

**Statement by Fidel F. Del Valle, Commissioner & Chief Administrative Law Judge at the NYC Office of Administrative Trials and Hearings, to the City Council in Connection with the Preliminary Budget for Fiscal Year 2017**

**March 14, 2016**

**Introduction:**

**The City's Independent Administrative Law Court**

The Office of Administrative Trials and Hearings (“OATH”) is the City’s independent administrative law court. OATH’s mandate is to foster judicial professionalism, fairness, impartiality, equality and a commitment to the integrity of the judicial decision-making process. As the City’s administrative law court, OATH’s function is to provide due process in cases that originate from the City’s numerous enforcement agencies in a fair and impartial forum that is also convenient and accessible to the public. The past year has given rise to changes at OATH that have resulted in providing the public with a more streamlined, accessible and convenient court that is easier to navigate and understand. We have restructured OATH into two divisions: the Trials Division and the Hearings Division: (a) The Trials Division conducts adjudications on a wide variety of complex administrative matters. In fiscal year 2015, the Trials Division resolved 2,724 cases. (b) OATH’s Hearings Division adjudicates a wide variety of summonses. In fiscal year 2015, the Hearings Division held over 300,000 hearings.

OATH keeps both the public and the enforcement agencies informed of its commitment to provide impartial, fair, and timely trials and hearings to everyone who appears before our administrative law judges and hearing officers. OATH

regularly provides to issuing agencies statistical data concerning dispositions on summonses returnable to the OATH Hearings Division including dismissal rates. To inform the public, OATH posts quarterly reports containing this data on its website. OATH also provides the City Council, Public Advocate, and Enforcement Agencies with a monthly dismissal report pursuant to Local Law No. 64. This monthly report provides dismissal information on Vehicle for Hire Hearings, Health & Restaurant Hearings, and ECB Hearings. OATH's dismissal report indicates the number of and reasons for dismissals. The reasons for these dismissals might include, but are not limited to improper service, defective summons, and dismissals on the merits. However, as the legislation prescribes, OATH does not provide any analysis or recommendations as to how City Agencies could reduce their dismissal rate. We treat enforcement agencies and the City residents equally. While technically we are a creature of the executive, OATH is an impartial, unbiased, and independent administrative law court where everyone appearing gets a fair shot. In addition to this new report, OATH has been in continual conversations with the Mayor's Office of Operations in our effort to revamp our MMR as we testified last year before this committee. We are on schedule to have a new format and new indicators that better reflect the work of OATH. We look forward to sharing this reporting tool with you closer to its finalization and publication this coming fall.

### **I. Greater Equity, Fairness, and Equal Access to Justice**

To provide greater equity and fair and equal access to justice, OATH continues to work to eliminate barriers to obtaining convenient hearings for all New Yorkers and to put small businesses and residents first. To that end, OATH's Trials

Division and Hearings Division encourage greater participation in the administrative justice process.

At OATH Trials Division, administrative law judges preside over the more complex trials concerning Article 75 disciplinary proceedings involving civil servants, zoning matters, seizure cases, license revocations, Conflict Of Interest Board violations, vehicle forfeiture, Loft Law and SRO cases, City Human Rights Law violations, lobbyist registration and other regulatory cases, and city contract disputes. Legal and factual issues presented at these trials can be complex. For instance, a trial concerning a loft board case can involve the participation of 10 - 20 witnesses and voluminous documentary exhibits requiring 5 to 10 days of a judge's time to hear the evidence and afterwards analyze the law and facts and propose a decision. OATH administrative law judges serve for five year terms that ensure absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor. There are currently 10 active administrative law judges serving the City at OATH's Trials Division. As part of the 2,724 resolved cases for fiscal year 2015, OATH administrative law judges conducted 1,361 settlement conferences, 333 trials, and 97% of the decisions rendered were adopted by the City agencies as their final determinations.

Through rule making, OATH formally established its Hearings Division and the rules and procedures for three different types of hearings at which all hearings and enforcement related summonses are conducted. These hearings are Environmental Control Board hearings, Health & Restaurant hearings, and Vehicle for Hire hearings. Enforcement agencies issue summonses that are also known as "Notices of Violation," and are adjudicated in Hearings Division by hearing officers that

include but are not limited to alleged building violations, sanitation violations, vehicle for hire violations, restaurant violations, and health violations.

As you may be aware, the tribunals that conduct hearings have multiple sets of procedural rules and different adjudication locations. This makes it inconvenient for residents and small businesses to address multiple violations issued by different city agencies. In some instances, residents and small business owners will be required to travel to various locations on different dates and times to have their violations adjudicated. OATH has begun the process of reorganizing its various hearing office locations with the goal of creating *One-Stop Hearing Centers*. *One-Stop Hearing Centers* is part of the *One Hearing, One Process, One Summons* administrative justice system initiative. A *One-Stop Hearing Center* will provide the public with the ability to address any variety of administrative summonses, all at one location, at one time and in accordance with one set of rules and procedures.

To ensure greater access, fairness, and a simpler adjudicatory process, OATH is working toward creating a uniform summons that permits individuals and small businesses to deal with one style of summons to be used by the City's enforcement agencies. This summons has a consistent format regardless of what agency generates the summons and irrespective of what law or rule is involved. OATH is also engaging in rule making that will create one uniform set of procedural rules for the Hearings Division as well as one set of forms for use by the public.

In 2015, OATH moved its Queens Health and Vehicle for Hire Hearings from two different Queens locations to a new hearing facility in Long Island City. OATH will be working towards expanding the space at the Long Island City facility to include its Queens ECB hearings to create a fully consolidated One-Stop Hearing



Center. OATH has been cross training its hearing officers at the agency's *New York City Administrative Judicial Institute* which is a resource center that provides training, continuing education, research, and support services for the various administrative law judges and tribunals throughout New York City. Through participation in OATH's *New York City Administrative Judicial Institute's* cross training, OATH hearing officers can adjudicate any type of case so that in the future, OATH will have One-Stop Hearing Centers throughout the five boroughs. In addition, OATH publicizes the fact that it will accept and have translated any documents or written defenses that are received in foreign languages at no cost to the respondent.

## **II. One Click (online) Hearings, Hearings by Mail, & Hearings by Phone**

OATH has made the hearing process more convenient by providing multiple ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person. These alternative options include One-Click (online) Hearings, Hearings by Mail, and Hearings by Phone. In 2015, OATH significantly expanded the number and types of cases that can be contested using these remote hearing methods which permit more residents to contest violations at their convenience. Examples showing the progress OATH has made in this area include the following: 643 new charges eligible for a Hearing by Phone for calendar year 2015; 1,343 alleged violations that are issued by the Departments of Sanitation, Parks, Environmental Protection, Fire, Buildings, and Transportation are now eligible for some type of remote Hearings Division ECB Hearing; and all alleged violations issued to restaurants by the Health Department and filed at OATH for a Health Hearing are eligible for One-Click (online) Hearings. There has been a 122% increase in the number of alternative hearings conducted by OATH since fiscal year 2012.

Additionally, OATH Hearings Division has implemented the virtual hearing program that utilizes web cam technology for Health & Restaurant Hearings as a means to improve access to justice for individuals and small business owners throughout the five boroughs. Utilizing web-cam technology permits enforcement agencies to have their representatives testify from their location irrespective of the location of the hearing. This enables respondents to attend hearings at OATH offices located in the borough in which they live or operate their business, reduces the time they would have to wait for an enforcement agent to attend the hearing in person, and reduces adjournments which would require them to return for another hearing on the same matter. Web-cam technology has also been implemented by OATH Hearings Division Vehicle for Hire Hearings involving summonses issued by Port Authority Police who now testify while remaining on site at JFK Airport. This cost saving measure no longer requires OATH to staff the JFK location with hearing officers and supporting staff to adjudicate cases, and makes it convenient for drivers, many of whom as taxi medallion owners are small business people, by requiring that they only appear in person at the Vehicle for Hire Hearings location in Queens. The use of web-cam technology also permits enforcement agencies representatives to quickly return to the field to conduct their duties. In 2016, OATH will be working to expand web cam technology to provide members of the public with the option to contest summonses through the use of a desktop computer, tablet, and mobile devices with video capabilities.

### **III. Transparency, Access to Justice, & Outreach**

OATH is committed to ensuring that all individuals and small business owners have equal access. OATH's Trials Division and Hearings Division are accessible

on the administrative law court's website. OATH's website already provides access to decisions made at the Trials Division. In conjunction with *New York Law School*, OATH Trials Division decisions are posted to the *City/Administrative Online Library* that is located on the Law School's *Center for New York City Law* website. OATH Trials Division decisions are also posted on the *Lexis* pathway for public view. OATH's Trials Division also publishes *Benchnotes*, a monthly periodical highlighting key administrative law decisions. The website was designed to foster an understanding of the many options available to anyone responding to a summons from a city enforcement agency. OATH's commitment to providing easy to understand instructions is demonstrated by the plain language format on our website. The website is also available in 34 languages including Arabic, Russian, Ukrainian, Spanish, Vietnamese, Simplified and Traditional Chinese, Hebrew, Hindi, Italian, Greek, and Korean. OATH Hearings Division Ticket Finder search application for ECB Hearings, also on the website, permits the user to search for any violation, view and print copies of the violation and learn the violation's current status. OATH is working on expanding the Ticket Finder Application so that individuals and small business owners will have the ability to search and find tickets issued by the Department of Health and Mental Hygiene. OATH has also made new informational materials available to the public that are designed to help the public develop a greater understanding of the administrative law adjudicatory process. These informational materials are available in at least six languages and elaborate on subjects that range from an individual's right to a hearing to how defaulted cases are reopened. OATH provides free professional over the phone translation services to individuals for either in person hearings or hearings by phone. Up to 250 different languages, including Urdu, Burmese, Bengali, Haitian Creole, Farsi, Punjabi, Somali, and Tagalog, are made accessible

to individuals in need of translation and OATH provided free interpretation at hearings 9332 times in 2015.

In 2015, OATH hosted and participated in a number of events across the five boroughs that were aimed at helping small businesses learn about the City's administrative law court and how it functions. OATH also established the *Building Bridges for Small Businesses* Initiative to ensure that small businesses throughout the five boroughs are aware of the administrative law court's geographical presence and adjudicatory role in each borough. Through *Building Bridges for Small Businesses*, OATH provides educational seminars with a focus on helping small businesses develop a greater understanding of the administrative law adjudicatory process.

#### **IV. Center for Creative Conflict Resolution**

In the latter half of 2015, OATH established the *Center for Conflict Resolution* (CCCR). The *Center's* mission is to assist New York City government in resolving conflicts that involve city agencies or city employees in a non-adversarial forum. The city employees participating in the *Center's* mediation program voluntarily and collaboratively work through issues that involve workplace and interagency conflict in a non-adversarial setting resulting in resolutions that are satisfactory and cost effective for them. The *Center* received 27 mediation referrals and conducted a total of 18 mediations in 2015. City employees interested in participating in the program can request mediation at the *Center* by contacting their EEO officer. In 2015, the *Center* established formal agreements to offer and perform workplace mediation services with the Departments of Correction, Police, Fire, Environmental Protection, and Human Resources Administration. The *Center* also

conducted 15 formal conflict consultations involving ranking agency officials needing assistance with workplace conflict. Consultations involve a series of meetings, a conflict assessment and strategic design phase, and one-on-one coaching and support during implementation of conflict intervention.

## **V. Headcount**

The agency's headcount increased by ten, from 253 employees in Fiscal Year 2016 to 263 in Fiscal Year 2017. This does not include a roster of 321 which comprises (per diem) attorneys who function as our hearing officers at the Hearings Division.

## **VI. Revenue**

OATH adjudicates summonses alleging violations that exclusively carry civil penalties. Cases adjudicated before OATH hearing officers provide the parties the opportunity to present factual evidence supporting their respective positions with regard to the allegations made by enforcement agencies. Summonses issued by enforcement agencies can result in monetary penalties mandated by applicable laws or rules. The rules or governing laws of enforcement agencies that issue the summonses establish the amount of these fines and penalties. OATH's role is restricted to adjudicating cases and providing a fair and impartial adjudication. Moreover, OATH's dismissal rate after a hearing is approximately 36%. OATH affords businesses and residents the opportunity to fight *City Hall*. It should be noted that approximately 23% of the total number of summonses issued by enforcement agencies are admitted by the respondent and paid without a hearing taking place. Revenue collection and enforcement issues subsequently arise after a decision. OATH has no role to play. The expected revenue for fiscal year 2017

from the payment of these fines post adjudication and pre-docketing is \$89.5 Million for Hearings Division ECB Hearings, \$30 Million for Health Hearings, and \$7.3 Million for Vehicle for Hire Hearings. Certain OATH hearing decisions can be docketed to become a civil court judgment. However, the process for collection of the penalties adjudicated by OATH is conducted and enforced by the Department of Finance and the Law Department.

## **VII. Budget**

OATH's total Preliminary Budget for Fiscal Year 2017 is \$39,918,682 (\$39.9 million) which represents an increase of \$1,688,037 (1.7 million) from the current Fiscal Year's budget for collective bargaining and restoration of FY16 budget reductions. Of the \$39.9 million, \$30.6 million is PS and \$9.3 million is OTPS.

## **Conclusion**

Thank you for your ongoing support of OATH and I look forward to our continued partnership. I would be happy to answer any questions you may have.





**NYC'S INDEPENDENT AND  
IMPARTIAL ADMINISTRATIVE  
LAW COURT**

# **ANNUAL REPORT 2015**



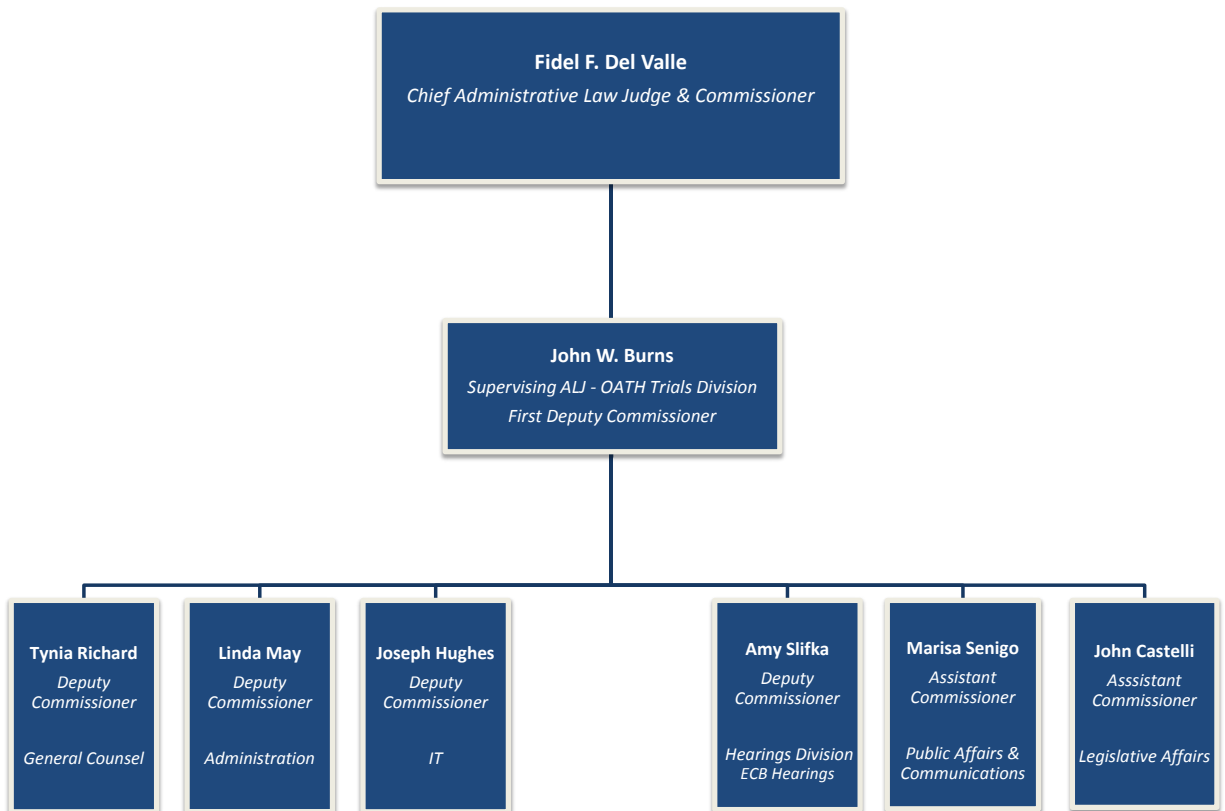
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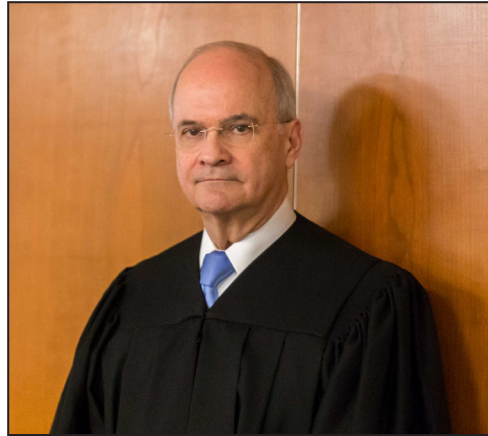
## OATH Organizational Chart





**MESSAGE FROM THE  
CHIEF ADMINISTRATIVE LAW JUDGE  
& COMMISSIONER**

## MESSAGE FROM THE CHIEF ALJ & COMMISSIONER



*Fidel F. Del Valle*

**T**he Office of Administrative Trials and Hearings (OATH) is the City's central independent administrative law court. OATH has grown exponentially since it was established by Executive Order No. 32 in 1979. In 1988, the Office of Administrative Trials and Hearings was made a Charter Agency with Section 1048 of the Charter providing that OATH "shall conduct adjudicatory hearings for all agencies of the city unless otherwise provided for by executive order, rule, law or pursuant to collective bargaining agreements." The Charter established OATH as the first central municipal administrative law court in the country to be separate from the agencies that file their cases for hearings or trials, making OATH a truly independent municipal administrative law court. Our mandate necessitates that we foster judicial professionalism, fairness, impartiality, equality and a commitment to the integrity of the judicial decision-making process.

As the City's administrative law court, OATH's function is to provide due process in cases that originate from the City's numerous enforcement agencies in a forum that is in fact and in appearance truly neutral and unbiased. For the 300,000 trials and hearings that OATH currently conducts each year, OATH takes great pride in providing not only fair and impartial - but also convenient and accessible proceedings - as we work to ensure that everyone has an equal opportunity to participate in the hearing process.

In the past year, OATH has committed itself to transforming parts of the City's administrative justice system to provide New Yorkers with a more streamlined, accessible and convenient court; a court that New Yorkers can more easily navigate and understand. I invite you to read about the progress we have made over the past year and some of our 2015 accomplishments in this annual report.



## OATH TRIALS DIVISION

## TRIALS DIVISION OVERVIEW

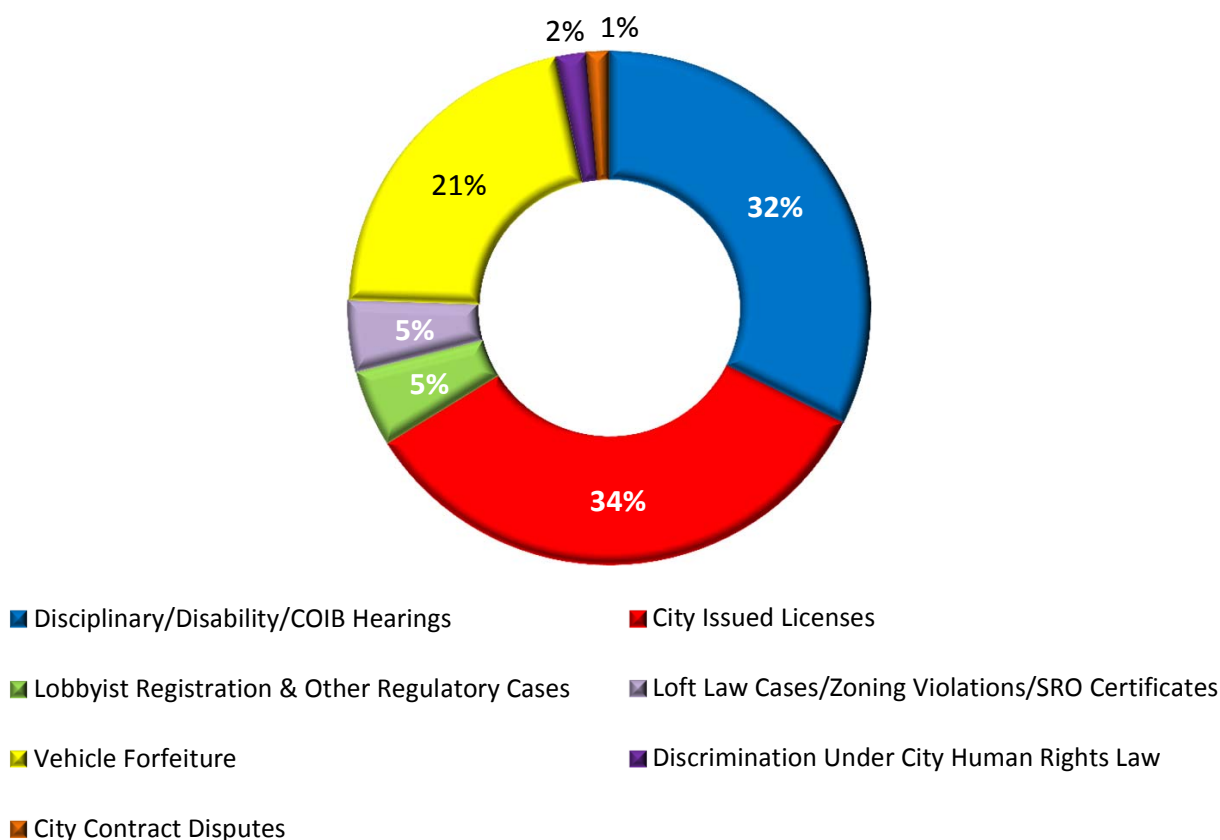


- As set out by the New York City Charter, all of the City's Administrative Law Judges (ALJs) serve at OATH and these ALJs are appointed to five-year terms by OATH's Commissioner & Chief Administrative Law Judge.
- The five-year appointment of the City's ALJs ensures absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor.
- OATH ALJs are subject to the same rules of conduct and ethics that all members of the New York State Judiciary are bound by (as set forth in 22 N.Y.C.R.R. Section 100). Moreover, all ALJs and OATH Hearing Officers are also subject to the Rules of Conduct for Administrative Law Judges and Hearing Officers of the City of New York (Appendix - Chapter 48 of the Rules of the City of New York).
- There are currently 12 ALJs serving the City at OATH's Trials Division.

## TRIALS DIVISION

In 2015, OATH embarked on an agency-wide transformation. The first change made was the formal creation through rule making of the OATH Trials Division and OATH Hearings Division. Experienced ALJs preside over trials and settlement conferences at the OATH Trials Division.

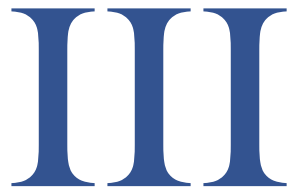
### Types of cases filed by NYC Agencies at the OATH Trials Division in 2015



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### 2015 Overview

- **97% of the decisions rendered by OATH ALJs were adopted by the City agencies as the final determination.**
  - **OATH ALJs spent a total of 454 days on the bench conducting trials.**
  - **OATH ALJs conducted 1,572 settlement conferences.**
  - **2,644 cases were resolved at the OATH Trials Division.**
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**OATH HEARINGS DIVISION**

## HEARINGS DIVISION OVERVIEW

As the City's central, independent administrative law court, NYC agencies responsible for enforcing the City's rules, regulations and administrative laws file their summonses at OATH's Hearings Division. OATH Hearing Officers preside over OATH Hearings.

OATH currently has three different types of hearings at which all hearings on enforcement-related summonses are conducted:

- Environmental Control Board (ECB) Hearings
- Health & Restaurant Hearings
- Vehicle for Hire Hearings



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***Each year OATH receives approximately 700,000 summonses from the City's various enforcement agencies which include the Departments of Sanitation, Buildings, Health and Mental Hygiene, Environmental Protection, Fire and the Taxi & Limousine Commission, among many other City agencies.***

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## CREATING FAIRER, MORE EQUITABLE HEARINGS

Through rule making, OATH formally established its Hearings Division and the rules and procedures for ECB Hearings, Health and Restaurant Hearings and Vehicle for Hire Hearings will be changed so that they all coincide with these new rules.

In 2015, Health and Restaurant Hearings were the first hearings to be transferred into the newly created Hearings Division.



An OATH Hearing Officer swears in a respondent for a Health Hearing in the new Long Island City hearing office.

**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
Hearings Division



**What is the OATH Hearings Division?**

The NYC Office of Administrative Trials and Hearings (OATH) is an independent agency responsible for conducting trials and hearings on cases brought by New York City's various agencies, boards or commissions.

The Hearings Division currently conducts hearings on alleged violations issued by the NYC Department of Health and Mental Hygiene.

**Why did I get a Notice or Summons?**

Your notice or summons was issued by the NYC agency responsible for enforcing the law. OATH is an administrative court and does not conduct inspections or issue summonses.

If you have questions about why you received the notice or summons, contact the City agency that issued you the notice or summons. OATH can give you information on your hearing and the status of your case.

Hearings Division Brochure

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***Once complete, having one uniform Hearings Division will provide individuals and small businesses with the opportunity to deal with summonses and violations issued by any City agency before an independent and impartial administrative court with one uniform procedure. New Yorkers will be able to become familiar with the hearing process and represent themselves more easily when all hearings are subject to the same rules, procedures and deadlines.***

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## OPENING NEW HEARING OFFICES FOR FUTURE “ONE-STOP HEARING CENTERS”

OATH has begun the process of reorganizing its various hearing office locations with the goal of creating “One-Stop Hearing Centers” in each borough. A One-Stop Hearing Center will provide the public with the ability to address any variety of administrative summonses, all at one location, at one time and in accordance with one set of rules and procedures.

In 2015, OATH opened a new, state-of-the-art Hearing Center in the Falchi Building in Long Island City, Queens.



Commissioner Del Valle speaks to OATH Hearing Officers at the opening of the new center in Queens.

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***In 2015, OATH moved its Queens Health Hearings and its Vehicle for Hire Hearings - which were previously taking place at two different Queens hearing locations - to the new hearing facility in Long Island City. In 2016, OATH will be working towards expanding the space and moving its Queens ECB hearings to the same location to create a fully consolidated One-Stop Hearing Center.***

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# IV

## ACCESS TO JUSTICE INITIATIVES

## MAKING THE HEARING PROCESS MORE CONVENIENT

OATH has made the hearing process more convenient by providing multiple ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person.

OATH's remote hearing options include:

- One-Click (online) Hearings
- Hearings by Mail
- Hearings by Phone

In 2015, OATH significantly expanded the number and types of cases that can be contested using these remote hearing methods which means that more people can contest charges at their own convenience.



An OATH Hearing Officer conducts a Hearing by Phone with a respondent who received a recycling summons from the Sanitation Department.

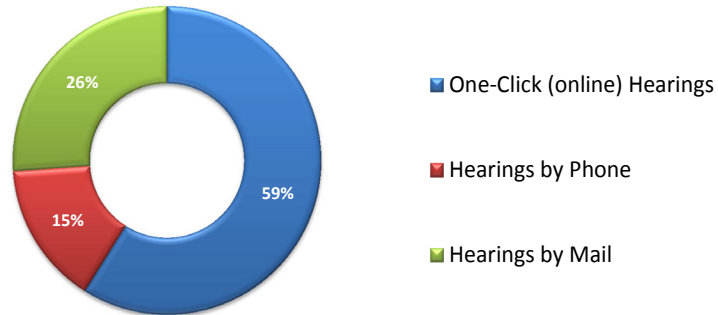
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### 2015 Accomplishments

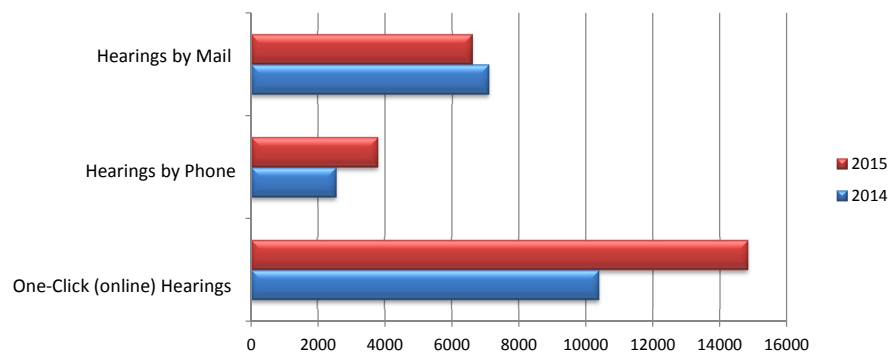
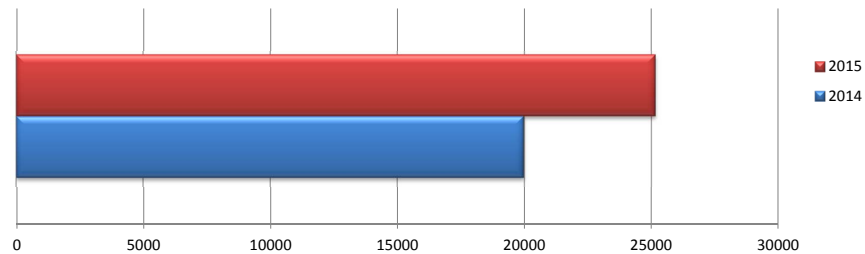
- ***OATH made 643 new charges eligible for a Hearing by Phone.***
  - ***There are now 1,343 alleged violations that are issued by the Departments of Sanitation, Parks, Environmental Protection, Fire, Buildings and Transportation that are eligible for some type of remote ECB hearing.***
  - ***All alleged violations issued to restaurants by the Health Department and filed at OATH for a Health Hearing are eligible for a Hearing Online, Hearing by Mail or Hearing by Phone.***
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# REMOTE HEARINGS

**Breakdown of Remote Hearings Conducted in 2015**



**Total Remote Hearings Conducted**



***Compared to the prior year, in 2015 OATH saw a 7% decrease in Hearings by Mail while it conducted 49% more Hearings by Phone and 43% more One-Click (online) Hearings.***

## MAKING THE HEARING PROCESS EASIER TO UNDERSTAND

In 2015, OATH made various new informational materials available to the general public. Informational and instructional materials help ensure that the public understands the hearing process and what steps must be taken in order to contest summonses that have been issued to them. OATH created the following informational materials in 2015 and made them available in at least six languages:

- *OATH: NYC's Independent and Impartial Administrative Law Court*
- *How to Reopen Defaulted Cases at the Hearings Division*
- *Your Right to a Hearing*




*Your Right to a Hearing* - A palm-card-sized handout that is given to respondents who come to OATH for a hearing in person.



## MAKING THE HEARING PROCESS EASIER TO UNDERSTAND

In 2015, OATH created a new guide for members of the public who are interested in learning what can be done if a default decision is issued in their case. *Defaulted Cases: What You Should Know* informational brochure is available on the OATH website in the following languages: Spanish, Arabic, Bengali, Chinese, French-Creole, Korean, Urdu and Russian.

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS  
Hearings Division



SUMMONS # : \_\_\_\_\_

You are here today because a summons was issued by the Taxi & Limousine Commission (TLC), NYPD or Port Authority.


The summons has been scheduled for a hearing before an independent Hearing Officer who works for the Office of Administrative Trials and Hearings (OATH). OATH is not the agency that issued you the summons and OATH is not part of TLC, NYPD or Port Authority.

You can appear at your hearing by yourself or with an attorney of your choice or a representative whom you have hired. However, please be advised that OATH does not certify or screen representatives. If you hire someone to represent you, you do so at your own expense and risk.

*Palm Card for Vehicle for Hire Hearings*

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS  
Hearings Division

**Defaulted Cases: What You Should Know**



A "default" is a decision that finds you in violation of the charge(s) when you do not respond to a Notice or Summons. The default decision will tell you that the legally-mandated default penalty amount has been imposed in your case.

**How Can I Avoid Getting a Default Decision?**

There are three (3) ways to avoid a default decision:

1. **Appear for your hearing in person.** You must appear at the scheduled hearing location at the time that is listed on your Notice or Summons.
2. **Respond to your Notice or Summons Online, By Phone or By Mail.** Most charges can be contested without appearing for your hearing in person. Read the Notice or Summons carefully or visit the OATH website if you are not sure if you need to respond to the charges in person.
3. **Accept a settlement offer.** If the enforcement agency has offered you a settlement and you do not want to participate in the OATH hearing, you can accept the settlement offer. OATH must receive the offer with your payment before the scheduled hearing.

*"Defaulted Cases" Brochure*

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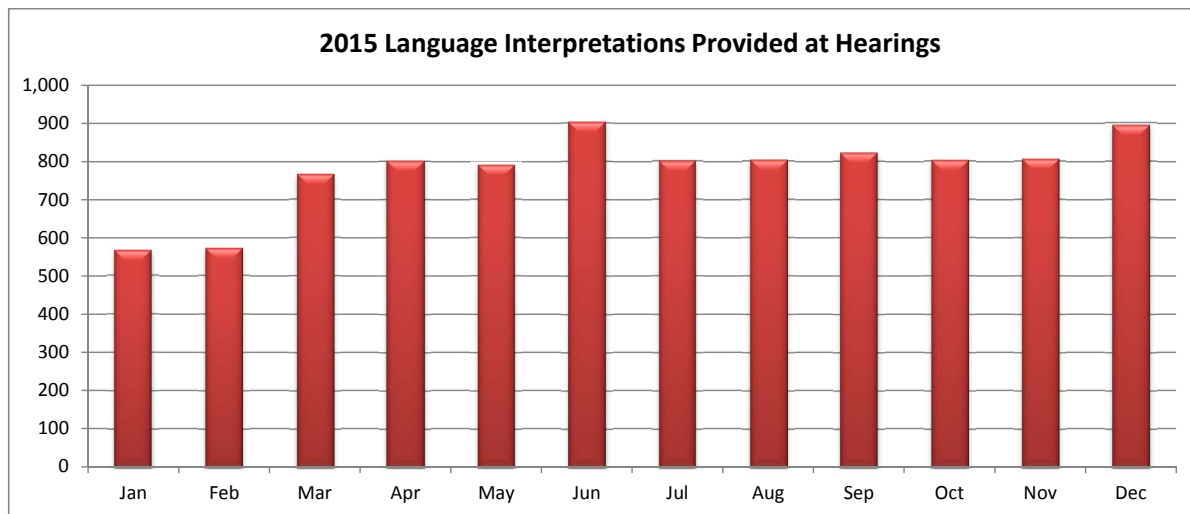
***OATH already has instructional brochures on the hearing and appeal process. The new default brochure for Health Hearings is OATH's seventh instructional brochure. OATH makes each of its guides available in at least six different languages.***

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## PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

### FREE, PROFESSIONAL INTERPRETATION SERVICES AT IN-PERSON HEARINGS AND HEARINGS BY PHONE

Providing free, professional over-the-phone translation services allows OATH to instantaneously provide impartial and neutral translation services at hearings in up to 250 different languages.



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***In 2015, OATH provided free interpretation at hearings 9,332 times.***

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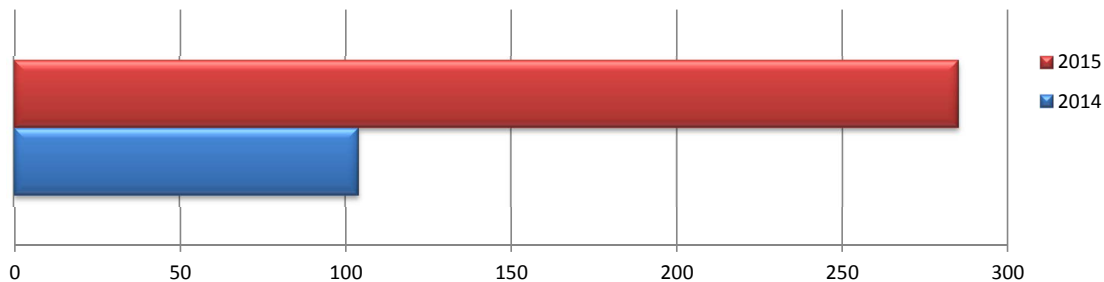


## PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

### FREE, PROFESSIONAL DOCUMENT TRANSLATION FOR FORMS AND DEFENSES

Members of the public can represent themselves to the best of their ability when they are able to make submissions in the language that they feel most comfortable using. OATH publicizes the fact that it accepts all documents in any language. OATH has the submissions translated into English by a third-party, professional translation service at no cost to the public before it is assigned to a Hearing Officer for consideration.

**Total Number of Written Submissions Received in Foreign Languages that OATH Translated for the Public**



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***In 2015, documents submitted to OATH in foreign languages included:***

- ***Written defenses for Hearings by Mail and for One-Click (online) Hearings***
  - ***Requests for reschedules***
  - ***Requests to vacate default decisions***
  - ***Appeals of OATH hearing decisions***
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## CITY-WIDE ADMINISTRATIVE JUSTICE REFORM

Mayor de Blasio has tasked OATH with reforming administrative law proceedings in the City of New York consistent with the concepts of impartiality, neutrality and equity. Four main mission targets and goals have been identified by the administration. Once accomplished, this initiative will create a new foundation for the City's administrative justice system in the 21st Century.

### ONE HEARING

- [Uniform OATH Hearings Division](#) – The creation of a single entity that is charged with adjudicating any summons issued by any of the City's enforcement agencies and is available to adjudicate any summons in each of the five boroughs.

### ONE PROCESS

- [Uniform procedures](#) – The creation and adoption of rules that treat all parties equally. OATH's new rules and procedures will treat all agencies and the public equally. Uniform procedures will result in one set of practices and processes for all summonses, regardless of which regulatory laws are being adjudicated and regardless of which City enforcement agency issues a summons.

### ONE SUMMONS

- [Uniform summons](#) – The creation of one style of summons to be used by the City's enforcement agencies which has a consistent format regardless of what agency generates the summons and regardless of what law or rule is involved. A uniform summons will ensure that the public will always be able to find the essential information in the same place on any summons they may receive.
- [Uniform technology](#) – The development and utilization of summons-writing technology by the City's enforcement agencies that includes hand-held electronic devices that can generate a summons in the field and has the ability to electronically file the summons with OATH within a matter of hours.



*The Mayor's Office announced its city-wide administrative justice reform initiative at a meeting with Agency Heads and senior officials at City Hall.*



**THE ADMINISTRATIVE JUDICIAL  
INSTITUTE (AJI) AT OATH**

## CONTINUING LEGAL EDUCATION

The City's Administrative Judicial Institute (AJI) is administered by OATH. The Institute was created to serve as a judicial resource center to provide training, continuing education, research and support services for hearing officers, administrative law judges and the attorneys who appear before OATH. The AJI makes its programs available to state and federal hearing officers and administrative law judges as well. In 2015, outside entities attending AJI programs included:

- Office of the NY State Comptroller
- MTA Transit Adjudication Bureau
- NYS Department of Labor
- NYS Department of Motor Vehicles
- NYS Office of Children and Family Services
- NYS Office of Temporary Disability Assistance
- NYS Division of Human Rights
- NYS Department of Public Service
- NYS Department of Environmental Conservation
- NYC Police Department
- NYC Housing, Preservation & Development
- NYC Parking Violations Bureau
- NYC Department of Education
- NYC Housing Authority
- NYC Campaign Finance Board
- NYC Commission on Human Rights
- Civilian Complaint Review Board
- District Council 37



OATH ALJ Ray Kramer serves as the Director for the Institute. Above, Judge Kramer welcomes more than 100 attendees to a CLE program administered through the Institute and hosted by New York Law School.

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***In 2015, OATH broadened the scope of the City's Administrative Judicial Institute by making some of its legal trainings and CLE courses open to lawyers and practitioners and other interested parties such as law students.***

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## NEW INNOVATIVE TRAINING METHODS

The Institute is an accredited Continuing Legal Education (CLE) provider. In addition to hands on trainings, the Institute has been granted the authority to accredit non-traditional formats for its programs including presentations through live videoconferencing and videotape replays of previously presented programs.



A hearing officer receives feedback from an OATH instructor after conducting a mock hearing in a court room at the OATH Trials Division during an eight-day training for new hearing officers that is administered by the AII.



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***Videoconferencing and videotape replays of trainings offer substantial cost and time savings. The ease and convenience of these training methods helps ensure that the OATH judiciary stays current on all new City rules, regulations and administrative laws so that the judiciary issues sound legal decisions.***

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## PROGRAMS ADMINISTERED BY THE INSTITUTE IN 2015

In 2015, OATH programs had 1,400 attendees and an overall satisfaction rate of 96%.

### **PROGRAMS OPEN TO CITY AND STATE HEARING OFFICERS, ALJ'S AND LEGAL PRACTITIONERS (WHEN APPLICABLE)**

- Trial Skills 1: Effective Direct Examination
- Trial Skills 2: Winning Cross Examination
- Trial Skills 2: Effective Cross Examination
- Essential Mediation Skills for Administrative Law Judges: A Neutral's Perspective
- Why Innocent People Confess-and Why Confessions Trump Innocence
- Cross Cultural Issues in the Courtroom: Case Studies
- What Every OATH Attorney Should Know about NYC's Conflicts of Interest Law
- The Logical Structures of Science-Based Reasoning
- Judicial Opinion Writing for NYC and State Administrative Law Judges
- The Science of Forensic Linguistics: Innovative Uses in Counter-Terrorism, Criminal, Civil and Intelligence Cases

### **CLASSES ADMINISTERED TO ADMINISTRATIVE LAW JUDGES AT THE OATH TRIALS DIVISION**

- New ALJ Training – Legal Writing
- New ALJ Training – Legal Research
- New ALJ Training – Human Rights Law
- New ALJ Training – Padlock Cases
- New ALJ Training – Disability Cases
- New ALJ Training – Loft Law
- New ALJ Training – Settlement Conferencing
- New ALJ Training – Disciplinary Hearings
- New ALJ Training – Prevailing Wage
- New ALJ Training – Zoning and SRO Cases
- New ALJ Training – City Clerk Cases
- New ALJ Training – Car seizures by the NYPD (Krimstock) Cases

### **CLASSES PROVIDED TO HEARING OFFICERS AT OATH HEARINGS DIVISIONS**

- New Hearing Officer Training: An Eight Day Intensive
- Hearing Officer Vendor Training
- 2014 NYC Construction Code Update: What Hearing Officers Need to Know
- OATH Hearing Officers' Training for DCA-Related Cases
- Service of Violations Returnable to OATH for ECB Hearings
- Health Cases for Hearing Officers Doing Alternative (Remote) Hearings
- Substantive Law Training for Sanitation Cases and Related Issues
- Reviewing Decisions: A Primer for Hearing Officers Doing Vehicle for Hire Hearings



# VI

**THE CENTER FOR CREATIVE CONFLICT  
RESOLUTION (CCCR)**



## FREE MEDIATION SERVICES FOR NYC AGENCIES

In 2015, OATH established the Center for Creative Conflict Resolution (CCCR). The Center's mission is to assist New York City government in resolving conflicts which involve City agencies or City employees — including workplace conflict and interagency conflict — and reach resolutions in more satisfying, sustainable, collaborative and cost-effective ways.

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

### Who we are

*Imagine yourself in a workplace free from the dynamics and impact of destructive conflict. A workplace where conflict promotes change, creativity and understanding. A place where conflict ignites opportunity for respectful dialogue. A work culture that supports a working environment where people can engage in conversations that aid in mutually respectful work relationships.*

Conflict in the workplace, as in other areas of life, is normal. Whether that conflict is destructive or ultimately constructive to the workplace depends on how it is responded to. Conflict which is not effectively addressed or is left unresolved can result in serious costs and consequences to management and employees alike. But when conflict is managed thoughtfully, it could lead to desirable, dramatic and healing change.

The New York City Center for Creative Conflict Resolution is leading an initiative to encourage change in the way workplace conflicts are addressed in City government. The Center serves as an independent conflict resource Center for the City of New York, operating under the auspices of the NYC Office of Administrative Trials and Hearings (OATH).

### How can we help

The Center's aim is to assist government personnel in resolving and learning more about workplace conflict. We offer an alternative, neutral, private and safe forum for City workers to address difficult situations early on before matters escalate.

Our services are designed to be broad in scope, and allow us to respond effectively to situations that range from simple misunderstandings to more complex interpersonal disputes.

#### Workplace Mediation

As practiced by the Center, mediation is a constructive conversation facilitated by certified mediator(s) who serve as a neutral third party. Mediators do not make decisions about who is right or wrong. Instead, they help promote a bias-free, safe and structured environment for parties to listen to one another, begin to understand each other and come to agreements that aid in mutually respectful work relationships. Mediation is:

- Free—provided free of cost to agencies and employees
- Voluntary—participation is always voluntary
- Confidential—with very limited exceptions, what is discussed in mediation is not shared outside the session

#### Workgroup Facilitation

Workgroup facilitation is a flexible process designed to assist large or small work units in achieving specific goals. They can be conducted on or off site and may also be combined with other services as appropriate.

#### Training

**Conflict Management:** Part of the Center's work is focused on designing and implementing professional development courses aimed at assisting personnel in better understanding workplace conflict, and in honing skills and learning new tools that help in making decisions on how to best manage difficult situations. These initiatives are typically tailored to address specific areas of interest or concern by an agency or work unit.

**Mediation Training:** In collaboration with the NYU Law School Mediation Clinic, the Center conducts training that emphasizes basic mediation techniques and theory, along with discussion and practice of mediation in the workplace context. This training can also be designed to accommodate specific interests of an agency or work unit.

#### Conflict Consultation

Center staff can also assist individuals on a one on one basis, in managing workplace conflict. The aim of the service is to assist City personnel to think through and proactively respond to conflicts they are responsible for managing. Consultations are confidential and may occur by phone or in person.

Brochure for the Center

### 2015 Accomplishments

**The Center established formal agreements to offer and perform workplace mediation services with the agencies listed below. Employees of other agencies can request mediation at the Center by contacting their EEO officer.**

- **Department of Correction (DOC)**   • **Police Department (NYPD)**   • **Fire Department (FDNY)**
- **Human Resources Administration (HRA)**   • **Department of Environmental Protection (DEP)**



## SERVICES ADMINISTERED THROUGH THE CENTER



### Mediation for Workplace Conflicts

In 2015, the Center received 27 mediation referrals and conducted a total of 18 mediations.

### Workplace Conflict Consultations

In 2015, the Center conducted 15 formal conflict consultations involving ranking agency officials needing assistance with workplace conflict. Consultations involve a series of meetings, a conflict assessment and strategic design phase, and one-on-one coaching and support during implementation of conflict intervention.

### Group Facilitation

In 2015, the Center conducted several group facilitation sessions with different work units at some of the various City agencies which have formal partnerships with the Center. Many of the sessions focused on improving team communication and other issues that negatively impacted the units' work dynamics. Through a series of facilitated conversations and team building exercises, the groups identify ways to enhance the flow of their work protocols and responsibilities and also implement flexible strategies to address any future breakdowns of communication within the teams.

# VII

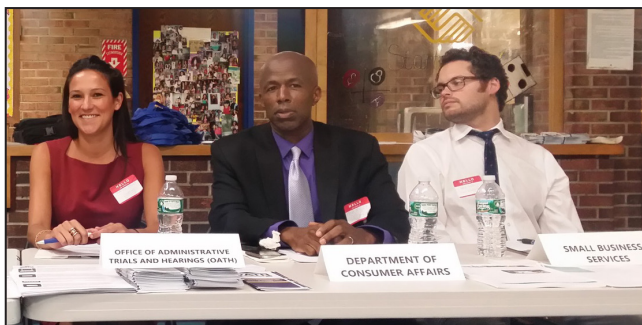
## EDUCATION, MENTORING AND OUTREACH

## INFORMATIONAL FORUMS FOR SMALL BUSINESS OWNERS

In 2015, OATH hosted and participated in a number of events across the five boroughs that were aimed at helping small businesses understand the hearing process and how to contest alleged violations that are issued to their businesses.



*Fidel Del Valle, OATH Commissioner & Chief ALJ, gives remarks at a forum for small business owners hosted by OATH on Staten Island.*



*Marisa Senigo, Assistant Commissioner for Public Affairs & Communications, attends a small business event in the Bronx.*



### SMALL BUSINESS FORUM

Hosted by  
**Eric L. Adams, Brooklyn Borough President**  
**Fidel F. Del Valle, Commissioner of the NYC Office of Administrative Trials & Hearings**



**SPECIAL GUEST COUNCIL MEMBER ROBERT CORNEGY, CHAIR OF THE COMMITTEE ON SMALL BUSINESS**

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## Building Bridges for Small Businesses

powered by **SMALL BUSINESS FIRST**



**Small Business Forum: How to Respond to Notices & Summonses**  
**October 27, 2015 at 6:00 PM – 8:00 PM**  
**Brooklyn Borough Hall, Ceremonial Court Room, 209 Joralemon Street, Brooklyn N.Y. 11201**

The event will bring together OATH representatives as well as representatives from the City's ticket-issuing agencies to discuss some of the most commonly issued violations, how to avoid getting those violations and how to contest alleged violations at OATH hearings. There will be a Q&A session after the panel of speakers.

To RSVP Please call: (718) 802-3777 or Email: [CAssistance@brooklynbp.nyc.gov](mailto:CAssistance@brooklynbp.nyc.gov)

This event has been endorsed by:



*Flyer for a small business event that was hosted by OATH in Brooklyn.*

## JUDGE RICHARD C. FAILLA OATH LAW CLERK FELLOWSHIP

In 2015, OATH created the Judge Richard C. Failla OATH Law Clerk Fellowship. The Fellowship is named in honor of OATH's first Chief Administrative Law Judge. Judge Failla was appointed in 1978. He established the standards which continue to guide OATH to the present day, including a commitment to professionalism, fairness and equality. Judge Failla was subsequently appointed to the New York City Criminal Court in 1985. In 1988, he was elected to the Supreme Court of the State of New York where he served as a justice until his premature death in 1993 at the age of 53.

The Failla Fellowship is a one-year clerkship for recent law school graduates. Failla Fellows work with the Administrative Law Judges at the OATH Trials Division.



*OATH's first Failla Fellows were Nathalie De Choudens, a graduate of Benjamin N. Cardozo School of Law (JD '15) and Caitlin Gillies, a graduate of Northeastern University School of Law (JD '15). Above, the Fellows are shown standing in front of a photo of Judge Richard C. Failla.*

## INTERNSHIP PROGRAM FOR ASPIRING LAWYERS

In 2015, OATH sponsored its 4th annual "Internship Program" for aspiring lawyers. For the first time, OATH expanded the program to include students not yet in law school. Internship Program participants rotated through a variety of settings at the Trials and Hearings Divisions drafting memos, appeals and rules. Students also had the opportunity to meet with senior leaders in NYC government to learn about employment options in municipal government. Extra-curricular activities included a visit to the Federal Reserve Bank, a tour of City Hall followed by lunch in China Town, a walk across the Brooklyn Bridge and attending a baseball game on Staten Island.



*There were 8 law students, 3 college students and 1 high school student who participated in the 2015 Internship Program. Two of the law school interns were international students attending law school in the US — one from China and one from The Gambia.*

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***Students in the Internship Program were able to attend workshops through OATH's Administrative Judicial Institute (AJI), including:***

- ***Managing a Hearing***
  - ***Judicial Decision Writing***
  - ***Assessing Credibility***
  - ***Trial Advocacy***
-



## EDUCATIONAL EVENTS FOR NYC PUBLIC SCHOOL STUDENTS

Throughout 2015, OATH hosted several groups of students for “Career Day” visits with judges and to participate in mock trials.



*ALJ Kramer speaks to visiting students about the role of a judge.*

***“A few sparks were certainly lit in that courtroom and I feel that we all left having learned so much in a very small space of time. The students were able to apply what they have learned about argumentative writing to support their positions using the evidence and not only was it was enjoyable to watch, it was very powerful.”***

***- Teacher from visiting school***



*ALJ Gloade speaks about her career path before presiding over a mock trial with students.*

***“Wow! Upon return to the school, the students shared their experience with me. They were very enthusiastic and informed me they learned a great deal. The mock trial was especially the best part of their visit as it was explained to me. The students couldn't stop telling me all about it.”***

***- Principal of visiting school***



[www.nyc.gov/oath](http://www.nyc.gov/oath)

1-844-OATH-NYC

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**Office of the Chief Administrative Law Judge & Commissioner**

**100 Church Street, 12<sup>th</sup> Floor  
New York, NY 10007**

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**Brooklyn**

**Hearings Center  
9 Bond Street, 6<sup>th</sup> and 7<sup>th</sup> Floor  
Brooklyn, NY 11201**

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**Bronx**

**Hearings Center  
3030 Third Avenue  
Bronx, NY 10455**

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**Manhattan**

**Hearings Center  
66 John Street, 10<sup>th</sup> & 11<sup>th</sup> Floor  
New York, NY 10038**

**Trials Division  
100 Church Street, 12<sup>th</sup> Floor  
New York, NY 10007**

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**Queens**

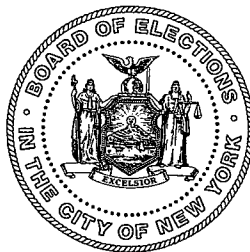
**ECB Hearings  
144-06 94<sup>th</sup> Avenue, Main Floor  
Jamaica, NY 11435**

**Vehicle for Hire & Health Hearings  
31-00 47<sup>th</sup> Avenue, 3<sup>rd</sup> Floor  
Long Island City, NY 11101**

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**Staten Island**

**Hearings Center  
350 St. Marks Place, Main Floor  
Staten Island, NY 10301**



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## **BOARD OF ELECTIONS**

IN  
THE CITY OF NEW YORK  
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FAX (212) 487-5349  
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# **Testimony of Michael J. Ryan, Executive Director Board of Elections in the City of New York**

## **Committee on Governmental Operations Council of the City of New York**

### **Fiscal Year 2017 Preliminary Budget**

**March 14, 2016**



Chair Kallos and members of the New York City Council's Committee on Governmental Operations, 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 here at the table is the Board's Deputy Executive Director, Dawn Sandow.

Also present at today's hearing are the Board's:

- Finance Officer, Gerald Sullivan
- Director of Communications and Public Affairs, Valerie Vazquez
- Financial Analyst, Ryan Deahn
- Financial Analyst, Conway Churaman

## **FY'16 Accomplishments**

Before I begin discussing the Mayor's Preliminary Budget for FY17, I would like to thank the City Council and the Mayor for providing the necessary funding to the Board in FY16 to meet its Constitutional and statutory mandates as well as the needs of the Voters of the City of New York.

Over the last several years, the Mayor's Administration, the City Council and the Board have truly forged an effective budget process partnership to ensure that the needs of the voters of the City of New York are being adequately met and that the resources of the taxpayers are being utilized responsibly. This is an example of the manner in which government is supposed to work and should be a source of pride for all involved.

I would like to take a few moments to highlight some of the accomplishments of the Board in FY16 that this funding made possible.

### **Mayor's Administration and City Council Approved Voter Service Enhancements and Election Night Return Project:**

- The Board acquired 3,000 tablets to bring 21<sup>st</sup> century technology into poll sites and election day field operations to enhance the Board's ability to service the voters, expedite both election day problem resolution and providing Unofficial Election Night results upon the closing of the polls
- 6,000 sq. ft. of new space has been acquired on the ground floor of the General Office to serve the critical functions as a dedicated technology center for storing, programming and processing data from the new tablets (as an added bonus – the Board's petition filing process will be relocated to this area when the build-out is completed – this will serve as an overall improvement of the Board's daily operations during "petition time").
- Phased-in Tablet rollout began during the May 2015 Special Election for the 11<sup>th</sup> Congressional District and 43<sup>rd</sup> Assembly District
- Further rollout occurred during the September and November 2015 elections as well as the 2016 Special Election in the 17<sup>th</sup> City Council District

- Rollout and Testing continues the Board fully expects to meet the stated goal of full implementation by the November 2016 General Election

#### Disaster Recovery Servers for the Election Night Results and Retention

- The Board has engaged in a comprehensive plan to ensure proper security and support of all applications for its Election Management System (EMS). EMS is essentially the “heartbeat” of the Board’s technology operations, as the majority of critical technology system functions operate through EMS and its supporting programs.
- Through the utilization of capital funding the Board has established a fully redundant Disaster Recovery (DR)/ Business Continuity System (BCS) at its recently relocated Queens Borough Office. The DR/BCS synchronizes with the main data center at the Board’s General Office ensuring technological redundancy in our data transmission and data storage capabilities to guard against any loss of data or service function in case of any natural or man-caused catastrophic event.
- Through further utilization of capital funding, the Board has upgraded servers and General Office to support the processing of Election Night Results and Election Results Retention.

#### Emergency Backup Generator Access

- The Board has utilized additional capital funding to order to mitigate the impact of any unexpected power outages, by strengthening its power infrastructure by connecting to the building’s backup power generators. This project is underway and upon completion will ensure the security of all election data and technology at the General Office through prevention of extended power outages.

#### Customer Service Call Center

- A capital project is underway to modernize the Board’s Call Centers to provide 21<sup>st</sup> century call-handling capabilities. This will enhance the call takers ability to service voters by providing more accurate “real time” information and dispatching election-day issues to field technicians more efficiently. Simply put, the quicker election-day problems are resolved the better the voters will be served.

- Improving online communication with the public, poll sites and field technicians by increasing web chat and email capabilities.

### Compliance with Federal and State poll site accessibility mandates

- The Board recognizes its responsibility to ensure that all voters of the City of New York have access to the voting franchise, including our brothers and sisters in the accessibility community.
- The Board has forged a partnership with the Mayor's Office of Operations to ensure that any issues related to poll site accessibility are communicated effectively among the various responsible agencies and resolved in accordance with all legal mandates
- The issue of poll site accessibility is of great importance; however, it is not an issue that the Board can resolve on its own. This intra-government partnership is essential to meeting the needs of the accessibility community and the Board is taking this opportunity, while acknowledging that much work needs to be done, to commend the efforts of the Mayor's administration for its leadership role and for actively participating in resolving poll site accessibility issues.
- The Board regularly meets with Disability Rights Advocates (DRA) to discuss accessibility issues revealed by the most-recent site surveys, update DRA as to progress and to share all related information transparently. This transparency is improving the process for members of the accessibility community; but there remains much work to be done.

### Poll Workers

- Election Center, an independent Election Administration consulting firm was retained to review and revise the poll worker training program.
- The poll worker training process was streamlined and improved utilizing video and other technology related methods.
- The Board will continue to work with Election Center to improve the voter experience through poll worker sensitivity training (including information regarding ADA compliance) and the incorporation of

technology in the poll sites to further enhance service to the voters.

- The Board will engage in a pilot program for the poll worker check-in process during the Presidential Primary. Upon full-implementation the Board will have “real time” information regarding poll worker attendance. This will allow the Board to more efficiently and effectively dispatch standby pool poll workers as needed on election-day. In addition, this will allow for the modernization of the poll worker payroll process by moving away from the paper OCR process to a more automated process.

#### Recently relocated Queens Borough Office

- The Queens Borough office was relocated at the end of its previous location. The new office provides improved access to public transportation. The Board designed the facility to service the public in a more efficient manner and in compliance with modern accessibility standards
- Unlike the previous space which was inefficiently retrofitted from space used by a vacating government tenant, the current office is customized to meet the specific needs of the Board of Elections including, public access and upgraded technology infrastructure, telecommunication and networking systems.

#### Manhattan Borough Office

- A capital-funded complete office renovation (negotiated as part of the lease renewal) includes an upgraded technology and telephone systems and network wiring replacement.
- Reconfiguration of office space to ensure more convenient public access and including workstations in compliance with modern office space standards.
- Resurfacing of floors, new lighting, and other facility improvements.

## Electronic Voting System Maintenance

- With the expiration of the state mandated five year warranty, the warranty was extended for an additional year for all electronic voting systems to ensure that all aspects of the voting process will be kept and maintained properly and will function as required during all elections.

## **FY'17 Overview**

In FY17, the Board will conduct two citywide election events including a State and Local Office Primary (September 2016) and a Presidential General Election (November 2016) and any Special Elections that may occur in fiscal year.

## **FY17 Budget Projections**

Our projection for FY17 is based upon FY13 spending (an analogous election event year) with up-to-date adjustments.

The Board projects an FY17 budget of \$138.5 Million, which represents a \$50.1 Million more than the FY17 Departmental Estimate of \$88.4 Million. As is the process with the Mayor's Administration, the Board will work closely with OMB during the intervening weeks. The Board has every expectation that all financial needs will be addressed by the Mayor's Administration and the City Council, upon the completion of the Preliminary Budget Process and as the Executive Budget Process is finalized.

## **Personal Services – Poll Workers**

Based on the anticipated two citywide election events and the two presidential election year State mandated Local Voter Registration events, the Board requires \$27.7 million compared to the \$9.9 million FY17 Departmental Estimate. The Board's projected allocation includes funding for the proposed legislative poll worker pay increase.

### Other Than Personal Services

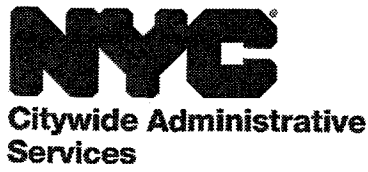
The Board's analysis shows that \$71.7 million is required in the OTPS allocation compared the \$50.6 million FY17 departmental estimate. With this additional funding, the Board's OTPS budget will be adequately funded to provide for property, equipment, and services such as the mandated Accessibility compliance (all poll site accessibility equipment), necessary support and data service contracts for the Board's voting systems and information technology infrastructure and the Citywide Poll Worker Recruitment Initiative (including website redesign, advertisements and other public information efforts).

### Conclusion

The Board remains sensitive to the fiscal challenges faced by the City and mindful of its obligations to serve the voters of the City of New York. The Board remains committed to the partnership that has been forged with this Administration and this Council. The Board is confident that the additional funding requests will enhance its ability to serve the voters of the City of New York. The Board reaffirms its commitment to this Council that any allocated resources will be wisely utilized and the public trust will continue to be its guidepost.

As always, my colleagues and I are available to answer any questions that you may have, and we are always available if anyone should need further information.





FY 2017 PRELIMINARY BUDGET HEARING  
NEW YORK CITY COUNCIL  
COMMITTEE ON FINANCE  
COMMITTEE ON GOVERNMENTAL OPERATIONS

TESTIMONY BY LISETTE CAMILO  
COMMISSIONER, DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES  
MARCH 14, 2016

Good morning Chair Kallos and Committee members. I am Lisette Camilo, Commissioner of the Department of Citywide Administrative Services. Thank you for the opportunity to appear before you today.

It has been almost two months since I started my appointment. This has been an exciting time as I learn about all of the services DCAS provides to City agencies to help them fulfill their respective missions. I am joined today by members of my senior staff to discuss the planned expenditures and revenues for FY17 as well as highlights of the DCAS Capital plan, all of which are aimed to help further and support the operations of City government.

## **Overview**

As you know, DCAS ensures that City agencies have the critical resources and support needed to provide the best possible services to the public. DCAS accomplishes its mission through six lines of service that jointly help support this Administration's important goals of equity, growth, resiliency and sustainability. To that end, we:

- Administer the City's civil service system and help recruit, retain and develop a diverse workforce;
- Operate and maintain 55 City buildings – and oversee an additional 21.5 million square feet of leased space - providing city agencies and the public with safe and clean facilities;
- Manage the utility bills and implement energy conservation initiatives throughout 4,000 city buildings; and
- Oversee the citywide fleet which includes 28,000 vehicles - one of the largest and greenest fleets in the nation.

Before I turn to the budget, I would like to take a minute to provide the Council with an update on various initiatives we are currently implementing:

### **DCAS Fleet Services**

DCAS is one of the five agencies leading Vision Zero, with our efforts focused on fleet safety. As part of our Vision Zero initiatives we have:

- Developed and installed life-saving truck sideguards, designed to keep pedestrians, bicyclists and motorcyclists from being run over by a vehicle's rear wheels in a side-impact collision. To date, 300 City trucks have been retrofitted with these guards and we expect to have at least 500 completed by the end of 2016.

- Looking forward, DCAS has now incorporated sideguards into new vehicle contract specifications as a standard requirement. We expect to start seeing delivery of these trucks with sideguards already installed by late 2016.
- I want to take this opportunity to mention that Fleet's partnership with the United State Department of Transportation's Volpe Center on truck sideguards received the 2016 National Excellence in Technology Transfer Award from the Federal Laboratory Consortium (FLC).
- Another key component to the Vision Zero Initiative is the mandate that all City vehicle drivers must take the defensive driving course administered by Fleet. In FY16 so far, more than 4,700 employees have taken the course, bringing the total number of city workers trained in safe driving techniques, since 2014, to nearly 27,000.
- In addition to working on the safety of pedestrians, Fleet is also working on the NYC Clean Fleet Initiative to benefit the environment. The NYC Clean Fleet Initiative has a goal of adding 2,000 Electric Vehicles (EVs) to

the City Fleet by 2025 and reducing greenhouse gas emissions from the City fleet by 50% by 2025. Efforts to achieve this goal include:

- As part of the FY17 January Financial Plan, Fleet received an initial allocation of \$2.5 million in the current fiscal year to purchase 90 EVs along with the necessary accessories such as EV chargers.
  - To date in FY16, a total of 130 electric vehicles have been ordered by City agencies including DCAS, adding to our existing EV/hybrid fleet of 6,104 vehicles.
- In December 2015, DCAS issued a Request for Information (RFI) to solicit ideas for alternative vehicle technologies, fleet efficiencies, and new fuels in support of the NYC Clean Fleet Initiative. DCAS has seen tremendous engagement on this initiative - we received more than 75 responses to the RFI.

## **Human Capital**

The Human Capital Line of Service at DCAS is committed to improving and strengthening the City's civil service system by enhancing service delivery to City agencies, improving access to job seekers, and overseeing the provisional workforce reduction plan.

- Human Capital is increasing the accessibility and capacity of taking civil service examinations with a special emphasis on historically underrepresented communities. With support from the City Council, DCAS is expanding the seating capacity at our existing Computer-based Testing and Application Centers (CTACs) in Manhattan and Brooklyn by an additional 165 seats – a 77% increase per session.
- In an effort to reach more of our communities directly, in FY17, DCAS will open a third testing center in Queens. This center will have 153 workstations which will increase our overall testing capacity by almost 150%. In addition to this new testing facility, we are working to finalize CTAC locations in Staten Island and the Bronx.
- Having an exam testing center in every borough demonstrates this administration's continued commitment to equitable access to civil service for all citizens across the five boroughs.
- In FY15, Human Capital launched another component of its improved service delivery strategy by establishing the Office of Citywide Recruitment (OCR). OCR markets City government opportunities and

provides tools to New Yorkers on how to navigate the civil service system for both current and prospective City employees. Examples of outreach events held to date include:

- Ninety Four (94) job fairs throughout the City including Apex Technical School, the LGBTQ Resource Fair and the NYC Veterans Resource Fair, just to name a few.
  - Forty Nine (49) information sessions including Professional Highway High School and the Brooklyn Workforce Career Center.
  - Upcoming job fairs include: Hostos Community College, Hiring Our Heroes, which targets veterans, and NYC Baby Showers, an initiative of the NYC Children's Cabinet which seeks to establish links to essential services.
  - We have also partnered with some of your colleagues in providing outreach on the Civil Service System to specific communities – and welcome the opportunity to partner with you and increase these outreach efforts in the coming year.
- Over the last 17 months, Human Capital has executed various initiatives to increase permanent status opportunities for City workers through its

*Provisional Reduction Plan* by offering more exams for the titles with the most provisional workers and exploring reclassification opportunities.

- The focus of the *Provisional Reduction Plan Extension*, which began on October 31, 2014, was to address a total of 8,660 provisional employees via two strategies – competitive examinations and targeted reclassification.
- Over the course of the extension we have administered 290 exams, which represent a record high for this agency. We have already addressed 1,442 of the provisionals specified in our plan, and through the certification of lists and the administration of exams slated for the remainder of 2016, we will address another 5,233 provisional appointments by the end of the extension.
- Despite our efforts, there has been a slight uptick in the overall number of provisionals. Over the last two years, the provisional count has grown by 98 to a total of 23,052, since October of 2014, as vacant positions have been backfilled and new roles have been created to support citywide programming initiatives.
- Notwithstanding these challenges, we remain committed to reducing the provisional headcount while also ensuring that the City has the workforce needed to ensure that all Mayoral agencies have the talent



to pursue their missions and serve all New Yorkers. As a new Commissioner, I am reviewing this issue closely to look for additional ways to significantly reduce the number of provisionals and will be working with all of our partners to do so.

### **Citywide Diversity and EEO Office (CDEEO)**

The Office of Citywide Diversity and EEO (CDEEO) is tasked with advancing the administration's equity agenda through diversity and inclusion initiatives that directly touch our municipal workforce. Since 2014, CDEEO has provided EEO compliance as well as diversity and inclusion training to over 17,000 municipal employees through either live classroom or computer based formats.

- CDEEO introduced several new training courses in FY2016 on topics including unconscious bias, LGBT inclusion, structured interviewing, and disability etiquette. In just over six months, more than 1,000 managers and staff have received leadership development training in these areas.
- CDEEO is also developing a Computerized Based Training (CBT) module for Unconscious Bias Training. This course intends to educate managers as to how their personal beliefs and perceptions can lead to stereotyping and biased employment practices in the workplace. The

Unconscious Bias CBT will allow management and staff employees at 40 mayoral agencies to take this training at their worksite and minimize interruption of their workday. We anticipate during, FY17, that approximately 16,000 employees will participate in this training.

- Another initiative of CDEEO is the Managing Diversity Leadership Initiative (MDLI) that promotes fifteen employment best practices to broaden, develop, engage and retain employees. These workforce and workplace practices are focused on the inclusive recruitment, retention and development of employees. Practices include establishing mentoring programs, personal commitments from agency heads, diversity and inclusion councils and the identification of diverse high potential talent. Thirty-nine (39) Mayoral agencies are currently engaged in implementing MDLI.

### **Office of Citywide Procurement (OCP)**

Our Office of Citywide Procurement (OCP) provides agencies with an efficient, cost effective means of obtaining needed goods and services. OCP leverages the City's purchasing power to obtain the most competitive pricing for goods and

services by aggregating demand and consolidating contracts. To achieve these benefits OCP maintains a portfolio of about 1,000 requirement contracts for goods and selected services that all agencies utilize.

- OCP also utilizes other strategies to provide additional benefits to our client agencies. For example, in December 2015, OCP registered the first Citywide 'Best Value' bid for furniture. The 'Best Value' bidding method allows City agencies to make awards to a bidder whose bid represents the best value to the City by optimizing quality, cost and efficiency rather than an analysis which relies solely on the lowest responsible bid.
- We continue to maximize M/WBE vendor participation by conducting outreach and ensuring that M/WBE's are included as a normal part of the agency purchasing culture. For FY16 to date, DCAS has awarded approximately \$16.3 million to M/WBE vendors.
- As an aside, I have spent the better part of my career in government working on M/WBE issues and particularly, the past year and a half, working to implement Mayor de Blasio's M/WBE citywide agenda. I look forward to working closely with M/WBE Director, Maya Wiley, and the rest of the team to help achieve the Mayor's \$16 billion goal.

## **Energy Management**

DCAS continues to play a central role in the City's efforts to reduce energy consumption and greenhouse gas emissions from municipal buildings by 35% by 2025 – and an 80% decrease in emissions from municipal operations by 2050.

- In compliance with Local Law 87 of 2009, Energy Management conducts building energy audits and funds retro-commissioning projects in buildings over 50,000 square feet.
  - By the end of FY2016, DCAS will complete 117 energy audits and fund retro-commissioning work in approximately 100 buildings.
  - In FY2016, in partnership with the City University of New York, Energy Management offered training in energy efficient building operations to 300 City facilities staff.
- In addition, under the goals established in One City: Built to Last, the City has committed to installing 100 megawatts of solar by 2025.
  - By 2018, we're going to grow our installed solar capacity to nearly 25 megawatts – including panels on 88 City-owned roofs as part of

a Solar Power Purchase Agreement, which requires no up-front capital costs to the City.

- Energy Management is also installing solar panels at 24 schools across the City in partnership with NYPA, all of which will be fully operational by Earth Day on April 22<sup>nd</sup>.

- o Once the systems are fully installed, DCAS will receive approximately \$3.5 million in NY- Sun incentive funding from the New York State Research and Development Authority.

This funding will reimburse over 15% of the project cost.

- Building solar energy capacity provides savings to taxpayers by reducing the amount of energy that needs to be purchased from the grid. The City has identified \$1.2 million in annual taxpayer savings from solar panels already installed at public facilities.

- Later today Mayor Bill de Blasio will be signing Intro 478-A, a law designed to increase the development of solar across City-owned buildings. The legislation will require that DCAS evaluate our portfolio of public buildings and report on the solar potential of each rooftop, along with the associated energy savings and greenhouse gas emissions reductions.

- I am proud that our Energy Management Line of Service, as well as our participating agencies, are overseeing a program that will benefit the environment while reducing the cost of energy consumption paid by City taxpayers.

## **Asset Management**

The DCAS real estate portfolio includes the management of 27 court buildings; Asset Management is currently overseeing two court relocation projects.

- DCAS is relocating the Brooklyn Housing Court from 141 Livingston Street to 210 Joralemon Street. This relocation will allow for the adjudication of tenant/landlord cases to be conducted in a first class court facility. To complete this project space must be created for the Housing Court at 210 Joralemon Street by moving various City agencies to other locations. The projected opening date for the new Housing Court is November 2020.
- The other major court project is the relocation of the Manhattan Summons Court from 346 Broadway to the 16th floor at One Centre Street. Construction is currently underway on the 16th floor at One Centre Street as well as on a separate ground entrance for the

court. The court expects to begin operations at its new location starting January 2017.

I would now like to discuss highlights of DCAS's expense budget, expense savings program, the revenue budget and lastly the Capital Plan.

### **Expense Budget**

DCAS' expense budget reflects funding of \$1.2 billion and a budgeted headcount of 2,167 in FY17. The majority of our planned FY17 expenditure – \$757 million – is allocated for citywide heat, light and power expenses. The FY17 energy budget is a collaborative effort between DCAS and OMB in forecasting agency energy usage as well as commodity rates in the upcoming fiscal year. As previously mentioned, DCAS continues to work closely with agencies citywide to enhance the energy performance of their facilities through a range of programs, which include retrofitting equipment, improving operations and maintenance, as well as training and outreach to reduce the City's energy costs.

### **Expense Funding Additions**

Now I will highlight additional Expense Funds received in the FY17 budget:



- Security at Private Schools: As you are aware, Local Law 2 of 2016 was enacted to allow for eligible non-public schools to receive reimbursement from the City for contractual security guard services. DCAS has been tasked with the administration of this new program and has received \$19.8 million in funding for FY17.
- PSAC II: Effective June 1<sup>st</sup>, DCAS will be providing cleaning, maintenance and security services on a 24/7 basis for the new backup E911 Call Center in the Bronx. DCAS received a total \$5.1 million along with 82 full-time positions, 61 for the operation of the facility and 21 for DCAS security officers.
- Cooling Water Tower Treatment: As a result of the breakout of Legionnaire's Disease last summer, the NYC DOHMH promulgated rules mandating the testing, cleaning and disinfecting of cooling towers throughout New York City. In the summer of 2015, DCAS' Asset Management performed the necessary treatments at our cooling water towers located on DCAS managed buildings to comply with DOHMH's rules. DCAS received \$500,000 in funding to continue the proper maintenance of the cooling towers in FY17 and beyond.

- Additional Staffing for Brooklyn and Manhattan CTACs: As I mentioned earlier in my testimony, DCAS is expanding the number of seats, by a total of 165, at our existing CTACs in Brooklyn and Manhattan. DCAS received four (4) positions, totaling \$180,000, to assist in the administration of civil service exams for the anticipated increase in test takers.
- Additional Staffing for NYCAPS Central: DCAS' Human Capital Line of Service oversees the operation of NYCAPS Central (NCC). NCC currently supports 80 City Agencies, oversees the implementation of civil service and human resources transactions for employees citywide, supports employees with Employee Self Service (ESS) related questions and issues and provides direct support to over 96,000 City Government employees with all their health benefit needs.
- NCC's Human Resources Information Systems (HRIS) Unit has received an additional three (3) positions totaling \$290,000 to assist in the development and maintenance of new modules in NYCAPS including: the e-Performance module which will be used for employee performance evaluations and the automation of several civil service components, that

are currently being managed manually or in mainframes or legacy systems, with the goal of deploying new functionality in NYCAPS and retiring those citywide or agency specific systems.

- Additional Staffing for Civil Service Classification & Compensation:

DCAS' Human Capital Line of Service received two (2) additional positions, totaling \$100,000, for the Civil Service Classification & Compensation Unit. This unit prepares classification studies on both a regular and special assignment basis to reduce the number of provisional appointments. This additional staff will help expedite these duties.

### **Agency Efficiency Initiatives**

As requested by OMB, DCAS has identified savings in areas that will not adversely affect our ability to provide services to both the public and our sister City agencies. These efficiency initiatives include:

- Citywide Energy Savings: DCAS is projecting citywide energy savings totaling \$2.9 million in the upcoming fiscal year. There are two components to this savings: the implementation of retro-commissioning projects and the installation of solar panels to be completed by FY16. DCAS is projecting annual citywide energy savings totaling \$1.7 million

associated with the implementation of retro-commissioning projects such as the reprogramming of thermostats and boiler tune-ups. DCAS is also projecting annual savings of \$1.2 million upon completion of the installation of solar panels at various Department of Education facilities.

- Lease Audit Savings: Asset Management's Lease Audit Unit conducts audits of lease payments by City agencies in privately-owned space. The purpose of the audit is to ensure the rent being charged is consistent with the lease provisions. These audits can result in savings from the identification of excessive lease payments made by City agencies. DCAS is projecting to recover \$2.0 million in FY16 as a result of overpayments made by City agencies.
- Funding Shift, Fleet Sustainability: New York City received a \$1.4 million biodiesel tax credit reimbursement relating to the City's fleet use of biodiesel. This was a direct result of the U.S. Senate's passage of the Tax Extenders Bill which included a provision reinstating the biodiesel tax credit. The \$1.4 million represents the amount the City would not have paid on the purchase of biodiesel fuel for its motor vehicle fleet if the tax credit had been in effect. DCAS will use this reimbursement to offset City

Tax Levy expenses associated with the purchase of motor vehicle fuel in FY16.

## **Revenues**

The FY17 total DCAS revenue budget is \$60.9 million.

- Our largest source of recurring revenue is from 444 leases for commercial rentals of City-owned property, projected to be \$42.1 million.
- Another significant revenue source is the sale of surplus vehicles and other City owned equipment totaling \$6.9 million.
- DCAS also receives revenue from applicant filing fees for civil service examinations. DCAS anticipates collecting \$3.5 million from these fees.

## **DCAS Capital**

I will now turn to the DCAS capital plan, which totals \$590 million in FY17. The majority of the capital budget is dedicated to facility upgrades and energy conservation initiatives. Highlights of our program include:

DCAS Managed Facilities: DCAS' capital construction program for city-owned office and court buildings in FY17 totals \$314.4 million. Major projects funded in FY17 include:

- \$127.5 million for interior renovations for the following projects:
  - the relocation of housing and civil court parts from leased space at 141 Livingston Street to 210 Joralemon Street,
  - a renovation of 345 Adams Street in Brooklyn to relocate agencies from 210 Joralemon Street, and
  - the relocation of the Board of Standards and Appeals to 253 Broadway from One Centre Street.
- \$63.5 million for fire suppression and detection systems for buildings which include the Brooklyn Supreme Court, Manhattan Family Court, Concourse Plaza in the Bronx as well as Staten Island Borough Hall.
- \$32.9 million is allocated for exterior facade improvements. Facilities include the Staten Island Family Court and Bronx Family/Criminal Court.
- \$28.6 million in electrical upgrades including the Manhattan Surrogates Court, Brooklyn Appellate Court and Staten Island Borough Hall.

Leased Space Construction Projects: DCAS' capital program for the construction of space and the purchase of furniture and related equipment in leased facilities for FY17 totals \$31.8 million. Projects include:

- \$26.1 million to relocate the Department of Finance to 375 Pearl Street.
- \$2.7 million for a new Computer-based Testing and Application Center in Staten Island.

Energy Conservation and Clean Energy Projects: In FY17, \$226.0 million in capital funding is allocated for citywide energy conservation and clean energy projects to support the Mayor's *One City: Built to Last* program. Projects include lighting upgrades, solar panel installations, building controls, and HVAC improvements. These projects are located at facilities citywide, and examples include:

- \$16 million for energy upgrades at the Bronx County Court, Bronx Criminal/Family Court and Queens Criminal Court,
- \$9.0 million for a chiller replacement at Queensborough Community College, and
- \$4.8 million for boiler upgrades for NYPD facilities.

## **Conclusion**

Thank you for this opportunity to testify about the Department of Citywide Administrative Services' planned expenditures and revenues for FY17 as well as our capital plan. As a new commissioner, I am taking the time to evaluate the agency and all its processes to identify efficiencies and improvements to ensure that City agencies receive excellent customer service so that they can be singularly focused on furthering their respective missions. I look forward to having a productive and collaborative working relationship with the Council in this new role and I would be pleased to take any questions at this time.





**TESTIMONY OF PRUDENCE KATZE**  
**RESEARCH & POLICY MANAGER, COMMON CAUSE/NY**  
**BEFORE THE NEW YORK CITY COUNCIL COMMITTEE**  
**ON GOVERNMENTAL OPERATIONS**  
**October 1, 2015**

Good morning. My name is Prudence Katze and I am the Research and Policy Manager at Common Cause New York. We provide a voice for citizens in support of open, honest and accountable government at all levels while working to strengthen public participation and confidence in our institutions of government.

New York State currently has the dubious distinction of holding the bronze, behind Texas and Indiana, for the worst voter turnout in the nation. New York City did its part in getting towards this record low: In 2014, only one-fourth of the city's 4 million registered voters cast a ballot. As the New York City Campaign Finance Board put it in a recent report, "this problem is larger than a passing wave of cynicism or waning commitment to civic values. Low voter participation has reached crisis levels." A large component of this crisis can be attributed to an inflexible and outdated electoral administration system that creates a headache out of the voter registration process.

At Common Cause/NY, we strongly believe that each level of government has their own responsibilities – whether it's the City Council, the Mayor, or the State Legislature – to identify how they can improve and strengthen election administration. The bills and resolutions before the Council today all do their part in enhancing our democratic institution and it is now past time for these ideas to be made actionable into law.

Int. 464 -2014 - In relation to the Department of Correction promoting absentee voting among jailed individuals.

It is disturbing to think of an individual losing their right to vote simply because they are being held in jail while awaiting trial. Distributing absentee ballots and providing assistance in filling out these ballots is a simple way for people to maintain their ties with society while the government does its part in maintaining the jailed individual's civil rights. We are strongly in support of this bill.

Int. 628 -2015 - In relation to improving young adults' access to voter registration materials by requiring the department of education of the city of New York and the board of elections of the city of New York to provide students with registration materials in appropriate languages and to track and report on the efficacy of distributing registration materials to students.

Young people, between the ages of 18 and 30, are the least likely to vote out of any other age demographic in New York City. But, the Council has the power to turn this statistic around. Programs

that engage students while in school are very effective in setting the stage for being a lifelong voter-expanding education and access to voter registration materials for all schools is a concrete way to do just that. We particularly welcome the reporting requirement, which will encourage more active school participation and will be a useful benchmark in determining the program's specific successes.

#### **Resolutions on NYS Bills**

Res. No. 695-2015 - Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A2529/S857, allowing 16 and 17 year-olds to pre-register to vote.

More than twenty states currently allow young people to pre-register to vote before their 18<sup>th</sup> birthday. We applaud this resolution calling on our state legislators to allow New York to join this important club. As I said above, engaging and educating youth on the process of voting is a documented way in improving turnout and it also goes a long way towards enhancing overall civic engagement.

Res. 848-2015 - Resolution calling upon the New York State Legislature and the People of the State of New York to amend the State Constitution, and the New York State Legislature to pass and the Governor to sign legislation amending the Election Law to establish same-day and online voter registration.

Currently, people can only register on-line to vote through the DMV only if they already possess a NYS license. But, it should be as easy to register to vote online as filling in your social security when prompted by TurboTax. Expanding on-line voter registration while allowing a potential voter to register and vote on the same day will dramatically increase voter turnout as it already does in other states that have same day voter registration.

New York City can lead the way in turning around New York State's dismally low turnouts what better time to act than the year that marks the 50<sup>th</sup> Anniversary of the Voting Rights Act. Common Cause NY looks forward to continuing to work with the Council on enhancing voting accessibility for all.

Thank You.

**Statement by Corporation Counsel Zachary W. Carter to the City Council  
in Connection with the Preliminary Budget for Fiscal Year 2017**

**March 14, 2016**

Good morning Chair Kallos and distinguished Members of the Government Operations Committee. It is a pleasure to come before you to discuss the Law Department's fiscal year 2017 Preliminary Budget.

Since the start of my tenure as the Corporation Counsel, I have been engaged with Law Department staff on numerous matters with enormous liability, policy and operational implications for the City and its constituent agencies. Our work supports important City policy initiatives such as those concerning homelessness and affordable housing. Some of the Department's matters involve public safety and quality of life issues. Others involve the City's contractual relationships with various service providers. Still others raise important issues concerning access to services. On every occasion, I have never failed to be impressed by the professionalism, hard work, depth of knowledge, expertise and dedication of our lawyers and the extraordinary staff that supports them.

Ultimately, our mission is to vigorously defend the legal interests of the City with an appreciation for the importance of fair outcomes to enhance public confidence in City government.

The Corporation Counsel is the attorney for the City and its agencies and has responsibility for all litigation and other legal matters involving the City. The Department currently has on board approximately 782 attorneys and 672 support staff. Let me add that of our 782 attorneys, approximately 23% are ethnically diverse and 57% are women. I am particularly pleased that over the past year the percentage of ethnically diverse legal managers has grown from 16.7% to 26.7%.

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

Our total proposed allocation (PS and OTPS) for fiscal year 2017 is \$185,636,245. Our proposed fiscal year 2017 headcount is 1,547.

**Tort Division:**

The volume of litigation matters pending against the City presents a substantial challenge. The Tort Division alone defends more than 20,000 cases currently pending against the City, its agencies and employees. Approximately 7,500 new Tort cases are filed against the City each year. Approximately 6,000 cases are resolved each year by trial, motion practice and settlement. A significant portion of the Law Department proposed PS budget is the Tort area. The proposed budget will support new and expanding Tort initiatives.

**Family Court Division:**

Our Family Court Division balances the dual goals of serving the needs and best interest of the child brought before the court and ensuring community safety. Last year, the Division's Juvenile Delinquency Prosecution Unit handled approximately 4,200 new juvenile delinquency referrals and 4,700 new interstate child support petitions. Preparation of cases and enhancement of services are essential to the Division's mission. Accordingly, the proposed allocation includes staffing for a new Witness Location and Engagement Unit and a new Juvenile Rehabilitation and Community Safety Unit.

During last year's budget discussions, we anticipated at that time that the State Legislature would act upon the "Raise the Age" bill. Raise the Age proposals are still under consideration in Albany. Should the proposed legislation become law, we have contingency plans for the expansion of our Delinquency Unit to accommodate the added population of 16 and 17 year old juveniles to Family Court caseloads.

**Electronic Discovery:**

In litigation throughout the federal and state courts, the requirements for electronic discovery have been rapidly increasing. The proposed budget includes three full time technical staff to address the growing workload relating to collecting, processing, loading and producing electronic data and images.

**OTPS Funding**

The plan contemplates an additional \$9 million in FY2016 in OTPS funds for various litigation support efforts in certain large litigations.

**Our work with City Council:**

The Law Department has worked with the City Council to support its ambitious legislative agenda. There has been a fifty percent increase in the number of bills reviewed by our Legal Counsel Division over the previous legislative cycle. We are pleased to partner with the Council in this new legislative landscape and look forward to continuing to support the City Council's efforts in the coming year.

**Conclusion**

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

**Testimony of Ellen Hoffman**  
**before the**  
**City Council Committee on Government Operations**  
**March 14, 2016**

Good afternoon Chair Kallos and Members of the Committee on Government Operations. Thank you for inviting me to address you today and for the opportunity to discuss the Tax Commission's current operations and future plans.

The Tax Commission was created by New York State legislation in 1857. At first, the Tax Commission supervised the agency responsible for setting property tax assessments. The relationship between the Tax Commission and the assessing agency, now the Department of Finance, evolved over the years but by 1968, the assessment and review processes were separated. Since then, the Tax Commission has served exclusively as an independent administrative review body.

In 2007, the City Council amended the New York City Charter putting both the Tax Commission and the Tax Appeals Tribunal under the umbrella of the Office of Administrative Tax Appeals.

Annual property tax assessments are the basis for the property tax levy, the City's largest source of revenue. There are over one million parcels of real property in the City. Each year the Department of Finance sets tentative assessed values, which are reflected on the tentative assessment roll it publishes in January for the fiscal year beginning the following July 1. The Tax Commission is the City's independent forum for administrative review of New York City Real Property Tax assessments set by the Department of Finance. The Tax Commission's mission is to ensure that determinations of property tax assessment protests are made effectively, fairly and efficiently.

Under state and local law, each property owner has the right to an administrative review of its individual property tax assessment. After the Department of Finance publishes the tentative assessment roll, an owner, or other party with legal standing, who

believes the property is incorrectly assessed may seek review by the Tax Commission by filing an application for correction.

The Tax Appeals Tribunal, established under the Charter in 1989, similarly serves as an independent forum for administrative review of notices issued by the Department of Finance relating to City-administered taxes other than the property tax.

### **The Administrative Review of Property Tax Assessment in New York City**

Except for tax lots whose annual assessment increases are limited by law, the amount of a tax lot's assessed value is a percentage, called the assessment ratio, of the property's market value. Each year, the Department of Finance calculates individual assessments and the assessment ratio for each of the four tax classes taking into consideration fluctuations in the real estate market, physical alterations and changes in taxable status.

The tentative assessment roll is subject to modifications until the final assessment roll is published by the Department of Finance on or about May 25<sup>th</sup>. Thereafter, the City Council sets the annual tax rates for the four tax classes in accordance with statutory requirements. The tax imposed on each tax lot for a fiscal year is the product of its assessed value reduced by any applicable exemptions and the tax rate applicable to its tax class.

The Tax Commission is authorized to review claims relating to misclassification, exemptions, valuation and legality of assessment. The property tax rates set by the City Council are *not* subject to Tax Commission review.

The typical application filed with the Tax Commission seeks a reduction in the amount of the property's assessed value as determined by the Department of Finance. Challenges based on eligibility for a full or partial exemption also are common. Applications can raise more than one type of claim. If the Tax Commission concludes that there is adequate proof of an error in the assessment, the Tax Commission will make

an offer of relief in the form a reduction in assessed value, class change or exemption as appropriate. The Tax Commission cannot raise the assessed value or reduce the amount of an exemption.

This year, the filing deadline for applications for review of assessments of properties in tax class one is March 15, 2016; the deadline for filing applications for review of assessments of all other properties was March 1, 2016. To be considered timely, an application must be *received* by the applicable deadline. The Tax Commission has no authority to extend the deadlines.

All applicants who properly complete and timely file an application receive substantive review of their claims by the Tax Commission. Though not required, about 98% of applicants were represented by a lawyer or a non-attorney professional in 2015 except for owners of class one properties, who represented themselves about half of the time.

Since 2011, a fee of \$175 applies to applications for properties with an assessed value of \$2 million or more, equivalent to a market value of about \$4.45 million for properties in tax classes 2, 3 and 4 or over \$33 million for properties in tax class 1. The Tax Commission will not review an application if the fee is not paid, however, the fee does not apply if the applicant or representative waives review of the application before it is scheduled for a hearing. The fee is collected as part of the property tax billing. In 2015, the filing fees billed totaled approximately \$1.75 million.

In addition to providing property owners an independent forum for review of their property tax assessments, the Tax Commission helps the City maintain the integrity of the property tax assessment rolls, the sound and equitable allocation of the property tax burden, and promotes public confidence in government and the tax system. A fair and efficient review process is essential to reducing costly litigation of assessment disputes. Appropriate action by the Tax Commission resolves many claims that might be further

contested through court proceedings under Article 7 of the Real Property Tax Law, which cost additional time and resources for property owners and the City.

As a condition of accepting an offer of reduction from the Tax Commission, property owners must agree to discontinue all pending judicial proceedings for prior years. This benefits the City by eliminating thousands of pending Article 7 proceedings. To the extent the Tax Commission resolves property owners' claims prior to publication of the final annual assessment roll in May, property tax bills issued in July can be based on the corrected assessed values.

In sum, though it is a small agency in terms of staffing and expense budget, the Tax Commission is an integral and essential component of the New York City tax administration system.

Under the City Charter, the Tax Commission consists of a President and six Commissioners appointed by the Mayor, with advice and consent of the City Council, to staggered, six-year terms. The President, as the head of the agency, serves full-time, while the six Commissioners serve part-time. Each member of the Tax Commission must have at least three years of business experience in real estate or real estate law. Additionally, the City Charter requires that the Tax Commission must include at least one resident of each borough. I was appointed President of the Tax Commission as of August 4, 2015 to complete a six-year term ending January 6, 2020. Currently, there are two part-time Tax Commissioners whose terms end in January 2018, two holdover part-time Tax Commissioners whose terms ended in January 2016 and two current vacancies. Efforts to fill those positions are being undertaken.

During 2015, the Tax Commission had a staff of 28 full-time employees plus three part-time Tax Commissioners and three additional part-time hearing officers.

Under the Charter, the Tax Appeals Tribunal consists of three Commissioners appointed by the Mayor for staggered six-year terms. Tribunal Commissioners must



have been admitted to the New York bar for a minimum of ten years and have substantial knowledge and experience in the area of taxation. There also is an Administrative Law Judge division. ALJs must have been admitted in New York for a minimum of five years. In 2015, the Tax Appeals Tribunal had a staff of 10 full-time employees including three administrative law judges and, until June 2015, three Tribunal Commissioners. There is one Tribunal Commissioner vacancy that we expect to be filled soon. In addition to their work on Tribunal matters, when time allows, the ALJs and Tribunal Commissioners are designated by the Tax Commission President to serve as hearing officers for Tax Commission matters.

Under the umbrella of the Office of Administrative Tax Appeals, I currently serve both as President of the Tax Commission and as President and Commissioner of the Tax Appeals Tribunal, as did my predecessor. The current inventory of cases at the Tribunal is 92, including 86 cases pending before the Administrative Law Judge division and 6 pending before the Commissioners.

The 2015 operating budget for the Office of Administrative Tax Appeals was just under \$4.5 million.

### **Operations & Performance**

Assessment Review Applications. In 2015, the Tax Commission received 52,767 applications, covering 196,303 separate tax lots, having an aggregate assessed value of over \$190 billion. This represents a more than 20% increase in applications since 2008.

The hearings are held starting in the first week of April and run into November. In 2015, the Tax Commission provided substantive hearings on 27,541 applications and granted over \$5 billion in assessment reductions, yielding an estimated \$573 million in tax relief. In conjunction with its disposition of 2015 applications, the Tax Commission also obtained discontinuances of almost 17,000 pending judicial review proceedings. That compares to the 635 proceedings resolved in 2015 through court settlements or trials

and illustrates that the Tax Commission's administrative review has been, and continues to be, the most effective means of resolving pending judicial proceedings.

Nonprofit Exemptions. In 2015, the Tax Commission received 183 applications protesting the denial or reduction of nonprofit exemptions. These matters required additional outreach to those claiming exemption, in-person hearings and extensive documentation of the exempt status of the organizations and use of the premises. Many of these organizations are not represented and do not have professional staff so we spend a considerable amount of time explaining the requirements for exemption and how to present the facts needed to prove their claim. Tax Tribunal ALJs and Commissioners generally conduct the hearings on these exemptions cases because they often involve legal as well as factual issues that require more extensive written determinations.

Personal Exemptions. In 2015, the Tax Commission received 743 applications for review of denials and revocations of personal exemptions including STAR, Enhanced STAR, Senior Citizen, Disabled, Veteran and Clergy exemptions.

RPIE Penalties. Beginning in 2012, the Department of Finance asked the Office of Administrative Tax Appeals to conduct hearings on protests of penalties asserted for failure to file Real Property Income and Expense Statements with the Department. In 2015 the Office of Administrative Tax Appeals received 75 protests of such penalties.

In connection with performing its core function of reviewing applications for review each year, the Tax Commission undertakes substantial preparatory and support work including:

- Reviewing, updating and refining application forms;
- Calendaring applications for hearing;
- Creating, maintaining and tracking case files and records, which are used throughout the office during the course of the review process;

- Extensive data processing to ensure data on properties is correct and any determinations by the Tax Commission are properly reflected in the assessment roll;
- Communicating with the Department of Finance and the Law Department; and
- Responding to customer inquiries throughout the year.

Another important part of the Tax Commission's preparatory work is conducting public outreach sessions on the application process. Last year we conducted 12 joint sessions with the Department of Finance including at least one morning and one evening session in each borough. This past February, we held 13 such sessions, which attracted an average of over 100 attendees at each session. In addition, to assist them in answering questions, we conducted information sessions for staff of City Council members and for the 3-1-1 call center staff.

FOIL. The Tax Commission receives hundreds of requests under the Freedom of Information Law each year. Some requests relate to individual properties; some requests are for large volumes of data to be provided in electronic form. We are advised by the Law Department that FOIL requires us to put data into a format requested if possible, even if it is not maintained by the Tax Commission in that format. Depending on the nature of the request, either Tax Commission IT staff must take time to compile the data requested and convert it into the desired format, or other staff must manually locate, review and make hard copies of requested material from the paper files. FOIL compliance requires adherence to statutory deadlines so that the necessary staff must be pulled from other tasks. FOIL does not permit compensation for the time of staff or the cost of data processing done by agency staff; we can only charge \$0.25 per page for copying. In 2015, the Office of Administrative Tax Appeals received 222 FOIL requests most of which were for Tax Commission information.

### **Looking forward to 2016**

One significant challenge that the Tax Commission faces is the ongoing Finance Department project to replace its mainframe property tax computer systems. Because all of the Tax Commission's computer systems are integrated with those of the Department of Finance, they also will be replaced as part of the project. We have been meeting regularly with Finance staff and the vendor developing the new system to ensure that the new system meets our needs. The challenge will be testing the new system and eventually switching over to it without disrupting the annual review process.

In 2016, the Tax Commission will be exploring the feasibility and efficacy of electronic recordkeeping for Tax Commission records. At my confirmation hearing last July, when asked what plans I might have for improving the Tax Commission's operation, I mentioned doing something about the thousands of paper files. Currently, paper Tax Commission files occupy over 100 on-site filing cabinets. Our document retention schedule provides that Tax Commission files are retained on site for six years and thereafter destroyed. Electronic recordkeeping would:

- Enable quick document access by Tax Commission hearing officers;
- Eliminate misplacement of paper files;
- Allow for simultaneous use of files by multiple hearing officers;
- Permit electronic retrieval of documents for FOIL compliance;
- Enable data capture from scanned documents; and
- Prevent the loss of documents due to fire or other catastrophic event through the use of cloud data storage.

Thank you for your kind attention. I am happy to answer any questions you may have.



## OFFICE OF PAYROLL ADMINISTRATION

One Centre Street, Room 200N, New York, New York 10007

BILL DE BLASIO, *Mayor*  
SCOTT M. STRINGER, *Comptroller*

ROY MOGILANSKI  
*Executive Director*

### Testimony to the Committee on Governmental Operations

**March 14, 2016**

Reporting jointly to the Mayor and the Comptroller, the Office of Payroll Administration (OPA) manages payroll check and direct deposit distributions to all City employees and retirees.

As discussed in my FISA testimony, we have leveraged OPA and FISA staff and are operating under our new matrix management structure. The Payroll Operations Bureau, under the direction of Deputy Executive Director Neil Matthew, reports directly to me. This Bureau administers the core mission of OPA – to ensure the delivery of timely and accurate employee and retiree payrolls.

In calendar year 2015, over 9.7 million payments, valued at approximately \$32 billion, were made to City employees. Over 8.1 million of these were direct deposit payments, and over 1.6 million were paper checks. This reflects a direct deposit participation rate of 83%.

In addition, OPA manages the retiree payroll distribution for the pension systems. In calendar year 2015, over 3.8 million payments, valued at approximately \$24 billion, were made to City retirees; over 3.2 million of these were direct deposit, and over 550,000 were paper checks. This reflects a direct deposit participation rate of 86%.

Use of direct deposit is strongly promoted by OPA. Toward that end, the agency partners with eight financial institutions in the “Free Checking with Direct Deposit” initiative for active City employees. OPA re-solicited the financial institutions on the NYC Banking Commission list and added two new institutions during 2015.

Over the past year, in collaboration with the Mayor’s Office of Labor Relations (OLR) and the Department of Citywide Administrative Services (DCAS), OPA implemented

retroactive and prospective salary increases for much of the City's workforce. The administration has reached contractual agreements with 95% of the workforce, representing civilian and uniformed employees. Since provisions and interpretations of these contracts affect over 180 union agreements, over 400 pay labor agreements, and over 400 leave labor agreements, OPA diligently monitors all updates for accuracy.

Paper check stop-payment notices and check replacements are processed by OPA. In calendar year 2015, 7,112 paper checks were replaced.

As part of its fiduciary responsibility, OPA is responsible for reporting wages, pension distributions, and withholding tax information to Federal and State tax authorities. The entities for which we have reporting responsibilities include the City, NYCHA, the NYC Municipal Water Finance Authority, the NYC Retirement System Pension Trust (Pension Periodic), and the NYC Retirement System Trust (Pension Non-Periodic).

OPA ensures the City complies with ordered deductions that have been served upon City employees. Some of these ordered deductions include child support, Internal Revenue Service (IRS) tax levies and repayment agreements, creditor garnishment orders, higher education loan orders, and national medical support notices.

OPA is responsible for collecting and remitting City employees' voluntary payroll deductions and data including union dues, life insurance premiums, and political action committee contributions to internal and external entities.

The City's Commuter Benefits program is administered by OPA. This transit benefit program offers eligible employees the opportunity to use pre-tax and post-tax earnings to cover certain public transportation costs throughout the New York Tri-State area. As of the end of February 2016, more than 57,000 City employees were participating. The City continues efforts to increase our enrollment participation. These efforts include notifying employees through a citywide email blast, creating an informational e-banner for Employee Self-Service and CityTime log-in pages, creating a Commuter Benefits Public Service Announcement, and posting pay statement messages.

OPA is responsible for the business functionality addressed by major citywide systems covering payroll, pension, and timekeeping functions. These systems include: Payroll Management System (PMS), Pension Payroll Management System (PPMS), Workers' Compensation System (WCS), CityTime, City Human Resources Management System (CHRMS); W2 Replacement and Correction System (RACS), Welfare Benefit Annuity

System (WBAS), EFORMS - an electronic portal to manage payroll deductions, and an e-portal to access pay statements and tax forms, which is known as ESTUBS. In addition to maintaining and ensuring that these systems meet business needs, OPA also provides support and help desk functions by addressing agency questions and issues, and disseminating information pertaining to OPA citywide systems.

OPA's responsibilities cover a broad range of activities including business analysis, requirements gathering, validating payroll results, data assurance for tax filings, and troubleshooting system business issues. OPA assesses and makes system update recommendations based on changes to over 180 union agreements as well as legislative or other required business changes.

An important function of OPA's support services division is its proactive agency outreach. This approach focuses on assisting agencies with correcting transactions, recommending business process changes and communicating system updates to the user community. OPA also engages agencies to participate in software testing to ensure that software usability meets business needs.

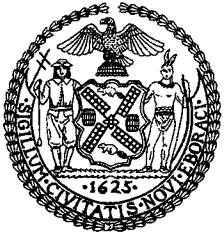
As has been planned in cooperation with DCAS for several years, FISA and OPA will soon be sharing space at 450 West 33rd Street – which is FISA's current location. I expect OPA's move to be accomplished in April of this year. This is important because it will allow for greater interaction and cooperation among staff from both Agencies that have roles in the operation, maintenance, and support of the critical citywide systems for which FISA/OPA is responsible. While the bulk of OPA will be moving uptown, in order to maintain walk-in service for City employees in the downtown area, OPA is establishing a satellite office in the Department of Finance business center at 66 John Street.

The portion of the Mayor's Preliminary Budget that pertains to OPA provides us with the necessary resources to support employee and retiree payrolls including the management and reconciliation of the City's payroll bank accounts. In furtherance of its mission, OPA maintains and enforces uniform payroll policies and procedures; coordinates payroll matters among City agencies, the NYC Housing Authority (NYCHA), and elected officials. OPA ensures the continued security, integrity, and effectiveness of the City's payroll systems as well as compliance with requirements of Federal, State, and City tax authorities, while using technology to the greatest possible advantage in support of its operations.

OPA has authorized full-time staffing levels of 183 for Fiscal Years 2016 and 2017. OPA's total January Plan budget allocation for FY 2017 is \$17.6 million: \$15.7 million for Personal Services (PS) and \$1.9 million for Other Than Personal Services (OTPS). These amounts are unchanged from FY 2016.

Thank you. I'll be happy to answer any questions that the Committee may want to ask.





***The City of New York***  
***Financial Information Services Agency***

450 West 33<sup>rd</sup> Street, 4<sup>th</sup> Floor  
New York, NY 10001-2633

Telephone: (212) 857-1200  
Fax: (212) 857-1106  
TTY: (212) 857-1780

BILL DE BLASIO, *Mayor*  
SCOTT M. STRINGER, *Comptroller*

ROY MOGILANSKI  
*Executive Director*

**Testimony to the Committee on Governmental Operations**

March 14, 2016

Good afternoon Chairperson Kallos and members of the Committee on Governmental Operations: my name is Roy Mogilanski, and I am Executive Director of the Financial Information Services Agency (FISA) and the Office of Payroll Administration (OPA). I am joined at the table today by Andrea Glick, Deputy Executive Director of Administration, Rose-Ellen Myers, Deputy Executive Director of Citywide Systems, and Neil Matthew, Deputy Executive Director of Payroll Operations.

The Mayor's Preliminary Budget provides FISA with the resources it needs to support the citywide financial, payroll, human resources, and timekeeping applications which we develop and maintain. City officials utilize these applications to carry out their charter mandated activities related to budgeting, financial planning, accounting, procurement, payroll, pension, and personnel functions. FISA provides services to various entities through the operation and maintenance of major information systems such as the Payroll Management System (PMS), the Financial Management System (FMS), the Pension Payroll Management System (PPMS), the New York City Automated Personnel System (NYCAPS) and CityTime.

FISA provides technical expertise and support primarily to the Office of Management and Budget (OMB), the Office of the Comptroller, the Office of Payroll Administration (OPA), the Mayor's Office of Contract Services (MOCS), the Office of Labor Relations (OLR) and the Department of

Citywide Administrative Services (DCAS). FISA ensures citywide system access and provides technical assistance to all agencies processing transactions in FMS, PMS, PPMS, NYCAPS and CityTime.

As part of a new obligation for reporting, the Affordable Care Act requires large employers such as the City to file an annual information document with the federal government and to provide a statement (1095-C form) to each employee, reporting whether the City offered health insurance, and if so, what insurance was offered. FISA/OPA worked with the Office of Labor Relations to provide these forms and report to the Federal Government on over 325,000 employees this year.

In January, 2016 Mayor de Blasio issued Personnel Order 2016/1, which offered six weeks of paid parental leave for non-union City workers. OPA and FISA worked with the Department of Citywide Administrative Services to implement this benefit and make the required changes to apply the new leave regulations that are used to fund this benefit.

In what I believe is a topic of special interest to the Committee, this year, FISA began moving select infrastructure components to the Linux based operating system, enabling FISA to benefit from Open Source Software. Components of FISA's enterprise job scheduler and CityTime are now deployed on Linux, with other applications soon to follow. In order to ensure that these critical citywide systems are optimally available, FISA still needs to purchase maintenance support for the product - but the use of non-proprietary operating systems provides more opportunity for competition.

Before providing more details regarding the citywide systems for which FISA/OPA has responsibility, I would like to emphasize that data and physical security are critical areas to focus on for any business operation today, particularly one that has responsibilities related to computer systems containing sensitive information. FISA and OPA take this security obligation extremely seriously and are continuously vigilant in our efforts to protect the City's – and its employees – confidential information.

In a related development, as I indicated I would do when we last spoke, I have appointed a Director of the Internal Integrity Control Unit who is responsible for identifying and mitigating procedural weaknesses at FISA/OPA which could result in disbursement errors related to the many payments made through the citywide systems we operate. This appointment has resulted in ongoing procedural updates that help FISA/OPA operate with greater internal controls in place.

The systems that FISA supports are utilized by tens of thousands of users in the performance of their duties on behalf of the people of our City. I'd like to present an overview of these systems.

### **Financial Management System (FMS)**

The Financial Management System (FMS) supports the functions required of a citywide budget and accounting system. FMS processes data for inclusion in the City's Financial Plans, Budget, the Comptroller's Annual Statements and all required tax reports. In Calendar Year 2015, FMS generated approximately 708,000 disbursements valued at approximately \$51 billion dollars.

FISA would like to report a positive trend toward greater usage of Electronic Funds Transfer (EFT) by vendors and other payees receiving payments from the City. In calendar year 2010 approximately 41% of the City's total disbursements were made using EFT. Today, the EFT percentage has grown to approximately 69%. This greater use of EFT is due to a number of complementary initiatives such as City legislation by the City Council which makes EFT the preferred method of payment by agencies, a nominal paper check fee of \$3.50 that has generated over \$1,500,000 for the City since the end of Fiscal Year 2011, and working in conjunction with the City's Department of Finance, vigorous vendor enrollment efforts.

FISA, working with DCAS and MOCS, continues to implement procurement improvement initiatives. A current effort is the roll-out of on-line order processing for selected contracts.

FISA, working with MOCS, has upgraded the Payee Information Portal (PIP) to include a new feature that allows users to self-identify their business as Veteran-owned, Minority-owned, Women-owned or as a Worker Cooperative.

FISA, working with MOCS, is upgrading FMS to increase small purchase opportunities for Minority and Women-owned Business Enterprises (MWBE). The FMS software will default to double the number of MWBE vendors when a bidders list is generated by an agency. An additional feature will allow agencies to automatically add the remaining MWBE vendors to the bidders list.

FISA, working with the Office of the Comptroller, continues to implement initiatives to improve vendor interactions with the City. Projects completed in the past year include the development of e-signature functionality for W-9 forms submission and a set of usability improvements to the Payee Information Portal (PIP).

FISA also provides the New York City Comptroller's Office with payroll, contract, and payment data for the Checkbook 2.0 web site. We continue to actively provide support as the Comptroller designs additional functionality and new components of Checkbook.

### **Debt Management System (DMS)**

The Debt Management System (DMS) is the official repository of data pertaining to debt issued by New York City and the Transitional Finance Authority (TFA). The application is used by investment banks, bond counsel and City employees. The DMS application includes over 100 years of historical data. FISA completed the initial implementation and continues to maintain the application and apply enhancements as prioritized by DMS stakeholders. An enhancement is underway to DMS to include bonds issued by the New York City Municipal Water Finance Authority.

### **Payroll Management System (PMS)**

The Payroll Management System (PMS) is the computerized application used to produce the City's payroll. PMS processes over nine million payments for the City's workforce annually by running over 300 pay cycles per year that produce payrolls valued at approximately \$32 billion dollars. Over the past year, FISA has completed several initiatives to move non-payroll functionality out of the Payroll Management System as part of the strategy to update the 30 year old mainframe based system on which PMS runs. For example, in the past year the calculation for the payment of Uniform Allowance has been moved into NYCAPS. Several new web-based entry and inquiry screens have also been deployed, enabling the shutdown of a number of the mainframe screens. Work will continue on this effort in the coming year.

#### **Pension Payroll Management System (PPMS)**

The Pension Payroll Management System (PPMS) is used for producing payments to New York City retirees. For Calendar Year 2015, PPMS produced over 3.8 million payments for approximately 317,000 pension recipients by running 180 pay cycles, valued at approximately \$24 billion dollars. FISA manages the distribution of retiree checks, 1099 forms and quarterly statements to pensioners. FISA is currently working with the Office of Labor Relations to move the payment of Medicare Part B and IRMAA reimbursements into PPMS, which will allow for these payments to be made through Direct Deposit rather than paper checks.

#### **New York City Automated Personnel System (NYCAPS)**

NYCAPS is a citywide human resources and health benefits system which processes transactions for City employees and pensioners. In the past year, work was completed to move Department of Education employees into NYCAPS. FISA is now working with CUNY to implement the employees of the Community Colleges into NYCAPS.

#### **CityTime**

The CityTime system is a unified and automated timekeeping system which interfaces with the City's Payroll Management System and NYCAPS to support accurate time and attendance records and payroll calculations. CityTime is currently used by over 164,000 employees at 89 agencies.

FISA continues to be on target to meet the objectives set forth in the FISA Board Resolution of June 2011 which calls for replacement of consultants with City staff. From the time FISA assumed responsibility for the implementation and maintenance of CityTime, the number of consultants on the project has been reduced from 71 to 6 with a resultant savings of over \$5 million dollars per year. Overall, FISA has tremendously reduced its reliance on consultants. In FY 2011 FISA had 194 consultants and currently has less than 30 consultants in total. FISA continues its efforts to reduce these numbers even further.

FISA's staffing for Fiscal Year 2016 and Fiscal Year 2017 is an authorized 458 and 460 employees respectively. FISA's total January Plan Expense Budget allocation for FY 2017 is \$105 million: \$50 million for Personal Services (PS) and \$55 million for Other Than Personal Services (OTPS).

FISA's Capital Plan for FY 2017 as per the January 2016 Capital Commitment Plan is \$21 million and encompasses upgrades to the Data Center Hardware and Software and Infrastructure upgrades to the Financial and HR/Payroll Systems.

As the Executive Director of both FISA and OPA, I report to two Boards of Directors comprised of the same Mayoral and Comptroller appointees on each board. Since my appointment, I have been moving forward on plans to better coordinate the interrelated business lines and functions of FISA and OPA and have implemented what I refer to as a matrix management structure. This synergistic arrangement leverages the talent in both agencies by creating unified work teams headed by a manager from either OPA or FISA, and more importantly, will allow both technical and administrative teams to operate most effectively and efficiently as cohesive entities.

Reflecting this approach, I refer throughout my testimony to “FISA/OPA” as a single operational unit, despite their continued official separate statuses.

We are reviewing both agencies’ policies and standard operating procedures, identifying the best in class, and implementing those procedures as the standard to be followed by both agencies.

It is important to note that the enhanced management structure is being executed after consultation with the City’s Office of Labor Relations and meetings with our union partners. None of these changes will result in any layoffs or demotions.

Most of our projects and day-to day operations are accomplished by the joint efforts of FISA/OPA staff and therefore, our new structure is designed to make our work more effective.

FISA and OPA are committed to foster a work environment where diversity is highly valued. This commitment is demonstrated by executive leadership and is communicated throughout the organization in meetings and posted materials, as well as in an Annual Commitment Memo distributed to all staff every December.

As a technology organization, FISA faces challenges in hiring historically under-represented groups in the technology industry. In addition to posting its positions on the City’s job website, FISA sends its job openings to widely used internet job sites - as well as the Women in Technology International website. In addition, postings are sent to organizations recommended by DCAS that represent diverse groups as well as to other organizations that FISA has identified such as the Association of Latino Professionals. Finally, before the end of this fiscal year, all FISA/OPA hiring managers will receive training on structured interviewing and unconscious bias - which will help us to stay focused on the candidates’ skills and the requirements of the jobs - instead of superfluous considerations.

At this point, I would like to make my presentation regarding the Office of Payroll Administration.

**Testimony on the FY 2017 Preliminary Budget  
Department of Records and Information Services  
March 14, 2016**

Good afternoon Chairperson Kallos and members of the Committee.

As you know, I am Pauline Toole, the Commissioner of the City's Department of Records and Information Services, commonly known as DORIS. Today, I'm joined by key staff: Naomi Pacheco, the Director of Administration and Ken Cobb, the Assistant Commissioner. This is the third time that I have appeared before you to discuss the preliminary budget for the agency.

During the past two years, the Department has been developing the capacity to fulfill our charter mandate to preserve and make available government information—both from the past and the present. Each of our three divisions have made great strides during the past year and are positioned for continued improvement.

Our mission is to foster civic life by preserving and providing access to the historical and contemporary records of New York City government, to ensure that City records are properly maintained following professional archival and record management practices and to make materials available to diverse communities both online and in person.

A proposed funding increase of \$508,326 in the current fiscal year supports our archival, record management and technology programs and is expected to continue in the upcoming fiscal year. The preliminary budget provides a total FY 2017 allotment of \$7,362,524 for operating costs which includes personal service (PS) funding of \$3,409,087 and OTPS funding of \$3,953,437. The fulltime headcount has increased by 7, from 44 City funded positions to 51 City funded positions. The Preliminary Plan represents an increase of \$1,174,000 from the current spending plan funding.

DORIS also received \$492,732 in direct grants during the current fiscal year. This includes \$200,000 for administering the \$1 million annually in Local Government Records Management Improvement Fund grants that are allotted to City entities; \$11,913 for the Municipal Library to preserve historical 19<sup>th</sup> century annual reports of the City's Almshouse and Welfare departments; and \$74,961 to continue preserving historical NYPD photographs. The agency received two federal awards: \$125,000 from the National Endowment for the Humanities to digitize selected historical photographs from the NYPD collection (this funding supplements the \$74,961 grant received from the NY State LGRMIF program listed above); and \$92,771, from the National Historical Publications and Records Commission to preserve the original admission and discharge ledger volumes of the Almshouse and related institutions.

**INFORMATION SERVICES AT THE MUNICIPAL LIBRARY**

In the past two years, we more than doubled the quantity of reports available to the public online via the Government Publications Portal, from 7,287 to 14,799 currently. In 2014, only 48% of agencies had ever submitted electronic reports to the portal. Now we have reports from every agency. The Librarian developed a schedule showing the reports required by local law and the timing of such reports. She has shared this information with each agency and uses it to remind agencies to submit reports.



We have sponsored several events linked to the exhibits including film screenings, book talks, and a preview of the new opera *"A Marvelous Order,"* based on the story of Robert Moses and Jane Jacobs.

In our most recent partnership, twelve New Yorkers are working with The MOTH Community Project to refine their stories of community preservation and development which will be broadcast in early April, from the Archives.

During the current fiscal year, DORIS has improved operations, expanded the availability of government information online and has expanded access to City government's historical materials.

Thank you.

James G. Clynes  
Chairman

Latha Thompson  
District Manager



505 Park Avenue, Suite 620  
New York, N.Y. 10022-1106  
(212) 758-4340  
(212) 758-4616 (Fax)  
www.cb8m.com - Website  
info@cb8m.com - E-Mail

## **The City of New York Manhattan Community Board 8**

### Manhattan Community Board Budget Testimony Before the New York City Council March 14, 2016

Good Afternoon Chairperson Kallos and Council Members:

My name is Latha Thompson. I am the District Manager of Community Board 8 in Manhattan and I am here today to testify on behalf of all twelve Manhattan Community Boards. Permit me to begin my testimony by thanking the City Council for historically acting as a defender of community boards and for always protecting our budgets against proposed cuts. It was not so long ago that all fifty-nine community boards throughout the five boroughs had to organize to fight proposed budget cuts which would have had devastating impacts on our operations and on the services we provide to our communities. We are grateful not to be in that position this year.

The City's community boards are comprised of almost three thousand volunteers who contribute their expertise, time and dedication to their communities and the City, assisted by the requisite support staff. For many City residents and businesses, community boards are the face of New York City government and we facilitate citizen participation in more effective and meaningful ways. Community boards provide a forum for citizens to be heard on a variety of issues affecting their neighborhoods.

The New York City Charter mandates that community boards play a significant role in planning and reviewing land use applications and make recommendations on the City's budget, as it affects their respective community districts. Every year, community boards hold thousands of public hearings and meetings to meet this mandate and which allow community members to learn about and comment on applications for sidewalk cafes, liquor licenses, zoning and landmark changes, as well as a variety of other issues and proposals affecting quality of life, traffic and transportation, parks and open space, schools and education, and much more. The sheer volume of applications, issues and constituent complaints generates an avalanche of work for each community board office. Indeed, there are times when the challenges faced by our staff to respond to all these concerns in a timely way can be overwhelming.

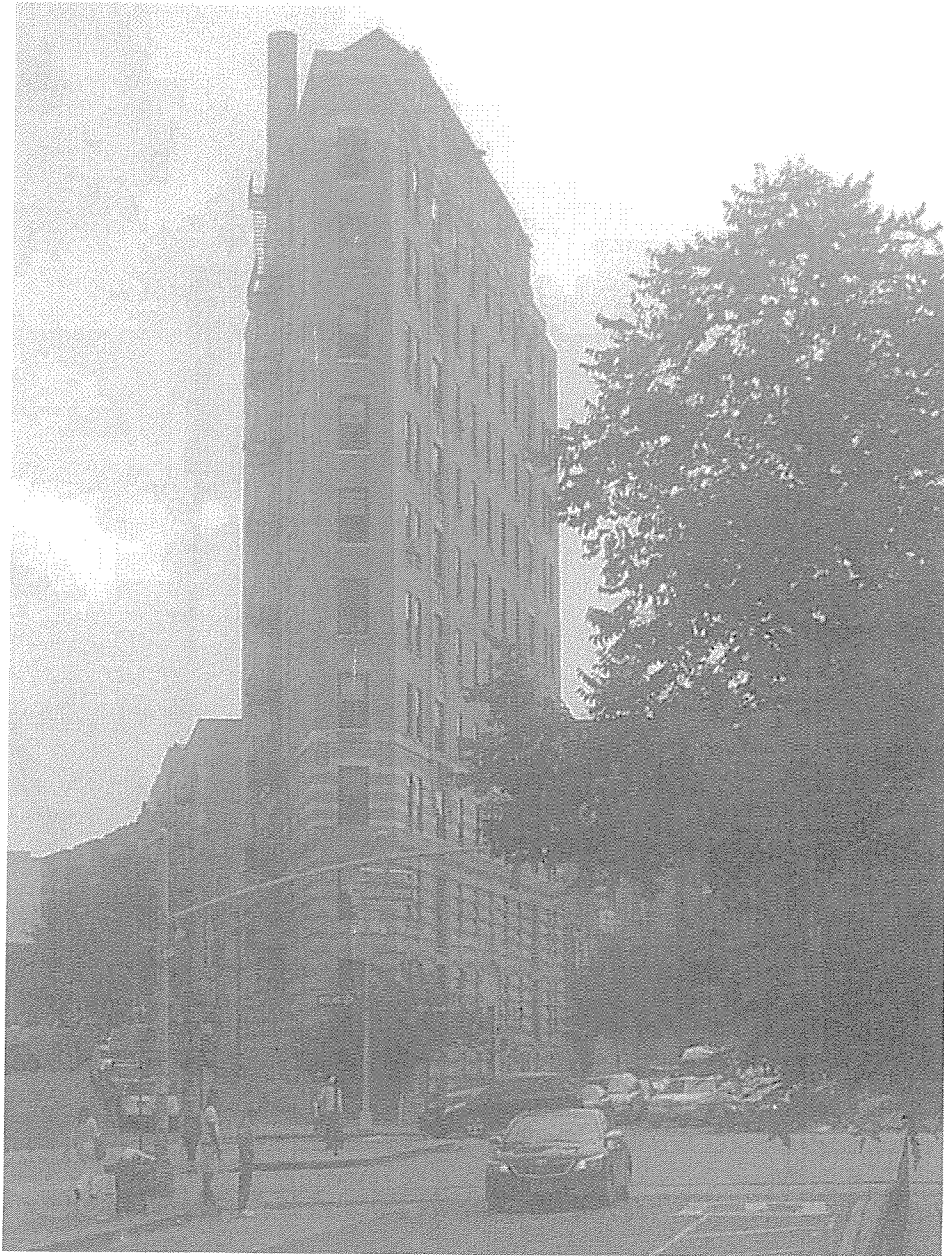
It is with regard to these challenges that we would like to ask the Council to consider an increase to community board budgets, so we may acquire the resources to meet our responsibilities more effectively. Different community boards have different needs and

additional funding would give us more flexibility in addressing them. Many boards need funds for additional staff to meet the increasing work load, while other boards might prefer funds for more staff training in the latest software and technology or to create customized technology to better perform our duties. For example, having a database to easily catalogue and retrieve resolutions or a constituent management system that would allow community boards to improve record-keeping, enhance communication with their constituents and be more transparent in the age of open data.

The money invested in community boards is a miniscule portion of the City budget and it gives tremendous bang for the buck. While we appreciate that our budgets are no longer under attack, we respectfully request that the Council consider an increase to allow us to enhance our resources, so we may be better able to perform our City Charter-mandated responsibilities.

Thank you.

**BRONX COMMUNITY BOARD 5  
STATEMENT OF COMMUNITY DISTRICT NEEDS  
FISCAL YEAR 2015**

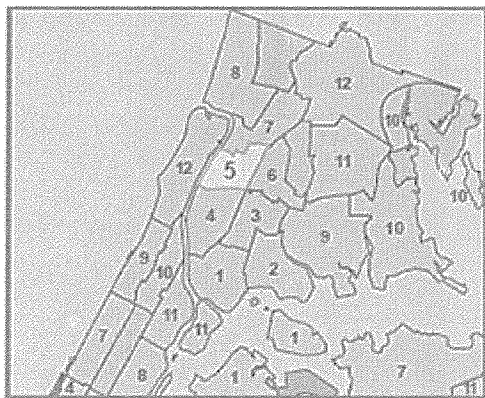


**BRONX COMMUNITY BOARD 5  
STATEMENT OF COMMUNITY DISTRICT NEEDS  
FISCAL YEAR 2015**

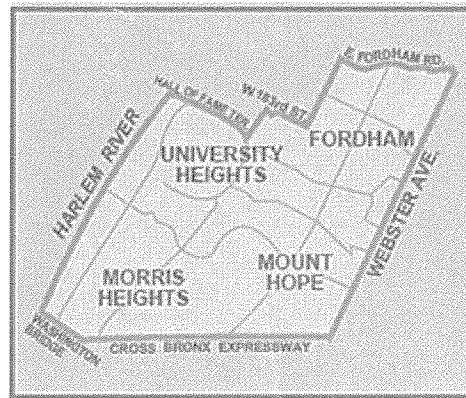
**District Overview:**

Bronx Community District 5, known as the West Tremont area, is located in the midwest Bronx with a total land area of 1.4 square miles. It is bounded by the Harlem River on the west, to the Cross Bronx Expressway on the south, Webster Avenue on the east, and the northern boundary extends from Hall of Fame Terrace at Bronx Community College to Dr. Martin Luther King, Jr. Blvd. and 183<sup>rd</sup> Street, east to Jerome Avenue and north to Fordham Road. The major streets running east to west are Fordham Road, Burnside and Tremont Avenues. The major streets running north and south are Jerome Avenue, Grand Concourse, Bainbridge, and 3<sup>rd</sup> Avenue. The Grand Concourse is a major north/south corridor. Our district overlaps with City Council districts 14, 15, and 16.

Bronx Community District 5 is comprised of the following four neighborhoods: South Fordham, University Heights, Morris Heights, and Mount Hope.



Source: NYC Department of City Planning



Source: NYC Department of City Planning

The overall population count in this district was 131,879 in 2012, the last year the data was made available, and its population density (1,000 persons per square mile) was 87.4. There was a 2.8 percent increase in the population from the year 2010. The racial diversity of our residents is rich and the majority of the population is Hispanic and Black/African American. According to the 2010-2012 American Community Survey (ACS) estimates, 68.6 percent of the population in this district is of Hispanic origin; 33.7 percent of the residents are Black/African American; 1.1 percent of the residents are Asian or Pacific Islander; 12.9 percent of the residents are White; 0.8 percent of the residents are American Indian or Alaska Native. The ACS estimated that of the Hispanic/Latino group, 6.4 percent of the residents are Mexican; 18.3 percent of the residents are Puerto Rican;

0.5 percent of the residents are Cuban; 43.5 percent of the residents identify themselves as part of another Hispanic or Latino group.

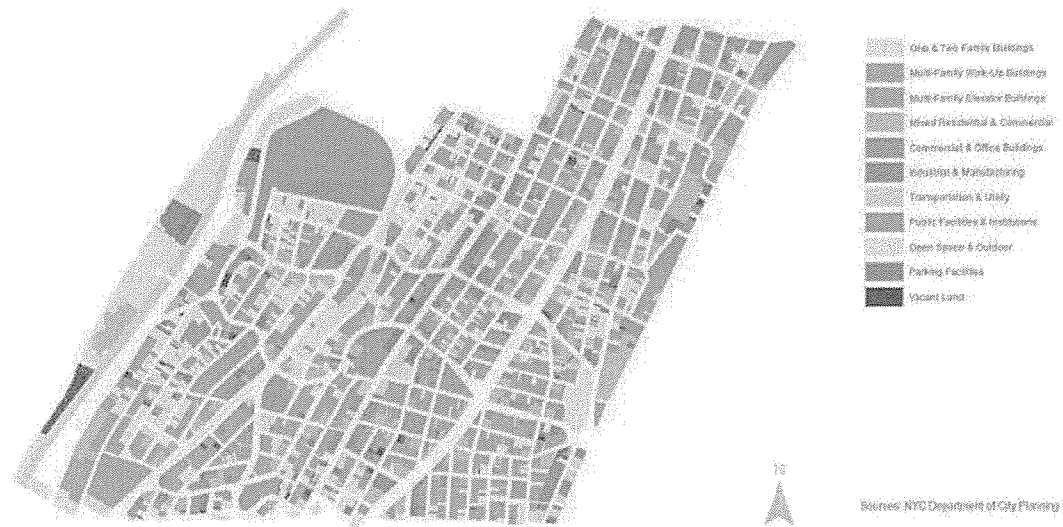
There is also a significant proportion of residents that is foreign born. The population of foreign-born residents increased from 34.8 percent in 2000 to 43.4 percent in 2012. The ACS 2008-2012 data breaks down the region of birth of the foreign born population in our district: 12 percent of the foreign born population is African of which 11 percent is West African; 85 percent of the foreign born population is Latin American; 2 percent of the population is Asian; 1 percent of the population is European.

The growth of our foreign born population and the large population of Hispanic or Latino residents has potentially impacted the primary languages represented in our district. Of the residents living in our district for five years and more, 70.2 percent speak a language other than English and Spanish speakers make up 62.3 percent of this group.

In addition to race, the age groups contribute to the diversity of the residents living in this area. The population of residents in the 65 and older age group increased from 5 percent in 2000 to 8.2 percent in 2012. The households with children under 18 years old decreased from 55.4 percent to 43.9 percent from 2000 to 2012.

Although there is a range in the socioeconomic makeup of the residents in the district, the percent of households living near the poverty line and who are considered to be low-income is high. The proportion of residents with a household income below \$20,000 increased from about 35 percent to about 46 percent from 2000 to 2012. The poverty rate also increased from 40.6 percent to 42.3 percent from 2000 to 2012. It was ranked as one of the community districts with the highest number of households with the total income below the poverty level. For the year 2012, the median household income was \$21,959 which is significantly less when compared to the Bronx overall (\$33,006) and New York City (\$51,750). It was ranked as one of the community districts with the lowest median household income levels. The percent unemployed is about 20.9 percent. The proportion of residents who used supplemental security income was 18.3 percent. The proportion of residents who needed cash public assistance income was 12.3 percent. The proportion of residents requiring food stamps/SNAP benefits was significant at 50.6 percent.

## Land Use in Bronx Community Board 5



Morris Heights is the lowest density area in District 5. Morris Heights is along the western ridge of the district, covering the area from Jerome Avenue valley to the Harlem River Valley. Here, the zoning ranges from R5 (typically 2 and 3-family row houses and small apartment buildings). In addition to the low density development, several high-rise developments including Sedgwick Houses, a NYC Housing Authority Development complex and several large private apartment towers along the Undercliff and Sedgwick Avenues, as well as River Park Towers along the Harlem River.

University Heights is part of the same rock ridge that characterizes most of Morris Heights, and is similar, architecturally. One of the key landmarks in this area is the beautiful Bronx Community College Campus, which gives the neighborhood its name. This public facility is the highest geographic point in New York City. University Heights is the least dense area of the district and benefits from a large proportion of 1-4 family housing stock.

The area East of Jerome Avenue and Fordham Road encompasses two neighborhoods: South Fordham, North of Burnside to Fordham Road, and Mount Hope, South of Burnside Avenue to the Cross Bronx Expressway. Both extend east to Webster Avenue. The Mount Hope/South Fordham neighborhoods are densely populated mostly with five and six-story housing. At the eastern edge of these neighborhoods is a large residential development known as Twin Parks West, consisting of four residential towers.

At the northern portion of this area is the Fordham Road Shopping District, the third largest generator retail sales in the City of New York. Fordham Road has approximately 1-million square feet of retail space. Separating South Fordham from Mount Hope is the Burnside Avenue Shopping Strip, a strong and vibrant local commercial corridor, and at the South-East area of these areas is a small manufacturing zone, which contains heavy auto uses, small manufacturing shops and warehouses.

Data included in this Statement of Community District needs was collected from the US Census, New York City Department of City Planning, New York City Department of Parks and Recreation, and the Furman Center for Real Estate and Urban Policy.

### **Department of Homeless Services:**

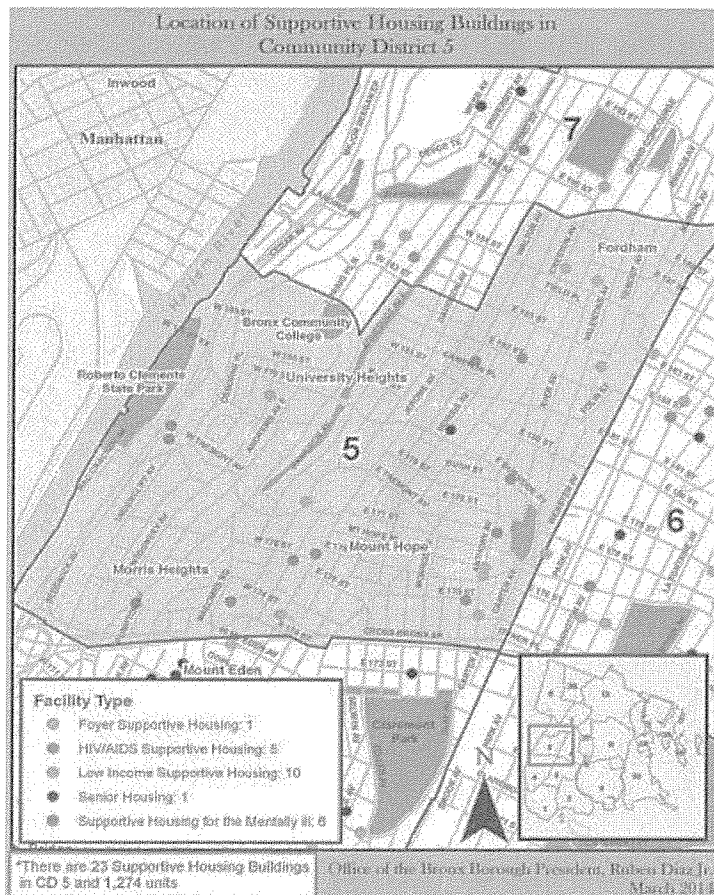
While we consistently have opened our arms to the city homeless families by accepting our share, Community Board 5 continues to be saturated with residential care, transitional and a women shelter in our district. Our district holds a large percentage of permanent supportive and special needs housing. There are 32 special needs buildings with a total of 1,598 units, and there are 23 supportive housing buildings with a total of 1,274 units. An example of supportive housing saturation in our community board is the cluster of supportive housing on West 177<sup>th</sup> Street and Tremont Avenue. This block has one supportive housing building with 78 units and another proposed supportive housing facility with 62 units (to open in four to six months), and adjacent to these buildings is a 15-family transitional facility, and ½ block away on Jerome Avenue is a women's bed facility with over 150 beds. Currently there are two approved supportive housing facilities by the Department of Homeless Services (DHS) for Community Board 5 which will add approximately 40 units of supportive housing, and there are two more proposed housing developments which could add 95 units of supportive housing.



We believe that our district has reached its capacity and that the supportive and transitional housing facilities should be more dispersed throughout the City. In comparison to other community districts we have had more than our fair share and the Community Board continues to request “Zero” allocation. In the fiscal year 2013 alone



we had 432 family entrants to the Department of Homeless Services (DHS) shelters, which is about 11 percent of the total number of family entrants to DHS shelters in the Bronx. We request assistance in providing homeless prevention initiatives in our district to ensure that the number of families experiencing homelessness does not increase. The Mayor's Housing New York Plan aims to redistribute some of its homeless shelter funding to finance lower-cost permanent housing for homeless residents. We believe that restarting the Advantage program and providing funding to the Homeless Eviction Prevention Program to assist residents secure permanent housing is necessary for our district.



Bronx Community Board 5 requests the New York State Legislature to enact a meaningful, realistic amendment of the State Mental Hygiene Law relative to what constitutes over-saturation of community residences in a neighborhood. A noteworthy suggestion in this regard would be to count on a strictly per capita basis, irrespective of population served, the total number of Special Housing facilities or Group Homes in a district when determining whether or not over-saturation exists in that locality.

Moreover, Community Boards should be given an enhanced, authentic role in the site selection process for

special needs housing community residences. The supportive and transitional housing facilities have negatively impacted our local schools, property values, economic development, and other quality of life issues. Our feedback and role in the evaluation process for initiating supportive and transitional housing facilities should be taken more seriously since we are the local experts on how this program is affecting the community.

**In this regard, it is essential to the district's well-being that the Mayor's Budget reflected funding for Community Board 5 District in the following areas of priority:**

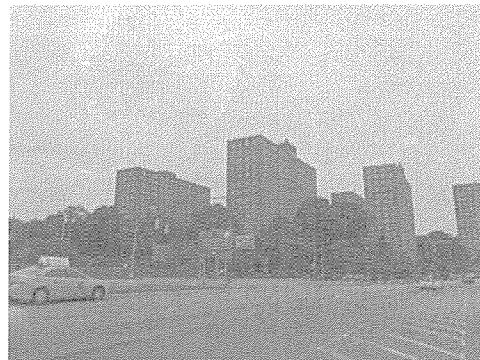
### **Department of Transportation:**

A large proportion of our residents, about 68.2 percent, use public transportation to commute to work. Other popular modes of commuting to work include driving to work alone (11.5 percent) or carpooling (5.8 percent), or walking (9.6 percent). The objective of Bronx Community Board 5 is to improve the existing transportation infrastructure. The resurfacing of our most important street, the Grand Concourse from 175<sup>th</sup> to Fordham Road, is an important priority for our district. The objective is to initiate a greening project which would be vital for enhancing the beautification and improving economic development in the area.

Also, due to the heavily utilized major thoroughfares in our district (including Grand Concourse, Fordham Road, University Avenue, and Tremont Avenue), traffic and road conditions need to be constantly monitored and repaired. There is a major road bridge which serves as the gateway from Manhattan to the Bronx and connects Bronx Community Board 4 and 5, the Washington Bridge on West 181<sup>st</sup> Street. This bridge requires funding for continued maintenance. Cleaner and improved streetscapes, especially on the Washington Bridge and on the Grand Concourse, are essential for improved roadways and efficient transportation routes.



Grand Concourse



Washington Bridge Gateway Streetscape

Safety measures are another important factor that the DOT should pay attention to in our district. The Mayor's Public Safety plan Vision Zero discusses slow zones which aim to decrease the speed limit in the area and add safety measures to reduce the number and intensity of automobile and pedestrian incidents. Also, the purpose is to enhance the quality of life in the surrounding neighborhoods by decreasing the noise levels for the community. We have one slow zone approved on the Grand Concourse and we have requested for another slow zone on University Avenue. We hope that these slow zones will act as traffic calming devices and reduce automobile and pedestrian incidents. In response to this, our district is requesting a program for car-free Sundays on the Grand

Paradise Theater on the Grand Concourse should have improved streetscape



Concourse Avenue at least once a month. Our district requests additional resources for improved signage and traffic calming devices on all our major thoroughfares (including Fordham Road and Tremont Avenue).

Additionally, although a high percentage of our residents commute to work using public transit, our district has seen an increase in demand for additional parking facilities. We request the Department of Transportation to conduct a study in our district to respond to these needs and offer

recommendations.

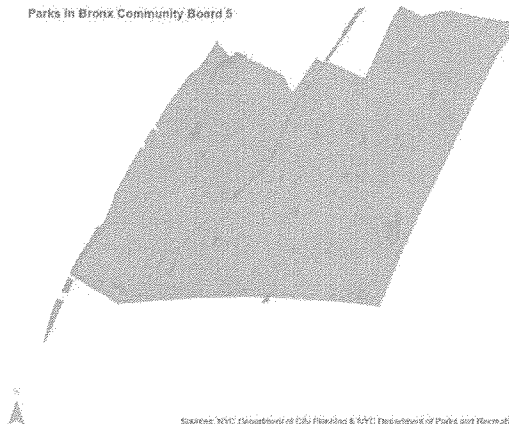
Other priorities include:

- Mill and resurface the Grand Concourse from Cross Bronx Expressway to Fordham Road
- Reconstruction of Stepstreet for Kingsland Avenue
- Painting and Graffiti removal of the underpasses on Burnside Avenue and East Tremont Avenue
- Rehabilitation of Step Street at Davidson Avenue between Featherbed Lane & Davidson Avenue
- Increase resources for the Bronx Bureau of Highway Maintenance Division & Cleaning Unit and the Department of Sanitation to increase cleaning to bi-monthly along the Major Deegan Sedgwick Avenue/Cedar to West 179<sup>th</sup> Street and underneath the embankments roadways of the Major Deegan along Sedgwick Avenue

### Department of Parks & Recreation:

According to the Furman Report, 100 percent of the residential units in District 5 are located within ¼ mile of a park. The report required that the park was at least ¼ of an acre in size and it included the Greenstreets program. However, there is still a small amount of usable open space available, about 32 acres of open space, especially considering the high density of our neighborhoods and the number of hidden open space areas (such as Bridge Park, Echo Park, Cedar Park, and Aqueduct Walkway). New Yorkers for Parks stated that the Bronx

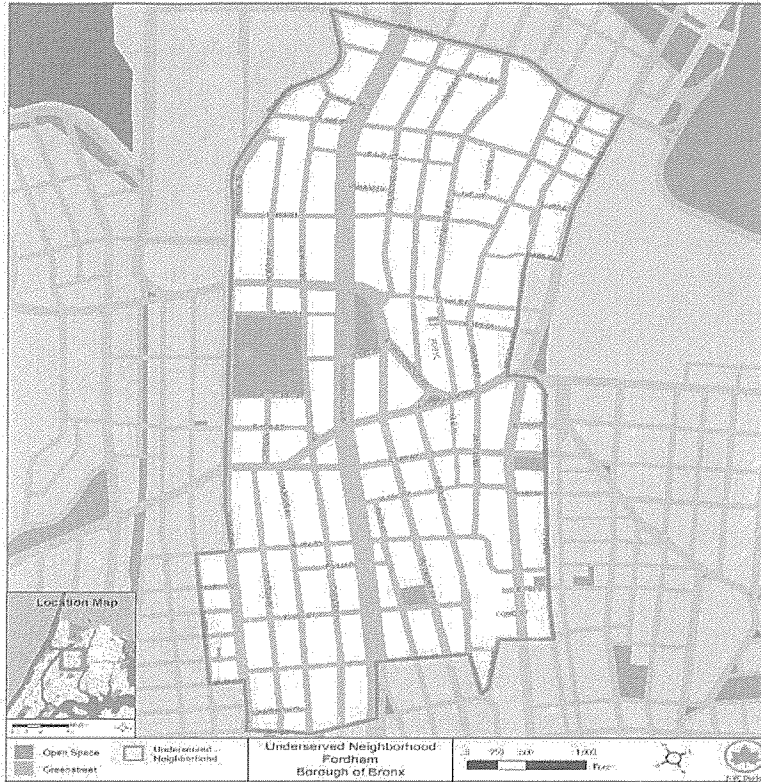
Parks in Bronx Community Board 5



Source: NYC Department of City Planning & NYC Department of Parks and Recreation

has the second lowest number of residents per park acreage when compared to other NYC boroughs.

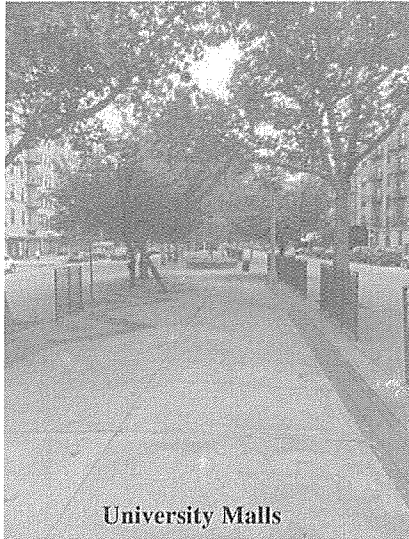
The Department of Parks and Recreation (DPR) defines underserved open space areas as “areas of high population density in the City that are generally the greatest distance from parkland where the amount of open space per 1000 residents is currently less than 2.5 acres.” The most recent data by DPR states that the underserved area in District 5 is the Fordham neighborhood.



**1805 Davidson Ave Park**

Our top priority is to expedite the development of two park spaces. The proposed park site on 1805 Davidson Avenue is currently under the jurisdiction of the Agency for Children Services (ACS) and we are requesting that this site be transferred to the Department of City Wide Administrative Services (DCAS). So that eventually the park would be under the jurisdiction of the DPR. This park site currently has a \$1 million dollar capital improvement line, but these funds cannot be utilized in an efficient way until the DPR has jurisdiction. Also we would like to expedite the reopening of

Bridge Park. This park has been closed because an adjacent site is currently used as a staging area for the Alexander Bridge project. It is blocking the residents' access to the Harlem River waterfront and needs to be given back to the community for open space and recreational uses.



The University Malls project (located on University Avenue between West Tremont Avenue and 175<sup>th</sup> Street) is our first public-private partnership with the Bronx Pro Realty. We would like the Department of Parks and Recreation to embrace this initiative and provide adequate capital funding for the project, by working with the community board and Bronx Pro Realty. A community-driven planning process will be taking place to redesign the University Malls, and we request the DPR and the DOT to embrace the final design product of this process.

A major challenge for District 5 has been the quality of life and public safety of our parks and playgrounds. District 5 has a shortage of Parks Enforcement Personnel (PEP) Officers, which needs more investment, due to the significant number of hidden open spaces (such as Bridge Park, Echo Park, Cedar Park, and the Aqueduct Walkway from Morton Place to Burnside Avenue). While there was a recent increase in funding for more PEP officers in the Bronx borough, but the current number of PEP officers have not met the needs of our community.

Our district also requests for an increase in budget from the DPR to provide comfort stations at various park locations (such as Morton Playground and Galileo Playground), and for the development of instructional programming by the recreation aids (which can consist of activities related to arts/crafts, botany, community gardening, games, nature walks, etc). The programs and activities would provide additional opportunities to our residents (of all ages) to engage with community members.

The proposal for capital improvement of the Aqueduct walkway within our district has been requested in the past. The Aqueduct walkway runs south from Bronx District 7 on Kingsbridge Road to the boundaries of District 5. The objective of our district is to develop segments of the Aqueduct trail along University Avenue and Tremont Avenue, by developing a pedestrian bridge or a Step Street project to reconnect the Aqueduct lands to the Aqueduct walkway.

We are also requesting funding to link our community to the High Bridge (pedestrian bridge). We need a planning study to connect the residents to the Depot Place on the

Harlem River to Bridge Park that will connect us to Roberto Clemente State Park. The development of a depot place along the Harlem River would create access to the Roberto Clemente State Park Waterfront Esplanade. This would provide waterfront access to residents in Community Board 4, 5, and 7.

Additional priorities include:

- Increase funds to DPR for miscellaneous park repairs
- Increase funds for the hiring of additional parks maintenance workers

#### **Department of Education:**

A large proportion of our residents fall under the youth category. The 2010 U.S. Census showed that about 42 percent of our population is under the age of 18. Also, Community Board 5 is ranked as the district with the 4<sup>th</sup> highest number of households with children under 18 years old. Students are performing at the lower levels of the city wide average scores in reading and math subjects; only 14.4 percent of the students were performing at grade level in math and only 12.3 percent of the students were performing at grade level in reading. Thus, it is very important for the Department of Education to assist our district to provide adequate services intended for this age group. We are requesting that as housing developments occur in our district, there are sufficient funds available for the Department of Education to provide adequate capacity for our schools. The consequence of not keeping up with housing developments is overcrowding in our schools and limited resources for the students living in Community Board 5.

Other priorities include:

- An increase of funding for after school programs for the middle schools in Community Board 5
- An increase of funding for more seating capacity for the schools located within School District 9 and 10 (serving Community Board 5 residents)
- Construction of additional elementary-middle school to ease overcrowding in existing schools.
- Construction of a high school within the Bronx Community College campus

#### **Department of Youth & Community Development:**

The development and improvement of youth services is integral for the future of our community. As stated earlier, 42 percent of our residents are under the age of 18 and we have the 4<sup>th</sup> highest number of households with children under 18 years old in NYC. We commend the work of the Kips Boys and Girls Club which is a major contributor to assisting the youth in our district. However, there is still more that needs to be done for our community.

An establishment of a Beacon School in our district is a necessary initiative because it would assist the youth of our community regarding: skills necessary to graduate from school (i.e. tutoring and homework help), career awareness and transition programs, civic engagement, health and fitness, anti-gang prevention programs, and improving cultural arts and music programs. This initiative can also provide services to the adults in our community wishing to pursue education and obtaining skills related to parenting and education.

Also, we urge the New York City Housing Authority (NYCHA) which oversees the Sedgwick Houses and Twin Parks buildings to create more youth services related to education and recreation.

**Department of the Aging:**

The elderly population in our district continues to increase. The proportion of the population group of 65 and older has increased from 5 percent to 8.2 percent from 2000 to 2012. We are requesting that the city provides for the special needs of our seniors especially for the recent seniors which require services that will keep them active. Community Board 5 is requesting that long range planning include housing, health and mental health care, home care and senior centers. With this approach, Community Board 5 feels we can improve their quality of life and prevent the isolation which many of our elderly are at risk for. Our priorities include:

- Increase funding for the improvement of senior citizens' facilities in Community Board 5.
- Increase funding for senior housing
- Increase funding for innovative senior programs in Community Board District 5, such as a Naturally Occurring Retirement Community.

**NYC Police Department:**

Safety in our community is a major concern, and we believe more investment and efforts should be dedicated to strengthening the capacity of the police force in our district since District 5 still has some of the highest crime rates in the City. Also another primary objective is to expedite the process of acquiring and constructing a new 46<sup>th</sup> Precinct with parking facilities. This will definitely improve police department services and consequently improve the quality of life of our residents.

In addition, we request that the local police precinct increase funding for the Operation Clean Hallways program. It should work with the City's Housing Preservation and Development (HPD) agency to stop indoor drug dealing and loitering. This has been a quality of life and public safety issue for our community. In order to maintain security



and enhance livability in our community, we require that there be more attention focused on the indoor drug dealing issue in our district.

Our priorities for the NYC Police Department in our district include:

- Allocate funding to build a new front entrance ramp to make the existing 46<sup>th</sup> Police Precinct ADA accessible
- Increase funding for 911 emergency dispatchers to improve response time
- Increase funding to purchase noise meter devices and fire hydrant wrenches
- Increase funding for Narcotics' Enforcement
- Increase funding for School Crossing Guards to assist students to navigate the wide street crossing corridors such as the Grand Concourse, University Avenue, and W. Tremont Avenue.
- Conduct a community policing initiative to encourage dialogue between police officers and community residents in our neighborhoods

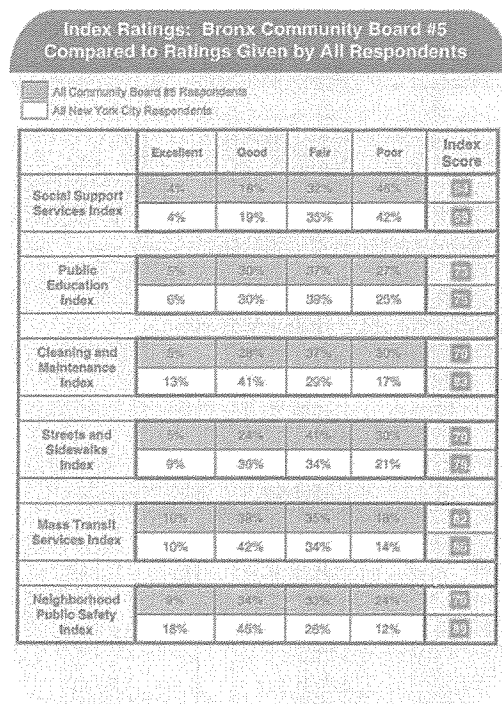
#### **New York City Fire Department:**

Our priority for the NYC Fire Department is to increase funding for 911 dispatchers Emergency Response Time for Ambulance Services. The average response time from the 2013 Mayor's Management Report for the city was 4:06 for structural fires, and the response time in the Bronx was 4:12. We believe it is necessary to improve the capacity of our Fire Department to maintain the safety of our residents. We also request additional funding for carbon monoxide detectors, and medical kits for: each of our Engine Company and Juvenile fire setters program.

#### **Department of Sanitation:**

Although sanitation has improved in the district, Community Board 5 still has the lowest sanitation score card rating in the borough related to sidewalk and street cleanliness. Our residents who submitted surveys for the NYC Citywide Community Survey rated the sanitation services as being below the sanitation score rating of the City. Sanitation has continued to be an important priority for Community Board 5 to improve the quality of life and economic stability and growth within our district. Therefore, we are requesting an increase of funding for cleaning personnel for our six commercial districts on Fordham Road, South Grand Concourse (Fordham Road), Burnside Avenue, West 183<sup>rd</sup> Street, West Tremont Avenue and University Avenue, and Featherbed Lane. Also, we request funding for our Canine Unit, additional personnel for the 13 Step Streets, cleaning personnel for Grand Concourse and University Malls, sanitation equipment (for cleaning the Grand Concourse and the University Malls, tree pruning, and weed whackers), and for personnel to service garbage baskets in our district (especially in commercial areas).





**Most Important Issues Facing New York City: Bronx Community Board #5**

Survey respondents were asked to name what they thought were the three most important issues facing New York City. The three responses most commonly given by Bronx Community Board #5 respondents are listed below.

1. Housing
2. Crime
3. Jobs

**Ratings of Neighborhood Services: Bronx Community Board #5**

Survey respondents rated 24 services in their neighborhood. The highest and lowest rated services are displayed below.

Highest Rated	Lowest Rated
1. Fire protection services	1. Rat control
2. Emergency medical services	2. Availability of cultural activities
3. Public libraries	3. Control of street noise
4. Household garbage pick-up	4. Cleanliness of your neighborhood
5. Bus services	5. Crime control

NYC Feedback Citywide Customer Survey Results

SCORECARD Monthly Ratings by Borough and Community Board - 2014

Bronx														
Community Board	July	August	September	October	November	December	January	February	March	April	May	June	FY 10 Date	Average
1	88.1	90.8		88.1	82.0	82.8	88.3	90.2	95.3	79.4	81.8	88.8	83.7	88.5
2	89.8	90.8	90.8	85.8	95.1	86.4	91.2	93.5	72.7	84.0	95.8	93.7	90.2	
3	82.8	79.3	89.4	84.2	88.4	86.2	90.5	95.1	72.5	88.0	83.8	95.4	88.1	
4	85.9	98.3	95.5	91.4	90.9	86.5	81.2	34.7	70.7	91.2	81.0	85.2	84.3	
5	88.7	95.8	90.4	90.4	88.1	90.7	70.9	36.3	69.9	92.4	91.3	89.8	82.8	
6	91.7	94.1	92.4	89.4	98.0	92.7	82.8	81.7	74.8	98.1	88.3	98.4	90.8	
7	98.0	97.7	85.8	94.8	97.2	85.5	83.9	73.3	77.7	95.7	81.1	98.9	88.3	
8	85.1	84.3	96.0	98.3	88.9	84.7	87.7	100.0	97.4	97.4	98.5	94.0	96.9	
9	88.1	96.5	90.8	82.0	87.3	94.0	82.3	88.4	74.0	98.0	98.4	94.5	91.5	
10	98.7	99.4	98.8	98.6	100.0	84.2	98.8	88.7	89.8	100.0	100.0	98.7	97.8	
11	95.7	98.8	100.0	95.2	88.7	91.8	95.0	73.1	82.8	98.6	97.9	97.2	94.9	
12	95.8	95.0	94.1	91.8	100.0	80.1	88.8	79.4	88.1	98.4	90.7	94.0	91.3	

## Department of Business Service & Economic Development:

Economic Development is one of our top priorities, since it will assist to improve the economic growth as well as the infrastructure and social well-being of our community. There are six commercial strips in our district which include Fordham Road, South Fordham Road and South Grand Concourse Avenue, Burnside Avenue, West 183<sup>rd</sup> Street, and West/East Tremont Avenue. We are in the last phase of creating a Business

Improvement District (BID) on the Burnside Avenue commercial corridor, and in the interim we are requesting funds for a BID express initiative to provide our services to entice property owners and merchants to support a permanent BID. The creation of a BID is a mechanism to improve conditions in our neighborhoods and brings a sense of pride and ownership to local merchants and residents.

#### **Land Use/Re-zoning Proposals:**

There is one rezoning project taking place in District 5 on Jerome Avenue, and we have a request to propose another rezoning project on Webster Avenue. We aim to meet the residential and commercial needs of our residents through encouraging mixed-use zoning and mixed-income development to our property owners, merchants, and residents.

##### Jerome Avenue:

Jerome Avenue is a major street in our district running North and South, and the section we wish to focus on is an auto-body corridor from the Burnside Avenue to the Cross Bronx Expressway. The physical appearance of this corridor has a negative impact on the residents' quality of life. Even though this corridor provides some employment opportunities (but not necessarily to residents in our community), we believe that the businesses should be relocated to another location. The objective is to change the existing C8 zoning along Jerome Avenue with the support of stakeholders and community members. We believe this is an opportunity area for mixed-use development, and request for a zoning change to residential with a commercial overlay. This is also an opportunity for affordable housing on Jerome Avenue, and the establishment of an Inclusionary Housing Program can be a tool to incentivize this type of housing development along the corridor.

##### Webster Avenue:

We are proposing for a rezoning project on Webster Avenue, which is another major street in our district and it is the eastern boundary of Community Board 5. Recently, Community Board 6 which resides on the other side of Webster Avenue had their rezoning proposal approved. In addition to enhancing the economic development and the quality of life of our community through a rezoning project on Webster Avenue, this project would allow the character of Webster Avenue to remain consistent. This proposal is for the corridor on Webster Avenue from the Cross Bronx Expressway to Tremont Avenue. The current zoning for this area is M1-1, C4-1, and R7-1. The objective is to change this zoning with the support of stakeholders and community members for a mixed use development area. This proposal is in its initial phases, and we are encouraging the property owners in this area to advance the rezoning proposal. The goal is to work with the residents and various stakeholders to re-imagine Webster Avenue. We would like to submit a preliminary study of this area, and we encourage zoning another study conducted by DCP for this corridor.

## **Department of Housing Preservation & Development:**

Community Board 5 has an old housing stock with over half our housing built before 1930, and it is defined as a primarily a multi-dwelling bedroom community. The homeownership rate in our district is categorized as having the lowest rates in the New York City community districts. It has a homeownership rate of 2.8 percent. Also, our district is ranked as having the highest number of renter households whose gross rent was more than 50 percent of their pre-tax income. Other issues affecting housing quality are increasing utility costs for landlords and homeowners; the percentage of housing with five or more maintenance deficiencies has increased over 35 percent; a lack of code enforcement (this district ranks in the top 20 in serious housing code violations throughout the City); an increase in building debts due to over-financing. Approximately 44.4 percent of the rental housing units considered overcrowded (our district ranks 6<sup>th</sup> overall in the City).



The Mayor's Housing New York 10-year plan looks to invest in 20,000 new and 180,000 preserved affordable housing. The goal is to target vacant land for development through the Neighborhood Construction Program and the New Infill Homeownership Opportunities Program and to preserve existing housing. Our district is the ideal candidate for these programs, especially for housing preservation, due to the large number of existing affordable housing units in our district. Thus, we request the assistance of the Department of City

Planning and the Department of Housing Preservation and Development (HPD) to assist us in determining the appropriate sites for housing preservation and affordable housing development.

The Mayor's Housing New York Plan aims to redistribute some of its homeless shelter funding to finance lower-cost permanent housing for homeless residents. We believe that restarting the Advantage program and providing funding to the Homeless Eviction Prevention Program is necessary to assist residents secure permanent housing. Additionally, we request an increase of funding for the Proactive Initiative in our district (currently 50 buildings are part of the Proactive initiative and we wish to add more buildings which we believe qualify for this program). Our district has a challenge of buildings not being up to date with the NYC building codes. We request HPD to increase its funding for enforcement inspectors and to provide incentives to property owners to repair and retrofit in accordance with the building codes (such as 8A loan and Participation loan programs).

The objective of our district is to maintain, preserve, and increase the stock of affordable housing. The Mayor's Housing New York Plan aims to support mixed income developments to improve economic development in the neighborhood through zoning changes. We require assistance from HPD to develop cooperative apartments and condominiums to advocate for more mix-income housing and homeownership in our community, especially since homeownership rates are low. We propose that potential mixed-income housing development can occur on the Grand Concourse, University Avenue, and West Tremont Avenue.

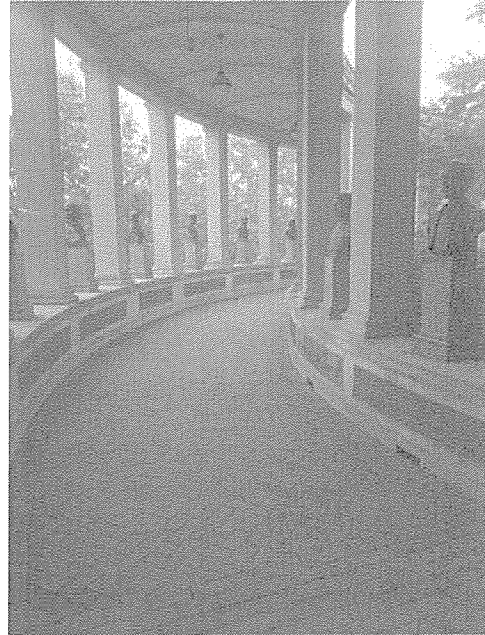
Another objective of our district is to reinstate the Narcotics Control Unit within the HPD. Previously, HPD assisted property owners to reduce the number of indoor drug dealing incidents in their buildings for the purpose of preserving buildings. Since the elimination of this Unit within HPD four years ago, the NYPD has been less efficient in stopping indoor drug dealing, because they tend to focus on drug dealing on a macro-level.

Community Board 5 has seen the recent increase in housing development, which we believe is an important community need. However, our district infrastructure is in a fragile state, because of overcrowding in schools, lack of open space per capita, and the lack of youth services. The board wants the City to be mindful that an increase in development must be accompanied by these additional types of resources and new infrastructure improvements.

#### **City University of New York:**

Increase funding to CUNY schools (Bronx Community College and Hostos Community College, and Lehman College) which are located in CB 5. These schools are one of the major learning institutions in the Bronx; therefore it is imperative that services are maintained to continue providing quality Education to the less advantaged. The District wishes to form a stronger partnership with the Bronx Community College, and urges funding for the College to provide training programs and certifications for skills development training in various fields. In order to decrease the unemployment rate and improve the livelihoods of families within our district, it is imperative that our population on public assistance get extra attention. Employment and skills training are necessary building blocks that we should be able to provide to our community. We require increased

funding for educational programs to enhance workforce development. For example, there is a lot of construction occurring currently in our district. It would be beneficial for the many residents on public assistance to receive skills training in this sector. The Mayor's Housing New York Plan aims to preserve existing affordable housing units and invest in developing new affordable units. The Plan states that nearly 194,000 construction jobs and 7,100 permanent jobs will be available with the new budget. These jobs are aimed to provide more opportunities for low-income residents. It is very important for our community to have the skills and certifications necessary to take advantage of these new jobs and improve the livelihood of the residents.



#### **Department of Human Resources Administration:**

Although the unemployment rate of our district has decreased from 2000 to 2012 from 19.9 percent to 17.9 percent, it has the 3<sup>rd</sup> highest unemployment rate in the City. The need to improve the livelihoods of our residents and reduce the number of residents on public assistance is a high priority. Bronx Community Board 5 leads the city in the number of cases for cash assistance and those on the Supplemental Nutrition Assistance Program (SNAP). As of 2014, there were 8,720 cases of cash assistance and 33,378 cases for the SNAP.

As mentioned in our narrative, it is imperative for our district to increase funding for employment, training, and job placement to enhance human capital. We urge the Human Resources Administration (HRA) to partner with local colleges in our district, such as the Bronx Community College, to provide adequate skills training and certification programs to assist in creating more job opportunities for our residents on public assistance. We request HRA to improve its employment programs and engage with our community to provide these resources. We are particularly in favor of some of the recent reforms proposed by the HRA Commissioner Steven Banks including: supporting the State budget to offer four years of college as an option to HRA clients; creating a centralized HRA rent check processing unit; developing new rental assistance initiatives to alleviate homelessness; ensure that appropriate broker's fees are in place to alleviate homelessness; working with HPD to address inadequate conditions in buildings where significant people with cash assistance recipients reside; working with NYCHA to ensure that HRA makes timely rent payments to mitigate eviction of NYCHA residents. With the

assistance of the welfare reform from the new administration, we are hopeful to improve the overall quality of life of our community.

**Department of Health Services:**

Within the Bronx, the infant mortality rate (IMR) remains extremely high for black women (including African American, African immigrants, and non-Hispanic Afro-Caribbean women) compared to the average IMR in the borough at the community level. This statistic is relevant for Community Board 5, since 33.7 percent of our residents are Black/African American. From 2007 to 2009, the IMR surpassed 10 deaths per 1,000 live births for black women under the age of 20 in the University/Morris Heights neighborhood. We urge the Department of Health Services to increase funding to address this health issue in our district. Also, Bronx Community Board 5 has the 4<sup>th</sup> highest number of asthma hospitalization in the City. Our district requests the DHS to increase funding for asthma treatment. Our other requests are an increase of funding for the expansion of the Pest Control Unit to add additional personnel and field inspectors/Exterminators, and increase funding for teen pregnancy and obesity programs in our district.

**Conclusion:**

Finally, community boards are indeed the link to the city and are integral to ensuring that adequate and appropriate services and policies are being implemented at the local level. In this regard, Community Board 5 continues to advocate for the increase in community boards' operating budgets, allowing for further strengthening and improvement in the delivery of services to communities at large. Equally important are the obligations mandated to community boards by the New York City charter, which encourages the development of a 197-A Plan for each community district. Community Board 5 recognizes the significance and contribution that a 197-A Community Plan affords a district, specifically in preparation for future capital and expense budget requests. Towards this end, we wholeheartedly urge the present city administration and the City Council to increase funding for each of the 59 community boards to hire a City Planner to develop a 197-A Plan, which is a very costly and time-consuming process.

Community District 5, in echoing the sentiments of a community at large, understands that the budget development process has never been a painless exercise. We are deeply concerned, however, that the most vulnerable – children, senior citizens, and low-income residents are forced to bear a disproportionate share of the pain. However, we commend the Mayor and the City Council on passing a balanced budget that reflects the needs of our most vulnerable.

Respectfully submitted,

Dr. Bola Omotosho  
Chairperson

Xavier Rodriguez  
District Manager

**Testimony on the FY 2017 Preliminary Budget**  
**Department of Records and Information Services**  
**March 14, 2016**

Good afternoon Chairperson Kallos and members of the Committee.

As you know, I am Pauline Toole, the Commissioner of the City's Department of Records and Information Services, commonly known as DORIS. Today, I'm joined by key staff: Naomi Pacheco, the Director of Administration, Ken Cobb, the Assistant Commissioner, Terrance McCormick the Director of Records Management for the City and Sylvia Kollar, the Municipal Archivist. This is the third time that I have appeared before you to discuss the preliminary budget for the agency.

During the past two years, the Department has been developing the capacity to fulfill our charter mandate to preserve and make available government information—both from the past and the present. Each of our three divisions has made great strides during the past year and are positioned for continued improvement.

Our mission is to foster civic life by preserving and providing access to the historical and contemporary records of New York City government, to ensure that City records are properly maintained following professional archival and record management practices and to make materials available to diverse communities both online and in person.

A proposed funding increase of \$508,326 in the current fiscal year supports our archival, record management and technology programs and is expected to continue in the upcoming fiscal year. The preliminary budget provides a total FY 2017 allotment of \$7,362,524 for operating costs which includes personal service (PS) funding of \$3,409,087 and OTPS funding of \$3,953,437. The fulltime headcount has increased by 7, from 44 City funded positions to 51 City funded positions. The Preliminary Plan represents an increase of \$1,174,000 from the current spending plan funding.

DORIS also received \$492,732 in direct grants during the current fiscal year. This includes \$200,000 for administering the \$1 million annually in Local Government Records Management Improvement Fund grants that are allotted to City entities; \$11,913 for the Municipal Library to preserve historical 19<sup>th</sup> century annual reports of the City's Almshouse and Welfare departments; and \$74,961 to continue preserving historical NYPD photographs. The agency received two federal awards: \$125,000 from the National Endowment for the Humanities to digitize selected historical photographs from the NYPD collection (this funding supplements the \$74,961 grant received from the NY State LGRMIF program listed above); and \$92,771, from the National Historical Publications and Records Commission to preserve the original admission and discharge ledger volumes of the Almshouse and related institutions.

**INFORMATION SERVICES AT THE MUNICIPAL LIBRARY**

In the past two years, we more than doubled the quantity of reports available to the public online via the Government Publications Portal, from 7,287 to 14,799 currently. In 2014, only 48% of agencies had ever submitted electronic reports to the portal. Now we have reports from every agency. The Librarian



developed a schedule showing the reports required by local law and the timing of such reports. She has shared this information with each agency and uses it to remind agencies to submit reports.

Last year, I reported that we were embarking on another information service initiative: creating an Open FOIL Platform that would be phased in during the current fiscal year. Just last week, the beta version of the portal launched with eight agencies participating. We plan to roll out our .1 version shortly and will continue to make improvements in subsequent point releases. And, contrary to some views, the FOIL portal is very popular with City agencies. The IT staff met with key personnel from 41 additional agencies and have set an onboarding process in which ten agencies will be added every few weeks with the next batch set to start on March 21.

In keeping with the agency's efforts to use technology in fulfilling our mandate, DORIS is utilizing social media to provide access to the City's records, amplify the reach of our original public programming agenda and the WomensActivism.NYC initiative, and to foster connections with communities who may not be aware that DORIS holds a piece of their history.. In the last three months of 2015, the agency met its goal of increasing our following on Facebook and Twitter by 25 percent and launched our hugely successful Instagram page - @nycarchives. With regular content, such as #thisdayinhistory tweets and #WomenTrailblazerWednesday posts, the agency has carved out a niche on each of our platforms which caters to those interested in the City and its history.

#### RECORDS MANAGEMENT

In November, 2015, Mayor Bill de Blasio issued an updated Mayoral Directive on record management. The directive set a goal of largely converting to electronic records management in recognition of the fact that most City records are now born digital. The directive required every agency to identify a direct report to the agency head who would oversee the initiative. As we convert to electronic record management and storage, we are reducing the volume of paper records stored by City agencies—an annual cost of \$20 million. Working with DOITT in a series of meetings, we gave vendors the opportunity to demonstrate their technology solutions and agencies to define the features they desired in a Records Management System. City agencies are adopting updated record retention schedules, largely based on the applicable schedules set by New York State.

But the key to good record management will be involving all City employees in the system. While that might seem a tall order, it really is only applying common naming and sorting procedures to our electronic records, just as we did for generations with paper records. To that end, we are developing online training that all employees will need to take.

#### THE MUNICIPAL ARCHIVES

Home to City government's historical records, the Municipal Archives staff have begun to close gaps in our holdings. The archivists identified fifteen agencies that never had transferred historical records to us and 24 agencies for which there are gaps in the historical collections. Efforts are underway to close those gaps and acquire these records, in either paper or digital formats.

While this effort is underway, the archivists continue to preserve and make available increasing numbers of collections online including nearly one million images drawn from photos, maps, and architectural drawings.

The most recent addition to our online gallery [www.archives.nyc](http://www.archives.nyc) is an exhibit of materials related to slavery and manumission selected from several of our collections. The gallery also features some of the

items currently on display in the Lower Manhattan Expressway exhibit, as well as documents from our previous exhibit, *Women Make History*.

We have sponsored several events linked to the exhibits including film screenings, book talks, and a preview of the new opera *"A Marvelous Order,"* based on the story of Robert Moses and Jane Jacobs.

In our most recent partnership, twelve New Yorkers are working with The MOTH Community Project to refine their stories of community preservation and development which will be broadcast in early April, from the Archives.

During the current fiscal year, DORIS has improved operations, expanded the availability of government information online and has expanded access to City government's historical materials.

Thank you.

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: WILLIAM KIVERT (PLEASE PRINT)

Address: 1967 Turnbull Ave

I represent: CB9 District Manager

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: George Torres (PLEASE PRINT)

Address: 4101 White Plains Rd

I represent: Community Board 12, The Bronx

Address: 4101 White Plains Rd

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: Jesús Pérez (PLEASE PRINT)

Address: 866 UNABA

I represent: CB 6 Manhattan

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Gerald E. Pauletti

Address: 11-15 58 St B'KLYN 11219

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dorel T. Monroe

Address: \_\_\_\_\_

I represent: BSA

Address: 250 Broadway, 29th Fl., NY, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ryan Singer

Address: \_\_\_\_\_

I represent: BSA

Address: 250 Broadway

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3-14-16

(PLEASE PRINT)

Name: BOB GORMLEY

Address: DISTRICT MANAGER

I represent: MANHATTAN COMMUNITY BOARD 2

Address: 3 WASHINGTON SQUARE VILLAGE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 732-7015 Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Andrew Sandler

Address: 229-A East 204<sup>th</sup> Street

I represent: Bronx Community Board 7

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Noah Pfefferblit

Address: \_\_\_\_\_

I represent: Community Board 1 Manhattan

Address: 1 Centre St., NYC, NY 10007

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Ellen Hoffman

Address: \_\_\_\_\_

I represent: Tax Commission

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: MARK DILLON

Address: 171 WEST 79 ST

I represent: COMMUNITY BOARD 7 / MANHATTAN

Address: 250 WEST 236 ST / MANHATTAN

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Latha Thompson

Address: 505 Park Avenue, Ste. 620

I represent: Manhattan Community Bd 8 NY 10022

Address: 505 Park Ave, Ste. 620 NY 10022

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/2016

(PLEASE PRINT)

Name: JAGWA ~~WRI~~ CURIEL (Treasurer - CBHS)

Address: 1724 Montgomery Ave, Bronx, NY 10453

I represent: BRONX Community Board five.

Address: Bronx, NY.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Pauline Took

Address: DORIS - 31 Chambers St, NY

I represent: DORIS

Address: 31 Chambers St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Perer Reddy

Address: 450 West 33rd St NY 10001

I represent: Financial Information Services Agency

Address: Perer Reddy @ fisa.nyc.gov

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Rose- Ellen Myers

Address: \_\_\_\_\_

I represent: FISA

Address: 450 West 33 St NY, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: NEIL MATTHEW

Address: 1 CENTRE ST RM 200 NOrth

I represent: NYC OFFICE OF Payroll Administration

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ROY MOGILANSKI

Address: 450 W, 33 ST

I represent: FISA/OPA

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/15

(PLEASE PRINT)

Name: COMMISSIONER FIDEL DEL VILLE

Address: 100 CHURCH STREET NY 10007

I represent: CATHOLIC OFFICE OF

Address: ADMINISTRATIVE TRIALS & HEARINGS

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Gerald Sullivan

Address: 16 Beach 213 Street Breezy Point NY 11697

I represent: The Board of Elections in the City of New York

Address: 32 Broadway NY NY 10004

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: DAWN SANDOW

Address: 42 - BROADWAY

I represent: BOE

Address: S/4/A

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: MICHAEL J. RYAN

Address: 42 - BROADWAY

I represent: BOE

Address: S/A/A

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Nitin Patel

Address: 9 James St.

I represent: DCAS

Address: Huntington St, NY 11246

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dawn M. Pinnock

Address: 1 Centre Street

I represent: Dept. of Citywide Admin. Services

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Kern Kerman

Address: 1 Centre Street, 23rd Floor

I represent: DCAS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Lisette Camilo

Address: \_\_\_\_\_

I represent: DCAS

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: RICHARD BASTILL

Address: DCAS

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Angela Albertus

Address: 100 Church St, 4.169, NY NY

I represent: NYC Law Dept

Address: 100 Church St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)

Name: Georgia Pestana

Address: 100 Church Street

I represent: NYC Law Dept

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Zachary W. Carter

Address: 100 Church Street

I represent: Law Department

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Muriel Goode-Trufant

Address: 100 Church Street, NYC

I represent: Law Department

Address: 100 Church Street, NYC

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

(PLEASE PRINT)  
Name: Richard Elias Morales

Address: 1 Centre St 20th Fl NYC

I represent: KOLIS - Asset Mgmt.

Address: 1 Centre St 20th Fl NYC

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/16

Name: Susan Cohen (PLEASE PRINT)

Address: Murphy Foundation

I represent: DCAS (Energy Management)

Address: 1 Centre St NYC

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 3/14/2016

Name: Emily Dean (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: DCAS Energy Management

Address: 1 Centre St, 17th floor, NY NY 10007

Please complete this card and return to the Sergeant-at-Arms