

### Testimony of Amy Loprest Executive Director New York City Campaign Finance Board

#### City Council Committees on Finance and Governmental Operations May 17, 2019

Good Afternoon Chair Cabrera, Chair Dromm, and members of the Committees on Governmental Operations and Finance. My name is Amy Loprest, and I am the Executive Director of the New York City Campaign Finance Board (CFB). With me is Board Chair Frederick Schaffer. Thank you for the opportunity to provide testimony on the CFB's budget for Fiscal Year 2020 and to answer any questions you might have.

This last year has been another active one for the CFB. This includes the February special election for public advocate, as well as a special election this past Tuesday for City Council in District 45. We have also seen the matching funds program undergo significant changes during the past year, which we will address later in detail. We are now looking ahead to an even busier election calendar, and accordingly, part of this year's budget includes our voter engagement efforts for the 2020 presidential, federal, and state elections.

We are also preparing for the 2021 citywide elections. 2021 will be the largest election cycle the CFB has seen in its 30-year history. By 2021, 42 current officeholders will be term-limited. Consequently, we are expecting as many as 500 candidates to appear on a primary or general election ballot in 2021. The volume of expected candidates and the earlier election calendar will require us to begin hiring and training additional staff during the next fiscal year.

Before I get into the specifics of this year's budget, I'd like to discuss some of the changes the Program has undergone in the last year.

#### Changes to the Program and Election Calendar

As mentioned, the legal framework for the matching funds program has been transformed over the past 12 months. The first of three Charter revision proposals approved by voters in November 2018 made multiple changes to the Program aimed at encouraging more candidates to build viable campaigns for office—especially citywide office—that are fueled by small-dollar contributors, rather than large contributions.

First, the matching rate was increased, from \$6-to-\$1 to \$8-to-\$1. For candidates seeking citywide office, the Program will match the first \$250 from New York City residents, instead of the \$175 that applies for all other candidates. Along with the increased matching rate, contribution limits were lowered for all offices as well. Additionally, candidates running in 2021 will be able to choose between the \$6-to-\$1 or \$8-to-\$1 systems and their respective contribution limits.

Furthermore, the Charter Revision Commission increased the amount of public funds available, from 55% of the spending cap to 75%, and required the CFB to make matching funds available to candidates starting in February of the election year.

Initially, these changes put forth by the Charter Revision Commission were set to take effect with the 2021 elections, to allow CFB staff to prepare thoroughly for implementation of these significant changes to the Program. Local Law 1 of 2019, sponsored by Councilmember Ben Kallos, put these changes in place for February's special election for public advocate as well as all elections leading up to 2021. Ultimately, the Board paid \$7.2 million in matching funds to 11 candidates for that election—all but one of whom chose the new (\$8-to-\$1) system.

Recent changes in state election law also require to us to take action earlier than in previous years. With the consolidated primary election date now in June, part of this year's budget reflects our ongoing preparations to accommodate an earlier election cycle.

As we analyze the impact of these changes and assess the substantial administrative work that will be required to implement them, we are continuing to perform our audits for campaigns from the 2017 election cycle. Our improved audit process is already yielding results more efficiently. To date, we've completed 35 percent of all audits for candidates in the 2017 elections. For reference, at this point in 2015, we had completed 19 percent of the audits for the 2013 elections.

#### Fiscal Year 2020 Budget

The CFB's budget for Fiscal Year 2020 that was submitted to the Mayor and included in his executive budget is \$28 million. Since we submitted the budget to the Mayor, and in preparing for this testimony, we have identified approximately \$500,000 in OTPS costs that can be eliminated. This is from a combination of delaying some projects and proactively looking for cost reductions.

The largest increase in this year's budget is due to our citywide print Voter Guide for this year's general election, which is expected to include ballot proposals from the 2019 Charter Revision Commission. We have also budgeted for a potential print Guide for the June primary election next year. This funding will also cover a robust citywide advertising campaign for the Voter Guide. Additionally, we will publish an online Voter Guide for the 2020 presidential, federal, and state primary races. We're also including \$250,000 for upgrades to the Voter Guide Submission Application, in order to streamline and improve the user experience for candidates submitting their profiles for the Voter Guide.

As we continue to seek ways to better engage New Yorkers with limited English proficiency in our elections, we have allocated \$570,000 in our budget for translation services, to make our materials available to more New Yorkers in a broader range of languages.

This budget also includes unavoidable increases, including \$300,000 for an anticipated rent increase. Personnel cost increases reflect salary increases from new union contracts and longevity increases.

As mentioned earlier, the Program has undergone a number of changes in the past year—even as we begin preparations for the largest election our Program has seen. It is inevitable that the workload will increase, and additional staff will be necessary to meet the demands of the 2021 elections. The FY2020 budget includes new staff to help administer the Program—specifically in Candidate Guidance, which will help more candidates navigate the Program efficiently, Audit, and Document Processing.

We will also be converting some of our existing Systems staff from seasonal roles to permanent lines. This is to help implement the legislative changes over the past year that will require changes to our systems and overhauls of our internal software.

Given the historic volume of candidates we expect in the 2021 election cycle, we want to ensure that we are taking every administrative step to make the process as smooth as possible for candidates.

Before concluding, I would like to draw your attention to our 2018-2019 Voter Analysis Report, which was delivered to all members of the City Council at the end of April. The report highlights our ongoing efforts to increase turnout in New York City, as well as an in-depth analysis of turnout and registration rates across the city. Our findings in this report will serve as a basis for our outreach moving forward.

Thank you for the opportunity to testify today. I am happy to answer any questions you may have.

### NEW YORK CITY CAMPAIGN FINANCE BOARD OPERATING BUDGET FISCAL YEAR 2020

	FISCAL 2019 CFB BUDGET	FISCAL 2020 CFB BUDGET	CHANGES FROM 2019 ADOPTED
PERSONAL SERVICES (PS)	\$11,374,890	\$12,429,590	\$1,054,700
OTHER THAN PERSONAL SERVICES (OTPS)			
OTPS	\$4,884,202	\$6,745,040	\$1,860,838
VOTER GUIDE	\$3,380,000	\$7,900,000	\$4,520,000
NYC CAMPAIGN FINANCE FUND	\$1,000,000	\$1,000,000	\$0
SUB TOTAL OTPS	\$9,264,202	\$15,645,040	\$6,380,838
TOTAL	\$20,639,092	\$28,074,630	\$7,435,538

HEADCOUNT	FY20	19	FY2	020	CHAI	NGE
·	Full Time	Seasonal	Full Time	Seasonal	Full Time	Seasonal
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PRESIDENT
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# Testimony of Michael J. Ryan, Executive Director Board of Elections in the City of New York

Committee on Finance jointly with Committee on Governmental Operations

Council of the City of New York

**Executive Budget Hearing Fiscal Year 2020** 

May 17, 2019

Chair Cabrera, Chair Dromm, members of the New York City Council's Committee on Governmental Operations and Committee of Finance, thank you for the opportunity to appear before you on behalf of the Board of Elections (Board). I am Michael J. Ryan, the Executive Director of the Board.

Joining me at the table is Deputy Executive Director Dawn Sandow.

#### Fiscal Year 2019 Review

Before discussing the Mayor's Executive Budget for FY20, let me thank the City Council and the Mayor for providing the necessary support to the Board in FY19. That funding met the Board's constitutional and statutory mandates as well as the needs of the voters of the City of New York. I extend a special thank you for addressing the Board's funding needs.

In FY19, the Board was budgeted to conduct two citywide election events including a Primary (September 2018), as well as the General Election (November 2018). The number of contests and ballot questions necessitated the Board's use of a two-page center-perforated ballot. The increase in ballot costs resulted in additional funding to cover same. The Board conducted a Citywide Special Election for the office of Public Advocate on February 26, 2019. The results thereof necessitated a Special Election for the 45<sup>th</sup> Council District which was conducted on May 14, 2019. The two Special Elections resulted in additional funding to cover same.

Commencing in January 2019, there were several legislative enactments that profoundly impact elections, including the following:

- Non-Presidential Primary Elections will be conducted on a unified date -the fourth Tuesday in June each year.
- Early Voting for each election event commencing in October 2019.
- The use of electronic poll books (e-poll books) for elections subject to approval of vendors by the New York State Board of Elections

Moving the Primary Election from September 2019 to June 2019 impacted the Board's FY19 budget. The Board worked closely with OMB to secure the funding for the increased ballot costs, the two Special Elections and the June Primary in the City's January Plan.

#### Mayor's Executive Budget for Fiscal Year 2020

The Board would like to express its gratitude to the City Administration and the City Council for partnering with the Board. The funding provided in the Mayor's FY20 Executive budget is \$246 million, of which \$115.8 million was allocated for Personal Services (PS) and \$130.1 million allocated for Other Than Personal Services (OTPS). The substantial increase over prior budgets is necessary to accomplish the recently enacted legislative mandates. In FY20 the Board will conduct three citywide elections, the November General Election, Presidential Primary and a Primary in June 2020 for Federal, State and local offices. Depending upon the outcome of the Election for District Attorney in Queens County, the Board may be required to conduct a Special Election in February 2020 (Special Elections are not exempt from Early Voting).

Each election will be preceded by nine days of Early Voting. The increase to the Board's FY20 budget is a \$75 million dollar allocation for the three Early Voting periods and an additional \$21 million for the procurement of e-poll books. FY20 presents challenges to implement an Early Voting Program effectively. The Board has taken measures to identify suitable locations for Early Voting poll sites. To date, the Board has identified 38 Early Voting sites for the November 2019 General Election. This process remains under consideration and evaluation by the Board of Commissioners. The Board will continue to evaluate the Early Voting Program to measure its effectiveness.

The Board acknowledges that its fiscal needs are fully met through the end of FY19 to meet its legislative mandates. It is important to note that FY20 will realize the most significant changes in the conduct of elections in recent memory. To ensure success of the Early Voting Program, appropriate funding is required to support and match the Board's needs. The Board has been conducting meetings to prepare for the Early Voting roll out and has recently met with Administration staff to discuss needs and concerns.

The compressed timeframe for the implementation of Early Voting presents significant short-term and long-term budget needs. The Board pledges to evaluate continually the Early Voting processes and to work closely with its government partners and other interested parties to determine the best pathway to an effective Early Voting Program in a jurisdiction as complex and diverse as New York City.

Conducting Early Voting for a continuous period of nine days fundamentally alters the Board's approach to elections. Elections have been single day events and will now be conducted for 10 days (nine days of early voting and Election Day) over a period of approximately two weeks. This change presents new funding needs to provide for additional equipment, office space, staff, training, poll site costs and public education.

The Board has effectively utilized advertisements on mass transportation for poll worker recruitment. Increasing the poll worker pool is critical to a successful Early Voting

experience. The Board intends to increase spending for poll worker recruitment using various forms of media including TV, radio, social media platforms and local and language-specific newspapers to ensure all Early Voting sites are fully staffed. The Board reaffirms its request to establish a municipal workers/poll workers program.

Voter education is also a critical element of Early Voting success. In addition to implementing a media campaign akin to poll worker recruitment efforts, the Board will mail an additional notice to every voter in the City of New York. The notice will advise voters of the dates, times and specific Early Voting locations.

The Board is in the process of evaluating the procurement of e-poll books and the implementation/consulting services available from individual vendors. The State Board of Elections is charged with the responsibility of issuing an approved vendor list and has required all vendors interested in bidding for a contract to complete a questionnaire and submit their products to a testing regimen.

The Board requested proposals from eight e-poll book vendors and has received responses from seven. The process of finalizing an e-poll book vendor selection remains ongoing. Upon completion, the Board will begin accepting delivery and prepare the poll books for interface with the Board's voter registration system.

The Board is also in the process of evaluating Ballot On Demand (BOD) printing systems to be used at Early Voting Sites. The BOD will allow the printing of the correct ballot for each properly checked-in voter. BOD is the only effective method for ballot delivery presently available to the Board.

The introduction of Early Voting creates new cyber security needs for the Board. In order to ensure protection from external threats, the Board intends to use a portion of the Early Voting budget to form an internal cyber security taskforce, enhancing current assets provided by DoITT with additional Board staff. The additional staff will work in conjunction with the Board's MIS, Tablet Unit and Electronic Voting Systems Departments to increase the fortification and monitoring of network firewalls and other security modalities. This will ensure rigorous protection of all Board systems.

The Board requires additional staff for an Early Voting Unit to prepare and test voting scanners and Ballot Marking Devices, program e-poll books and coordinate the deployment of supplies and equipment for Early Voting. The Board will require the acquisition of additional OSHA/ADA compliant office space in each of the five boroughs to accommodate the additional staff and equipment required for Early Voting.

The funding will be used to ensure that the Board conducts an Early Voting Program that is both convenient and effective for New York City voters. The successful implementation of the Early Voting Program requires the cooperation and coordination of

all levels of government. To meet this challenge effectively, increasing the advertising and staffing budgets for FY20 is mandatory.

#### **Conclusion**

The Board is committed to working closely with its government partners and interested parties to effectively serve the voters of the City of New York. Any resources allocated to the Board will be used responsibly to meet the needs of the voting public.

The Board will maintain an open process of communication as the Early Voting process evolves, and for any additional election events that may be required.

As always, my colleagues and I are available to answer any questions that you may have and to provide you with additional information.



#### FY 2020 Executive Budget Testimony

New York City Council Committee on Finance Committee on Governmental Operations

#### **Testimony by Lisette Camilo**

Commissioner, Department of Citywide Administrative Services May 17, 2019

Thank you, Chairman Cabrera, Chairman Dromm, and members of the Committees on Finance and Governmental Operations.

I'm Lisette Camilo, Commissioner of the New York City Department of Citywide Administrative Services. At DCAS, we provide value-added and effective shared services to support the operations of City government.

We approach our work with a commitment to three core values: equity, effectiveness, and sustainability.

- <u>Equity</u>: Ensuring that City government leads the way by having a diverse and inclusive workplace, and providing all New Yorkers with an opportunity to get ahead.
- <u>Effectiveness</u>: Leveraging our expertise to connect customers with the resources and services they need.
- <u>Sustainability</u>: Mobilizing our resources to problem-solve at scale to support the New York City of tomorrow.

I'm pleased to be here today to discuss the proposed DCAS budget for fiscal year 2020. When I was last here in March for our preliminary budget testimony, I discussed some of the great work that is happening at DCAS.

#### This includes:

- Expanding Civil Service exam testing centers to each of the five boroughs.
- Increasing contract awards to M/WBEs by 26% between FY17 and FY18.
- Deploying sexual harassment prevention training to over 355,000 people in under one year, and
- Reducing the number of provisional employees in City government to an all-time low of 15,801.

While I am very proud of this success, today I'd like to focus on some of our agency's priorities for the upcoming fiscal year.

To put our budget into perspective, it's important to understand that the majority of DCAS's expenses cover utility costs for City agencies. Out of our \$1.3 billion budget, \$739 million is allocated for heat, light, and power. These are fixed costs based on forecasted energy usage and utility rates. The good news is that DCAS has helped City agencies become more energy efficient and is generating an all-time-high amount of green energy on City properties.

The second largest expense is the salaries of our over 2,500 employees. These are the highly-skilled and dedicated men and women who make sure we can adequately support government operations.

In addition to these expenses, DCAS performs a wide range of functions that impact the lives of all New Yorkers. Of all of this work, there is perhaps no greater challenge we are confronting than fighting climate change.

- At a time when Washington is turning its back on climate change, the
  City is committed to reducing greenhouse gas emissions. Recently,
  Mayor de Blasio announced the New York City Green New Deal. Under
  this plan, the City will accelerate its emissions reduction targets. This
  includes a new goal of reducing all greenhouse gas emissions in New
  York City 40% by 2030, and achieving full carbon neutrality by 2050.
- To help us get there, DCAS is taking action. Thanks to the leadership
  of this council, legislation that was passed and signed into law earlier
  this year paves the way for us to reduce emissions from City
  government operations 40% by 2025 and 50% by 2030. This work
  includes:
  - Expanding our efforts to improve energy efficiency in City buildings and infrastructure;

- Transforming our municipal vehicle fleet by reducing its size and using the greenest fueling options available, and
- Pursuing a deal to power 100% of City operations with clean electricity sources such as hydropower.
- Reaching these new, more aggressive goals requires making investments. Under this budget, DCAS received \$59 million to expand our efforts to identify additional viable energy efficiency projects and to bring them to fruition. This funding will allow us to:
  - Add 34 new staff members at DCAS;
  - Expand our Agency Energy Personnel Program to place energy management staff at other agencies;
  - Audit energy use and install real-time metering of energy consumption in City facilities, and
  - Improve operations and maintenance practices, among other measures.
- The new DCAS staff members will focus on the delivery of energy efficiency retrofit projects at partner agencies. They will undertake strategic planning, oversee project budgeting and contracting, track and analyze data, and, something that will be music to your ears, they will pursue available financial incentives for project delivery.

- This fiscal year we will also fight climate change by building upon our success creating the cleanest and greenest municipal vehicle fleet in the country. After a successful demonstration period over the last fiscal year, we will finalize a contract to make renewable diesel a fixture in our fleet. Renewable diesel is a game changer. Diesel fuel is one of the dirtiest fuels, and now we'll have a cleaner alternative. In contrast to traditional diesel, renewable diesel is 99% petroleum-free and reduces carbon emissions 60%.
- In addition to our work on sustainability, DCAS has an important role in developing training programs for all City employees. In this year's expense budget, we received \$500,000 that will be used to purchase the required software and engage consultants to develop a learning management system to expand eLearning capabilities. This is in addition to the \$1.5 million in our capital budget allocated for systems integration and \$100,000 for up-front set-up costs.
- There are many advantages to administering employee training via eLearning, including:
  - Decreasing the length of time to create training courses.
  - o Increasing productivity by having participants take training classes at their work locations, rather than going off-site, and

- Allowing mandatory training to be offered in a much more efficient and cost-effective manner.
- During the upcoming fiscal year, we will also invest in the City workforce by taking new steps to reduce the wait time between the administration of Civil Service exams and the publishing of lists. For Civil Service exams that are education and experience-based, we will roll-out a system where exams are automatically rated as candidates answer questions. After exams are completed, candidates will receive a tentative result, an explanation of the result, and a way to submit an appeal if they would like to contest their score.
- This fiscal year we will also make new investments in cybersecurity. Executive Order 28 was issued by the Mayor to meet one of the major challenges that all organizations now face, which is the safeguarding of IT systems and operations. DCAS received \$600,000 to help in this effort. This funding will be used to purchase necessary software and tools that will be used to detect and prevent any viruses from infiltrating and harming our IT systems.

While we are making new investments, DCAS has also identified budget reduction initiatives, as requested by OMB, that will not adversely affect the agency's delivery of core services. These initiatives include:

Identifying savings from City government's heat, light and power bills.
 The work we are doing to improve energy efficiency in City buildings and infrastructure has resulted in \$800,000 in baseline savings

beginning in FY20.

- DCAS is also working with various agencies to reduce energy consumption via the Energy Load Management Program. We assess agencies' energy consumption and identify operations that can be transferred from periods of peak energy demand, when energy costs are highest, to off-peak times when energy costs are lower.
- We will also save money through the current hiring freeze. DCAS will eliminate six vacant positions in FY20, resulting in \$400,000 in savings.
   The agency will implement this reduction in areas that will create the least adverse impact to agency operations.
- DCAS also anticipates earning an additional \$1.2 million in FY20 through our auto surplus auctions. Mayor de Blasio recently signed Executive Order 41 to reduce the size of the City's vehicle fleet. We will eliminate at least 1,000 vehicles, leaving us with more vehicles we can put up for auction.

In terms of generating revenue, the FY20 revenue budget is \$65.4 million, primarily due to three factors:

One: A projected \$43.1 million in private rentals of City-owned property,
 DCAS's largest source of recurring revenue.

- <u>Two</u>: \$10.1 million for the sale of surplus vehicles and other City-owned equipment.
- Three: \$3.8 million from applicant filing fees for Civil Service exams.

For our capital plan, the executive budget reflects an updated four-year plan of \$2.8 billion from FY20 through FY23. This plan includes maintenance and enhancements to DCAS facilities, obtaining leased spaces, and continuing our energy conservation work. The executive capital budget for FY20 is \$772 million and will allow us to complete a few core initiatives:

- DCAS's capital construction program for City-owned court and noncourt buildings totals \$376 million in FY20. While this includes the routine operations and maintenance of our buildings, it's also part of a broader focus on helping agencies more efficiently use office space in our municipal buildings.
- The capital plan for FY20 includes \$284.5 million for energy efficiency and clean energy projects.
- It features \$10.8 million allocated to install 100 fast electric vehicle chargers. These chargers will speed up the charging process, keeping fleet vehicles on the streets serving New Yorkers and not docked at an outlet.

• It also includes \$17.4 million allocated to renovate leased office space to support the *Raise the Age* initiative.

DCAS has a clear vision for how it will continue to provide effective shared services to support the operations of City government. Under the leadership of Mayor Bill de Blasio, and with the dedication of our entire DCAS team, we have made enormous strides in advancing our mission and doing so with a clear focus on equity, effectiveness, and sustainability.

But you are vital partners in this work. As the elected leaders of communities across our city, the council has an important role to play in making sure we are responsive to the needs of our constituents. We always welcome your ideas, your feedback, and your support.

Thank you for the opportunity to testify. I would be happy to answer any questions.

### Statement by Corporation Counsel Zachary W. Carter to the City Council

#### In Connection with the Executive Budget for Fiscal Year 2020 May 17, 2019

Good afternoon, Chair Dromm, Chair Cabrera and distinguished Members of the Finance and Government Operations Committees. I am pleased to appear before you to discuss the Law Department's fiscal year 2020 Executive Budget.

The Law Department consists of sixteen legal and five support divisions. We handle an extraordinary array of cases and non-litigation matters: from tort to tax, from employment and administrative issues to economic development and municipal financing. We also represent the City as plaintiff in a wide variety of affirmative matters.

In conjunction with the Law Department's environmental law work, the Executive Budget contains funds to address the design work of environmental consultants, pursuant to an Order issued by the United States Environmental Protection Agency for the City of New York and 20 other entities to cooperate and participate in the clean-up of the Gowanus Canal in Brooklyn.

Additionally, included in the Executive Budget are initial funds for the NYCHA monitorship as well as funds to engage a law firm to investigate compliance with the whistleblower law.

During the first phase of implementation of Raise the Age in New York City we have experienced both adjustments to the nature of our juvenile delinquency work and a gradual

increase in the overall juvenile delinquency caseload. As you are aware, the law increased the age of criminal responsibility in New York State to 16 years old as of October 1, 2018 and to 17 years old on October 1, 2019.

Misdemeanor cases come directly to the Family Court and get referred to us by the Department of Probation if they make a determination not to adjust (divert) the case. Felony cases originate in the Youth Part (or in the evenings in Criminal Court arraignment before an Accessible Magistrate) and may get transferred to Family Court. Between October 1<sup>st</sup> and December 31<sup>st</sup>, 73% of those cases were transferred to Family Court. Our volume is dependent on many factors, including arrest decisions, Probation's adjustment rate, and the Youth Part transfer rate, all of which are affected by the rates of offenses.

As part of the final stages of implementation for Raise the Age, the Office of Court Administration (OCA) instituted the mandate for after-hours processing of youth who were detained upon arrest, allowing for the possibility of adjustment by the Department of Probation and access to a judge in order to review the status of their detention. Such processing requires coverage 7 days a week, 365 days a year. This unanticipated new protocol was put in place in addition to the Weekend and Holiday Court operations already in existence within New York City.

We are closely monitoring our evolving Family Court practice in preparation for phase two of Raise the Age in October.

I thank you for your support of the Law Department and look forward to our continued collaboration. I would be happy to answer any questions you may have..

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