here in the last session who voted
12 against this bill for a very clear understanding of
13 the State Constitution and State Election Law. So,
14 in my estimation, your agency is prohibited by state
15 law from doing anything to allow people to vote
16 illegally in this city. and so to the extent that
17 you get letters and phone calls and rallies and super
18 woke fest urging you to immediately enact this and
19 start doing it immediately, otherwise you're breaking
20 democracy, I just want to know that there are at
21 least some representatives of the people of this city
22 duly elected and duly sworn who stand by the law of
23 the state that says that the Board of Elections
24 cannot allow people to vote illegally if they're not
25 here-- if they are not citizens of this country. I

2 just want you to know that, you know, I'm not going
3 to-- like the leader said before, I'm not going to
4 put words in your mouth, and I'm not going to try to
5 get you to say something that you're not comfortable
6 saying, and certainly as a defendant in litigation
7 you should maintain that posture right now. But I
8 will say this, don't be bullied when elected
9 officials come pounding on the doors of the Board of
10 elections telling you that, you know, you're breaking
11 the will of the people if somehow you don't comply
12 with an unconstitutional law.

13 EXECUTIVE DIRECTOR RYAN: Council Member,
14 I have always and will continue to appreciate your
15 candor, your forthrightness, and your support, and I
16 will just echo what I have previously said to
17 Minority Leader Borelli, that we have not had the
18 benefit of Council to evaluate all of the
19 circumstances, and I'm certain that this matter is on
20 full litigation during the month of April, and I
21 know-- I think we all know the judge that it may be
22 assigned to, and if it is, that judge is definitely a
23 no-nonsense judge that keeps litigants on a short
24 leash. I don't anticipate it being an attenuated
25 process to get to a conclusion, and then once it gets

2 to that conclusion, the court of competent
3 jurisdiction will have spoken one way or the other,
4 and we will anticipate that it likely won't end there
5 whoever merges triumphant, if you will, from that
6 litigation and probably go up to the next several
7 levels. But we'll keep our eyes and ears attuned to
8 it, and we'll continue to communicate with our
9 attorneys and do the best that we can once the court
10 has spoken.

11 COUNCIL MEMBER YEGER: Thank you--

12 SERGEANT AT ARMS: [interposing] Time
13 expired.

14 CHAIRPERSON UNG: Thank you, Executive
15 Director Ryan. I certainly do not see you as someone
16 who's to be bullied into any positions [inaudible].
17 So, moving on from--

18 EXECUTIVE DIRECTOR RYAN: [interposing]
19 AS I have said, you know, Madam Chair, does this look
20 like a face that hasn't been punched?

21 CHAIRPERSON UNG: No [inaudible].
22 Confident you'll be doing okay. So, moving on from
23 the municipal voter law, right now I want to talk
24 about the language. What is-- what language is the
25

1 BOE is current translating for voter education, voter
2 registration, and Election Day material?
3

4 EXECUTIVE DIRECTOR RYAN: So, we do--
5 English, obviously, does not need to be translated--
6 Spanish, Chinese, Korean, and Bengali presently for
7 election-related materials, and then there are
8 certain other matters that we have to translate into
9 Russian on our website, and there is an open question
10 with respect to the present census data of what the
11 next steps will be, and it's as yet unresolved, but
12 we're anticipating another language coming our way,
13 and I don't want to say it out loud because it's as
14 yet unresolved, and then I don't want to create the--
15 you know, the belief that it's actually going to
16 happen and then it might go in a different direction.

17 CHAIRPERSON UNG: No, okay, I appreciate
18 that.

19 EXECUTIVE DIRECTOR RYAN: [inaudible]
20 language, but--

21 CHAIRPERSON UNG: [interposing] Okay, so
22 that's based on--

23 EXECUTIVE DIRECTOR RYAN: not settled on
24 what language that will be. So, I'll stick to one
25 that's already-- we're already doing, Bengali. That

2 was the subject of quite a bit of debate, and the
3 federal Court decision was that we had to add an
4 Asian-Indian language, and after much discussion and
5 those folks that are familiar with that portion of
6 the globe, there are numerous languages that could
7 broadly fall under the Asian-Indian definition, and
8 it was then ultimately settled on Bengali. So, while
9 those conversations are still going on, I would
10 prefer to keep our powder dry in that regard and wait
11 'til we have a firm answer.

12 CHAIRPERSON UNG: Understood, but I'll be
13 surely anticipating one more language.

14 EXECUTIVE DIRECTOR RYAN: Yes, one more
15 for now.

16 CHAIRPERSON UNG: Okay. Understood. And
17 what about the BOE's capability to translate and
18 interpret the polling sites? What languages are
19 those? Are those the same that you just said?

20 EXECUTIVE DIRECTOR RYAN: So, we engage
21 in a pretty robust, you know, translator recruitment
22 process, and generally speaking we have sufficient
23 translators for the various locations that we're
24 required to serve. In the past we had some
25 difficulties getting Korean translators. However,

1
2 we've adjusted some of the efforts in that regard and
3 done some more targeted outreach, and that has
4 boosted our Korean interpreter numbers to a
5 sufficient level. We're also-- we also work very
6 closely separate from the languages that we deal
7 with, with the CEC and make the locations and all
8 sites available where it is that the CEC determines
9 the additional languages that they service are
10 necessary for each election.

11 CHAIRPERSON UNG: Thank you. But, to be
12 clear, it's still the languages that [inaudible]
13 discussed before. Obviously, English, Spanish,
14 Chinese, Korean, Bengali, and [inaudible] Russian.

15 EXECUTIVE DIRECTOR RYAN: Correct, and
16 for the languages with the exception of Russian, we
17 employ fulltime staff to conduct translation for us
18 and phone interpretation when needed. You know, they
19 respond to phone calls, but for all of the paper that
20 we have to produce, ballots and such-- if we send out
21 mailings into the districts that require that
22 interpretation, all of that material has to be
23 translated. And so we have translators on staff that
24 do that translation for us to make sure that our
25 materials are accurate, and with the languages that

1
2 rely on symbolic interpretation we also make sure
3 that we're using interpretations that make not just
4 literal sense, but phonetic sense so that the voters
5 are properly served.

6 CHAIRPERSON UNG: Thank you. And just a
7 quick follow-up, why is Russian-- you were saying
8 before, Russian might not be included in these
9 languages?

10 EXECUTIVE DIRECTOR RYAN: There's-- I'm
11 not remembering it off the top of my head, but
12 there's a state statute that required that some of
13 the information that we post be provided in Russian,
14 but it stopped short of mandating ballot
15 interpretation and poll site interpretation. The
16 State Legislature passed a statute and they went as
17 far as they wanted to, and so we follow what they say
18 to do.

19 CHAIRPERSON UNG: So, it's a-- I got it,
20 it's a state statute. Thank you. And about the--

21 EXECUTIVE DIRECTOR RYAN: [interposing]
22 That was Russian, Madam Chair, that was Russian not
23 Bengali.

24 CHAIRPERSON UNG: Right, right. In terms
25 of-- does BOE have a media [inaudible] with the

2 English press outlets about its work, about voter
3 registration?

4 EXECUTIVE DIRECTOR RYAN: We do voter
5 outreach typically in and around election time. Last
6 year, we did some more substantial outreach to
7 publicly educate the voters with respect to Rank
8 Choice Voting because that was a substantial change.

9 CHAIRPERSON UNG: Right.

10 EXECUTIVE DIRECTOR RYAN: We leverage the
11 various digital media including the City kiosks
12 process that we've utilized. So, yes, the short
13 answer to that question is yes, and then if you're
14 going to ask me, well, how much, it really depends.
15 If it's a regular election year with no large-scale
16 changes anticipated, we'll do the annual information
17 notice. We'll do some media buys up to and including
18 Election Day. We also have legal advertisements that
19 we're required to purchase in the various print
20 media, but the last couple of years we had, you know,
21 COVID education that needed to be done in 2020 and
22 2021. We had Rank Choice voting last year, and we
23 anticipate doing some additional voter education with
24 respect to the change in the absentee ballot canvas
25 process which is no longer going to allow the second

1 bite at the apple and by that I mean if you apply for
2 and return an absentee ballot, you're no longer going
3 to be able to vote at the poll site on Election Day.
4 That's a significant c-change [sic] from what had
5 been done in the past. We've taken a preliminary
6 look at those numbers. It doesn't seem like there's
7 a significant number of voters that-- statistically
8 significant number of voters that request an absentee
9 ballot and then go ahead and vote at the poll site.
10 However, statistical significance is not the yard
11 stick by which the Board of Elections is measured.
12 We're measured by our service to the individual
13 voters. So we need to make sure we get that message
14 out there so that people don't show up at the poll
15 site expecting that they can vote when they've
16 already requested and voted an absentee ballot.
17 That's a change in the law.

18
19 CHAIRPERSON UNG: Okay.

20 EXECUTIVE DIRECTOR RYAN: We're going to
21 follow it, and we're going to do our best to get that
22 information out.

23 CHAIRPERSON UNG: Good to know about the
24 change in the law. I actually didn't know that. So,
25 there has been media buy-ins. Do you-- and I

1 understand right now you don't have the numbers? Do
2 you know in general are there ethnic media buys for
3 the same exact information that's being disseminated
4 to the public?

5 EXECUTIVE DIRECTOR RYAN: I'm sorry, I
6 didn't catch the word that you said--

7 CHAIRPERSON UNG: [interposing] Sure.

8 EXECUTIVE DIRECTOR RYAN: the media--

9 CHAIRPERSON UNG: So, you said before
10 that, you know, you definitely have been using
11 English press outlets, right, to get the information
12 out?

13 EXECUTIVE DIRECTOR RYAN: Yes.

14 CHAIRPERSON UNG: Okay, great. And I know
15 you don't have the exact numbers--

16 EXECUTIVE DIRECTOR RYAN: [interposing]
17 Did you say ethnic media buys, is that what you--

18 CHAIRPERSON UNG: [interposing] Right. I
19 want to ask-- right. So other than English press
20 outlets, has there been investment in the ethnic
21 media outlets?

22 EXECUTIVE DIRECTOR RYAN: Yes. So, the
23 answer to that question is absolutely 100 percent
24 yes, and if Mayor Adams did not steal our public
25

1 relations director to become a Deputy Commissioner, I
2 would have that information at my fingertips today
3 because she was-- she did a tremendous outreach which
4 is how we were able to boost up the Korean translator
5 and Korean poll workers as well to make certain that
6 we're doing the best we can in that. What we-- what
7 we were able to learn from that process was in some
8 of the ethnic communities, they have specific areas
9 where they go for their information which is
10 different than the English-speaking communities, and
11 we've had some pretty good success. There was a
12 specific group that we'd been working with, the name
13 of which is escaping me, but it is targeted towards
14 Asian languages in particular.

16 CHAIRPERSON UNG: Thank you. That'd be
17 great if you could follow up with the committee and
18 just give us the breakdown, the numbers for the
19 different media buy-ins.

20 EXECUTIVE DIRECTOR RYAN: Yep. One thing
21 I know that we've kept is the number of impressions.
22 As I was educated-- I'm a little bit older, but you
23 know, apparently the number of impressions is a big
24 deal when you're talking about digital access, and so

2 that gives us an understanding of how many people
3 actually look at what we've put out.

4 CHAIRPERSON UNG: Thank you. I believe
5 City Council Member Restler has a question.

6 COUNCIL MEMBER RESTLER: Great, thank
7 you. I was unmuted. Well, it is great to be with
8 BOE. I'm a little worried that we're going to have
9 to start calling it like the Staten Island Board of
10 Elections now--

11 DEPUTY EXECUTIVE DIRECTOR IGNIZIO: What
12 do you mean worried?

13 COUNCIL MEMBER RESTLER: Worried,
14 worried, now I'm like worried. But we found two good
15 Staten Islanders. My long-held and deeply felt
16 criticisms of the Board of Elections are not
17 personal. They're structural, and I appreciate
18 Vinny, your recent appointment and I'm excited for
19 your leadership, and Mike, I know you work your
20 tuchus [sic] off and you try hard, and as do many of
21 the folks at Board of Elections, and you guys have an
22 impossible job. You're one of the most-- you're one
23 of the most probably most-used punching bags in New
24 York City, and you know, I do, like I started with,
25 strongly believe in top to bottom reform at the BOE,

1 but I also think that it's important to recognize
2 good work that happens. And you know, I was speaking
3 to your General Counsel yesterday who is terrific,
4 Hemalee Patel, and we're really lucky to have her
5 there. You know, what you're able to do on a dime
6 with redistricting was very impressive, right? And
7 you know, how we've expanded early voting so
8 dramatically and electronic poll books, it's been--
9 there are lots good operational achievements that you
10 deserve credit for, and so I just want to say that.
11 You don't get enough people saying nice things to
12 you, so I thought I would just be the exception once.

14 EXECUTIVE DIRECTOR RYAN: Can we stick
15 with those?

16 COUNCIL MEMBER RESTLER: Yeah, should I
17 shut up now.

18 DEPUTY EXECUTIVE DIRECTOR IGNIZIO: You
19 just cut out, Council Member. We can't hear you.

20 EXECUTIVE DIRECTOR RYAN: I think we lost
21 our signal.

22 COUNCIL MEMBER RESTLER: Alright. Before
23 Chair Ung kicks me off hearing, there were a couple
24 things I wanted to ask about. One is, I'm very
25 invested in making sure that our pre-trial detainees

1 on Rikers Island are able to vote. And I wanted to
2 hear from you, what's the best way that we can make
3 that happen? It strikes me that making sure that
4 every person who is detained at Rikers has access to
5 an absentee ballot is helpful, but there's of course
6 a cut-off between the date that they have submit--
7 send in their absentees. And Election Day, is
8 getting an Election Day poll site onto the island or
9 any facility, is that feasible? What can we do to
10 really make sure that these New Yorkers who, you
11 know, have not been convicted overwhelmingly, have
12 the access to vote?

14 EXECUTIVE DIRECTOR RYAN: So, the direct
15 responsibility lies with the Campaign Finance.
16 However, we always seems to have an added
17 responsibility that's not directly given to us by the
18 construct, and we're certainly happy to do it. Under
19 past DOC Commissioners there have been an alternating
20 emphasis and de-emphasis of this matter that you've
21 brought to our attention, you know, as an important
22 matter by DOC. As someone who used to oversee the
23 DOC, I still think and remain committed to the notion
24 that the social workers that have direct interface
25 with the inmates are still the best place to effect

1 this change that you're seeking to change.

2 Certainly, you can do it from the upper level
3 umbrella, but you gotta [sic] get to where the rubber
4 meets the road, and while there are other concerns
5 that the Department of Corrections has to deal with
6 lately and on an ongoing basis, certainly getting
7 this information directly to the inmates-- you have
8 social worker system in place in the various
9 facilities throughout the City and Rikers Island as
10 well, and those social workers, if it is prioritized
11 from the top down and the Department of Corrections,
12 that it should be a City priority, then they will
13 follow the direction of the chain of command
14 structure within the Department of Corrections. And
15 we will certainly provide the materials necessary to
16 assist in that regard.

17
18 COUNCIL MEMBER RESTLER: Chair Ung, could
19 I have the liberty of just one more question? Is
20 that okay? Yeah, thank you. I appreciate that. I
21 just think--

22 CHAIRPERSON UNG: [interposing] Sure,
23 absolutely.

24 COUNCIL MEMBER RESTLER: Thank you, I
25 appreciate it. I could see you were saying yes, I'm

2 sorry. Thank you. I appreciate that response. I do
3 think that's with regard to getting an absentee
4 ballot out to everybody. There are folks who of
5 course are going to come in between the absentee
6 deadline and Election Day that we want to make sure
7 have the right to vote, and that would require more
8 cooperation and coordination with the BOE directly.
9 And I hear you that it's not your-- you're going to--
10 what I'm hoping to hear from you is that you're going
11 to be a ready, willing, and able partner to step up
12 if and when we get the DOC to do its job. The other
13 question I just wanted to ask is, I realize we've got
14 outstanding litigation on Our City Our Vote. It may
15 take place as soon as next year, take effect, which I
16 strongly support. Have you put together a budget of
17 needs operationally and otherwise to be able to
18 ensure implementation of Our City Our Vote should it
19 move forward in the 23 cycle?

20 EXECUTIVE DIRECTOR RYAN: So, the answer
21 is, we will be dove-tailing the initial planning
22 within our present process. This is not going out
23 and procuring anything brand new in order to get off
24 the ground, and then as we move forward, depending on
25 what the public response to this new voting

1
2 opportunity should the courts determine that it's
3 okay to go ahead, public response will drive the
4 ongoing costs, not necessarily anything that the
5 Board will be able to plan.

6 COUNCIL MEMBER RESTLER: I just think
7 that the-- you have a number of Council Members,
8 obviously not every one of them, but a majority vote
9 [inaudible] last year, and you have even more that
10 are supportive of it now. We want to be helpful. We
11 want to make sure that you all have the resources
12 that you need to be able to implement it effectively
13 and efficiently. If there are resource needs, and I
14 could articulate some that I imagine, and they're not
15 all BOE, some are CFB and otherwise, but if you could
16 identify those resources now in the budget process
17 and make the ask, that's I think a very worthy
18 conversation for us to have by June 30th so that we
19 can make sure you have what you need should this move
20 forward in the 23 cycle.

21 EXECUTIVE DIRECTOR RYAN: We certainly
22 appreciate that, and we will continue to work
23 collaboratively with the Office of Management and
24 Budget in that regard. I will say that our
25 experience with OMB in the recent and current

1
2 circumstances is they have a good working
3 understanding of our cadence, and we're able to plan
4 effectively moving forward and adjust plans when
5 necessary. And as I said I think earlier in my
6 testimony, if we get to a point where we've kind of
7 undershot our needs, we'll get to the January Plan
8 which will land right at the moment where the rubber
9 will start to meet the road with respect to municipal
10 voters assuming that there's no alteration-- court
11 alteration of that schedule. We'll get to that spot
12 and we'll be able to adjust, you know, accordingly.
13 And as I also stated, I like to be fiscally
14 conservative while remaining responsible to the
15 agency that I help to oversee and make sure that
16 we're not asking for more money than we need, because
17 that might further hamper the City's ability to
18 budget plan for other things. So, if they set money
19 side for us that we end up not needing, then they
20 have therefore deprived some other entity of perhaps
21 needed funds. So I think we're striking a good
22 balance there, and we also are mindful of the fact
23 that we have a new City Council and some folks that
24 are eager to get things done, and if it turns out
25 that we're not getting the proper, you know, kind of

1 cooperation from OMB, which I do not anticipate at
2 all, but if that should happen, then we will
3 certainly lean on your good offices to assist in that
4 regard. We understand the mission. We understand
5 what you guys are looking for, and if the court says
6 it's okay to go forward, we'll execute the mission.

8 COUNCIL MEMBER RESTLER: Let's just stay
9 in close communication on this one, because it's of
10 utmost importance to many of us on the Council that
11 we provide legal permanent residents the opportunity
12 to vote in the next municipal election, and we want
13 to make sure that you're all prepared and well-
14 resourced if necessary to make that happen. And so
15 we-- it's our job in the Council to have the global
16 perspective on the needs of city agencies and funding
17 in the budgets. It's your job to be able to
18 implement what you're charged with, and we want to
19 make sure that this is done and done right. And so I
20 just-- if there are things that we should be doing
21 now and thinking through now in this budget process,
22 I just-- I don't want us to hold everything off to
23 resolve it in January and then be under the gun if
24 petitioning starts a month later, etcetera, etcetera.
25 So, I hear you--

2 EXECUTIVE DIRECTOR RYAN: [interposing]

3 Right, I don't anticipate that, but I certainly
4 appreciate your concern, and I also appreciate how
5 quickly you have pivoted from your pervious role to
6 your current role.

7 COUNCIL MEMBER RESTLER: You mean from
8 being a pain in the ass on one side to being a pain
9 in the ass on the other.

10 [laughter]

11 COUNCIL MEMBER RESTLER: But it's good to
12 see you. Thank you for having me, and thank you
13 Chair Ung for the extend time. I greatly appreciate
14 it.

15 EXECUTIVE DIRECTOR RYAN: Thank you.

16 CHAIRPERSON UNG: Thank you. And I
17 believe City Council Member Brewer has a question.

18 COUNCIL MEMBER BREWER: Thank you very
19 much, Madam Chair, and if this has been asked, you
20 can tell me shut up, Gale, because I was at BNT, so I
21 didn't hear everything. But my question is, in
22 Manhattan, as you know, the problem is finding ADA-
23 compliant locations, and so you end up having to walk
24 a long way to vote because it's hard to find. So my
25 question is, like Goddard Riverside Senior Center

1
2 being an example, Federal Department-- Federal
3 agencies say it's ADA-compliant, but it's not under
4 Board of Elections, and it goes on from there,
5 similar situation. So are you going to give us,
6 like, what a budget would be to make these places
7 compliant, because it seems to me that we have to
8 address these issues? So that's my question. And
9 there are lots of them all over the borough, and as a
10 result, you know, we cannot find places to vote.

11 EXECUTIVE DIRECTOR RYAN: We have been
12 doing that on a site-by-site basis, but I'll hit a
13 quick rewind to 2014 just as a point of reference. In
14 the spring of 2014 when 2nd Circuit [sic] Court of
15 Appeals told us what we had to do moving forward, we
16 spun up very quickly with the prior Administration a
17 taskforce. Bondalee Cunningham, [sp?] who's now
18 retired, was part of it from the Mayor's Office of
19 Operation. I say that as a name that you probably
20 recall. And we have worked diligently to do the
21 temporary measures necessary. So at that time we had
22 no vendors, no vendors doing temporary ramping. We
23 had some ramps that we owned. We worked with the
24 Department of Education. They had these ramps called
25 suitcase ramps. They literally were [inaudible]. We

1 now have 17 separate vendors that we have on-call and
2 utilize during the elections to install temporary
3 ramping, and approximately 660 of our 1,220 Election
4 Day sites required some type of ADA remediation in
5 order to be accessible, and what we stopped doing--
6 and in some respects, in part to yours and others
7 urging, we stopped at that time moving poll sites
8 because they weren't ADA accessible, and we engage in
9 this process now that allow for temporary
10 remediation. For our good and the good of the City
11 in general, those investments in capital construction
12 to make the sites accessible would fix the election's
13 problem, and it would also bring those sites into
14 compliance for whatever they use they have 365 days a
15 year.
16

17 COUNCIL MEMBER BREWER: So, can you give
18 us a list of what those sites are and then figuring
19 out what-- if you don't figure out, maybe DCAS could,
20 what it would cost to make them ADA compliant,
21 because in some cases your temporary solution doesn't
22 work in that location?

23 EXECUTIVE DIRECTOR RYAN: Right, well,
24 you know, temporary solution is never the best
25

1 solution. It's a-- it's a bridge to get you over a
2 gap, right? But we--

3
4 COUNCIL MEMBER BREWER: [interposing] I
5 know, but sometimes-- sometimes, Mike, even that
6 doesn't work, just FYI, as you know.

7 EXECUTIVE DIRECTOR RYAN: Right. No, I
8 know, and some of these sites are very complicated,
9 especially areas of Upper Manhattan which you're very
10 familiar with.

11 COUNCIL MEMBER BREWER: Yes.

12 EXECUTIVE DIRECTOR RYAN: The topography
13 there is very challenging and the entrance to these
14 locations is very difficult.

15 COUNCIL MEMBER BREWER: Alright, I don't
16 want to belabor the point, but we need to know at
17 least in some areas where are the ones that are a
18 challenge, and then we can all figure out how
19 together, because we don't have a list of where we
20 can fix them. Okay?

21 DEPUTY EXECUTIVE DIRECTOR IGNIZIO:
22 Hello, Council Member. How are you?

23 COUNCIL MEMBER BREWER: I'm well. Thank
24 you.

2 DEPUTY EXECUTIVE DIRECTOR IGNIZIO: I was
3 hoping that maybe you had sites or somebody has sites
4 that they could advise us of, but this is where good
5 government, good policy, and the Council can really
6 play a great role, because as you know, from my
7 former life, you can put money in an overall under
8 the Speaker's Office as a capital item to start doing
9 them citywide, changing sites throughout the City.
10 We would love to be a part of that and love to have a
11 conversation with you or anybody in the Council to
12 effectuate that.

13 COUNCIL MEMBER BREWER: Alright, I'm glad
14 to talk to you. I spend a lot of time looking for
15 sites, and most-- nobody wants to do it. Museums
16 don't want to do it. Public spaces don't. Nobody
17 wants to be a voting site for nine days, nobody,
18 nobody, nobody. I spend hours on it.

19 EXECUTIVE DIRECTOR RYAN: Yes.

20 COUNCIL MEMBER BREWER: So we got-- and
21 then there are people who don't want to do it, but
22 they're not ADA-compliant, so--

23 DEPUTY EXECUTIVE DIRECTOR IGNIZIO:
24 [interposing] We would love to be a part of that
25 solution.

2 COUNCIL MEMBER BREWER: Alright, thank
3 you. Thank you, Madam Chair

4 EXECUTIVE DIRECTOR RYAN: And Council
5 Member, we have used over the course of time, we had
6 some HAVA grant money, Help America Vote Act money
7 that we used particularly in schools where we widened
8 doorways and fixed sidewalks using HAVA grant money
9 from the schools to help-- HAVA grant money from the
10 Feds using that money to fix the schools which help
11 us for elections, but also help school for its
12 ongoing programs. And I--

13 COUNCIL MEMBER BREWER: [interposing]
14 Okay.

15 EXECUTIVE DIRECTOR RYAN: Once we
16 establish those sites at least, you know,
17 preliminarily, it certainly won't be this positive
18 moving forward, we could always look to a restricted
19 budget code that allows that money to be set aside as
20 Deputy Executive Director Ignizio suggests, and the
21 tap into when needed and when the sites are ready to
22 proceed forward with the construction that-- in a
23 time that's convenient that doesn't interrupt their
24 other operations.

2 COUNCIL MEMBER BREWER: Alright, alright.
3 Thank you.

4 CHAIRPERSON UNG: Thank you. I just have
5 one more question left. It's about the 44,000
6 residents in the five boroughs that received a notice
7 in March that their voter registration status was in
8 jeopardy. They didn't verify their home address.
9 Since knowing about that, what has BOE done to rectify
10 this issue?

11 EXECUTIVE DIRECTOR RYAN: So, first and
12 foremost, I understand the alarm when people hear
13 that, but I do want to underscore that the system in
14 terms of voter notification worked. When we get a
15 piece of returned mail back from the post office that
16 says that an individual may no longer live at a
17 particular location, we under the NVRA, the National
18 Voter Rights Act, have to engage in a reasonable list
19 maintenance process which includes mailing a notice
20 to a voter and making them enact. We mail the notice
21 to the voters. The voters raise their hand and say,
22 "I'm still here. Don't take me off the rolls." We
23 started to get some calls and what put us on to this
24 initially was voters were saying, "Wait, we recently
25 voted." So, those folks should not have received--

1 there's no doubt about it, they should not have
2 received a notice because they had recently voted,
3 and then that-- there was a pressing [sic]. So, as
4 of March the 4th, in the late hours of Friday, March
5 the 4th, all 44,595 voters were restored back to the
6 active rolls with a special notice in the data that
7 says that they were removed from the voter rolls in
8 error and retroactively restored to the voter rolls
9 on a date certain in the past. So, what happened?
10 There was a lot of things going on this particular
11 election. The driving force of all of our efforts
12 showed that we could have elections to conduct were
13 redistricting over-- or re-apportioning over 5,000
14 election districts. That process usually took
15 between six and seven weeks. The city-- the State
16 Legislature asked us to do it in three, and we did
17 it. And by the way, proudly, the New York City Board
18 of Elections being the largest jurisdiction in the
19 state, and the only one that operates five counties
20 at a time, was the first jurisdiction in the state to
21 submit its reapportioned maps to the State
22 Legislature so that we could actually have districts
23 to vote on in the June primary. All of that was
24 going on, so there was an adjustment made to our
25

1 prior process. Keep in mind, that's a once in a 10-
2 year event. It only happens after the census data is
3 complete and the state completes its redistricting.
4

5 So, ordinarily there are a system of internal and
6 external checks that get made to ensure that the data
7 that is going to be processed for the mailing is
8 correct, and in this particular case, the vendor that
9 does that work for us missed a critical step for some
10 voters and did not do a check on voter history.

11 Although, the mail check was correct, the voter
12 history piece was missing, and those notices went
13 out. But as I said, this was an unprecedented time
14 for the Board. All that data was being processed
15 simultaneously. We were under significant time
16 crunch to get the reapportionment maps done-- pardon?

17 And it was corrected, by the way, from the date that
18 we put the notices together and then the final phone
19 call came. That was Friday, March the 4th. It was
20 done within hours. Myself and Mr. Ignizio were on
21 the phone with staff later in the day after close--
22 after our close of business, not theirs, and that was
23 taken care of, and no voters were affected in terms
24 of the voting places [sic]. But like I said from
25 the beginning, the process worked, because sometimes

1 the post office might make an error. Sometimes the
2 Board of Elections might make an error, and it's
3 important to send out those notices and to have-- A,
4 it's a compliance with the law, but then the follow-
5 up from the voter is also important. No system is
6 going to work perfectly, and so it's important to get
7 that feedback from the voter, and it was the feedback
8 from the voter, and then toward the end of the week,
9 the press inquiry that made us aware that we had to
10 double check it. We had received several complaints
11 of, "I voted." That was a red flag for us once they
12 said that they actually participated in the
13 [inaudible].
14

15 DEPUTY EXECUTIVE DIRECTOR IGNIZIO: And
16 to add, an enhanced auditing on both, on the vendor's
17 side and on the internal side being put in place to
18 currently to avoid this from ever happening again 10
19 years--

20 CHAIRPERSON UNG: So, thank you. So,
21 [inaudible] next question I was going to ask. What
22 are the, you know, mechanisms in place to prevent
23 this from happening? Only-- I ask this question, and
24 then I'm done with questions. Just to point out, as
25 you were-- you know, as I was asking my language

1
2 access question, that a lot of voters, especially in
3 my district, they're not-- English is not their first
4 language. So you must imagine, I mean, not that this
5 happened in my district, but you must imagine there
6 is such a mishap like that, you know, they get
7 really nervous, and that might really just make them
8 not think that they're going to have the ability or
9 the right to vote. So, it's just, you know,
10 important, you know, in terms of the Board of
11 Elections always just making sure, you know, those--
12 those voters will have the right to vote, don't
13 receive those notices. So, from-- so I'm done with
14 my question. I think we're still on schedule. So,
15 does any other City Council Members have any more
16 questions? No? Great. So, thank you to Executive
17 Director Ryan and also to the rest of the BOE staff
18 for your hard work, and calling [sic] what Council
19 Member Restler says, it is not easy, recognizing
20 that. And I'm sure, you know, would look forward to
21 further conversations, especially when the news about
22 law becomes more clear, what's going to happen next.

23 EXECUTIVE DIRECTOR RYAN: Thank you very
24 much, Madam Chair.

2 CHAIRPERSON UNG: Okay, since we're doing
3 so well on time, I don't think OATH is here yet. So
4 [inaudible] time to maybe take another five minute
5 break.

6 [break]

7 COMMITTEE COUNSEL: John Castelli, would
8 you like to do a mic check?

9 DEPUTY COMMISSIONER CASTELLI: Can you
10 hear us?

11 COMMITTEE COUNSEL: Yes, we can hear you.
12 Also, who is the other persons in the room with you?

13 DEPUTY COMMISSIONER CASTELLI: Okay, we
14 have Deputy Commissioner for Public Affairs and
15 Communications, Marisa L. Senigo [sp?]. We also have
16 Assistant-- I'm sorry, Deputy Commissioner and Chief
17 Clerk Maria Marchiano, and we have Assistant
18 Commissioner for Financial Services Brian Connell.

19 COMMITTEE COUNSEL: Thank you. Chair, I
20 believe we have OATH on, so we're ready to begin when
21 you are.

22 CHAIRPERSON UNG: Thank you. Now, I'd
23 like to welcome Deputy Commissioner for Public
24 Affairs and Communications Marisa Senigo and
25 Assistant Commissioner for Financial Services Brian

2 Connell to testify before this committee, and thank
3 you for testifying before today's hearing. The
4 Office of Administrative Trials and Hearings Fiscal
5 2023 Preliminary Budget totals \$67.8 million,
6 including \$47.3 million in personnel services funding
7 to support the \$391 budgeted fulltime positions.
8 OATH is the City's central independent administrative
9 law court conducting hearings for city agencies,
10 commissions and boards. Today, we look forward to
11 discussing many aspects of OATH's operations,
12 including the management of summons received from
13 city agency, a citywide savings program, and review
14 of its Fiscal 2022 Preliminary Mayor's Management
15 Report among other important topics. With that, I
16 would like to ask Committee Counsel to administer the
17 OATH and swear in the testifying representatives.

18 COMMITTEE COUNSEL: Thank you, Chair. To
19 all representatives from the Office of Administrative
20 Trials and Hearings who will be providing testimony
21 or available for questions, please raise your right
22 hand. I will read the oath once and then call on each
23 of you individually for a response. Do you affirm to
24 tell the truth, the whole truth, and nothing but the
25 truth before this committee and to respond honestly

1 to Council Member questions? Deputy Commissioner for
2 Public Affairs and communications, Marisa Senigo?

3 DEPUTY COMMISSIONER SENIGO: I do.

4 COMMITTEE COUNSEL: Assistant
5 Commissioner for Financial Services, Brian Connell?

6 ASSISTANT COMMISSIONER CONNELL: Yep, I
7 do.

8 COMMITTEE COUNSEL: Deputy Commissioner
9 and Chief Clerk Maria Marchiano?

10 DEPUTY COMMISSIONER MARCHIANO: I do.

11 COMMITTEE COUNSEL: And Deputy
12 Commissioner for Legislative Affairs John Castelli?

13 DEPUTY COMMISSIONER CASTELLI: I do.

14 COMMITTEE COUNSEL: Thank you. You may
15 begin your testimony.

16 DEPUTY COMMISSIONER CASTELLI: Thank you.
17 Thank you, Council Member Ung. It's a pleasure to
18 see you again, and we want to thank you for having
19 this hearing today. I want to thank-- I'm going to
20 read the testimony into the record. I want to thank,
21 again, thank Chair Ung and the members of the
22 Committee on Governmental Operations concerning the
23 Fiscal Year 2023 Preliminary Budget. This statement
24 will first describe the continuing successful efforts
25

2 of the Office of Administrative Trials during the
3 challenges presented by the pandemic over the past
4 year, and ensuing the continued availability due
5 process to New Yorkers, all New Yorkers, and will
6 then address the budget projection for this coming
7 year. Since our last budget hearing, NYC Government
8 has changed in many significant ways. There is a new
9 Mayor, a new City Council Speaker, and many new
10 Council Members. We're also still navigating the
11 recovery from COVID and trying to understand what our
12 Administrative Court will look like in the future
13 given the success of remote hearings. During the
14 pandemic, OATH made extra-ordinary efforts to remain
15 fully functioning throughout the COVID crisis. When
16 the City shut down, we did not. We immediately
17 transitioned to remote hearings, and I'm proud to
18 report that we have managed to hold over 250,000
19 hearings, remote hearings, in our Hearings division
20 since the pandemic began. We also held thousands of
21 remote trials and conferences in our Trials Division.
22 In sum, OATH heard more cases in real-time with all
23 parties appearing remotely than any other municipal
24 or state court in the country. OATH's top priority
25 is to provide New Yorkers with access to justice.

1
2 It's stated mission is to provide a fair and
3 impartial place where New Yorkers go to have their
4 day in court. Over the last two years, we learned
5 that fulfilling this vitally important mission does
6 not require a physical space. OATH can provide New
7 Yorkers with access to justice outcomes on city-
8 issued summonses while also providing convenience in
9 a healthy and safe way of New Yorkers to appear.
10 While the vast majority of respondents continue to
11 opt for the convenience that a hearing by phone
12 providers, including a call-back function that
13 eliminates a respondent's wait time since last
14 September. OATH has also provided the option for
15 respondents to appear in-person. Whatever the future
16 holds, we will be preparing. Over the past year, as
17 the second year of the pandemic continued to
18 challenge our city, the Trials Division Management
19 effective transition to conducting proceedings by
20 video. The OATH Trials Division adjudicates a wide
21 range of issues that can be referred by any city
22 agency, board or commission. Its caseload includes
23 employee discipline and disability hearings for civil
24 servants as well as cases dealing with the Conflicts
25 of Interest Law, the retention of police-seized

1 vehicles prior to forfeiture proceedings, city-issued
2 license suspensions and revocations, the Loft [sic]
3 Law, city vendor contract disputes, violations of
4 consumer and worker protection laws, and violations
5 under the City Human Rights Law. This past year we
6 saw additional staff added to OATH's Trials Division
7 to adjudicate employee disciplinary matters brought
8 by the City's Department of Corrections. Trials are
9 conducted by Administrative Law judges who are
10 appointed to five-year terms, and that's one year
11 longer than the Mayor. The Trials Division continued
12 use of video proceedings has allowed parties to
13 participate safely and effectively, view video and
14 other evidence simultaneously, receive interpretation
15 in their language of preference, and communicate
16 clearly with the ALJ. We are incredibly proud of how
17 many trials and conferences the Trials Division has
18 been able to conduct remotely during the pandemic.
19 From July 1st of 2021 through January 2022, which is
20 the most recent date for which data is currently
21 available, OATH ALJ has resolved 1,315 cases,
22 including 794 resolved by a settlement competes [sic]
23 both of which represent increases compared to the
24 same period last year. OATH ALJ has also held 214
25

1 trials, and that's 96 percent-- and I want to put the
2 emphasis on 96 percent of the ALJ's recommendations--
3 have been upheld by the city agencies in their final
4 determinations. Similarly, the OATH's Hearings
5 Division continues to conduct proceedings
6 telephonically. The OATH Hearings Division conducts
7 hearings on summonses issued by over 20 different
8 city enforcement agencies for alleged violations of
9 law or city rules. These summonses are issued by the
10 Department of Buildings, the Department of
11 Sanitation, the Department of Environmental
12 Protection, the Fire Department, the Parks
13 Department, the Department of Consumer and Worker
14 Protection, the Department of Health and Mental
15 Hygiene, and the Taxi and Limousine Commission among
16 others. We are continuing the use of telephonic
17 hearings in the Hearings Division to meet the
18 challenges presented by the pandemic. Telephonic
19 hearings are safe, easy, and very convenient.
20 Respondents, their representatives, and city agency
21 attorneys and inspectors do not have to travel to our
22 offices and appear in person, and hearings can be
23 scheduled by email. There is also a call back option
24 for respondents to use once they check in to the
25

1 hearing by phone. This adds convenience by
2 eliminating the wait times, and I am proud to report
3 that we have now adjudicated over 167,000 summonses,
4 167,000 summonses via telephonic hearings in the last
5 12 months. Our telephonic hearings have been so
6 successful that we will be continuing this method of
7 hearings as an option for the foreseeable future.
8 I'm excited to also describe the launch of OATH's
9 Special Education Hearings Division. Special
10 Education Hearing Officers assigned to this division
11 will adjudicate cases where parents can either
12 challenge the Department of Education decision
13 relating to the adequacy of the Special Education
14 services offered to their child, or seek tuition
15 reimbursement for the cost of a private education
16 that provides their child with necessary services.
17 This division, which is being launched based on
18 Mayoral Executive Order 91 of 2021 and a Memorandum
19 of Agreement executed in December by OATH, the DOE
20 and the State Education Department, will help address
21 challenges in prompt adjudication of these cases.
22 OATH is stepping in to establish an effective and
23 standardized process in this area and will apply our
24 well-established principles of juris prudence-- I'm
25

1 sorry, independence and juris prudence, neutrality,
2 and access to justice to ensure that these matters
3 are decided appropriately and in compliance with
4 deadlines set by federal and state law. We are
5 already hearing cases, and hiring is ongoing for both
6 Special Education Hearing Officers and Administrative
7 Staff. We expect the Special Education Hearings
8 Division to be fully staffed up within the next
9 several months. For Mayor Adams' commitment to
10 greater transparency, OATH ensures information is
11 accessible, in plain language, and translated into
12 the top 10 languages spoken in NYC. Our Help Center
13 exists to ensure that people receive answers to their
14 questions and understand their rights and the hearing
15 process, which is especially helpful to those who do
16 not have access to OATH's accessible plain language
17 website. An important point to note that is
18 indicative of our commitment to transparency and
19 access is that even as our hearings have been held
20 remotely, we have facilitated access by the media on
21 numerous occasions. I'm sorry, facilitated access.
22 Our Trials Division decisions are made available
23 online and our Hearings Division appeal decisions are
24 also accessible online. Due to the volume of hearings
25

1 decisions, we can't easily make those written PDF
2 decisions accessible through an open-source web-based
3 system, but through our Open Data Portals and our
4 online summons finder we make the hearing outcome in
5 the current status available for anyone to see. In
6 addition to ensuring our hearings and trials are open
7 to the public, our average FOIL response time is
8 approximately eight days. Everyone has access to
9 free translation services for held sessions, trials,
10 hearings, community service, and mediations. And
11 OATH makes all forms and applications and orders
12 available in the top 10 languages and has also made
13 non-essential documents such as outreach fliers,
14 informational fact sheets, and handouts available in
15 the top 10 languages. OATH maintains a very robust
16 help center with 25 employees that supports
17 respondents who receive summonses and are
18 unrepresented before OATH [sic]. Help Center
19 sessions are one-on-one meetings with a procedural
20 justice coordinator which are currently being offered
21 remotely due to the pandemic. The session can be
22 done in a respondent's language of preference. Since
23 last March, our Help Center-- and I'm proud to say
24 that our Help Center has conducted over 64,000 remote
25

1 help sessions. Building on the specialized resources
2 offered by Small Business Help and Veterans Helps
3 Units in the Help Center, OATH recently launched
4 Senior Help, a dedicated Help Center Unit designed to
5 help seniors prepare for their hearings and appeals
6 and to make referrals to the Department for the Aging
7 when necessary. We have more than a dozen fact
8 sheets translated into the top 10 languages regarding
9 interagency processes and the hearings process, and
10 these include the following factions: DOB
11 Certificates of Correction, DOB stipulations, DCWP
12 settlements, helpful information for hair cutters,
13 hair salons and barber shops, summonses where your
14 property was taken away to name just a few. In
15 addition, since 2021, the OATH Help Center has
16 expanded its services to provide assistance to
17 unrepresented respondents in certain Trials Division
18 cases including TLC licensed drivers facing license
19 suspension or revocation, and vehicle owners seeking
20 to recover their cars after NYPD seizure during the
21 arrest-- an arrest. As indicated on our website,
22 self-represented respondents can email or call the
23 Help Center or can simply text OATH help to 917-451-
24 8829. The Communications and Public Affairs and
25

2 Legislative Affairs Divisions have remained active in
3 performing OATH's public education services about how
4 New Yorkers in New York City businesses can resolve
5 their civil violations, even through the pandemic.

6 Over the course of the past year, OATH conducted
7 approximately 67 public-facing educational events in
8 collaboration with elected officials, business
9 associations, community groups and more. These
10 educational events also include trainings about OATH
11 for Council Member's District Office staff working in
12 the area of constituent services since most of your
13 constituents will have a summons-related issue at one
14 time or another. One of the things we are most proud
15 of is our work partnering with the Council through
16 the years to provide assistance for the residents of
17 this city. We look forward to working with the
18 Council to continue to get stuff done. Prior to the
19 advent of the pandemic, OATH working to accomplish
20 greater access to justice for all New Yorkers and in
21 partnership with the Council introduced the first in
22 the nation continuous neighborhood pop-up course.

23 Unable to continue the live hearings on location in
24 offices of participating Council Members, OATH
25 created Remote, or the Remote Neighborhood Pop-up

1 Court Option, and made it available through
2 participating Council Member, Borough President,
3 Assembly Member, and State Senate offices. In the
4 past year, OATH partnered with five elected official
5 offices to provide the first-ever in the nation
6 remote option to their communities. OATH continues
7 to maintain a social media presence at its monthly
8 Bench Notes e-newsletter to keep respondents and
9 practitioners updated. OATH also houses the Center
10 for Creative Conflict Resolution which provides
11 mediation and restorative justice support to city
12 government agencies, businesses, and the general
13 public. Over the past five years, the Center has
14 offered a number of workplace conflict services for
15 city agencies, including mediations, conflict
16 coaching, group facilitation, restorative practices,
17 dispute system design services, education, and
18 training. During the past year the Center handled
19 close to 314 mediations, consultations, career
20 coaching, trainings, and group facilitations. A text
21 message reminder system is available to all OATH
22 respondents to help ensure that people never miss a
23 hearing and get real-time updates about the status of
24 their case. Since the inception of the text message
25

1 reminder system in September 2020, more than 8,000
2 respondents have registered for these reminders. As
3 mentioned above, the text message system can also be
4 utilized to initiate contact with our Help Center,
5 and OATH understands that people feel comfortable
6 communicating different types of ways. This past
7 year, OATH added a call-back option for the Hearings
8 Division remote hearing system, allowing respondents
9 to avoid waiting on hold and instead request a call-
10 back when their hearing is ready to go forward.
11 since this option was launched, around 80 percent of
12 respondents have taken advantage of it, and for
13 outreach materials, email signatures for our public-
14 facing and Help Center staff and other
15 correspondences, OATH creates its own QR code which
16 takes users to a specific page on the OATH website
17 call, "You received a summonses, now what?" and
18 enumerates all the options available for someone who
19 has just received a summons, including links to other
20 webpages and online forms such as reschedule forms,
21 payment websites, hearing request forms, and other
22 pertinent information. Agency headcount increased to
23 391 in the Fiscal Year of 2023 Preliminary Budget.
24 This does not include the 358 per diem hearing
25

1 officers in the Hearings Division. \$146.1 million is
2 expected in collected civil penalties for Fiscal Year
3 2023 from payment of fines prior to a summons being
4 docketed or falling into collection status. OATH's
5 total Preliminary Budget for Fiscal Year 2023 is
6 \$67.8 million dollars which represents an increase of
7 \$15.7 million dollars from the Fiscal Year 2022.

8 Adopted Budget had an increase of \$10.1 million
9 dollars from the Fiscal Year 2022 current modified
10 budget due to additional funding in the November Plan
11 to support the transfer of the Special Education
12 Hearings Division from the Department of Education.

13 The Preliminary Budget also includes a vacancy
14 reduction of 18 positions and \$989,000 dollars in
15 Hearing Officer PS savings of \$1.1 million. Of the
16 \$67.8 million, \$47.3 million is in personal services,
17 and \$20.5 million is in other than personal services.

18 Thank you, Council Members. Thank you so much, and
19 we're here to help, take questions, do the best we
20 can to answer them.
21

22 CHAIRPERSON UNG: Thank you. Thank you
23 for your testimony. Thank you for the entire OATH.
24 You guys have been great. Thank you for coming up to
25 my district office. I really appreciate it. Just a

1 couple of questions. Can you provide the Committee,
2 breakdown the numbers of the summons by the different
3 city agencies?
4

5 DEPUTY COMMISSIONER CASTELLI: By the
6 different city agencies, the numbers?

7 CHAIRPERSON UNG: Yeah.

8 DEPUTY COMMISSIONER CASTELLI: Well, we
9 can give you-- we can give you a breakdown of those
10 numbers, but it's going to-- we don't have the exact
11 breakdown now with us, but we can get that to you,
12 and we'll get that to you ASAP.

13 CHAIRPERSON UNG: Sure, thank you. But
14 do you know off the top of your head which is the
15 agency that issues the most summons?

16 DEPUTY COMMISSIONER CASTELLI: Yes, the
17 Department of Sanitation has the highest issuance of--
18 - the number of summonses. Well, the highest number
19 of summons that are issued.

20 DEPUTY COMMISSIONER SENIGO: And just to
21 add to what Mr. Castelli said, [inaudible]
22 information is available on our website. We update
23 it every month with the issuance per our agency. So,
24 we have a PDF document so you can go in and see which
25 agencies are issuing the most month-to-month, and

1 also it's available on our Open Data Portal. So, you
2 can sort by zip code if you want, for instance, if
3 you're interested in looking at your council district
4 specifically, but the Open Data Portal is a great
5 resource as well. But if you have any specific
6 questions, of course, let us know and we'll get back
7 to you expeditiously.
8

9 DEPUTY COMMISSIONER CASTELLI: We'll get
10 to Alexander right away, Council Member.

11 CHAIRPERSON UNG: thank you. Thank you.
12 Have you just-- off hand, have you seen an increase
13 in the number of summons issued by DOB in the last
14 few years?

15 DEPUTY COMMISSIONER CASTELLI: Sorry,
16 Council Member, I couldn't--

17 CHAIRPERSON UNG: [interposing] sure.
18 Have you seen, just like off-- you know, I know I
19 could on the website, but have you seen an increase
20 in the a number of summons issued by DOB in the last
21 few years?

22 DEPUTY COMMISSIONER CASTELLI: What we've
23 seen is overall-- I mean, the numbers that we have
24 overall, we can produce those. We can produce those
25 numbers now, but the numbers we have overall, we've

1
2 seen-- overall-- so overall the summonses have been
3 increasing. Issuance has increased.

4 CHAIRPERSON UNG: Okay. That's good to
5 know for general, too. So, okay. And then more for
6 DOB, okay.

7 DEPUTY COMMISSIONER CASTELLI: Again, I
8 want to point out, Council Member, that we get--
9 summonses get filed with us. So there's stuff that--
10 it depends on-- we get-- we only see things that are
11 filed with us. So we won't necessarily see all the
12 stuff that issued--

13 CHAIRPERSON UNG: Oh, I see.

14 DEPUTY COMMISSIONER CASTELLI: unless
15 it's filed with us.

16 CHAIRPERSON UNG: Okay. So you're making
17 the point that [inaudible] summonses being issued but
18 not [inaudible]. You will end up seeing if it's paid
19 for, right? You do not know-- that would not go back
20 to you. Okay, so the OATH 2023 revenue projection,
21 the Department will collect \$146 million revenue, and
22 it projects that the Department will generate more
23 revenue for the Department of Health and Mental
24 Hygiene fines. Can you tell the Committee what's the
25 structure of revenue collected from those fines?

2 DEPUTY COMMISSIONER CASTELLI: Well,
3 it's-- again, I want to put emphasis on the fact that
4 whenever we hear the word revenue, our focus at OATH
5 is we are focused on providing fair and impartial
6 hearings and due process. So, in terms of
7 projections on revenue, the only thing-- we can't
8 speak to essentially what our issuance-- increases in
9 issuance and also what's behind that. We can't speak
10 to the enforcement policies or the enforcement
11 strategies behind that, which would-- you know, which
12 those projections could be based on. I don't know,
13 but again, it's something-- it's an area that we
14 can't speak to.

15 CHAIRPERSON UNG: Okay, I understand.
16 How about summons in default, is there any number of
17 the percentage of summons that people just don't pay?

18 DEPUTY COMMISSIONER CASTELLI: Well,
19 yeah. It's 40-- it's 45 percent of-- 45 percent of
20 all summonses have gone into-- that are filed with
21 OATH have gone into default, 45 percent overall.

22 CHAIRPERSON UNG: And is there any-- do
23 you know what are the most common types of summonses
24 that goes into default?

2 DEPUTY COMMISSIONER CASTELLI: The most
3 common I would say that Sanitation summonses are the
4 most common. Certain types of Sanitation summonses
5 would be the most common at going to default. Again,
6 with the advent of electronic issuance, more agencies
7 are using electronic devices to issue summonses, so
8 that number eventually-- it could go-- it could
9 improve, not sure.

10 CHAIRPERSON UNG: Okay.

11 DEPUTY COMMISSIONER SENIGO: And I would
12 also add that [inaudible] once the summons defaults,
13 every respondent has an opportunity and receives a
14 default decision from OATH with very clearly, plainly
15 written language on how to reopen that default. So
16 you do get notice that you've defaulted to say if you
17 didn't ever receive the summons, and during the
18 pandemic and up 'til today, in fact, we still have
19 expanded the days in which we will automatically
20 reopen a summons after a default decision is issued
21 from 60 days to 75 days. So now respondents have
22 even more time to request a hearing after they have
23 found out that they've defaulted, and we will
24 automatically grant that hearing, and that's if you
25 default once. So, the second default, we don't

1 automatically grant that, but you know, if something
2 were to happen on the first issuance where you were
3 to miss your court date, we do send out a clearly
4 written letter with instructions on how to submit
5 that defense to us.

7 DEPUTY COMMISSIONER CASTELLI: Yes.

8 DEPUTY COMMISSIONER SENIGO: That
9 request, rather, to us.

10 DEPUTY COMMISSIONER CASTELLI: And also,
11 Council Member, what we've been doing with a lot of
12 our outreach events is to educate communities working
13 in conjunction with Council Members, educate, and
14 also then Borough President Gale Brewer's office, now
15 Council Member Gale Brewer. So, what we've done is
16 we've gone out there and proactively worked on
17 educating constituents in the communities and small
18 business owners about how significant it is to answer
19 the summons and what the consequences are if they
20 don't answer the summons. A lot of people don't
21 recognize those consequences. So we're out there and
22 we're doing it with the Council, in partnership with
23 the Council, with Council Members. We have our OATH
24 Office, which we're going to be coming out to your
25 office in the next few days, which we're meeting with

1 a number of constituents as we've done in the past,
 2 we sit down with them and a lot of them don't
 3 realize, "Hey, if I don't answer this summons, I
 4 don't know what the consequence is going to be." So
 5 we're out there to ensure that, and we're doing it
 6 ourselves going out there personally to make sure
 7 that that happens, but again, we have to attribute
 8 any success to that through the partnership we have
 9 with you, and that's one thing we want to put-- you
 10 know, we always want to put emphasis on.

12 CHAIRPERSON UNG: No, thank you. Thank
 13 you. Do you have any insights into why DSNY summons
 14 have the highest amount of people?

15 DEPUTY COMMISSIONER CASTELLI: Well, I
 16 mean, again, I don't know for sure what-- I couldn't
 17 tell you. I mean, the DSNY has a jurisdiction, has a
 18 huge jurisdiction over a lot of types of violations
 19 and so forth. I'm not sure exactly. It's-- again,
 20 we can't speak to issuance. We can only speak-- I
 21 can tell you about the hearings process. I can tell
 22 you about what happens after the summons is filed
 23 with us, but I can't speak to why, what the
 24 motivation is, what strategies, what the issuing
 25 agencies do.

2 CHAIRPERSON UNG: Understood. And just
3 one last question. Do you have any numbers-- and
4 thank you for having so many different languages
5 available of-- in OATH? Do you have any numbers in
6 how many people that come to OATH use the language--
7 different language services?

8 DEPUTY COMMISSIONER CASTELLI: We're
9 going to pull it up right now.

10 DEPUTY COMMISSIONER SENIGO: Sixty-three
11 hundred in Fiscal 21.

12 CHAIRPERSON UNG: Oh, wow. And what is
13 that number in relation to everyone, everybody else
14 that came to OATH?

15 DEPUTY COMMISSIONER SENIGO: So, we don't
16 know how many people come to OATH. There may be more
17 people-- there may be someone that comes with 20
18 different summonses, so you know, we have the summons
19 issuance, so what we receive in terms of summonses,
20 but we don't have the number of respondents that
21 come. But just to put it in perspective in Fiscal
22 Year 20 when it was more normal before the pandemic,
23 we did about 13,000 translation requests. So, and I
24 would say that they went down during the pandemic
25 because the enforcement agency they think we really

2 focusing on the more serious violations which tended
3 to go to businesses and larger companies or property
4 owners, and we're seeing an increase now. I know in
5 our PMMR we're reporting that we've gotten a 75
6 percent increase in language interpretation requests
7 just in the first four months.

8 CHAIRPERSON UNG: Oh, okay.

9 DEPUTY COMMISSIONER SENIGO: I think
10 that's because the summonses issuance is going out to
11 a wider variety of summonses. So we're seeing more
12 of the regular mundane like Sanitation summonses
13 being issued, and so those are like the everyday New
14 Yorker, the property owners that are going to be
15 getting those summonses. So, with a wider variety of
16 summons type, because the wider variety of respondent
17 appearing.

18 DEPUTY COMMISSIONER CASTELLI: Yes, and
19 Council Member, to add to that too, part of the
20 outreach stuff that we work on is to ensure that
21 people know that these language-- that these
22 languages-- that these resources that we have for
23 language translation in so many different languages
24 is-- that it's available. There are people that may
25 not be aware of it, and we're out there making sure

1 that they do become aware of it and they understand
2 that they don't-- they will have the language of
3 their choice at OATH.
4

5 CHAIRPERSON UNG: Thank you, and I
6 appreciate your efforts. Certainly, we've discussed
7 this many times to doing that for the community. So
8 I really do appreciate that. I am done with my
9 questions. I'm wondering if any other City Council
10 Members still on this call have any questions. Oh,
11 look, great. Council Member Brewer?

12 DEPUTY COMMISSIONER CASTELLI: Hi,
13 Council Member. I think you're muted.

14 COUNCIL MEMBER BREWER: Thank you. I'm a
15 big OATH fan, as you know. So--

16 DEPUTY COMMISSIONER CASTELLI:
17 [interposing] Thank you, Council Member.

18 COUNCIL MEMBER BREWER: I love doing the
19 outreach event--

20 DEPUTY COMMISSIONER CASTELLI:
21 [interposing] We're big fans of you. We're big fans
22 of you. We're big fans.

23 COUNCIL MEMBER BREWER: We hope to--
24 would do more events with you, but the issue is--
25 remember we talked-- met about the Department of

1 Education's Special Ed. So I'm just wondering how
2 that's going, and if you discussed it, I apologize,
3 because I'm on another Zoom. I wanted to know how
4 that is going and update on this issue of Special Ed
5 at OATH.
6

7 DEPUTY COMMISSIONER CASTELLI: Okay, so
8 the Special Education Hearings Division, we are in
9 the process of getting it up and running. Right now,
10 what we've done is we have required-- we committed to
11 hiring 50 Special Education Hearing Officers, and
12 right now we've offered-- 22 have accepted offers.
13 Thirteen of the 22 that have accepted offers are
14 already certified with the State Department of
15 Education, and again, they have to be certified by
16 the New York State Department of Education in order
17 to adjudicate these cases. We are also going to be--
18 we're committed to hiring 30 administrative support
19 staff. So at this point, some of the Special
20 Education Hearing Officers that we hired were
21 previously Hearing Officers, contracted Hearing
22 Officers who did these cases and brought some of
23 their cases over to OATH, and they're currently
24 adjudicating those cases that they brought over.
25 Keep in mind that we're still in the process of

2 promulgating our rules for this, our procedural rules
3 for this new division. We're very excited about it.
4 Our rules right now are being reviewed. The draft of
5 our rules are being reviewed by the Law Department,
6 and again we're working on space and we'll make sure
7 that we have adequate space to house these Special
8 Education Hearings Division, and we're hoping that
9 all of this-- and one more thing is we're going to be
10 working putting together a case-- a computerized case
11 management system so these cases can be tracked. One
12 of the great things about this is by tracking these
13 cases we have-- we can see things. We can have more
14 oversight into these types of cases. Again, and it's
15 something that we hope to kick off by sometime during
16 this spring or the summer.

17 COUNCIL MEMBER BREWER: Okay. Will the
18 CMS system be apples to apples with DOE or it'll be
19 different? How can you-- how will that work?

20 DEPUTY COMMISSIONER CASTELLI: Again, I'm
21 not-- we're still in the preliminary stages of
22 working on that, so I couldn't answer that question
23 right now, but I will get-- I can get you that
24 answer, Council Member, as soon as I get a clear
25 update on that.

2 COUNCIL MEMBER BREWER: Okay. Okay.

3 Because I guess what we want to find out is how is
4 this working hopefully better than what it is now,
5 and we think it will, but that's the way you find out
6 is the data. Okay, alright, and thank you. And I
7 guess there isn't that 45 percent that the Chair
8 asked about in terms of you can't get their money.

9 SERGEANT AT ARMS: Time expired.

10 COUNCIL MEMBER BREWER: There's not much
11 we can do about that, right? I mean, it is hard once
12 they default.

13 DEPUTY COMMISSIONER CASTELLI: We just
14 had-- I mean, the am-- there was an amnesty program.
15 The Department of Finance has an amnesty program,
16 which--

17 COUNCIL MEMBER BREWER: [interposing]
18 Right.

19 DEPUTY COMMISSIONER CASTELLI: my
20 understanding was successful in getting the number of
21 people that were in default and it applied during the
22 height of COVID, and it was successful in allowing
23 people who couldn't for whatever reason respond to
24 the summons due to the challenge-- maybe due to
25 challenges presented by COVID. It allowed them to

1 work out a plan with the Department of Finance to
2 remove those defaults. But I want to put great
3 emphasis on the fact that we're moving-- we're doing
4 everything we possibly can to make sure that those
5 people-- and as my colleague, Deputy Commissioner
6 Senigo, pointed out, we've extended the period of
7 time that allows an individual to move to remove that
8 default.

9
10 COUNCIL MEMBER BREWER: Right.

11 DEPUTY COMMISSIONER CASTELLI: So, that's
12 important. And we-- and again, we are-- we're doing
13 what we can. We're going out to make sure that
14 people are aware that answering that summons is the
15 most critical thing a person can do. Thank you,
16 Council Member.

17 COUNCIL MEMBER BREWER: Right. Thank you
18 for your help. Thank you very--

19 DEPUTY COMMISSIONER SENIGO: I was going
20 to add that text message reminder system also serves
21 to remind people about their hearing dates. You
22 know, we are trying to advertise that as much as we
23 can on our website and on our outreach material so
24 that people sign up for that service. They have to
25 opt in. Obviously, we don't want to be tracking

1
2 people or you know, and we don't have their cell
3 phones numbers on the summons itself. But for those
4 people who opt in, it is a very handy service for
5 them to make sure that they do not miss their
6 hearing.

7 COUNCIL MEMBER BREWER: Okay, the other
8 thing that I should note is-- has always been an
9 issue, the handwriting. But is everything electronic
10 now, Sanitation, every agencies, or do you still have
11 to read somebody's bad handwriting on the summons?

12 DEPUTY COMMISSIONER SENIGO: That's
13 still-- it's still-- yeah. It's increased for sure,
14 but it's-- the NYPD certainly is only handwritten.
15 So,-- Chief Clerk Maria Marchiano can elaborate.

16 DEPUTY COMMISSIONER MARCHIANO: So we
17 have-- electronic issuance has in fact expanded, but
18 there are still some agencies that do handwriting
19 summonses. So yeah, there is that bit of a struggle.

20 COUNCIL MEMBER BREWER: Okay. So is that
21 something that we should work on. Maybe you could
22 provide to the Chair the agencies that still can't
23 figure out how to have electronics. That would be
24 helpful.

2 DEPUTY COMMISSIONER MARCHIANO: Okay,
3 that's great.

4 DEPUTY COMMISSIONER SENIGO: Yeah, we can
5 give you a list of the agencies that don't and the
6 percentage, about the percentage of which-- you know,
7 because a lot of agencies will have different
8 enforcement, different enforcement departments within
9 in. So, like, the Health Department has a different
10 enforcement unit for Vector Control cases, which is
11 like mosquitos and things or pest control. So some
12 of those units, even within one agency, one will be
13 doing hand-written. Another will be doing electronic
14 issuance. So we can give you the breakdown.

15 COUNCIL MEMBER BREWER: That'd be great.

16 DEPUTY COMMISSIONER SENIGO: [inaudible]
17 that.

18 COUNCIL MEMBER BREWER: Okay, thank you
19 very much. Thank you, Madam Chair.

20 CHAIRPERSON UNG: Thank you. Does any
21 other City Council Member have any more questions?
22 So, I just want to thank you again for OATH for
23 coming today and I look forward to see you in the
24 City Council Office really soon.

2 DEPUTY COMMISSIONER CASTELLI: Thank you,
3 Council Member. Thank you again. I see Council
4 Member Yeger. Council Member Yeger, I just want to
5 say thanks. Keep up the great work, and thank you
6 for supporting and helping us going-- you know,
7 through the years, and Council Member Brewer, I could
8 spend two hours talking about how wonderful you are,
9 so but I'll take-- and Council Member Ung, looking
10 so-- we are so looking forward to working with you to
11 make this city an even better place in getting
12 things-- getting stuff done. Thank you. Thanks
13 everybody.

14 COUNCIL MEMBER BREWER: Thank you.

15 COMMITTEE COUNSEL: Thank you. We'll now
16 turn to public testimony. I'd like to remind everyone
17 that unlike our in-person council hearings, we'll be
18 calling on individuals one-by-one to testify. Each
19 panelist will be given three minutes to speak. Please
20 begin once the Sergeant has started the timer.
21 Council Members who have questions for a particular
22 panelists should use the Zoom raise hand function,
23 and I will call on you after the panelist has
24 completed their testimony. For panelists, once your
25 name is called, a member of our staff will unmute

2 you, and the Sergeant at Arms will set the timer and
3 give you the go-ahead to begin. Please wait for the
4 Sergeant to announce that you may begin before
5 delivering your testimony. I'd now like to welcome
6 Felice Robertson to testify, followed by Towaki
7 Komatsu and then Glen Bolofsky. Felice Robertson,
8 you may begin when the Sergeant calls time.

9 SERGEANT AT ARMS: Starting time.

10 FELICE ROBERTSON: Thank you. Hello,
11 Chair Sandra Ung, Governmental Operation and City
12 Council Members. My name is Felice Robertson and I
13 am the Chapter Chair of New York City Department of
14 Administrative Services, DCAS, and the Office of
15 Administrative Trials and Hearings, all employees of
16 Local 1549. Under leadership of Eddie Rodriguez,
17 President of Local 1549 and our 13,000 members, we
18 would like to thank you and give us-- for giving us
19 this opportunity to speak at this budget hearing.
20 The employees of DCAS and OATH are recommending that
21 the implementation of employees to obtain pay
22 disparity other than passing exams. The employees of
23 OATH are in need of departmental growth with human
24 resources such as Human Resources, revenue
25 procurement, and cashier training. DCAS and OATH

2 employees are strongly recommending promotional
3 opportunities to all employees not just a selective
4 few. Once a position in DCAS and OATH is open, staff
5 should be made aware that an employee is leaving or
6 retiring from the agency, by which the job should be
7 posted on the billboard. Additionally,
8 responsibility should not be added without
9 compensation. DCAS and OATH employees' achievements
10 should be recognized for their college degrees and
11 certificates. For every additional level the
12 employees achieve, they should be recognized and
13 given the job opportunity, and/or monetary pay.
14 Finally, DCAS and OATH employees stress the
15 recommendation to be allowed to work from home during
16 an inclement weather condition such as stormy snow
17 storms and not expected for us to make every effort
18 to come into work. In conclusion, we would like to--
19 we would like again to thank you for giving us this
20 opportunity to offer our opinion and recommendation
21 of this budget hearing. Thank you. If you have any
22 questions, I'm open.

23 COMMITTEE COUNSEL: Thank you. I'd now
24 like to welcome Towaki Komatsu to testify, followed
25 by Glen Bolofsky and then Lena Cohen. Towaki

2 Komatsu, you may begin upon the Sergeant's
3 announcement.

4 SERGEANT AT ARMS: Starting time.

5 TOWAKI KOMATSU: Hi. I'm Towaki Komatsu.
6 I'm testifying in this public hearing I guess yet
7 again. I filed a motion with the US Court of Appeals
8 for the Second Circuit yesterday to ask the Second
9 Circuit to immediately fire Joni Clutter [sp?].
10 She's a commissioner of OATH. I also ask the second
11 circuit to immediately fire Benny Ringle [sp?].
12 There's a video recording of a public resource
13 [inaudible] meeting that Bill de Blasio conducted on
14 November 16th in Brooklyn where both Ms. Clutter and
15 Mr. Ringle illegally violated my first amendment and
16 14th amendment right to talk to former Commissioner
17 Steven Banks of HRA. So, the point is, with regards
18 to New York City charter session 1116 that pertains
19 to official misconduct [inaudible] procedure to have
20 employees of the City of New York investigated and
21 prosecuted and also terminated when they violate that
22 section of the New York City Charter. And also with
23 regards to submitting written testimony for today's
24 hearing, if people submit written test-- say like a
25 PDF file, how soon thereafter will that PDF file be

2 available from the New York City Council's website
3 for the public to view? Chairwoman Ung, do you have
4 an answer for that? Or Mr. Murray, do you have an
5 answer for that? If people submit written documents
6 for today's hearing, how soon thereafter will those
7 documents be available? Okay, so I can't get an
8 answer. Okay, so I guess this testimony is for the
9 Second Circuit since I can't get answer to a
10 straightforward question. Have a good day.

11 COMMITTEE COUNSEL: Mr. Komatsu we'll
12 work on that. I see Council Member Yeger has a hand
13 up.

14 TOWAKI KOMATSU: Mr. Yeger, do you have
15 an answer? So, no one has an answer.

16 COUNCIL MEMBER YEGER: I was just going
17 to let you know, that if you paid attention to the
18 beginning part of the hearing or a few minutes ago,
19 you would know that Commissioner Clutter [sp?] is no
20 longer the Commissioner of OATH. So, I guess it's a
21 matter of paying attention to some of the facts.
22 Really, it was just five minutes ago that the new
23 Commissioner was testifying. But more to the point,
24 and since your time is about to run out, I'll help
25 you out with that. If you have-- if you have

1 complaints about the performance of city employees,
2 you can go to the Department of Investigations and
3 you can file any complaint you want. This is an
4 oversight hearing on the budget, and in terms of the
5 oversight hearing on the budget, this is where-- this
6 is where we talk about the budget--

8 TOWAKI KOMATSU: [interposing] To your--
9 to your point, though, I've already contacted DOI.
10 DOI hasn't done anything about that.

11 COUNCIL MEMBER YEGER: If the moderator
12 could just hit mute, I'd appreciate that. Mr.
13 Komatsu, you come to the Council a number of times to
14 testify. I appreciate the circumstances that you've
15 gone through, and--

16 TOWAKI KOMATSU: [interposing] Mr. Ramos,
17 terminate this hearing. Thank you, by.

18 COUNCIL MEMBER YEGER: [inaudible] ways,
19 but there are resources and places for you to go and
20 clearly demonstrated your ability to be litigious,
21 and referring to the Department of Investigations to
22 make sure that that's the place that you know you can
23 file any complaint you want about any city employee.

24 TOWAKI KOMATSU: I've done that.
25

2 COUNCIL MEMBER YEGER: [inaudible]

3 budget.

4 SERGEANT AT ARMS: Time expired.

5 COMMITTEE COUNSEL: I'd now like to
6 welcome Glen Bolofsky to testify, followed by Lena
7 Cohen and then Ahmed Butt. Glen Bolofsky, you may
8 begin when the Sergeant calls time.

9 SERGEANT AT ARMS: Starting time.

10 GLEN BOLOFSKY: Good afternoon, everyone.
11 Thank you for your hard work. Nice to see everyone
12 today. Chairwoman Ung, nice to see you.
13 Councilwoman Brewer, Council Member Yeger, pleasure
14 to see you both. Thank OATH for all their great
15 work. I have basically comments about the budget and
16 OATH and how it relates to DOF PVB. OATH has been
17 conducting remote hearings very, very well, showing
18 that regulatory agencies can do that, and they should
19 be applauded for it. However, PVB, DOF is not. We
20 want to stress that PVB, Parking Violations Bureau,
21 is light-years behind OATH, light-years behind this
22 Council, and by doing so, PVB denies live hearings to
23 the public to appear in safety. In my role as
24 Political Director of the 504 Democratic Club,
25 representing the disability community, individuals

1 with disabilities have a very hard time getting to
2 PVB for live hearings. So, we encourage this
3 committee where possible to try to suggest or move
4 the PVB to allow Zoom hearings and remote hearings.
5 One request for OATH's improvement. They do speak
6 about having telephone call-in hearings, and they do
7 a great job with that, and it does take a very, very
8 long time to wait on hold, and if you do request a
9 call-back, OATH does not specify the time for the
10 call-back. So respondents never know exactly when to
11 expect that call, and if you miss the call, there's
12 severe consequences. You can't call back. You are
13 now in default with little or no way to remove that
14 default, especially if it's a second hearing. So,
15 there's opportunity for improvements with the call-
16 back system. In terms of Department of Finance PVB,
17 the stipulated fine [sic] program is pretty well-
18 known for giving discounts on parking ticket fines to
19 the biggest ticket offenders. I mean, there's room
20 for abatement programs for small individuals, small
21 individual businesses, and for the public at large,
22 but why is it illegal to jump a turn style when DOF
23 automatically reduces illegal double-parking ticket
24 fines to half for the biggest ticket offenders
25

1 causing congestion and pollution? And now, with
2 their recent announcement about a week ago, they're
3 further reducing the fines for blocking bus lanes,
4 encouraging people not to use mass transit.
5

6 SERGEANT AT ARMS: Time.

7 GLEN BOLOFSKY: So, these automatic
8 discounts harm everyone, especially the disabled
9 community as they are blocked from parking legally
10 against the curb by these large units that are
11 double-parked and also blocked from leaving a parking
12 spot when these large units are blocking them. I
13 really appreciate this committee's meeting today, and
14 really thank you.

15 COMMITTEE COUNSEL: Thank you. I'd now
16 like to welcome Lena Cohen to testify followed by
17 Ahmed Butt, and then Chi Jindasurat. Lena Cohen, you
18 may begin upon the Sergeant's announcement.

19 SERGEANT AT ARMS: Starting time.

20 LENA COHEN: Thank you, Chair Ung and
21 members of the Government Operations Committee. My
22 name is Lena Cohen. I'm a Senior Policy Analyst at
23 United Neighborhood Houses. UNH is a policy and
24 social change organization representing 45 settlement
25 houses across the state and we're really happy to be

1 here today because UNH's-- we proudly co-lead the Our
2 City Our Vote Coalition along with our friends at the
3 New York Immigration Coalition, and we advocated for
4 the City to restore municipal voting rights, which of
5 course, has come up a few times today. And so, on
6 December 9th, 2022 the law will go into effect and
7 eligible non-citizens will be able to register to
8 vote in city elections starting in 2023, as we
9 already discussed pending the current litigation. But
10 leading up to that date, regardless of that, it is
11 crucial that the City does start to begin
12 preparations for how this law will be implemented.
13 As we learned with the 2020 census and with the
14 implementation of Rank Choice voting in New York
15 City, early voter education is very key to driving
16 successful changes like this, and that's what I'm
17 here to testify about. So, to effectively implement
18 the municipal voting law, UNH recommends a \$25
19 million dollar City Council initiative to support
20 community-based outreach to newly enfranchised
21 voters. This funding would be distributed to
22 community-based organizations to conduct things like
23 citywide voter registration, non-partisan outreach,
24 and mobilization leading up to any election date.
25

1 The initiative could be modeled after the incredible
2 work that the City Council supported for the 2020
3 census. Just as an example, ideally we envision this
4 initiative being allocated to smaller grassroots
5 organizations who are not only embedded in the
6 communities that they serve, but have strong ties to
7 community leaders and their neighbors so that again,
8 when we talk about spreading awareness about the
9 municipal voting bill, we know that the messengers
10 will be folks coming right from the community.
11 additionally, we're very much looking at the other
12 city agencies that will be playing a role in the
13 implementation, and we'd like to see an increase for
14 all of the budgets to those agencies which would
15 include the Board of Elections, \$25 million dollar
16 total cost for the Board of Elections is what we
17 anticipate over the next year or two, and then the
18 other few agencies that we're looking at would
19 include a 10 percent increase of the Civic Engagement
20 Commission, the Campaign Finance Board, and the
21 Mayor's Office of Immigrant affairs, and then lastly
22 a five percent increase to the Fiscal Year budget
23 for--
24

2 SERGEANT AT ARMS: [interposing] Time
3 expired.

4 LENA COHEN: Thank you. For Department--
5 for the Department of Youth and Community Development
6 if we're able to again secure a funding initiative
7 that DYCD could play a role in managing those
8 contracts again nearing the 2020 census roll-out. So
9 thank you so much for your consideration, and I look
10 forward to answering any questions.

11 CHAIRPERSON UNG: Thank you. Thank you,
12 Lena for your testimony. Just one quick [inaudible].
13 Are you submitting a written testimony today, too?
14 So,--

15 LENA COHEN: Yes, I am. Thank you.

16 CHAIRPERSON UNG: Okay, great. Thank
17 you.

18 COMMITTEE COUNSEL: I'd now like to
19 welcome Ahmed Butt to testify followed by Chai
20 Jindasurat, and then Moni Chen [sp?]. Ahmed Butt,
21 you may begin upon the Sergeant's announcement.

22 SERGEANT AT ARMS: Starting time.

23 AHMED BUTT: Hello. I'd like to thank
24 Committee Chair Ung, and the Council Members of the
25 Committee on Governmental Operations for providing

1 Asian American Federation the chance to testify on
2 this year's budget. I'm Ahmed Butt, the Civic
3 Engagement Coordinator at AAF. We proudly represent
4 the collective voice of more than 70 member
5 nonprofits serving 1.5 million Asian New Yorkers.
6 Amidst an ongoing pandemic, language barriers have
7 revealed dramatic shortcomings in how our government
8 connecting New Yorker with programs and facilities
9 they need. From receiving alerts about severe
10 weather conditions to updates about masking mandates,
11 language barriers are a significant impediment to
12 Asian Americans with life and death information. We
13 appreciate initiatives set forth by the Mayor's
14 Office of Immigrant Affairs, agencies like the
15 Campaign Finance Board and [inaudible] Commission
16 providing new ways to engage with LEP [sic] voters.
17 However, language barriers are ranked high among
18 Asian New Yorkers. Overall, 46 percent of the Asians
19 have a limited English proficiency in New York City,
20 compared to a citywide rate of 23 percent. Impact of
21 these barriers on voter registration will be
22 addressed [inaudible] policy but by competent
23 implementation by ensuring that language resources
24 are made adequately available and bilingual staff are
25

1 accessible LEP community members. To make voting
2 more equitable in addition to improving language
3 accessibility at city agencies, it is vital that
4 culturally competent CBO's who are trusted in their
5 communities are funded to conduct their own outreach
6 in the communities they know best. By partnering
7 with CBOs, including those belonging to those
8 belonging to our AAVF [sic] Power Coalition, have
9 collectively made almost two million contacts with
10 Asian voters last year and we served eight different
11 ethnic communities in four boroughs, our city can
12 improve the way in which it serves LEP voters. Our
13 coalition members must be a part of the process,
14 engage with partners and [inaudible] experts. The
15 following recommendations for this year's budget will
16 help ensure that LEP community members aren't
17 excluded from voter registration efforts due to a
18 lack of adequate resources or training. Ensure that
19 adequate and timely supply of translated voter
20 registration forms and voter educational materials of
21 citywide languages both in-person and on agency
22 websites. Ensure adequate staffing of bilingual
23 employees at city agencies are properly trained to
24 register voters. Partner with CBOs, including those
25

1
2 belonging to our AAPF [sic] Power Coalition to
3 conduct culturally competent voter outreach. The
4 city must also increase investment in safety net
5 programs such as community health centers, clinics,
6 and food pantries. Asian New Yorkers have a greater
7 need for access to these programs in part due to the
8 continued after effects the previous presidential
9 administration's Public Charge [inaudible] to dis-
10 enrollment of public benefits [sic]. Specifically,
11 the City must fund an emergency network of
12 linguistically and culturally competent food service
13 programs, connect aging seniors and other vulnerable
14 populations to alternative food benefits in order to
15 begin to address the harm inflicted on the population
16 by the loss of access to traditional government
17 assistance programs. The City Council works on this
18 year's budget, Council Members must keep in mind
19 persistent inequalities in city contracting practices
20 and systemic barrier facing our CBO's seeking the
21 dollars the Council is allocating for this year. In
22 addition to increasing funding for AAPI Power-- AAPI
23 Community Support Initiative, we're also asking City
24 Council to fund the Communities of Color Nonprofit
25 Stabilization Fund at seven million dollars so our

1 nonprofits can invest in capacity building projects
2 as demand for their work only increases.

3 SERGEANT AT ARMS: Time expired.

4 AHMED BUTT: I want to thank you for
5 giving me the opportunity to speak today. The Asian
6 community has been through so much over this past
7 year and the budget is the best way for City Council
8 to show they are a priority and our community is
9 cared for as it deserves.

10 COMMITTEE COUNSEL: Thank you. I'd now
11 like to welcome Chai Jindasurat to testify, followed
12 by Wennie Chin and then Donna Romo. Chai Jindasurat,
13 you may begin upon the Sergeant's announcement.

14 SERGEANT AT ARMS: Starting time.

15 CHAI JINDASURAT: Thank you. Good
16 afternoon Chair Ung and members of the Government
17 Operations Committee. My name is Chai Jindasurat,
18 and I am providing testimony on behalf of Nonprofit
19 New York, a membership based organization
20 representing 1,000 501C3 nonprofit organizations in
21 the greater New York City area. Nonprofit New York
22 works to strengthen and unite the nonprofit sector.
23 I'm testifying this afternoon in support of two
24 campaigns relevant to Government Operations. The
25

1 first is A Place at the Table, and the second is
2 implementation of Our City, Our vote. A Place at the
3 Table seeks to increase nonprofit's ability to
4 advocate by reforming the lobbying expenditure
5 threshold. Nonprofits have a legal right to lobby,
6 yet, fewer than three percent exercise this right.
7 During a listening session that we held three years
8 ago with nonprofit and legal practitioners the
9 current 5,000 dollar expenditure required for
10 nonprofits to have to register with the City Clerk as
11 lobbyist was the most common barrier shared with us.
12 In New York City and New York State, if an
13 organization engages in up to \$5,000 dollars in
14 lobbying, they must track their advocacy time,
15 primary staff, supplies, and travel for legislative
16 meetings, budget advocacy and other activities core
17 to advocating for their community's missions, file
18 eight reports per year, and pay an annual \$150 dollar
19 fee. Many organizations that register are routinely
20 penalized for missing deadlines or filing information
21 incorrectly, and this can range from \$75 dollars to
22 \$1,000 per fine. Many more organizations choose to
23 have a no advocacy policy because they do not have
24 the administrative capacity for the type of
25

1 compliance required of big lobbying firms. In the
2 City's current policy effectively removes the voices
3 and experience of local community-based organizations
4 especially those who are most under-resourced from
5 the policy-making process. New York City currently
6 allows architects to spend up to \$10,000 dollars
7 before registering or reporting as a lobbyist, and we
8 seek the same standard for nonprofits. In the
9 previous Council we were successful in getting a bill
10 introduced through Gov. Ops, but it unfortunately did
11 not pass the full Council. We're hopeful the new
12 Council will again introduce legislation to raise the
13 threshold and create a place at the table for
14 grassroots and under-resourced organizations to make
15 their voices heard. Next, onto Our City, Our Vote.
16 So, Nonprofit New York is also a proud supporter of
17 Our City, Our Vote. We recommend similar to Lena's
18 testimony that the City allocate 25 million dollars
19 to fund community-based organizations in voter
20 education, registration, and Get Out the Vote efforts
21 in relation to Our City, Our Vote; increase budget
22 for city agencies that are going to be working on the
23 implementation of Our City, Our Vote, including \$25
24

1 million for the Board of Education, a 10 percent
2 increase in the--

3
4 SERGEANT AT ARMS: [interposing] Time
5 expired.

6 CHAI JINDASURAT: Thank you.

7 CHAIRPERSON UNG: Chai, thank you. I
8 just have a quick question. A Place at the Table,
9 you said a bill was introduced before and it was not
10 passed. What bill was that? What bill number was
11 that?

12 COMMITTEE COUNSEL: We're sending an
13 unmute request. You may need to accept it, Chai.

14 CHAI JINDASURAT: Okay, thank you.
15 Sorry. I think I was-- yeah. I'll have to check the
16 bill number. It's-- yeah, I'll have to check the
17 bill number. It was introduced by Council Member
18 Cabrera, and yes, but I can definitely get that and I
19 can send that with written testimony if that would be
20 helpful among the budget asks for Our City, Our Vote.

21 CHAIRPERSON UNG: Thank you. That would
22 be really helpful. Thank you.

23 COMMITTEE COUNSEL: I'd now like to
24 welcome Wennie Chin to testify followed by Donna Romo

1 and then Loyd Feng. Wennie Chin, you may begin upon
2 the Sergeant's announcement.
3

4 SERGEANT AT ARMS: Starting time.

5 WENNIE CHIN: Hi, good afternoon. My
6 name is Wennie Chin. I'm the Director of Civic
7 Engagement at the New York Immigration Coalition. We
8 are an umbrella policy and advocacy organization that
9 works statewide with over 200 immigrant-serving
10 organizations. I want start by thanking Chair Ung
11 and the members of the Gov. Ops Committee for
12 convening this very important hearing and allowing us
13 the opportunity to testify-- to submit testimony and
14 testify on behalf of the organizations budget and
15 policy priorities for Fiscal Year 23. So, speaking
16 to some of the things that my dear friends in this
17 room have already previously shared. New York City's
18 saw the passage of the historic legislation last
19 December. Intro. 1867 was adopted into law this past
20 January, and with this, over 800,000 New Yorkers with
21 green cards and those with work authorization will
22 become eligible to register to vote starting in this
23 upcoming December, and those same individuals will
24 also be available to vote depending when the first
25 election is held as early as January 2023. So we are

1
2 incredible thrilled to see this true democracy really
3 embed itself in our city. And really what we're
4 proposing today is really supporting that vision with
5 a budget that makes sense. I know that we have heard
6 previously from the Board of Elections around their
7 budgetary concerns and budgetary plans for municipal
8 voting. I just want to quickly respond in that,
9 wanted to elevate Council Member Restler's concerns
10 about being proactive and not waiting until January
11 of 2023 to revise any plans and build out a budget,
12 because so much of this work needs to be happening in
13 2022, and whenever the opportunity to plan forward is
14 presented to us, we should really take that
15 opportunity and not wait 'til the 11th hour. So what
16 we are advocating is for city agencies such as the
17 Board of Elections to be funded. We're specifically
18 asking for 25 million for the BOE to prepare itself
19 in its year one of the legislation, especially I
20 think some of Executive Director Mike Ryan's comment
21 about year one being the most crucial year and really
22 ensure that we have widespread education, that the
23 voter registration forms are done properly, have been
24 translated in languages and making sure that folks
25 are ready to register in December of 2023 and not

1
2 having to wait and belabor that process. I also want
3 to echo the need to create a \$25 million dollars fund
4 to redistribute the CBO's, particularly the Our City,
5 Our Vote Coalition so that we can reach the most
6 deeply impacted communities that we are already
7 having direct reach with them, and really conduct
8 that citywide voter registration, voter education and
9 Get Out the Vote efforts that we really want to see
10 happen next year. And as an Asian-American woman, I
11 just want to elevate that we by no means condone
12 bullying of any sort. And thank you for your time.
13 We will be submitting a written testimony so you can
14 review some of our numbers and recommendations.

15 COMMITTEE COUNSEL: Thank you. I'd now
16 like to welcome Donna Romo to testify followed by
17 Loyd Feng, and then Helen Ahn. Donna Romo, you can
18 begin when the Sergeant calls time.

19 SERGEANT AT ARMS: Starting time.

20 DONNA ROMO: Hi, my name is Donna Romo.
21 Thank you so much for listening to me, and I hope you
22 don't mind that you don't see me, but I have a screen
23 that covers the camera part, too, because I'm
24 electrically sensitive. So thank you very much. I'm
25 here to urge members of the Committee to denounce

2 what I termed the new segregation and discrimination
3 by co-sponsoring bill number Int. 001-20-22,
4 otherwise known as dismissal of summonses alleging
5 violations of Executive Orders in connection with
6 COVID-19 along with the refund of any monetary
7 penalties made in connection with such violations.
8 These past actions that have been done to these
9 people, including companies and small businesses are
10 acts of harassment and violating a human being's
11 protections and rights under the State and Federal
12 Constitution, HIPAA, ADA, Civil Rights Act, and the
13 Nuremberg Code of what the New York Constitution
14 definitely recognizes. These violations can also be
15 considered federal felonies under 18USC242, "Whoever
16 under color of any law, statute, ordinance,
17 regulation, or custom willfully subjects any person
18 in any state, territory, commonwealth, position, or
19 district to the deprivation of any rights, privileges
20 or immunities secured by protection of the
21 Constitution or laws of the United States." As well
22 as Title 421983, 42 US code Civil Action for
23 Deprivation of Rights, "Every person who under color
24 of any statute, ordinance, regulation, customer usage
25 of any state or territory or District of Columbia

1 subjects to causes to be subjected. Any citizen of
2 the United States or other person with the
3 jurisdiction thereof to the deprivation of any
4 rights, privileges or immunities secured by the
5 constitution and laws." So, as far as I'm concerned,
6 that basically there is such discrimination that has
7 been going on. So by continuing to allow what has
8 been set up, which was never-- Executive Order which
9 was never voted by any legislator and is not a law,
10 and by not voting in line with this bill number Int.
11 001-20-2022, I feel that the members of the Committee
12 that perhaps are-- could be violating the oath of
13 office of which you solemnly swear to support and
14 uphold the Constitution of the United States and the
15 Constitution of the State of New York and the Charter
16 of the City of New York. Personally, I have been
17 discriminated against when I was in a-- give you one
18 case. At the post office and because of a medical
19 condition, not having a mask, I was talking to the
20 person in front of me telling me this, and then we
21 were right in front of line, and then the clerk said
22 right away you have to wear a mask. I said I have a
23 medical condition. You're discriminating. He says
24 you have to wear a mask. Go to the back of the line.
25

2 SERGEANT AT ARMS: Time expired.

3 DONNA ROMO: Go to the back of the line.

4 And that's all I have to say. Thank you very much for
5 listening to me and letting me express myself. Thank
6 you.

7 COMMITTEE COUNSEL: Thank you. I'd now
8 like to welcome Loyd Feng to testify, followed by
9 Helen Ahn, and then Sean Lally. Loyd Feng, you may
10 begin upon the Sergeants announcement.

11 SERGEANT AT ARMS: Starting time.

12 LOYD FENG: Thank you, and good to see
13 you again, Chair Ung. Thank you to the Committee
14 Members and committee hearing staff for giving me the
15 chance to speak today. My name is Loyd Feng, and I'm
16 a Policy Coordinator at the Coalition for Asian-
17 American Children and Families, CACF. For 35 years,
18 CACF has led the fight in New York City for improved
19 and equitable policies, systems, and services to
20 support those most marginalized in the Asian-American
21 and Pacific Islander community. We're a member
22 organization with over 60 API-led members and
23 partners serving the AAPI community which is the
24 fastest growing population in the City and rising up
25 to 18 percent of the City's total population. Today,

1 I come before you amid budget oversight discussions
2 and hearings to remind the Committee on Gov. Ops., in
3 the interest of government efficiency, prioritize the
4 revision of the City's existing laws that mandate
5 demographic and linguistic data disaggregation across
6 city agencies, Local Laws 126, 127, 128 from 2016.

7 As you may recall, at the last Gov Ops hearing,--and
8 I know it's changed since then-- in November 2021
9 during which we discussed the Intro. 1937 that aimed
10 to revise these Local Laws. CACF urged significant
11 changes, and we'd like to reiterate the importance of
12 revising such laws this year. Since we last,

13 Governor Hochul also signed a historic New York State
14 Law mandating data disaggregation for Asian-American
15 and native Hawaiian Pacific Islander populations at
16 state agencies, offices, commissions, and board
17 already collecting demographic data. Many of today's
18 agency testimonies, committee questions, and public
19 testimonies highlighted the importance of agencies
20 recognizing the diverse needs of different ethnic,
21 immigrant, and linguistic populations in the City.

22 As BOE Executive Director Ryan mentioned, thoughtful
23 community-driven outreach and engagement with Korean-
24 speaking populations made a considerable impact in
25

1 increasing voter education and participation last
2 year. Revising the data disag [sic] laws to
3 incentivize and compel implementation across agencies
4 will enable all agencies to collect more granular
5 better data that will ultimately aid them in their
6 individual mission and efforts to serve New Yorkers.
7 That said, it's imperative that the City Council
8 reintroduce a data disaggregation revision bill so
9 that we can take the necessary steps toward data
10 equity for not only the AAPI community, but also for
11 groups across the city like black, white Hispanic,
12 indigenous, LGBT+ and others. We strongly recommend
13 that any future considerations of oversight of city
14 agency operations include evaluating demographic and
15 linguistic data collected on communities and people
16 served by agency functions and agency's data
17 collection practices. After all, just as Mayor Adams
18 often quips that crime reduction or public safety is
19 a pre-requisite to prosperity and recovery, good data
20 collection underpins good governance, good policy,
21 and government efficiency. Thank you all so much for
22 your time today.

24 COMMITTEE COUNSEL: Thank you. I'd now
25 like to welcome Helen Ahn to testify, followed by

1 Sean Lally. Helen Ahn, you may begin when the
2 Sergeant calls time.
3

4 SERGEANT AT ARMS: Starting time.

5 COMMITTEE COUNSEL: Helen Ahn, I believe
6 you're still on mute. We have sent you an unmute
7 request.

8 HELEN AHN: Oh, I'm sorry.

9 COMMITTEE COUNSEL: There you go.

10 HELEN AHN: Hi. My name is Helen Ahn.
11 I'm the Director of Korean Community Services of
12 Metropolitan New York. I am currently overseeing two
13 older adult center [inaudible] senior centers and
14 ethnic home-delivered meal in Queens. Today, I want
15 to-- actually three things to-- especially, Chair of
16 this Council-- that currently probably all the older
17 adult centers are-- cannot launch the new program
18 recently awarded by DFTA. But due to the, you know,
19 budget cut to DFTA, about 10 million, I think DFTA is
20 not requesting us to launch the newly awarded-- RFP
21 awarded project. So, I really need your support and
22 advocacy that DFTA can restore the lost budget. And
23 second one is the home-delivered meal. Currently,
24 all the home-delivered meal providers are
25 experiencing really hard times to run the program.

1 Every meal we deliver and provide, you know, leaves
2 [sic] budget deficit. Also, due to the high, you
3 know, cost of vehicle and also the gas increase, and
4 also all the homebound seniors most live very
5 outdated senior housing where usually elevators don't
6 work. So our meal delivery times by the New York
7 State Compliance is three hours, but it is never
8 complied. And we also need a new like-- implement
9 and also like a new support for the homebound
10 vehicles for all homebound meal providers. And also
11 senior centers nowadays we see lots of seniors are
12 experiencing food insecurity and also anti-Asian hate
13 crimes, xenophobia. So, we also need your support to
14 provide language specific and culturally sensitive
15 services for them. And also, lastly, all the
16 government offices like Social Security Office,
17 Medicaid office, SNAP office, FDNY, they all have to
18 resume to normal services. While all the senior
19 centers-- all the seniors, you know, live normal
20 life.

21
22 SERGEANT AT ARMS: Time expired.

23 HELEN AHN: Normal life. So, please
24 support that. Thank you.

2 COMMITTEE COUNSEL: Thank you. I'd now
3 like to welcome Sean Lally to testify, and I believe
4 that will be the last panelist who we have on the
5 Zoom who has registered to testify. So at this time,
6 if your name has not been--

7 SERGEANT AT ARMS: Council Member,-- I'm
8 sorry, Committee Counsel, I see that Borough
9 President Reynoso has also joined.

10 COMMITTEE COUNSEL: Oh, I see. So, we'll
11 hear from Sean Lally followed by Borough President
12 Antonio Reynoso. Sean Lally, you may begin with the
13 Sergeant calls time.

14 SERGEANT AT ARMS: Starting time.

15 SEAN LALLY: Chair Ung and Members of the
16 Council, my name is Sean Lally and I'm here to
17 represent an organization called Medical Freedom
18 Alliance. I see many democrats using language of
19 inclusivity such as delivering a fairer, safer, and
20 brighter future for every New Yorker. This, in fact,
21 is Eric Adams' motto posted on his Twitter page. So
22 then I ask myself, why does Mr. Adams come up with
23 reasons to bring us back to a society reminiscent of
24 the bad old days when Jim Crow ruled? There was a
25 time when if you were born with the wrong skin color

2 you were not permitted to patronize certain
3 restaurants, walk down the street, purchase groceries
4 or go to the park without being harassed. Is that
5 the kind of society we are heading towards? I am
6 taking this opportunity today to call on the members
7 of the Committee to denounce what I term the new
8 segregation by co-sponsoring bill number Int. 001-
9 2022, otherwise known as Dismissal of Summonses
10 alleging violations of Executive Orders in connection
11 with COVID-19, along with the refund of any monetary
12 policies-- penalties paid in connection with such
13 violations. I believe the proposed law would
14 ameliorate the economic burden placed on small
15 business such as-- as such demands for compliance are
16 fundamentally unjust. I am convinced that lifting
17 such onerous mandates will provide business owners
18 with a windfall of money that they so urgently need.
19 I yield my time.

20 COMMITTEE COUNSEL: Thank you. I'd now
21 like to welcome Brooklyn Borough President Antonio
22 Reynoso to testify.

23 BROOKLYN BOROUGH PRESIDENT REYNOSO:
24 Thank you so much and good afternoon. Thank you to
25 the Chair Sandra Ung. It's nice to see you. And as

2 I see Council Member Yeger from Brooklyn, and the
3 Committee on Governmental Operations, thank you for
4 allowing me to speak today. My testimony today will
5 focus specifically on Community Board and their
6 budgets, and I was disappointed to see that the
7 Community Boards didn't make it to today's agenda,
8 despite this committee having oversight. I wanted to
9 go on record anyway with my comments. As Brooklyn
10 Borough President, I oversee the borough's 18
11 Community Boards, and this is a responsibility I take
12 very seriously. The Boards are a critical first
13 point of contact between the public and City
14 government. Yet, because of their extremely limited
15 budgets, they are currently struggling to maintain
16 their basic Charter-mandated functions. This is in
17 addition to everything else that they have been
18 called upon to do during the pandemic, ranging from
19 pivoting quickly to virtual meetings, to literally
20 feeding their communities in some cases. Community
21 Boards have not had a significant baselined budget
22 expansion since 2014, and I was extremely
23 disappointed to see that the new administration has
24 no plans for any budget increase for the boards in
25 the next four years. You don't need to take my word

1 for it. Earlier this year, a group of District
2 Managers released a report that outlined exactly what
3 they need to do their jobs more effectively. The
4 most critical things that the administration can help
5 address now are the following: Physical spaces: DCAS
6 helps Community Boards find office space, but the
7 quality varies widely. District Managers reported a
8 range of issues, from not having light switches in
9 their office to doors on their bathrooms, to being
10 located in non-ADA-compliant buildings, meaning
11 constituents with disabilities can't physically come
12 to their offices for assistance. I think we can and
13 must do better. Additionally, having public meetings
14 is one of the Boards' most important functions.
15 Their hearings are an important opportunity for the
16 public to connect with local government. Yet, board
17 staff must coordinate space for these meetings with
18 no support from DCAS, meaning they are forced to
19 spend precious staff time finding and securing space
20 that can accommodate a large number of people, is ADA
21 accessible, and meets the standards of Open Meetings
22 Law. This already a challenge before the pandemic.
23 Now that Boards have been away from their previous
24 meeting spaces for two years, they are once again
25

1 forced to go through this process, but with even
2 fewer spaces available to meet their needs. For
3 example, Community Board rooms in hospitals and
4 schools may no longer accommodate public meetings.
5 Other venues may have a vaccine screening mandate in
6 place, which is our understanding it's a violation of
7 Open Meetings Law. Still other spaces may be too
8 small to accommodate social distancing. The Boards
9 need support from the City to address this before the
10 Governor's emergency order allowing virtual meetings
11 expires, and from the State to allow hybrid meetings
12 permanently. Which brings me to the technology and
13 communications. During the pandemic, many Boards had
14 to pivot to entirely online meetings. Yet, the
15 technology available and the expertise required to
16 use the technology varies from Board to Board. The
17 City Charter requires Boards to make their meetings
18 available for broadcast, but only some have the tech
19 capability to livestream. The Boards' ability to
20 comply with the Charter should not be dependent upon
21 my discretionary budget. Along those lines, the 2018
22 Charter Revision required DOITT to assist the Boards
23 with building functional websites, but right now the
24 quality of these sites still depend on the Board
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2 either having its own expertise or the financial
3 means to contract the outside help. What's worse,
4 DOITT had one staff member dedicated to helping all
5 of the City's 59 Community Boards with their
6 technology issues, but he recently left and has not
7 been replaced, leaving the boards stranded at a
8 particularly crucial time. One district manager
9 reported recently waiting weeks for DOITT to create
10 an email address for a new staffer, and it is simply
11 unacceptable. Staffing: The boards' existing budgets
12 only provide for a minimal number of staff lines, and
13 leave little room to provide competitive salaries,
14 making recruitment and retention of professional
15 staff difficult. Inability to fill vacancies has a
16 major impact on an office with only a handful of
17 staff. Without baselined funding, district managers
18 have difficulty planning for staff expansion long-
19 term, not knowing if the lines will be renewed the
20 next year. Baselining a budget line for a staff
21 analyst or community coordinator would make a huge
22 difference in the Boards' ability to function
23 efficiently. It would allow them to connect more
24 directly with their constituents and encourage
25 engagement from more diverse populations, including

2 youth. I'll end with, thank you again for the
3 opportunity to speak today, and I want to be a
4 partner with the Council and the Administration to
5 dramatically improve the experience of working for
6 and serving on a Community Board. There is so much
7 more to be done, including making sure Board
8 membership reflects our city's diversity, creating
9 and enforcing membership standards, providing
10 consistent trainings and support for board members
11 and staff, and creating a more productive working
12 relationship between the Boards and the
13 Administration. I hope we can start this year by
14 providing them with some of the basic resources they
15 need to function efficiently, and continue working
16 together to address all of those issues over the next
17 few years. Thank you again, Chair Sandra Ung, and to
18 the Committee of Governmental Operations.

19 COMMITTEE COUNSEL: Thank you. I see
20 Council Member Yeger has his hand raised. Council
21 Member?

22 COUNCIL MEMBER YEGER: Thank you, Madam
23 Chair. I just-- I wasn't going to speak, but I really
24 want to lend my voice to the Borough President.
25 President, as a member of Council when we served

1 together, you were a strong voice for Community
2 Boards, and I'm very grateful. You know, honestly, I
3 couldn't have said anything that you said better, and
4 I think this is something that we've argued for, for
5 the last four years as well. I am about 10 minutes
6 late to go run to meet the District Manager of one of
7 our Community Boards who's standing on a street
8 corner trying to convince DOT to reverse traffic flow
9 to provide safety for communities, and she's been
10 working on this project for three, four, five, 10
11 years. She succeeded to previous District Managers.
12 The work of Community Boards is really the front line
13 of the challenges that we face as elected officials.
14 It's easy for us to come in and, you know, be
15 glorious in our work. They're the ones who are doing
16 the hard work, and it really is needed that they get
17 the extra resources. They're not getting it. One of
18 the things that we saw in the last couple of years is
19 the extra funds that get thrown at them as an add-on
20 that they're not able to actually account for, so
21 it's really hard for them to plan can they hire
22 additional staff members. Can they actually acquire
23 additional space? Can they give people raises that
24 are due that they haven't gotten in a long time? So,
25

1
2 it's something that I really want to continue
3 partnering with you, not just for our 18 Boards in
4 Brooklyn, but for the 59 throughout the City. They
5 need it, and they've worked hard, and I think I've
6 said this many, many times. I was on a Community
7 Board for 18 years before I joined the Council. I
8 started on my Community Board when I was five, as you
9 know, so that's how I got that longevity in there.
10 But Mr. President, I really do appreciate your voice.
11 It's strong, and it's important.

12 CHAIRPERSON UNG: Thank you. Thank you
13 Brooklyn Borough President for coming on today.
14 Maybe perhaps in the future we're going to have a
15 hearing on the Community Boards, and see how that's
16 working out. So--

17 BROOKLYN BOROUGH PRESIDENT REYNOSO:

18 [interposing] [inaudible]

19 CHAIRPERSON UNG: I think that's it for
20 all the testimony for today. I want to thank
21 everybody for participating today. I know it's been a
22 very long, very long hearing since this morning. So,
23 again, I want to thank the Committee Counsel C.J.
24 Murray, and everybody--

25 COMMITTEE COUNSEL: Chair?

2 CHAIRPERSON UNG: Yes?

3 COMMITTEE COUNSEL: Sorry, before you
4 finish, if we could just do a last call for testimony
5 to make sure--

6 CHAIRPERSON UNG: [interposing] Sure, of
7 course. Sure.

8 COMMITTEE COUNSEL: [inaudible] anyone
9 else.

10 CHAIRPERSON UNG: Do the official-- do
11 the official call.

12 COMMITTEE COUNSEL: At this time, if your
13 name has not been called, could you please raise your
14 hand using the Zoom raise hand function? And as a
15 reminder, all hearing participants may submit written
16 testimony up to 72 hours after the close of the
17 hearing to testimony@council.nyc.gov. Chair, I don't
18 see any hands raised. I'm sorry to interrupt you.
19 Please continue.

20 CHAIRPERSON UNG: No, thank you. I just
21 wanted to again thank everybody for staying on today.
22 I look forward to, you know, continuing our
23 communications in the future, and I think the rule is
24 I hit something three times, right? Okay.

25 [gavel]

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COMMITTEE ON GOVERNMENTAL OPERATIONS

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COMMITTEE ON GOVERNMENTAL OPERATIONS

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 15, 2022