



**Citywide Administrative
Services**

FY 2015 EXECUTIVE BUDGET HEARING

NEW YORK CITY COUNCIL

COMMITTEE ON FINANCE

COMMITTEE ON GOVERNMENTAL OPERATIONS

TESTIMONY BY STACEY CUMBERBATCH

COMMISSIONER, DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES

MAY 30, 2014

Good morning Chair Kallos, Chair Ferreras and members of the Governmental Operations and Finance Committees. I am Stacey Cumberbatch, Commissioner of the Department of Citywide Administrative Services (DCAS). I am joined at the table by DCAS's Chief Financial Officer Richard Badillo and General Counsel Suzanne Lynn, to discuss the planned expenditures and revenues for FY15, as well as highlights of the DCAS capital plan. Thank you for the opportunity to appear before you today.

OVERVIEW

DCAS ensures that City agencies have the critical resources and support needed to provide the best possible services to the public in six key areas:

Asset Management

We provide safe, clean, and efficient office space for the City's workforce through our management of 55 public buildings, 15 million square feet of owned space, and over 22

million square feet of leased space. We also purchase, sell, and lease real property; and secure space for City agencies, with a focus on more efficient use of office space as an important cost-saving action that also improves delivery of City services. Since 2010, Asset Management worked to reduce the City's office space footprint by 1.2 million square feet by June 2014. With the sales of 346 Broadway and 49-51 Chambers Street in the fall of 2013, DCAS surpassed this goal 6 months early.

Human Capital

We provide civil service administration for over 200,000 City workers in all mayoral agencies and 44 other governmental entities. We annually test over 100,000 candidates through civil service exams, respond to approximately 130,000 calls and emails related to NYCAPS (New York City Automated Personnel System), and train 17,000 City employees through more than 1,350 classes.

Citywide Diversity & EEO (CDEEO)

We are responsible for the creation and execution of the City's Diversity and Inclusion strategy, and for guiding mayoral agencies in developing and implementing their annual Diversity and Equal Opportunity plans. We recently launched a Citywide Diversity Initiative, which rests on three strategic planks: workforce, workplace and community. This launch was accompanied by extensive changes to our charter-mandated annual

agency EEO plans. These plans, which we received from all agencies, now contain specific strategies, diversity and inclusion commitment statements from Commissioners, actions for targeted recruitment and development of City employees, best practices in selection, and steps to provide inclusive services to our diverse New York City communities.

Procurement

We purchase, inspect, and distribute supplies and equipment at the lowest net cost, and assist in the disposal of surplus heavy equipment and goods. We purchase approximately \$1.2 billion annually in goods and services for the City, through 1,000 Citywide requirement contracts and one-time purchases. We leverage the City's purchasing power to obtain the most competitive pricing for goods and services by aggregating demand and consolidating contracts. We seek to maximize M/WBE vendor participation by conducting outreach and regularly representing DCAS at vendor fairs. We also strive to obtain local sources for goods and services to promote the local economy.

Fleet

We monitor City agency fleets and the City's overall compliance with fleet purchasing laws and environmental goals. We help manage nearly 27,000 light-, medium- and

heavy-duty vehicles, representing over \$2 billion in assets. The fleet includes 6,070 alternative fuel units. The majority of the City's vehicles are operated by ten agencies. However, we provide maintenance and repairs, claims, parts, leasing, auction, and information management services to all 50 City agencies that operate vehicles.

Energy Management

We pay, monitor, and report on the annual Heat, Light, and Power budget for City agencies and others, which totals \$784 million in FY15. Our primary goals are to reduce and manage energy usage, to invest in projects and operations that reduce costs, and to support City agencies in these efforts. DCAS plays a central role in the effort to accomplish the City's goal of reducing energy consumption and greenhouse gas (GHG) emissions from City government operations 30 percent by 2017, as described in the City's long-term sustainability plan, PlaNYC.

DCAS EXPENDITURES

DCAS's expense budget reflects funding of \$1.1 billion in FY15 and a budgeted headcount of 1,991.

The majority of our planned expenditure, \$784 million in FY15, is allocated for Citywide energy expenses. DCAS continues to work closely with agencies Citywide to enhance

the energy performance of their facilities through a range of programs, which includes retrofitting equipment, improving operations and maintenance, and training and outreach to reduce the City's energy costs.

DCAS REVENUES

The total DCAS revenue budget is \$60.2 million in FY15.

- Our largest source of recurring revenue is from commercial rentals of City-owned property, projected to be \$41.9 million in FY15. The major sources of rental income are from ground leases for Grand Hyatt Hotel (\$9.5 million), Carnegie Hall (\$8.4 million) and the Archives in Greenwich Village (\$6 million).
- Another revenue source is the sale of surplus vehicles through auto auctions. The planned revenue from auto auctions is \$4.7 million in FY15.
- The sale of non-vehicle Citywide surplus goods at public auctions, internet, and by competitive sealed bids. The FY15 budget assumes \$2.2 million in proceeds from the sale of surplus goods.
- DCAS also receives revenue from applicant filing fees for civil service examinations. DCAS anticipates collecting \$3.5 million in FY15 from these fees.

DCAS NEW NEEDS

Now, I would like to discuss major Expense Budget Adjustments for DCAS reflected in the FY15 Executive Budget. DCAS received expense funding in four major categories:

- The New Vision Zero Initiative
- Program Expansions
- Legal and Safety Requirements
- Additional Energy Management staff to assist with the PlaNYC goal of reducing greenhouse gases and reducing energy use through energy efficiency.

NEW INITIATIVES

VISION ZERO

The Vision Zero Initiative is a multi-agency effort that includes DCAS's Citywide Fleet Line of Service. Fleet trains City drivers in the full-day State Defensive Driving program. Prior to Vision Zero, this was an optional course. As part of Vision Zero, it will now be required for all City vehicle operators. DCAS is hiring two full time trainers to augment our existing fleet trainers for implementation of this initiative. We expect to train at least 10,000 operators per year.

To meet this goal, DCAS received \$120,000 to hire two trainers and \$175,000 for Defensive Driving Class Training Materials that are required by the New York State DMV to be distributed at each class.

PROGRAM EXPANSION

DCAS is continuously working on its Fire Alarm projects to ensure that both fire safety equipment and systems are operable and meet the specifications of both the FDNY and Department of Buildings. DCAS received \$270,000 for three project managers to augment current staff who oversee the implementation of the Fire Safety Program. This program will require the project management of fire alarm replacements and installation of sprinkler systems. The positions funded include an engineer who will work with DDC on the design and construction of new fire alarm and sprinkler systems. The other two positions are an electrical engineer and a mechanical engineer to assist in this effort.

DCAS's IT Line of Service received an allocation of \$317,000 for three project managers to work on the following initiatives:

- Creation of a building management system that will assist in the tracking of maintenance performed at all DCAS managed buildings. This system manages

work orders and maintenance schedules for equipment throughout DCAS's building portfolio. The system will also monitor the supply inventory.

- Replacement of DCAS's Real Estate Portfolio Tracking System, which contains information for all owned or leased City properties (approximately 14,000 current property records, and over 100,000 residual records of properties that were previously owned or leased). The current system is a mainframe application and will be converted to a web-based application.
- Creation of a document management system that will allow the agency to store documents electronically and streamline our internal operations and provide better service to our clients.

The Office of Citywide Procurement (OCP), is working with the Mayor's Office and FISA to improve the use of technology in procurement activities by leveraging the existing capabilities of the City's Financial Management System and by introducing new technologies where appropriate. OCP received \$75,000 for one staff position to work on this project, known as eProcurement.

LEGAL AND SAFETY REQUIREMENTS

One of DCAS's functions is to provide security services at DCAS-managed facilities to ensure the safety of tenants in our buildings. DCAS received \$508,000 to hire

contractual security guards for the Borough Halls in Staten Island and Brooklyn. In addition to the contractual guards, DCAS Security also received funding for one DCAS Special Officer in Staten Island to manage the contractual guards in the borough.

As you know, New York State mandated all municipalities to reduce City provisional employees from its workforce. Human Capital continues working toward this goal, and received an additional \$77,000 for a staff position to assist this effort.

In addition, Human Capital received \$110,000 for two positions in its Unemployment Insurance Unit. This unit prepares and testifies on the City's behalf at hearings concerning the eligibility of the complainant's ability to collect unemployment insurance. The New York State Department of Labor recently created a timeframe of 10 business days for employers, including the City of New York, to prove whether a complainant is entitled to unemployment insurance. These additional positions will assist with the timely preparation of DCAS's cases and avoid unnecessary unemployment insurance payments.

ENERGY MANAGEMENT STAFF

As explained earlier, DCAS' Energy Management Line of Service (DEM) works with City agencies to reduce greenhouse gas emissions from City government operations and

improve energy efficiency following the initiative to reduce City government energy consumption first introduced in PlaNYC in 2007. The FY15 Executive Budget includes funding for an additional six positions and \$394,000 to help DEM with this effort.

Additional staff will work on the following programs:

- Enhance DEM's Client Agency Engagement Outreach Program, which engages City agencies in identifying potential energy conservation projects.
- Perform energy benchmarking at various City-owned and leased facilities as mandated by Local Law 84 of 2009.
- Oversee the procurement, surveying, design, and installation of renewable energy and cogeneration ("clean distributed generation") projects at municipal facilities throughout the city.
- Manage the new Innovative Demonstrations for Energy Adaptability (IDEA) Program, which leverages the City's existing government buildings to test and evaluate emerging energy and cleantech solutions that reduce energy costs.
- Oversee the Demand Response Program. This program provides economic incentive to agencies who agree to reduce energy usage at peak times. For FY15, City agencies have committed to reducing 42 megawatts on peak demand days, and expect to earn \$3.4 million in revenue payments.

DCAS CAPITAL

I will now turn to the DCAS capital plan, which totals \$340 million for FY15. DCAS is funded for a number of major construction, equipment, and energy conservation initiatives. Highlights of our program include the following:

DCAS CITY-OWNED CAPITAL CONSTRUCTION

DCAS's capital construction program for city-owned buildings in FY15 totals \$191 million. Major projects include:

- An electrical upgrade at the Brooklyn Municipal Building.
- A rehabilitation of elevators at 253 Broadway and the Queens Supreme Court in Jamaica.
- Ongoing work to renovate office space for tenants relocating from 346 Broadway and 49-51 Chambers Street. Sites include 1 Centre Street and 100 Gold Street.

Leased Space Construction Projects

DCAS capital program for the construction and outfitting of leased space in FY15 totals \$32.4 million. Projects include:

- Relocation of the Taxi and Limousine Commission and the Office of Administrative Trials and Hearings within Long Island City.

- Improvements to the Department of Finance's Queens Business Center in Jamaica.

Energy Conservation Projects

\$104 million in capital funding is allocated for Citywide energy conservation projects managed in FY15. Projects include lighting upgrades, occupancy sensor installations, high efficiency motor installations for mechanical and plumbing systems, building envelope upgrades, building controls, and clean energy installations. Accelerated Conservation and Efficiency (ACE) projects are also funded through this capital program.

CONCLUSION

Thank you for this opportunity to testify about the Department of Citywide Administrative Services' planned expenditures and revenues for FY15 as well as our capital commitment plan. I would be happy to take any questions at this time.

FINANCIAL INFORMATION SERVICES AGENCY

Joint Committee on Finance and Governmental Operations

May 30, 2014

Good afternoon. My name is Rose-Ellen Myers, First Deputy Executive Director of the Financial Information Services Agency (FISA).

I would like to thank Chair Kallos and members of the Committee on Governmental Operations and Chair Ferreras and members of the Committee on Finance for the opportunity to testify this afternoon.

The portion of the Mayor's Executive Budget that pertains to FISA will allow it to maintain its current levels of service. The budget provides FISA with the resources needed to support the citywide financial, payroll, human resources and timekeeping applications which it maintains for City entities that utilize them to carry out their charter mandated activities related to budgeting, financial planning, accounting, procurement, payroll, pension and personnel functions.

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 Office of Labor Relations 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 I reviewed in my Preliminary Budget testimony, the systems that FISA supports are all implemented and are being utilized by tens of thousands of users in the performance of their duties on behalf of the people of our City. They include:

- The Financial Management System (FMS) which supports the base functions required of a citywide budget and accounting system.
- The Debt Management System (DMS) that is used by investment banks, bond counsel and City employees. The application is the official repository of data pertaining to debt issued by New York City and certain other City-related debt issuing authorities.
- The Payroll Management System (PMS) is the computerized payroll system used for producing payments to New York City employees.
- The Pension Payroll Management System (PPMS) is used for producing payments to New York City retirees.
- The New York City Automated Personnel System (NYCAPS) is a citywide human resources and benefits system which processes transactions for City employees, retirees and job applicants.
- The CityTime system is a unified and automated timekeeping system which interfaces with the City's Payroll Management System to support accurate time and attendance records and payroll calculations.

As you likely know, on Thursday, May 1, 2014 payments were erroneously made from the Police and Fire Officers and Superior Officers Variable Supplements Funds ("VSF") via electronic funds transfer into the bank accounts of pensioners.

Due to human error, a coding mistake was made when we were developing the new automated payment process (for child support payments which are mandated to be withheld from the pensioners' checks and

FINANCIAL INFORMATION SERVICES AGENCY

remitted to the appropriate authorities), a test file was erroneously written into a production file. The direct deposit transmission process, having been designed to transmit the most recently produced production file to the bank for payment, automatically used the misnamed test direct deposit file in place of a properly approved production direct deposit file. Although the quality control process included a number of validation steps, it did not include all possible automated controls or a last validation by an authorized person of the specific file queued up for transmission to the bank.

After learning of the error, and in concert with the Office of the Comptroller and the Mayor's Office, FISA took *immediate* steps to reverse the transactions. This successfully recovered approximately 99% of the erroneous payments. A letter was sent out to all pensioners who received this erroneous VSF payment explaining what had happened. A second letter was sent out to the pensioners for which the immediate reversal was not successful informing them that the erroneous payments would be recouped through deductions from their monthly pension payments – starting with the June 1st payments. In response to the second letter, additional pensioners have reached out to return the funds.

FISA has identified the gaps in our processing that caused this event and is closing them. These actions include:

- Testing with bank account data that is unusable by financial institutions
- The direct deposit quality control process has been enhanced through manual and automated processes to ensure that the correct file is transmitted to the bank
- Changes have been applied to our automated job scheduler to prevent the movement of a test file into the production queue
- Automated processes have been created to check for manual mis-keying in the setup of these types of tests

In addition to the steps FISA has taken, the Office of the Comptroller and the Mayor's Office have engaged the firm of KPMG to perform an independent review and assessment of the incident, the control failures that permitted it to occur and then a somewhat broader review of controls over other disbursement related processes. We are committed to ensuring such an event does not occur again.

Returning to the Budget, FISA's staffing for Fiscal Year 2014 and Fiscal Year 2015 is an authorized 436 and 459 city-funded full-time employees, respectively. The incremental increase to headcount is a result of the FISA Board Resolution of June 2011 which called for replacing 20 consultant positions with City employees each year for four consecutive years. By the end of FY 2015 FISA expects to have eliminated all CityTime consultants and replaced them with City employees. In addition, FISA's Executive Budget changes include an adjustment to the funding source for three NYCAPS positions beginning in FY 2015. These three positions had been funded as IFA positions and are being funded as City tax-levy positions beginning in FY 15.

FISA's total Executive Budget allocation for FY 2015 is \$100 million: \$45 million for Personal Services (PS) and \$55 million for Other Than Personal Services (OTPS). In the Executive Budget, FISA received OTPS funding for increased postage rates, replacement tapes for data storage, and a disaster recovery contract increase.

I want to thank you again for the opportunity to address you today, and my staff and I would be pleased to answer any questions at this time.

**Statement by Corporation Counsel Zachary W. Carter to the City Council
in Connection with the Executive Budget for Fiscal Year 2015**

May 30, 2014

Good afternoon 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 2015 Executive Budget.

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 employs approximately 730 attorneys and 630 support staff. Let me add that of our 730 attorneys approximately 21% are members of minority groups and 56% are women.

The Law Department consists of seventeen 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.

The Law Department spends the overwhelming majority of its time and budget in three particular activities: defending cases where money damages or lower property taxes are being sought against the City, bringing cases seeking damages or restitution, and prosecuting juveniles. The first two activities are directly related to protecting and enhancing the public fisc. The third is directly related to public safety. An additional major area of focus is bringing and defending cases involving major public policy and environmental challenges. Following are descriptions of the major funded initiatives in the plan:

Litigation Support Personnel

Full-time personnel resources (6 legal and 22 support) are being funded to sustain the gains of our litigation support e-discovery project and to meet the demanding workload of the Tort Division. The Law Department spearheaded this project to assist some of our larger client agencies to search their various databases in response to litigation discovery demands. Funding will facilitate the performance of searches, review of discovery and document practices associated with the protection of agencies' records pursuant to subpoenas and FOIL.

Special Federal Litigation Trial Initiative

Baseline funding for 35 positions (along with baseline OTPS funding) is proposed to continue to record the gains of this Department initiative to target appropriate cases for trial and to lower the number of new federal Civil Rights filings and prevent any return to the filing levels of the past.

OTPS Funding

We are receiving \$6.4 million in 2015 in OTPS funds for various litigation support efforts such as contract attorneys for our Special Federal Litigation and Tort divisions, outside counsel to represent the City before the Public Service Commission; increased funding for so called 50-H hearings conducted by firms selected by the Comptroller, and consultant and other assistance on some of our larger cases for which our base OTPS funding is insufficient.

There is also \$1.4 million for general operational support such as software and copier upgrades.

Budget

Our total proposed appropriation (PS and OTPS) for fiscal year 2015 is \$167,908,889. Our proposed fiscal year 2015 headcount is 1,380.

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.



New York City Campaign Finance Board
100 Church Street, 12th Floor, New York, NY 10007
212.409.1800 | www.nyccfb.info

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

**City Council Committees on Governmental Operations and Finance
May 30, 2014**

Good afternoon to the Chairs, Council members Kallos and Ferreras, and committee members. I am Amy Loprest, Executive Director of the New York City Campaign Finance Board (CFB). I am joined today by Sue Ellen Dodell, General Counsel, and Eric Friedman, Assistant Executive Director for Public Affairs.

I want to start by thanking the Council for your continued support of the Campaign Finance Program and for the opportunity to testify today on our budget for fiscal year 2015.

The election year was an exciting and busy time for the CFB. Our administration of the matching funds program helped ensure that the voices and concerns of New Yorkers – not special interests – drove the conversation during the 2013 elections. The CFB disbursed \$38.2 million in public funds to all candidates. The wide-open, competitive race for City Hall generated both the greatest level of small-donor activity and the highest total of matching payments for mayoral candidates in the Program’s history—more than \$14 million. In primary elections for mayor and comptroller, public matching funds

helped participating candidates defeat high-spending, self-funded candidates. In the races for City Council, \$11.3 million in matching funds helped 129 candidates decrease their reliance on large contributions and get their messages before the voters.

The City allocated \$51 million to the Campaign Finance Fund for matching funds payments for fiscal year 2014. Following the election, the CFB returned \$12 million in undistributed matching funds to the General Fund.

The Campaign Finance Act requires the CFB to prepare a report of the effects of the matching funds program and our work on the 2013 elections. That report must be submitted to the Mayor and the City Council by September 1. Work on that report is underway, but it's clear from our preliminary analysis that, once again, candidates in New York City overwhelmingly financed their campaigns through a mix of small contributions and public matching funds.

New York City's political system was well prepared for the influx of outside spending that has been such a challenge recently in other parts of the country. Our robust disclosure rules and online searchable database provided voters with a wealth of information about which groups spent money to influence the outcome of City elections and how they did it. No other jurisdiction in the country provided voters with more timely information about outside spending than New York City did for the 2013 elections.

Our analyses strongly suggest that public funds continue to provide sufficient resources to candidates to communicate their own messages to voters, despite an unprecedented \$15.9 million spent by outside groups in 2013. Per office, the total public funds provided exceeded outside spending. Four members of this Council won election despite massive independent expenditure campaigns opposing them. It is clear outside spending will continue to play a large role in city elections; it is also clear that our campaign finance system is strong enough to endure.

A major focus of our work for the coming year will be an overhaul of our post-election audit program for the 2013 election cycle to make the audits smarter and more efficient. We already have made significant progress by completing a comprehensive risk analysis of our existing audit program, so that auditors can focus their reviews on the most risk-intensive items. During the election, our staff accelerated reviews of campaign bank statements and established an electronic filing process for backup documentation, streamlining the process of preparing and submitting the documents. In the coming months, we will continue to identify and implement improvements to our audit program.

Pursuant to New York City Charter, Section 1052(c), the Board submitted its budget for City Fiscal Year 2015 to the Mayor on April 7, 2014, and per the Charter it was included in his Executive Budget. Our budget is attached to this testimony.

The Board's fiscal year 2015 budget is \$12.3 million. This reflects a significant decrease from fiscal year 2014. We have reduced operating costs where possible, and reduced our

staff count slightly from the election year. Our OTPS budget has increased slightly to account for planned and ongoing technological improvements aimed at increasing voter engagement and further easing the disclosure and recordkeeping process for campaigns.

The Board always strives to maximize the value of New Yorkers' investment in elections. That starts with the matching funds program, and continues through our work publishing comprehensive campaign finance information, pushing for a modern election system, and engaging and helping voters cast an informed ballot. Our mission is to provide New Yorkers with fair elections that diminish the possibility for corruption and put the concerns of voters first.

As always, the CFB looks forward to working closely with the Council to further this mission. Thank you for your time, and I am happy to answer any questions you may have.



New York City Campaign Finance Board
100 Church Street, 12th Floor, New York, NY 10007
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Rose Gill Hearn
Chair

Art Chang
Richard J. Davis
Courtney C. Hall
Mark S. Piazza
Members

Amy M. Loprest
Executive Director

Sue Ellen Dodell
General Counsel

Delivered by Hand
April 7, 2014

Honorable Bill de Blasio
Mayor
City of New York
City Hall
New York, NY 10007

Dear Mayor de Blasio:

Enclosed is the New York City Campaign Finance Board's ("CFB") budget estimate to be included, pursuant to Section 1052(c) of the New York City Charter, in the Executive Budget for Fiscal Year ("FY") 2015.

The CFB's FY2015 budget reflects a decrease from the FY2014 budget because FY2014 was an election year. As you can see, where we could contain costs we have attempted to do so. Our Personal Services budget is down reflecting a non-election year reduction in seasonal staff.

The attached charts provide a more detailed description of the CFB's budget requirements.

Thank you for your attention.

Sincerely,

Rose Gill Hearn

Enclosures

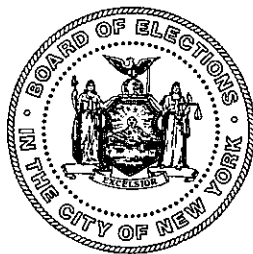
c. Hon. Ben Kallos, Chair, Governmental Operations Committee
Board members

**NEW YORK CITY CAMPAIGN FINANCE BOARD OPERATING BUDGET
FISCAL YEAR 2015**

	FISCAL 2014 CFB BUDGET	FISCAL 2015 CFB BUDGET	CHANGES FROM 2013 ADOPTED
PERSONAL SERVICES (PS)	\$ 7,686,424	\$7,632,777	-\$53,647
OTHER THAN PERSONAL SERVICES (OTPS)			
OTPS	\$3,223,000	\$3,269,000	\$46,000
VOTER GUIDE	\$9,955,000	\$391,500	-\$9,563,500
NYC CAMPAIGN FINANCE FUND	\$51,000,000	\$1,000,000	-\$50,000,000
SUB TOTAL OTPS	\$64,178,000	\$4,660,500	-\$59,517,500
TOTAL	\$ 71,864,424	\$12,293,277	-\$59,571,147

HEADCOUNT	FY2014		FY2015		CHANGE	
	Full Time	Seasonal	Full Time	Seasonal	Full Time	Seasonal
	91	9	91	7	0	-2

New York City Campaign Finance Board		
Fiscal Year 2014 Operating Budget By Appropriation Code		
Personal Services		
Unit of Appropriation 001	\$	7,632,777
Other Than Personal Services		
Unit of Appropriation 002		
CFB Core Operations	\$	3,269,000
Voter Guide	\$	391,500
Sub total 002		\$3,660,500
NYC Election Fund		
Unit of Appropriation 003		\$1,000,000
TOTAL BUDGET		\$12,293,277



GREGORY C. SOUMAS
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EXECUTIVE DIRECTOR

DAWN SANDOW
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
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**Testimony of
Michael J. Ryan
Executive Director
Board of Elections in the City of New York
before the
Committee on Finance
and
Committee on Governmental Operations
Council of the City of New York
on the
Fiscal Year 2015 Executive Budget**

May 30, 2014

Chair Ferreras, Chair Kallos and members of the Council's Committees on Finance and Governmental Operations:

I want to thank these committees for giving us the opportunity to appear before you on behalf of the Board of Elections. My name is Michael J. Ryan and I am the Executive Director of the Board.

Joining me here at the table are the Board's:

- Deputy Executive Director Dawn Sandow
- Administrative Manager Pamela Perkins

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

- General Counsel Steven H. Richman, Esq.
- Acting Finance Officer Gerald Sullivan
- Deputy General Counsel Raphael Savino, Esq.
- Director of Communications and Public Affairs Valerie Vazquez
- Director of Management Information Systems Steve Ferguson
- Coordinator of Election Day Operations Debra Leible

Mayor's Executive Budget for Fiscal Year 2015

The Board is taking this opportunity to extend its gratitude to Mayor de Blasio, his administration and the New York City Council for partnering with the Board to properly allocate the resources necessary at the commencement of FY15. Should any Council Member require additional information, the Board will provide a copy of its March 25, 2014 Testimony relating to the Mayor's Preliminary Budget.

Barring any unforeseeable election events in the next fiscal year, this effective budget strategy will allow the Board to operate more efficiently and effectively serve the voters of the City of New York.

The Board recognizes the overall economic and budgeting challenges faced by the Mayor and the City Council. The Board asks the Council to approve the Mayor's Executive Plan and consider the following additional funding requests.

The Executive Budget proposes a total allocation of more than \$108.6 million. The Board is requesting the Council and the Mayor consider providing additional funding in the amount of \$9.8 million in the expense budget and \$500,000 in the capital budget (as the proposed Executive Capital Budget does not include any funding for the Board) for the three initiatives detailed below.

HAVA Grants

The Board requests the City re-appropriate for FY15, the approximately \$2.4 million remaining from the Help America Vote Act (HAVA) grant funds. These reimbursable Federal and State grants enable the Board to improve poll site accessibility, both on a permanent and temporary basis, as well as conduct enhanced poll worker training and public education activities.

Election Day Poll Worker Compensation

The advent of electronic voting brings with it additional tasks and responsibilities which require poll workers to work longer hours. Combined with the enhanced testing standards already implemented, an increase to the poll worker compensation is essential to enable the Board to recruit and retain qualified people. Several City Council members and the Asian American Legal Defense and Education Fund (AALDEF) have expressed support for this increase.

The last increase in poll worker compensation occurred in August 2001 by Mayoral Executive Order. Given the dramatic changes in the conduct of elections imposed upon the poll workers of the City of New York by federal and state law, the Board requests the Mayor to increase the compensation for all poll workers by \$100 for each election event.

The Board asks this Council to work with the Mayor to raise poll worker compensation at an estimated cost of \$7.4 million for FY15.

Election Information System

The Board is requesting \$500,000 in capital funding to procure a vendor for the continued development, testing, documentation and implementation of the infrastructure for its Election Information System (EIS) - Mobile Applications Program during FY15.

These applications will be used to provide vital information to the voting public and support Election Day operations. It will also provide the ability to immediately address and respond to emergent circumstances such as those that occurred during and in the aftermath of Hurricane Sandy. Initial applications consist of:

- Voter Poll Site Locator (PollsiteLocator.com)
 - Allows voters to quickly find the location of their poll site as well as all other pertinent information including walking or driving directions.
 - Allows an Information Clerk to quickly access the correct ED/AD for a voter and redirect a voter to their correct poll site if necessary.

- Election Responder (Call Center and Election Day Management)
 - Provides real time information to monitoring teams and technicians for immediate dispatch and quick resolution of poll site incidents.
 - Allows monitoring teams and technicians to follow designated routes within their assigned zones to proactively resolve any open incident tickets.
 - Will enhance post election analysis to allow for future improvements.

- Election Day Worker (ElectionDayWorker.com)
 - Allows voters to apply to become a poll worker online reducing the manual processing and paperwork.
 - Allows a poll worker to access or review their training and work assignment.
 - Provides the foundation for establishing an online portal for all poll worker activities including scheduling of classes, training videos, quizzes, and poll site management.

Improving the Voter Experience

- The Board has provided a more “reader friendly” reminder notice to voters in districts where there is a Federal Primary in June 2014.
- The Board has improved communication with principals, custodians, and other stakeholders by sending election information packages which include schematic drawings, floor plans and equipment lists, four weeks in advance of the Federal Primary. This will help ensure that the poll sites are properly set up in the designated rooms and to further ensure their timely opening on Election Day.
- Improved signage to provide immediate identification of the ED/AD voter sign-in tables.
- Worked closely with the New York State Board of Elections and the Office of the Governor to expedite the certification process permitting significant firmware upgrades to the Electronic Voting System. The upgrades will reduce ballot jams and provide the ability to remove the PMD prior to printing of the results tape which will permit more timely reporting of the unofficial results.
- Procured the services of Election Center, a nationally recognized firm specializing in assisting local election administrators to implement best practices. The initial focus will be improving the poll worker training. As poll workers are essential to the efficient operation of poll sites, improved training will necessarily improve the voting experience.
- Elimination of voter cards and introduction of improved privacy sleeves for live and affidavit ballots to speed the check in process and enhance voter privacy. (September 2014)
- Enlarging the privacy screens around scanners in response to concerns regarding voter privacy. (September 2014)

Conclusion

The conduct of fair, honest, and open elections is a fundamental right in our democracy. While the Board is sensitive to the fiscal challenges faced by the City, the Board believes that this additional funding will enhance its ability to serve the voters of the City of New York. The Board assures the Council that any allocated resources will be wisely utilized and the public trust will be the guide post.

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.



PRESORTED
FIRST-CLASS MAIL
US POSTAGE PAID
BD OF ELECTIONS
CITY OF NEW YORK

TEMP. RETURN SERVICE REQUESTED

Election District (ED) Distrito Electoral (ED) 選區(ED) 선거구(ED) ইলেকশন ডিসট্রিক্ট(ইডি)	Assembly District (AD) Distrito de Asamblea (AD) 州眾議會選區(AD) 주의원 선거구(AD) অ্যাসেম্বলি ডিসট্রিক্ট(এডি)	Serial Number Número de Serie 序號 일련 번호 সিরিয়াল নম্বর
Party Partido 黨籍 정당 পার্টি		

Your Poll Site Is:

Su Centro de Votación es: 您的投票處位於：

귀하의 투표소는: আপনার ভোটকেন্দ্র হচ্ছে:

[Blank space for voter information]

5/14

IMPORTANT!
CONGRESSIONAL PRIMARY IN YOUR DISTRICT!
Tuesday, June 24, 2014

¡IMPORTANTE!
¡HAY ELECCIÓN PRIMARIA DEL CONGRESO EN SU DISTRITO!
Martes, 24 de Junio del 2014

重要訊息!
您的選區內將有國會初選!
2014年6月24日 星期二

중요함!
귀하의 선거구내 국회 예비 선거!
2014년 6월 24일, 화요일

জরুরী!
আপনার ডিসট্রিক্টে কংগ্রেসনাল প্রাথমিক নির্বাচন!
মঙ্গলবার, ২৪ জুন, ২০১৪

IMPORTANT!
**Congressional Primary Election
in Your District**

If you received this mailing at your residence, please be aware that there will be a **PRIMARY in your district on Tuesday, June 24, 2014.**

Polls will open at **6:00 A.M.**
and close at **9:00 P.M.**

Visit our website at **www.vote.nyc.ny.us** to view a sample ballot and use the online Poll Site Locator, **www.nyc.pollsitemlocator.com**. While you're on our site, be sure to sign up for email updates so you'll always have the latest Election information.

WWW.VOTE.NYC.NY.US
www.nyc.pollsitemlocator.com
866-VOTE-NYC
(866-868-3692)
TTY 212-487-5496



¡IMPORTANTE!

**Hay una Elección Primaria
del Congreso en Su Distrito**

Si usted ha recibido esta carta en su residencia, por favor tenga presente que habrá una **PRIMARIA en su distrito el Martes, 24 de Junio del 2014.**

Los centros de votación abren a las **6:00 A.M.** y cierran a las **9:00 P.M.**

Visítenos al **www.vote.nyc.ny.us** para ver una papeleta de muestra y para utilizar el localizador de centros de votación, **www.nyc.pollsitemlocator.com/spa/search**.

Mientras esté en nuestro sitio web, asegúrese de inscribirse para actualizaciones por correo electrónico para obtener las últimas noticias sobre la Elección.

重要訊息!

您的選區內將有國會初選
如果您收到這份郵件，請注意

在您的選區內將會於
2014年6月24日 星期二
舉行國會初選

投票處將於
早上6點開放到晚上9點
請造訪選舉局的網站

www.vote.nyc.ny.us 查看選票樣張，
使用投票處查詢工具
www.nyc.pollsitemlocator.com/zho/search.

同時可以登記您的電郵地址以便
獲取最新選舉相關資訊。

중요함!

**귀하의 선거구내
국회 예비 선거!**

귀하가 이 메일을 귀하의 주거지에서
받았다면, 귀하의 선거구내 예비
선거가 2014년 6월 24일, 화요일에
있음을 유의하십시오.

투표소는 오전 6시에 개장하고 오후 9시에
폐장 할 것입니다.

우리 웹사이트인 **www.vote.nyc.ny.us** 로
가시어 투표소 위치도 (Poll Site Locator) 인
www.nyc.pollsitemlocator.com/kor/search
로 가시면 견본 투표용지를 볼수 있습니다.
그 동안에, 웹사이트의 이메일 업데이트에
반드시 등록하시어 항상 최근 선거 정보를
받으시기를 바랍니다.

জরুরী!

আপনার ডিসট্রিক্টে কংগ্রেসনাল প্রাথমিক নির্বাচন
যদি আপনার বাসস্থানের ঠিকানায় এই নোটিশটি
পেয়ে থাকেন, তাহলে আপনাকে জানানো হচ্ছে যে
আপনার ডিসট্রিক্টে প্রাথমিক নির্বাচন
মঙ্গলবার, ২৪ জুন, ২০১৪ অনুষ্ঠিত হবে।
ভোটকেন্দ্র সকাল ৬টা থেকে রাত ৯টা
পর্যন্ত খোলা থাকবে।

আমাদের ওয়েবসাইট **www.vote.nyc.ny.us**
অথবা

www.nyc.pollsitemlocator.com/ben/search
এর মাধ্যমে ভোটকেন্দ্রের অবস্থান অনুসন্ধান করতে
এবং একটি নমুনা ব্যালট দেখতে পারেন। আমাদের
ওয়েবসাইটে থাকাকালীন সময়ে নির্বাচন সম্পর্কিত
সাম্প্রতিক খবরাখবর জানার জন্য ই-মেইল বার্তার
সদস্য হতে ভুলবেন না।



OFFICE OF
ADMINISTRATIVE
TRIALS AND HEARINGS

Statement by Suzanne Beddoe, Commissioner & Chief Administrative Law Judge at the NYC Office of Administrative Trials and Hearings, to the City Council in Connection with the Executive Budget for Fiscal Year 2015

May 30, 2014

Good afternoon Chairs Ferreras and Kallos and members of the Committees on Governmental Operations and Finance. It is a pleasure to come before you to discuss OATH's fiscal year 2015 Executive Budget. Today I will be speaking about the services OATH provides and some important changes that have occurred in the last year.

Let me begin by providing you with some background. The New York City Office of Administrative Trials and Hearings ("OATH") is the largest municipal administrative court in the nation. OATH oversees the operations of four different tribunals and handles a wide variety of cases, conducting over 400,000 hearings annually.

Effective July 3, 2011, OATH took over the management of the administrative tribunals that had been operated by the Taxi and Limousine Commission (TLC) and the Department of Health and Mental Hygiene (DOHMH). The transfer increased the number of cases which OATH handles by approximately 150,000 annually.

OATH's four divisions currently consist of the OATH Tribunal, the OATH Health Tribunal, the OATH Taxi & Limousine Tribunal, and the Environmental Control Board (ECB). As an independent administrative court, OATH's sole mission is to provide fair and timely hearings to everyone who appears before our judges.

Innovation and Access to Justice

OATH wants to eliminate barriers to obtaining convenient hearings and aims to encourage participation in the administrative justice process. It has done this by implementing "Access to Justice" initiatives that make it easier for New Yorkers to have their day in court. Through growth and change, OATH has attained a superior level of service and has focused on implementing innovative programs with the goal of creating truly user-friendly courts. I invite you to review OATH's annual report for details but let me give you a quick summary of changes that occurred last year.

During calendar year 2013, OATH launched its new agency website. For the first time, all of OATH's tribunals are accessible on one site. The site is exceedingly simple to navigate; it uses large, recognizable icons to help visitors understand the many options that are available to them when contesting violations they have received from City enforcement agencies. A key goal is to provide procedural information in easy to understand, plain language format. The website also contains

interactive features including eight (8) different informational videos that serve to demystify hearing processes at OATH's tribunals.

The website also has *ECB Ticket Finder*, an application which enables the general public to search for violations that have been filed at OATH's Environmental Control Board. The *ECB Ticket Finder* allows users to view, download and print copies of violations; find hearing information; see a violation's status; and easily pay violations online. Searches can be conducted by name, address or violation number. In this way, the *ECB Ticket Finder* gives the public access to important information which not only allows people to better defend themselves but also gives the general public information about quality of life cases that have come to ECB that may affect them or their neighborhood.

ECB currently offers various convenient options to property and small business owners who wish to contest the alleged violations they receive from the City's enforcement agencies. These include hearings online, by mail and over the phone. In 2013, ECB expanded its Hearings by Phone unit to be able to provide a respondent with the option of having an instantaneous hearing with a judge over the phone. Of course, if the respondent is not ready to proceed when he/she calls ECB, the respondent still has the option of scheduling the Hearing by Phone on a future date and at a time that is convenient for them.

At the Health Tribunal, which was consolidated into OATH in July 2011, we have continued to increase transparency and access to justice by giving New Yorkers new ways and more places to contest alleged violations. OATH implemented hearings by phone, hearings online and its virtual hearing program; all of which use technology in innovative ways to increase efficiency for the City and the general public. Virtual hearings were implemented as a way to expand the OATH Health Tribunal to the outer boroughs while keeping costs low for the City. The program allows DOHMH inspectors to testify using web-cam technology provided by OATH, saving both DOHMH and respondents time and expense since neither party has to travel far to appear for a hearing.

In July of 2011 when OATH took over the Health Tribunal from the Department of Health, there was only one Health Tribunal office, located in lower Manhattan. I am proud to report that in 2013, OATH finalized its expansion of the Health Tribunal to all five boroughs. Now, restaurant owners and other business owners who choose to come for an in-person hearing can come to the office in the neighborhood where they live and work. It should be noted that OATH has been able to complete this expansion with minimal cost to the City by leveraging office locations already used by OATH's Environmental Control Board.

During the second half of FY 2014, OATH has been working on ensuring that its databases and case management systems have been programmed to handle new fixed penalty schedules that have been adopted by the Health Department. As the term implies, the fixed penalty schedule sets fine amounts for each violation and eliminates the penalty range, thereby increasing transparency for restaurant owners.

In 2013, the OATH Tribunal, which hears many civil service disciplinary cases and other matters, developed and deployed a new electronic case management system to further the agency's effort to reduce waste and modernize operations at all of its tribunals. The OATH Tribunal now has the capacity to digitally record and store in one electronic case file the hearing recordings, all case-related documents and evidence that is presented at a hearing. Replacing paper case files with electronic ones brings the OATH Tribunal into the 21st century while saving City space and resources. In addition, the new system provides City agencies with the ability to file cases with the Tribunal electronically and allows the parties who appear before OATH and members of the public to view the Tribunal's weekly hearing calendars online.

Headcount

The agency's headcount increased by two, from 248 employees in Fiscal Year 2013 to 250 in Fiscal Year 2014.

Revenue

As an administrative court, violations that are handled by OATH do not carry criminal charges however they may carry civil penalties. When the facts show that a violation has occurred, OATH's judges apply monetary penalties as mandated by the applicable laws. The amounts of these fines are established by the enforcement agencies that issue the violations. Planned revenue in fiscal year 2015 from payment of these fines is \$89.26M for ECB, \$30M for the Health Tribunal and \$7.47M at the Taxi & Limousine Tribunal.

There is a \$5.72M decrease in planned revenue from the current fiscal year to fiscal year 2015. However, because OATH does not control policies or practices at the enforcement agencies, revenue projections are outside of OATH's purview. Of course, any decreased case load at OATH in fiscal year 2015 will be the direct result of decreased issuance by the City agencies that write violations returnable to one of OATH's divisions.

Budget

OATH's total proposed Executive Budget for fiscal year 2015 is \$35.3M, which represents an increase of \$169.5k from the current fiscal year's budget for lease expenses associated with the move of our headquarters and utility charges for our new Brooklyn office location. Of the \$35.3M, \$27.5M is PS and \$7.8M is OTPS.

Conclusion

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

**OFFICE OF
ADMINISTRATIVE
TRIALS AND
HEARINGS**

**ANNUAL
REPORT
2013**

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Message from the Commissioner



The City of New York's Office of Administrative Trials and Hearings (OATH) is the nation's largest municipal administrative court, holding approximately 400,000 hearings each year throughout its four separate administrative tribunals. The majority of people who appear before OATH's administrative tribunals will represent themselves. For this reason, OATH continues to work diligently to implement creative solutions that improve the hearing process and make it easier for people to have their day in court.

In 2013, OATH launched a new, user-friendly website that empowers litigants by providing simple, clear instructions and exceedingly accessible information; OATH expanded access to its courts by transforming a tribunal with one Manhattan-based hearing location into a tribunal with hearing offices in all five boroughs; OATH created three different informational videos to help demystify the hearing process; it continued to produce new online request and application forms to ensure that OATH keeps pace with the 21st century expectations of the general public whom it serves; and it significantly increased the breadth of legal education and training that our judges and administrative law judges throughout the City receive through OATH's Administrative Judicial Institute.

OATH is dedicated to maintaining the superior level of service and legal expertise that the public has come to expect. I am proud to showcase some of our 2013 accomplishments in this report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne Beddoe".

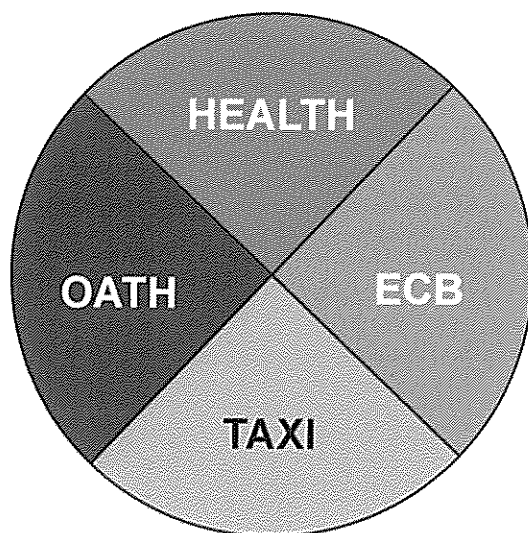
Suzanne Beddoe
Commissioner & Chief Administrative Law Judge

Agency Overview

OATH is the largest municipal administrative court in the nation, conducting nearly 400,000 hearings annually.

OATH is made up of four independent administrative tribunals:

- The Environmental Control Board (ECB) holds approximately 200,000 hearings annually on quality of life and public safety charges that are filed by 13 different City enforcement agencies including DOB, DSNY, FDNY and DEP
- The OATH Health Tribunal holds hearings on alleged violations of the City Health Code and other charges brought by the City's Department of Health and Mental Hygiene (DOHMH). The majority of the hearings involve food service establishments
- The OATH Taxi & Limousine Tribunal holds hearings on potential violations of TLC's rules and regulations, including cases brought against drivers by TLC, NYPD, Port Authority of NY and charges resulting from customer complaints
- The OATH Tribunal adjudicates a diverse range of matters including civil service disciplinary cases, human rights and discrimination cases, car seizure cases, license revocation cases and complex contractual disputes

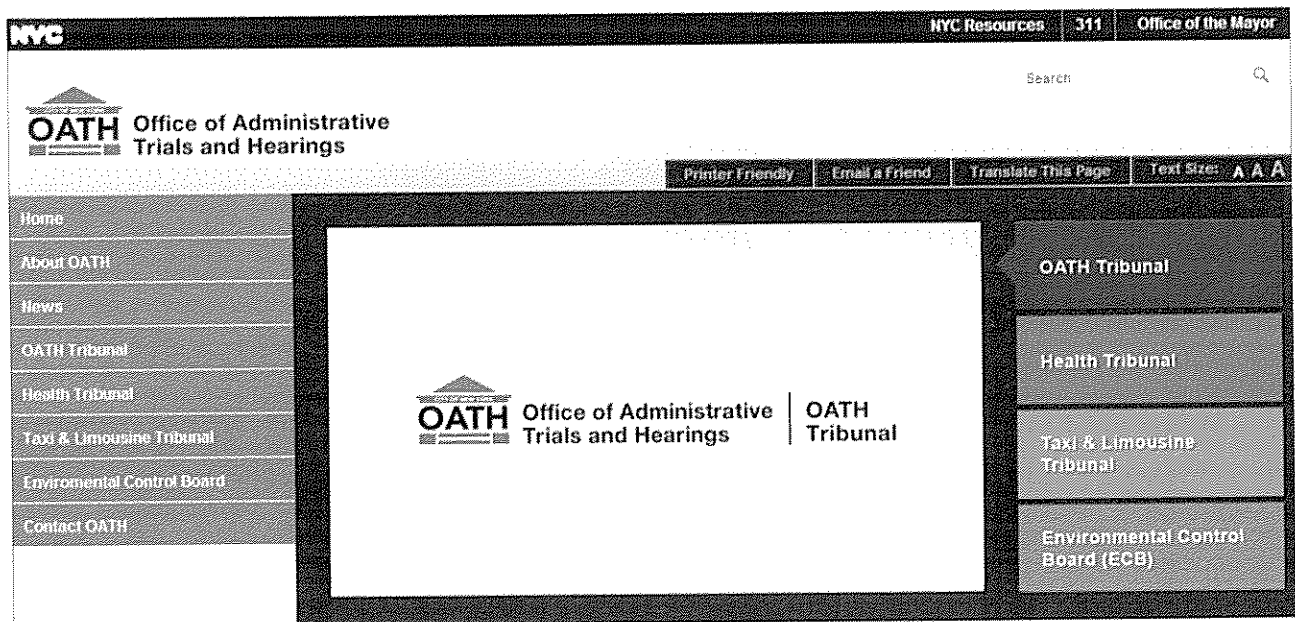


New Agency Website

For the first time in the agency's history, the four different tribunals that comprise OATH are accessible through one user-friendly website found at www.nyc.gov/oath.

What makes the website helpful?

- It is easy to navigate due to a bold color scheme which makes each tribunal distinctive and respective programs and services are easy to locate
- Content is written in "plain language" making complex material easy to understand
- Recognizable, familiar icons clearly inform constituents of the many options available to them

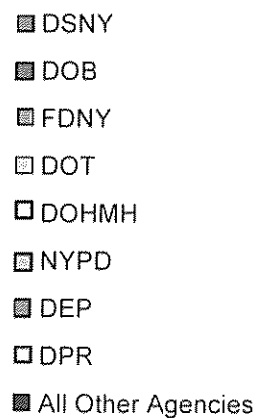


Environmental Control Board

2013 Highlights from the Environmental Control Board

- Reduced average wait time for decisions from 96 to 5 days
- Reduced average wait time for appeal decisions from 147 days to 92 days
- Increased the types of cases that can be contested online, by phone, or by mail from 300 to more than 650
- Conducted more than 4,250 One-Click (online) Hearings in 2013 and more than 10,600 online hearings have been conducted since the program began in 2011
- Conducted more than 1,200 Hearings by Phone in 2013 and more than 2,900 hearings have been conducted over the phone since the program began in 2011
- Released informational video that explains the hearing process

Tickets received by the Environmental Control Board from Enforcement Agencies in 2013*



*January through November 30, 2013

Environmental Control Board

Informational Video for the Self-Represented

The Environmental Control Board (ECB) released a short informational video that explains how an in-person hearing at ECB works. The video can be viewed by members of the public by going to the ECB section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

Environmental Control Board

Convenient Online Forms

ECB is dedicated to keeping pace with the expectations of the public whom it serves. Since 2010, ECB has introduced online hearings, online appeals and various other online forms and applications.

In 2013, ECB created an online form for members of the public who would like to request a Hearing by Phone.

Schedule a Hearing by Phone



You can send ECB a request for a Hearing by Phone by using a simple *online form*. The form must be submitted to ECB **before** the scheduled hearing date. ECB will then call you to schedule the Hearing by Phone.

OR



You can call ECB to schedule your Hearing by Phone. Please call **(212) 436-0777** **before** the scheduled hearing date.

Translation Services

If you feel more comfortable making your case in a language other than English, ECB will provide translation services immediately and free of charge.

The Judge's Decision

You will get the judge's decision in the mail within 30 days.

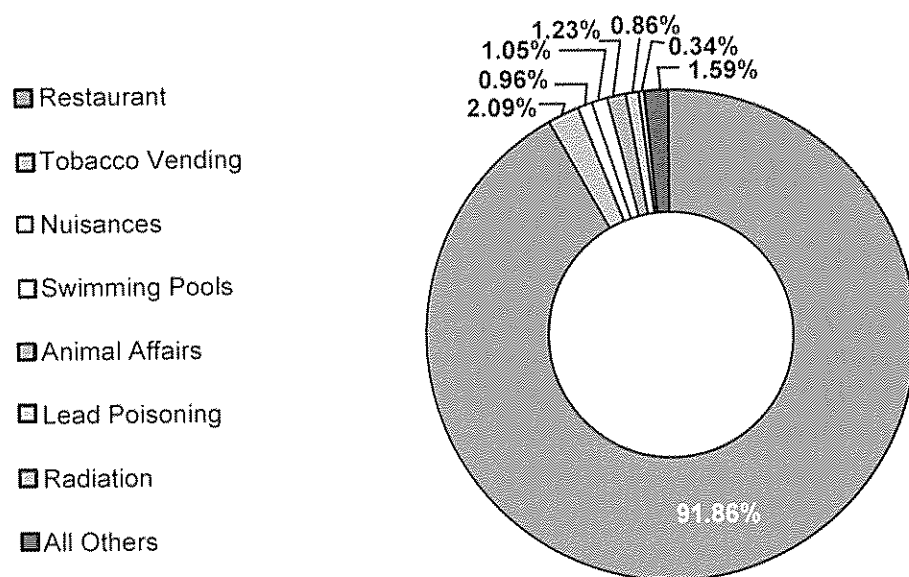
www.nyc.gov/oath

OATH Health Tribunal

2013 Highlights from the OATH Health Tribunal

- Expanded access and convenience by opening hearing offices in every borough
- Reduced average wait time for appeal decisions from more than 60 days to 40 days
- Conducted more than 650 One-Click (online) Hearings, a 200% increase from 2012
- Released informational video that explains the hearing process
- Developed online application and request forms
- Improved efficiency and reduced waste with the complete elimination of paper files

Types of violations received by
OATH Health Tribunal from
Department of Health and Mental
Hygiene (DOHMH) in 2013*

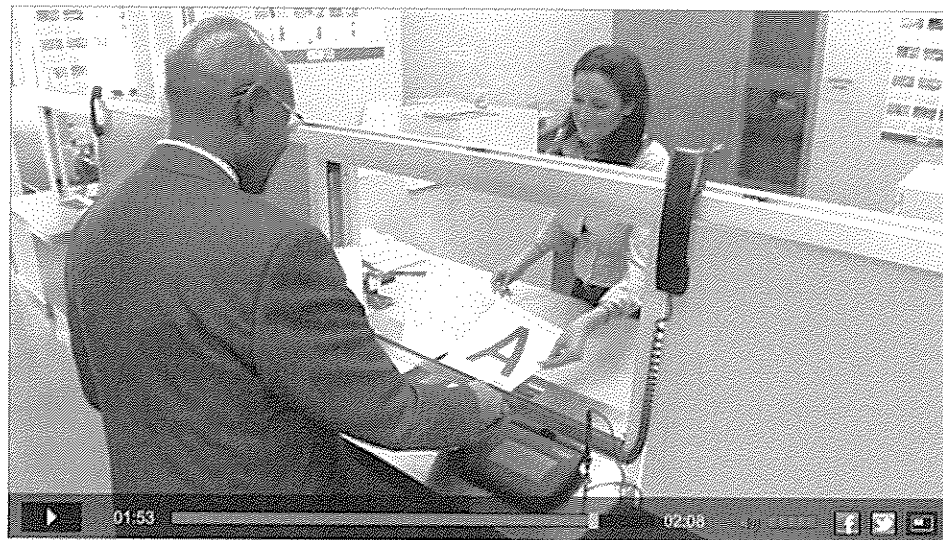


*January through November 30, 2013

OATH Health Tribunal

Informational Video for the Self-Represented

The OATH Health Tribunal released a short informational video that explains how an in-person hearing works. The video can be viewed by members of the public by going to the Health Tribunal section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

OATH Health Tribunal

Expanding Access: Hearing Offices in Every Borough

In 2013, the OATH Health Tribunal opened its first-ever hearing office in Brooklyn, representing the fourth new Health Tribunal hearing office that OATH has opened. Since 2011, the Health Tribunal has been converted from a single, Manhattan-based office, into a tribunal that is comprised of fully-functional hearing offices in each of the five boroughs. Restaurant-owners no longer have to travel to Manhattan if they want to contest alleged violations at an in-person hearing.

OFFICE LOCATIONS

Bronx
3030 Third Avenue
Bronx, NY 10455
Tel: (212) 361-1000
Monday – Thursday
(9:00am – 5:00pm)

Brooklyn
9 Bond Street, 6th Floor
Brooklyn, NY 11201
Tel: (212) 361-1000
Monday – Friday
(9:00am – 5:00pm)

Manhattan
66 John Street, 11th Floor
New York, NY 10038
Tel: (212) 361-1000
Monday – Friday
(9:00am – 5:00pm)

Staten Island
350 Marks Place, Main Floor
Staten Island, NY 10301
Tel: (212) 361-1000
Tuesday
(9:00am – 4:00pm)

Queens
144-06 94th Ave, Main Floor
Jamaica, NY 11435
Tel: (212) 361-1000
Monday, Wednesday, Thursday & Friday
(9:00am – 5:00pm)



Richard B. Baker, Esq.
Commissioner & Chief Administrative Law Judge, OATH Carol Moran, Esq.
Deputy Commissioner
OATH Health Tribunal

(Back of OATH Health Tribunal informational brochure)



An OATH Health Tribunal judge conducts a hearing at the Staten Island office. Health Department inspectors can testify from other OATH Health Tribunal hearing offices by using OATH's webcam technology.

OATH Health Tribunal

Convenient Online Forms

The OATH Health Tribunal has created several new online request and application forms to make it easier to submit information to the Tribunal.

Restaurant-owners can now submit an online form to:

- Contest an alleged violation
- Appeal a judge's decision
- Reschedule a case
- Reopen a defaulted case

How to Reschedule Your Hearing

Online - The easiest way is to [submit this online request form](http://www.nyc.gov/oath/forms/reschedule.html).



By Mail - To request to reschedule the case by mail, print the [form](#) (in PDF), and send it to the address listed on the top of the form.



You may make up to three requests for a new hearing date. All additional requests must be made in person, before a judge at the time of the scheduled hearing.

How to Reopen Your Defaulted Case

Online - The easiest way is to [submit this online request form](http://www.nyc.gov/oath/forms/reopen.html).



By Mail - To apply to reopen by mail, print the [form](#) (in PDF), and send it to the address listed on the top of the form.



You may only request a new hearing once for each Notice of Violation that is in default, so make sure to follow the instructions carefully. If the request for a new hearing is received by the Health Tribunal within 60 days of the date the case first defaulted, then the Health Tribunal will grant the request.

www.nyc.gov/oath

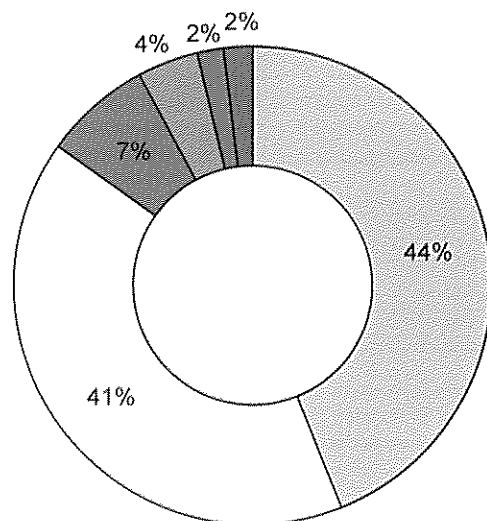
OATH Taxi & Limousine Tribunal

2013 Highlights from the OATH Taxi & Limousine Tribunal

- Reduced average wait time for appeal decisions by one month, from 95 days to under 65 days
- Translated all brochures and flyers into the top 6 languages spoken by visitors to Tribunal
- Created an instructional brochure on how to appeal a judge's decision
- Released informational video that explains the hearing process
- Made it simple for drivers to reschedule hearings

Types of violations received
by OATH Taxi & Limousine
Tribunal in 2013*

- Enforcement
- Administrative
- Civilian Complaint
- Port Authority - Issued
- Safety and Emission
- Police Department - Issued



*January through November 30, 2013

OATH Taxi & Limousine Tribunal

Informational Video for the Self-Represented

The OATH Taxi & Limousine Tribunal released a short informational video that explains how a hearing at the Taxi & Limousine Tribunal works. The video can be viewed by members of the public by going to the Taxi & Limousine Tribunal section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

OATH Taxi & Limousine Tribunal

Making Information Accessible

The OATH Taxi & Limousine Tribunal created a step-by-step instructional brochure that explains how to correctly file an appeal if a taxi driver or owner disagrees with a judge's decision. The brochure is available in six different languages. The first-of-its kind brochure makes the appeal process fairer as drivers and owners now have easy access to information that was previously hard to find.

Appeal Unit

Should I Appeal?

- Did the decision:
 - get the facts wrong?
 - ignore something presented at the hearing?
 - get the meaning of the law wrong?

If so, you have the right to appeal.

Just being unhappy about paying the penalty is not a reason to appeal.

Who can Appeal?

- Respondent**
The person named on the summons can appeal the OATH Taxi & Limousine Tribunal decision, once the Notice of Decision has been issued by the OATH Taxi Tribunal judge.
- Representative**
A person authorized to represent the person named on the summons can also appeal the OATH Taxi & Limousine Tribunal decision. Representatives must include a notarized letter of authorization from the respondent or a notarized Power-of-Attorney form with the appeal.
- The Taxi & Limousine Commission (TLC)**
The Commission can appeal the OATH Taxi & Limousine Tribunal decision, once the Notice of Decision has been issued by the OATH Taxi Tribunal judge.

How do I file an Appeal?

STEP 1

You should use the OATH Taxi & Limousine Tribunal's Appeal form to file an appeal. You can find the appeal form online at www.oath.ny.gov. Using this form will help you file the appeal correctly.

STEP 2

The appeal has to be received by the OATH Taxi & Limousine Tribunal within **30 calendar days** from the Decision Date listed on the judge's decision.

STEP 3

If you wish to request a copy of the audio recording of the hearing before you file your appeal, you must make the request **within 7 calendar days** of the Decision Date on the decision. You must use the OATH Taxi & Limousine Tribunal Request for Audio Recording of Hearing form to make the request.

APPEAL FORM

Send the request form to the address listed on the top of the form.

If you request a copy of the audio recording of the hearing within 7 calendar days of the Decision Date, you have the choice to submit your appeal within:

- 21 days from the date the recording is mailed to you; or
- 30 days from the Decision Date.

STEP 4

After completing all sections on the front side of the appeal form, use the space provided on the back side to explain why you think you should win your appeal.

The *Should I Appeal?* brochure provides information about:

- Who can file an appeal
- Important deadlines related to appeal applications
- Steps that must be taken to correctly file an appeal
- Documents that must be submitted with the appeal
- Options available after the appeal decision is rendered

OATH Taxi & Limousine Tribunal

Convenient Online Forms

The OATH Taxi & Limousine Tribunal is making it easier for drivers to interact with the Tribunal and submit important, time-sensitive applications or requests. In 2013, the Tribunal developed its first-ever online form, making it exceedingly simple for drivers to submit requests for a different hearing date.

The screenshot shows the OATH website interface. On the left is a navigation menu with links for Home, About OATH, News, OATH Tribunal, Health Tribunal, Taxi & Limousine Tribunal (with sub-links for Tribunal Data, Understand Your Summons, Respond to Your Summons, Appeal a Decision, Frequently Asked Questions (FAQs), Forms, and Contact Taxi & Limousine Tribunal), Environmental Control Board, and Contact OATH. The main content area is titled 'Request for a New Hearing Date - Online Form'. It includes instructions: 'A request to reschedule a Hearing must be made at least five business days before the first scheduled hearing' and 'No more than one reschedule request at least five business days before the hearing will be granted'. There is a note that '*' indicates required fields. The form asks for the Respondent (The Respondent is the person or business entity named on the front of the Summons 1) and provides fields for Last Name, First Name, and Middle Initial. It also asks for the Business Name. At the bottom, it says 'I am requesting a new hearing date for the following Summons' and '*Summons Number(s) (You must enter at least one summons number)'.

The graphic features the OATH Taxi & Limousine Tribunal logo at the top, with the text 'A Division of the Office of Administrative Trials and Hearings'. Below the logo is a large 'RESCHEDULE' button. To the right of the button is a call to action: 'Reschedule your hearing online at www.nyc.gov/oath'. The main text in the center reads: 'You can now submit your reschedule request using a simple online form found on the OATH website'. At the bottom, it states: 'Reschedules must be submitted at least five (5) days before your hearing date.'

How is the online form helpful to drivers who have been summoned to the Tribunal?

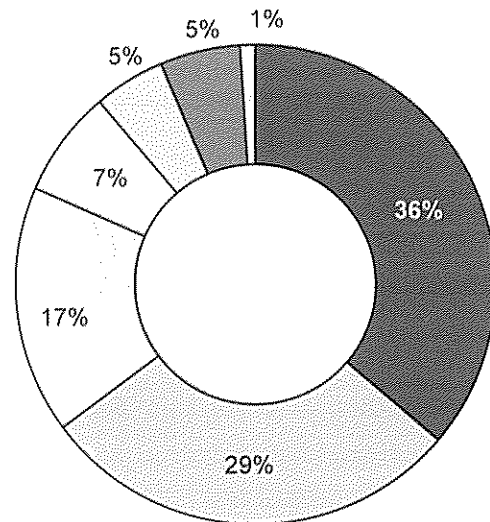
- Drivers don't have to call or visit the Tribunal during business hours to reschedule cases
- The form can be submitted instantly, making it easier to meet required deadlines
- The electronic request form can be translated into different languages
- Once the form is submitted, the driver will receive an automatic, date-stamped, confirmation email

2013 Highlights from the OATH Tribunal

- Launched electronic case management system to increase efficiency and enable cases to be filed with the Tribunal electronically
- Enhanced public's access to information by making OATH Tribunal hearing calendar available on the OATH website
- Expanded the breadth of legal education and training methods provided through OATH's Administrative Judicial Institute
- Launched the OATH Honors Fellows Program to attract exceptional law school graduates to public service

Types of cases filed by NYC Agencies
at the OATH Tribunal in 2013*

- Disciplinary/Disability/COIB Hearings
- City Issued Licenses
- Vehicle Forfeiture
- Loft Law Cases/Zoning Violations/SRO Certificates
- Lobbyist Registration & Other Regulatory Cases
- Discrimination Under City Human Rights Law
- City Contract Disputes



*January through November 30, 2013

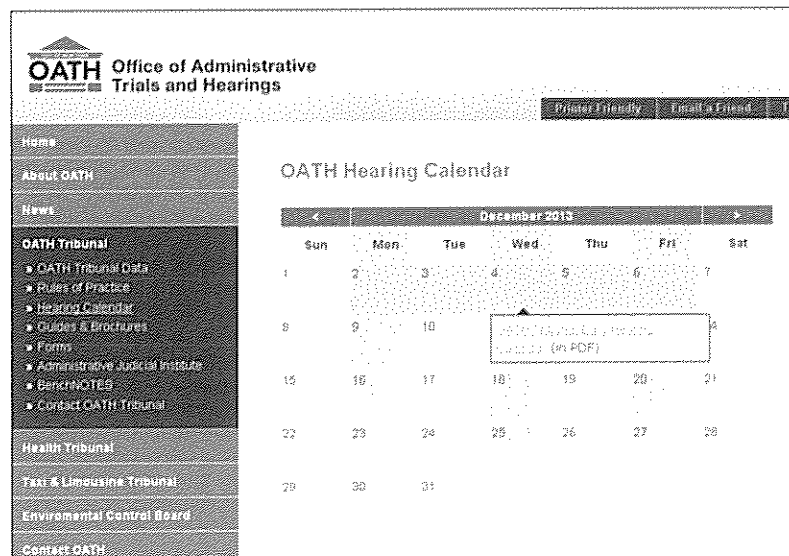
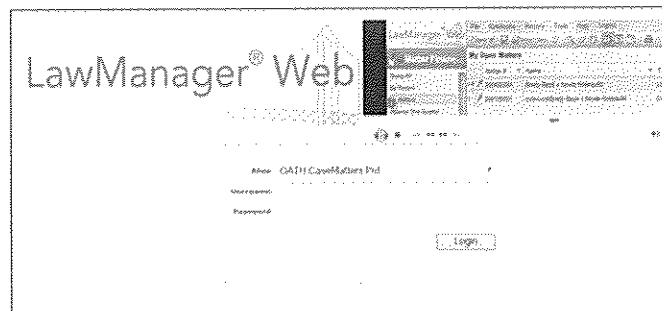
OATH Tribunal

Increasing Efficiency: New Electronic Case Management System

In 2013, the OATH Tribunal deployed a brand new, electronic case management system that was developed to uniquely fit the needs of the Tribunal and its caseload.

How does the OATH Law Manager increase efficiency?

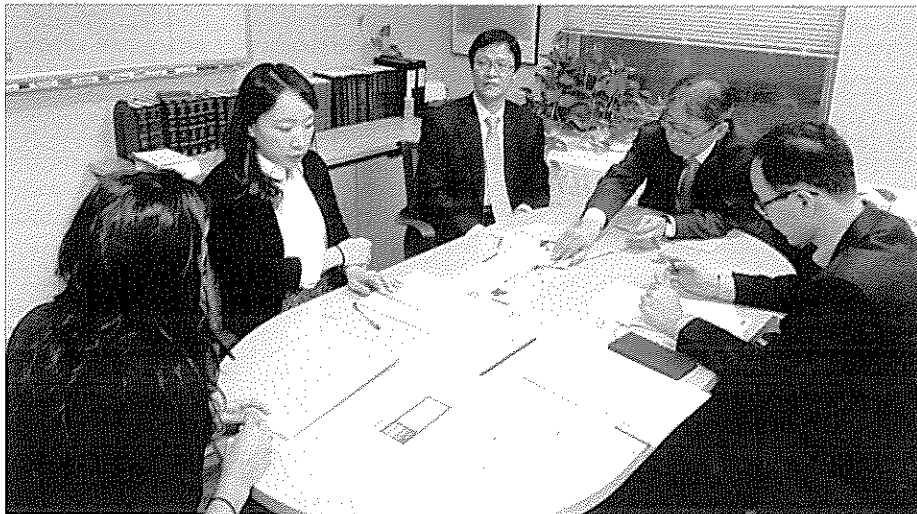
- The Tribunal can easily store and access all case-related items, including scanned and electronic documents, e-mails, and the digital audio recordings of court proceedings
- It provides City agencies with the ability to file cases with the Tribunal electronically
- It allows the parties who appear before OATH and members of the public to view the Tribunal's weekly hearing calendars online



Increasing Cross-Cultural Understanding of Administrative Justice Systems and Sharing Best Practices

OATH is nationally recognized as an expert in transforming previously failing administrative tribunals. In 2013, OATH's Administrative Judicial Institute hosted a number of different delegations from other U.S. cities as well as foreign countries, that were interested in learning about OATH including:

- Delegation from the Korean Central Administrative Appeals Commission, a federal administrative body that hears a wide range of appeals brought by citizens in response to administrative agency decisions and actions
- Hon. Yang Linping, Director General of the State Compensation Commission of China's Supreme People's Court, focusing on judicial review of administrative agency decisions
- Delegation from People's Procuratorate of Fujian Province in China, interested in learning about the governing of administrative law in the U.S.



Marisa Senigo, OATH Assistant Commissioner for Public Affairs; Sally Ryu, Korean Translator; Jonghyun Park, Consul at the Consulate General of Korea; Hong Seong-chill, Chairman of the Central Administrative Appeals Commission; Kwon Kun-Sang, Director of Administrative Appeals at the Anti-Corruption & Civil Rights Commission

Resource & Training Center for Administrative Law Judges

OATH's Administrative Judicial Institute (AJI) was created to serve as a judicial resource to provide training, continuing education, research and support services for judges. The Institute serves all the administrative law judges and tribunals throughout New York City and makes its programs available to state and federal administrative law judges as well. The Institute is an accredited Continuing Legal Education (CLE) provider.

In 2013, the Institute presented 75 programs and training classes, a 25% increase from 2012. These programs were presented to more than 1,900 attendees, a 43% increase from 2012.

Programs for ECB Judges

- Pest Control
- Street Light and Power: What ECB ALJs Need to Know
- ECB Reviewer Training: Developing Best Practices
- ECB Tribunal Judicial Skills Workshops Week I
- ECB Tribunal Judicial Skills Workshops Week II
- ECB Tribunal Judicial Skills Workshops Week III
- ECB, the Appeals Process and the Board
- Vendor Law Training
- Animal Related Violations
- An Introduction to Adjudicating Water Code NOV's at ECB
- Illegal Dumping and Theft of Recycling

Programs for OATH Health Tribunal Judges

- Judicial Ethics Class for Health ALJs
- Animal Related Violations
- New judge training: Five-day intensive substantive law and court room skills training course

Programs for OATH Taxi & Limousine Tribunal Judges

- Decision Writing for the OATH Taxi & Limousine Tribunal
- Reviewing Decisions: A Primer
- Street Hail Livery Vehicles & Governing Rules
- New judge training: Five-day intensive substantive law and court room skills training course

Programs for Non-Judicial Personnel

- Leadership Skills Training
- OATH – New York City's Central Administrative Law Tribunal: A Guide for Practitioners

Programs for All Administrative Law Judges

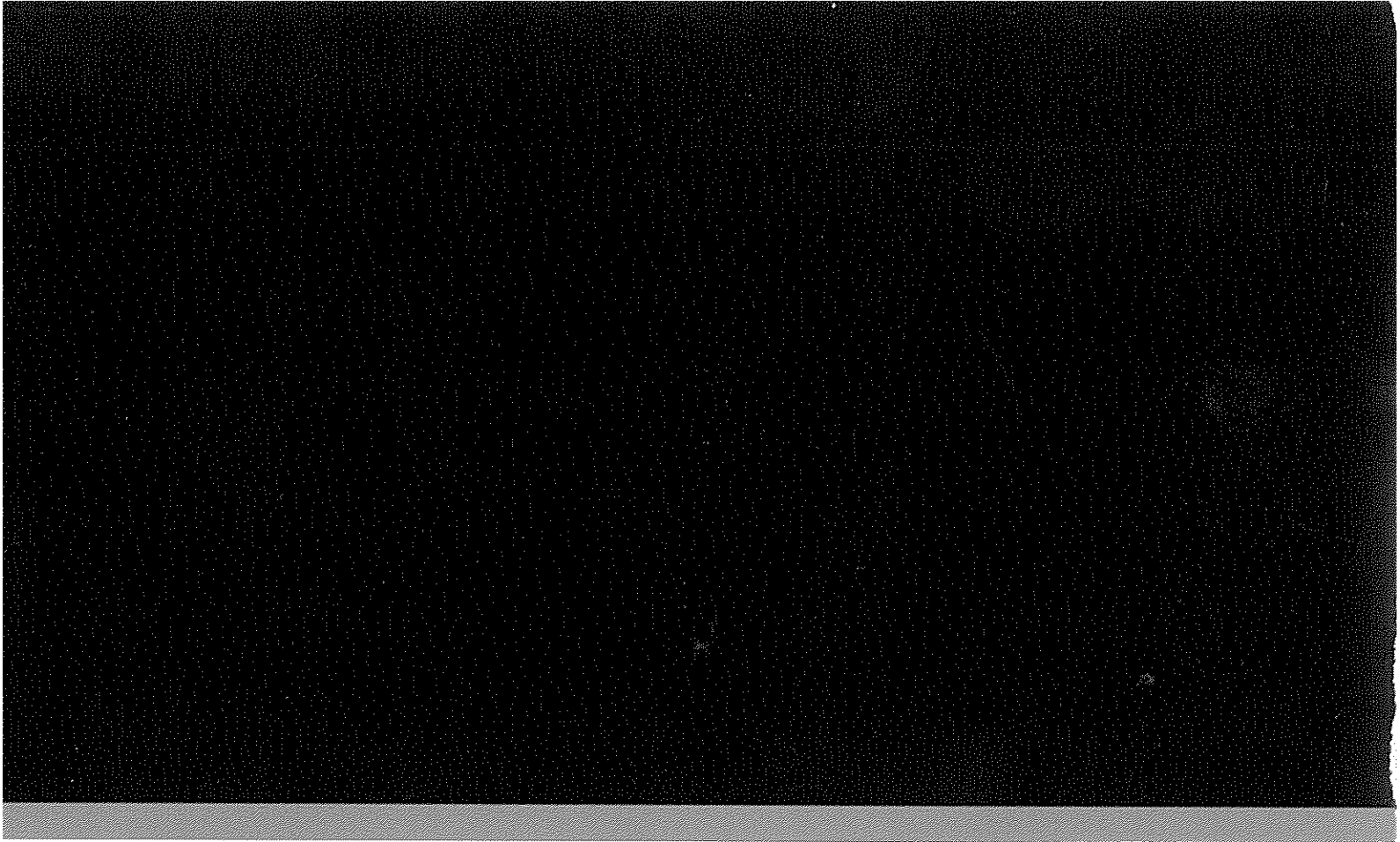
- Forensic Linguistics: Analyzing Written and Oral Language Evidence
- The Science of Decisions Making: Emotion, Reason and Cognitive Traps
- The Engaged Judge: Leadership and Neutrality in Practice
- Electronic Evidence: Admissibility Issues
- Beyond Words: Nonverbal Communication Research & Judicial Implications
- Judicial Mindfulness: Application of Mindfulness Practices for Judges
- Judicial Ethics: Everything You Don't Know from the Code to the Commission on Judicial Conduct
- Judicial Opinion Writing for New York City and State ALJs
- Security in Cyberspace in Social Media for Judges & Lawyers
- Key to Evidentiary Topics for Administrative Law Judges

Expanding Legal Education and Training for City Administrative Law Judges

OATH's Administrative Judicial Institute (AJI) is accredited by the New York State Continuing Legal Education Board (CLE Board). In 2013, the Institute received approval from the CLE Board to accredit non-traditional formats for its programs, including presentations through live videoconferencing and videotape replays of previously presented programs.

How does the new accreditation status benefit the AJI, judges and the public?

- Utilizing OATH's videoconferencing technology makes administering trainings more efficient
- There will be an increase in the number and types of trainings that can be offered by the AJI
- Alternative training methods make it more convenient for judges to attend and receive training
- Better-trained judges results in higher-quality and better informed decision-making



**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: 5/30/14

Name: Peter Reddy (PLEASE PRINT)

Address: 450 W 33rd St

I represent: Financial Information Services Agency

Address: 450 W 33rd Street

**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: 5/30/14

Name: Edward J Fitzpatrick Jr (PLEASE PRINT)

Address: 450 W 33rd St

I represent: Financial Information Services Agency

Address: 450 W 33rd 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: 5/30/14

Name: Rose Ellen Myers (PLEASE PRINT)

Address: 450 West 33rd Street

I represent: Financial Information Services Agency

Address: 450 West 33rd Street

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. Budget Res. No. _____
 in favor in opposition

Date: 5/30/2014

(PLEASE PRINT)

Name: Amy Loprest

Address: NYCCFB 100 Church

I represent: NYCCFB

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: Suzanne Beddoe

Address: _____

I represent: Commissioner, OATH

Address: 100 Church Street, 12th floor

**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: Ed Wilton

Address: _____

I represent: OATH

Address: 100 Church Street, 12th floor

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: Amy Sifka

Address: _____

I represent: OATH

Address: 66 John Street, 10th floor

**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: Michael Ryan

Address: 42 Broadway

I represent: NYC BOE

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: Dawon Sardo

Address: _____

I represent: NYC BOE

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: _____

Name: ^{10/10/10} Pamela Perkins (PLEASE PRINT)

Address: _____

I represent: NYC BOE

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: _____

Name: Richard Badillo (PLEASE PRINT)

Address: 1 Centre St

I represent: DCAS

Address: 1 Centre St.

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: Suzanne Lynn

Address: 7 Centre Street

I represent: DCAJ

Address: 1 Centre Street

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: 5/30/14

(PLEASE PRINT)

Name: Stacey Cambelbach, Commissioner

Address: DCAJ 1 Centre St

I represent: DCAJ

Address: 1 Centre St

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