

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Fernando Cabrera  
Chair, Committee on Governmental Operations



Report of the Finance Division on the  
Fiscal 2020 Preliminary Budget and the  
Fiscal 2019 Preliminary Mayor's Management Report for the

## **Board of Elections**

March 12, 2019

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## The Board of Elections Overview

The Board of Elections (BOE) conducts, as specified by State law, all elections within the City of New York. The BOE is an administrative body of ten Commissioners, two from each borough upon recommendation by both political parties and then appointed by the City Council for a term of four years. The Board has a central office and five borough offices.

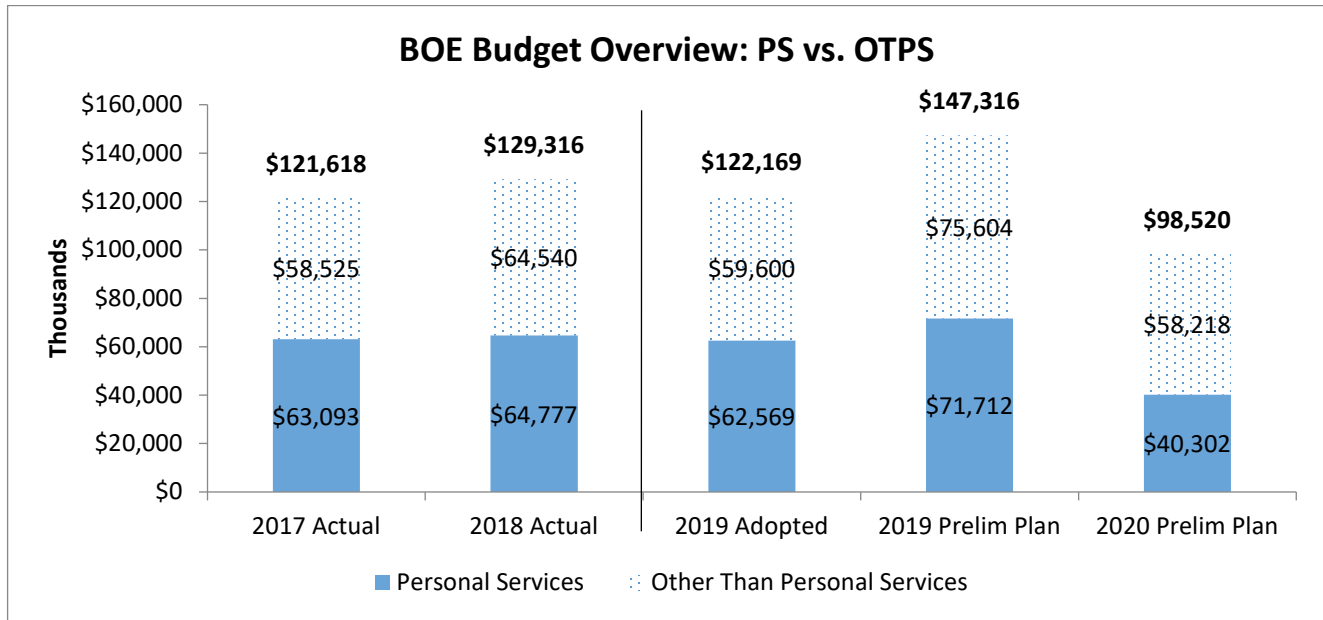
**BOE’s activities include:**

- Administering all elections within the City of New York;
- Receiving and examining candidates’ petitions;
- Registering voters either by mail or on specified registration days;
- Keeping current the City’s voter registration lists; and
- Holding and keeping minutes of all of the Commissioners’ meetings.

## Fiscal 2020 Preliminary Budget Highlights

The Board of Election’s Fiscal 2020 Preliminary Budget totals \$98.5 million, including \$40.3 million in Personal Services (PS) funding to support 517 full-time positions. The entirety of BOE’s budget is financed by City tax-levy funding. The Board’s budget is subdivided into two units of appropriation (U/As), Personal Services and Other Than Personal Services (OTPS).<sup>1</sup>

**Figure 1**



In the Fiscal 2020 Preliminary Plan, funding for Fiscal 2020 is substantially lower than in Fiscal 2019 as significant additional funding is expected to be added to the Board’s budget in the Executive and Adopted Plans after the Board further identifies its budgetary needs.

<sup>1</sup> Units of Appropriation are the subdivisions of the City Expense Budget that the City Council votes upon.

**Highlights of BOE's Fiscal 2020 Preliminary Budget**

- **New Needs.** Since Fiscal 2019 Adoption, the Board of Elections has identified New Needs of \$25 million in Fiscal 2019. This includes \$1.5 million for poll worker salary increases for the November 2018 General Election, an additional \$3.8 million to fund the extra printing costs for the two-page ballots used in that same election, \$15.8 million for February 2019 Public Advocate Special Election, and \$3.9 million for the June 2019 Primary.
- **Other Adjustments.** The Fiscal 2020 Preliminary Plan includes \$158,000 in Fiscal 2019 and \$270,000 in Fiscal 2020 for collective bargaining agreements.
- **Miscellaneous Revenue.** The Financial Plan projects that the Board of Elections will generate miscellaneous revenue totaling \$116,000 in Fiscal 2020, including \$60,000 from sales of maps and voter lists.
- **Contract Budget.** The Board of Election's Fiscal 2020 Contract Budget totals \$29.5 million for 37 contracts, accounting for 50.6 percent of the Department's OTPS Budget.
- **Preliminary Mayor's Management Report (PMMR) Highlights.** Notable performance metrics reported by the Board of Elections in the 2019 PMMR are outlined below:
  - ✓ Poll worker attendance declined from 93.2 percent in Fiscal 2017 to 87.8 percent in Fiscal 2018, which falls within this indicator's historic range.
  - ✓ Voter complaints regarding poll workers were at a high of 721 in Fiscal 2017. Complaints subsequently fell to 460 in Fiscal 2018, which is more typical of historical averages.
  - ✓ While the number of Board of Elections interpreters deployed declined from 2,329 in Fiscal 2017 to 2,052 in Fiscal 2018, the BOE nonetheless deployed more interpreters than in previous fiscal years.

## Financial Plan Summary

**Table 1**

<b>BOE Financial Summary</b>						
	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
<i>Dollars in Thousands</i>	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>2019</b>	<b>2020</b>	<b>2019 - 2020</b>
<b>Personal Services</b>						
Additional Gross Pay	\$245	\$470	\$89	\$89	\$89	\$0
Full-Time Salaried	24,555	28,020	27,929	28,075	24,433	(3,496)
Unsalaries & Other Salaried	29,724	28,844	25,054	33,739	12,318	(12,736)
Overtime - Civilian	8,274	7,229	8,327	8,327	2,292	(6,035)
P.S. Other	295	213	1,170	1,482	1,170	0
<b>SUBTOTAL</b>	<b>\$63,093</b>	<b>\$64,777</b>	<b>\$62,569</b>	<b>\$71,712</b>	<b>\$40,302</b>	<b>(\$22,267)</b>
<b>Other Than Personal Services</b>						
Contractual Services	\$21,391	\$30,372	\$28,110	\$34,864	\$29,464	\$1,354
Fixed & Misc. Charges	18	55	0	0	0	0
Other Services & Charges	29,789	29,089	23,461	22,019	23,558	97
Property & Equipment	4,685	2,123	4,029	14,978	1,196	(2,833)
Supplies & Materials	2,642	2,901	3,999	3,744	3,999	0
<b>SUBTOTAL</b>	<b>\$58,525</b>	<b>\$64,540</b>	<b>\$59,600</b>	<b>\$75,604</b>	<b>\$58,218</b>	<b>(\$1,382)</b>
<b>TOTAL</b>	<b>\$121,618</b>	<b>\$129,317</b>	<b>\$122,169</b>	<b>\$147,316</b>	<b>\$98,520</b>	<b>(\$23,649)</b>
<b>Funding</b>						
City Funds			\$122,169	\$147,316	\$98,520	(\$23,649)
<b>TOTAL</b>	<b>\$121,618</b>	<b>\$129,317</b>	<b>\$122,169</b>	<b>\$147,316</b>	<b>\$98,520</b>	<b>(\$23,649)</b>
<b>Budgeted Headcount</b>						
<b>Full-Time Positions - Civilian</b>	<b>512</b>	<b>537</b>	<b>517</b>	<b>517</b>	<b>517</b>	<b>0</b>

*\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

### Fiscal 2019

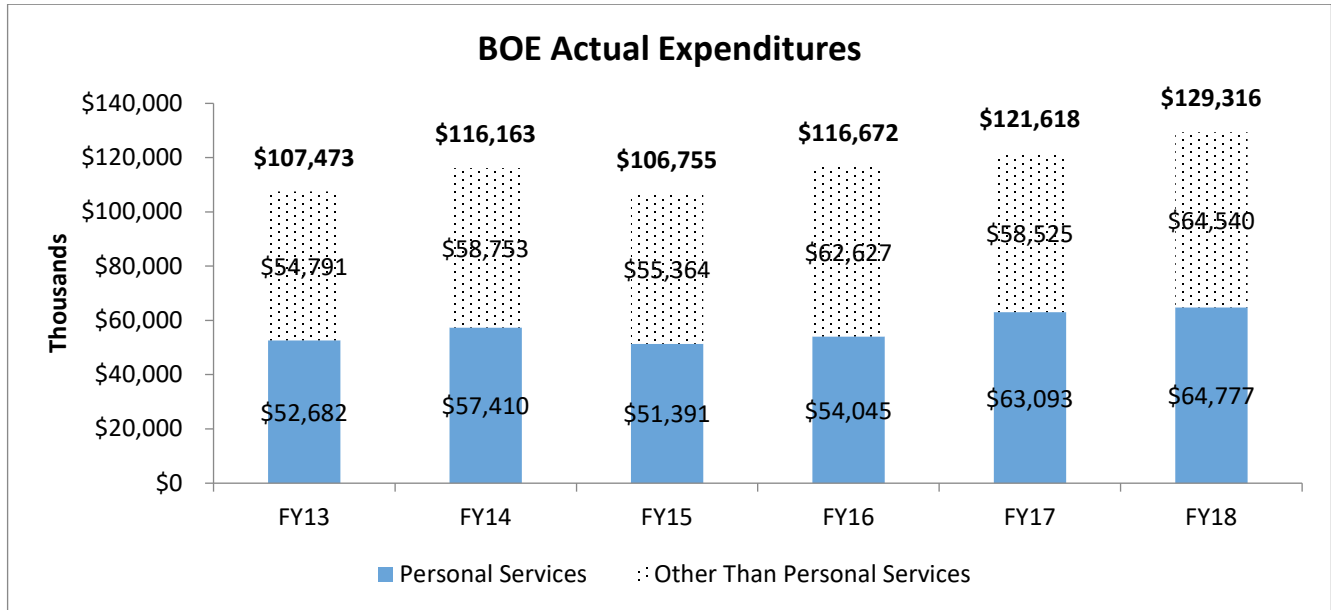
In the Fiscal 2020 Preliminary Plan, the Board's Expense Budget for Fiscal 2019 totals \$147.3 million, including \$71.7 million in Personal Services funding to support 517 full-time positions. The Board's Fiscal 2019 Budget is \$31 million greater than the Agency's average annual actual expenditures of \$116.3 million over the past six fiscal years. This can be attributed to a number of factors, including the February 2019 Public Advocate Special Election, an increase in poll workers' salaries, and preparations for the implementation of early voting in the 2019 General Election (discussed in depth under the "New York State Election Reform" section of this report).

### Fiscal 2020

In the Fiscal 2020 Preliminary Plan, the Board of Election's Fiscal 2020 Expense Budget equals \$98.5 million, including \$40.3 million in Personal Services funding. The BOE's budget varies significantly from year to year based on national, statewide and local election cycles, the implementation of new electoral laws, and special elections and other changes in election scheduling, many of which may occur mid-fiscal year. The BOE's budget in the Preliminary Plan is usually much lower than in later plans. The Board subsequently identifies its specific budgetary needs, which are added in the Executive and Adopted Plans.

### Actual Expenditures

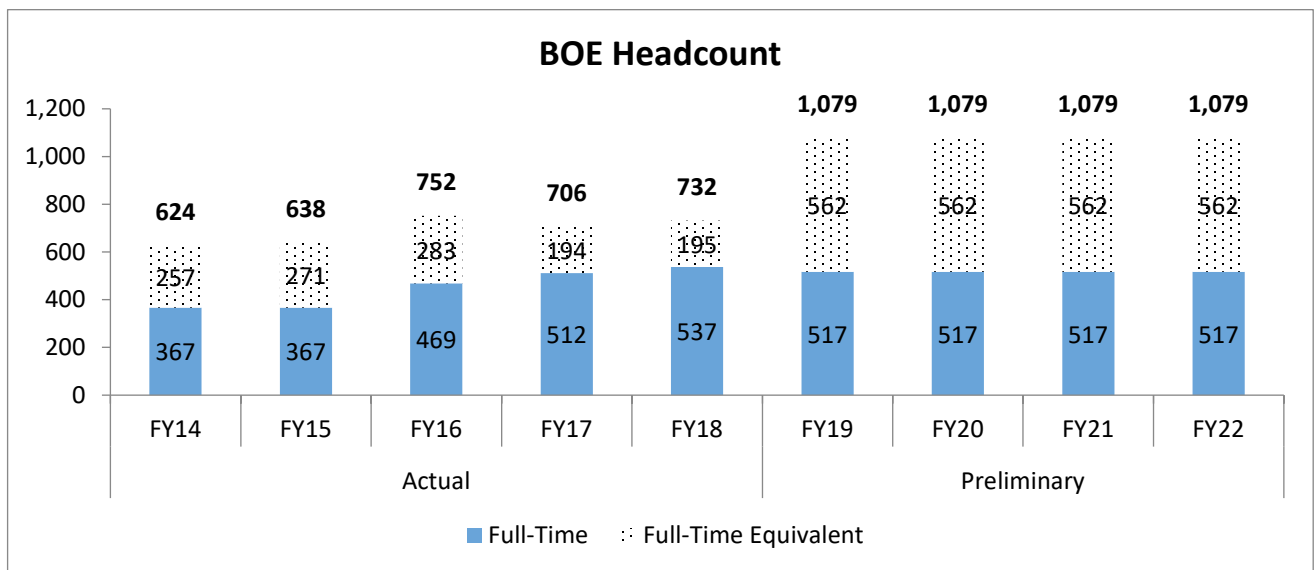
Figure 2



From Fiscal 2013 through 2018, the Board’s annual actual expenditures averaged \$116.3 million, peaking at \$129.3 million in Fiscal 2018. The Board’s Fiscal 2020 Preliminary Budget of \$98.5 million is \$17.8 million less than average annual expenditures over the previous six fiscal years. However, as noted above, the BOE’s Fiscal 2020 Budget is expected to expand in the Executive and Adopted Plans as additional BOE needs are included in the budget.

### Headcount

Figure 3



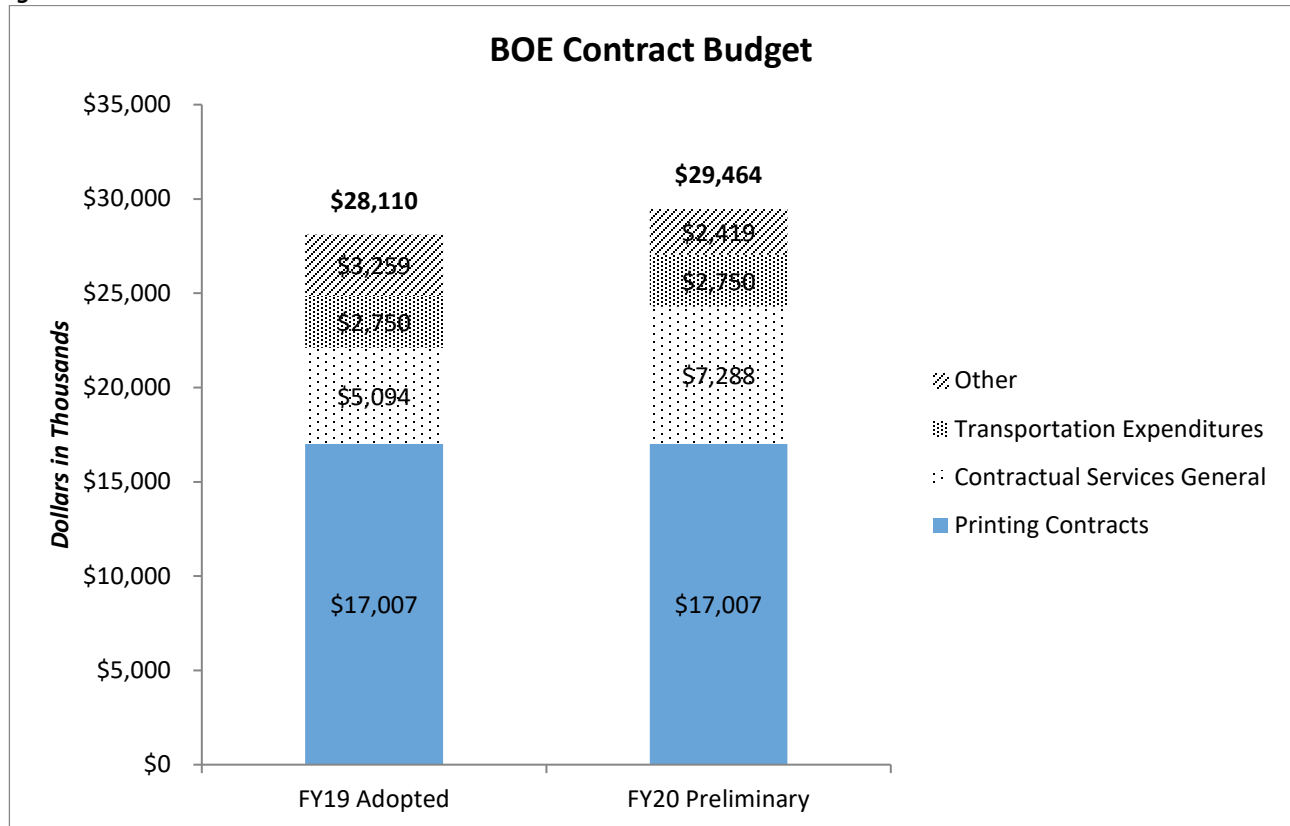
In the Fiscal 2020 Preliminary Plan, the Board of Election’s Fiscal 2020 PS Budget provides \$40.3 million to support a headcount of 517 full-time positions and 562 full-time equivalent positions. As of December 2018, the Board actually employs 534 full-time staff and 236 full-time equivalent staff. Thus, while the Board has a full-time equivalent vacancy rate of 58 percent, its full-time staff is 17

positions over agency headcount. The number of actual full-time positions at the BOE has risen over the past several fiscal years, while actual full-time equivalent positions have fallen. This represents a conversion of part-time positions to full-time positions. In addition, these headcount figures do not include the over 30,000 poll workers that work poll sites on election days. Please refer to Appendix B for more details regarding the Board of Election’s headcount.

### Contract Budget

The New York City Charter mandates the preparation of a Contract Budget to identify expenditures for contractual services, which are defined as any technical, consultant or personnel services provided to the City by means of a contract. The Contract Budget is a subset of the OTPS portion of the City’s Expense Budget. The Administration prepares a Contract Budget twice each fiscal year. The Fiscal 2019 Preliminary Contract Budget totals \$15.9 billion for procurement expenditures across all agencies.

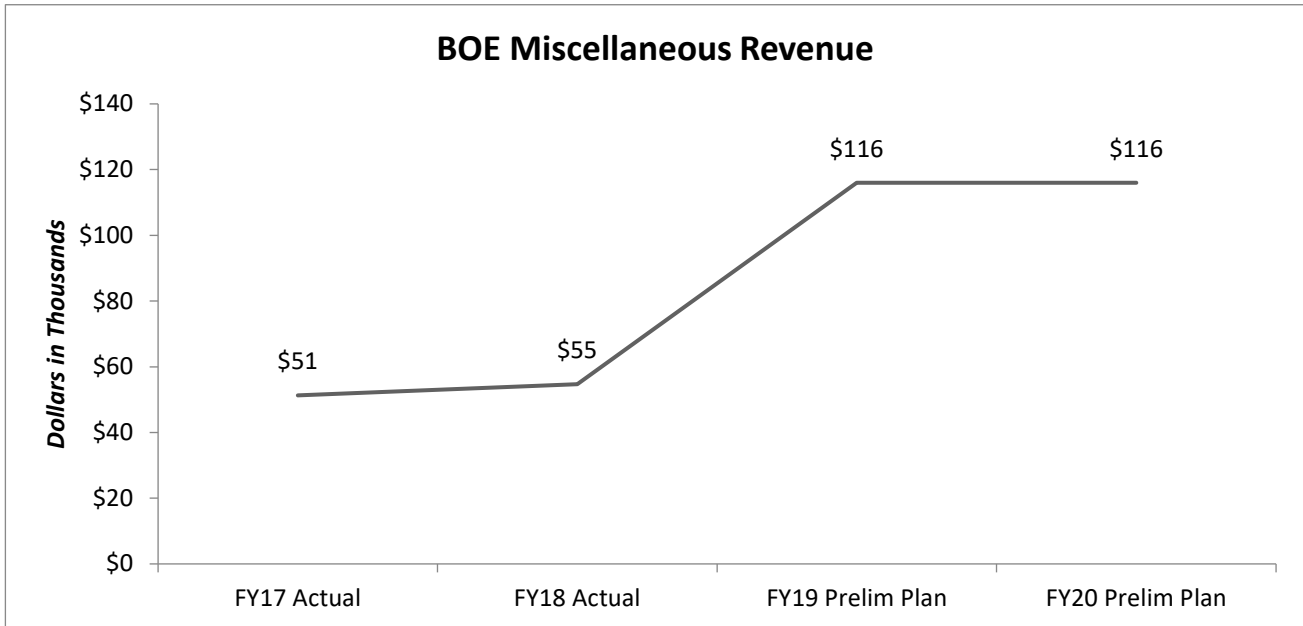
Figure 4



The Board of Election’s Fiscal 2020 Contract Budget totals \$29.5 million for 37 contracts, accounting for 50.6 percent of the Department’s OTPS Budget. Printing Contracts comprise 57.7 percent of the Board’s total Contract Budget, representing the substantial outlays the Board spends on printing ballots, voter registration forms, and other documents essential to the voting process. The Board of Election’s Fiscal 2020 Preliminary Contract Budget is \$1.4 million greater than its Fiscal 2019 Adopted Contract Budget of \$28.1 million. Please see Appendix C for more details regarding the Board of Election’s Contract Budget.

## Miscellaneous Revenue

Figure 5



The Board of Elections generates a small amount of revenue from the sale of maps and voter lists, performing voter, contribution and expenditure searches, and printing photocopies of documents. In Fiscal 2018, \$55,000 was generated from the provision of these services. These services are expected to generate \$116,000 in both Fiscal 2019 and Fiscal 2020. Please see Appendix D for more details regarding the Board of Election’s miscellaneous revenue.

## Capital Program

The Board of Elections does not manage its own capital program. However, the Board of Elections Modernization Project is included in the Fiscal 2019-2023 Capital Commitment Program, and is managed by the Department of Citywide Administrative Services. The Modernization Program is composed of three funded projects of a total value of \$571,000, all of which is allocated for Fiscal 2019. Projects include synchronization with the City’s Financial Management System, the City’s accounting system, phone bank upgrades, and funding for a generator connection. In addition to this \$571,000, there is an additional \$9.1 million in unallocated capital appropriations for as yet unspecified BOE projects for Fiscal 2021-2023.

## Preliminary Mayor’s Management Report (PMMR)

As an independent agency, the Board is not required to provide performance measurements for the PMMR. The data in the 2019 PMMR is collected from the Board’s annual report. Neither four-month actual data nor Fiscal 2019 and Fiscal 2020 targets are provided. Please see Appendix E for a full list of BOE 2019 PMMR indicators.



Figure 6

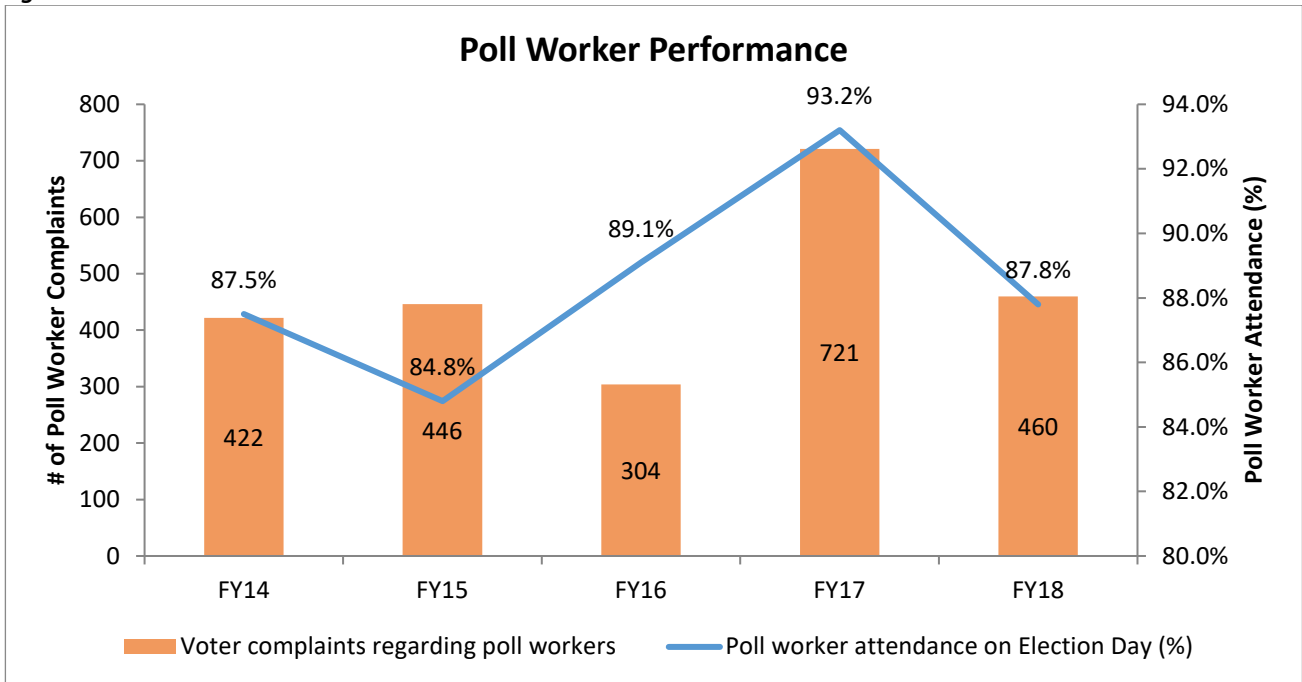


Figure 6 above highlights BOE poll worker performance data from the 2019 PMMR. In recent years, the BOE has made it a priority to increase poll worker participation in NYC elections, as well as improve their performance. The BOE has long argued that doing so has been difficult due to low poll worker salaries<sup>2</sup>. However, this issue has been at least partially addressed with the Mayor signing an Executive Order to increase poll workers’ and poll worker coordinators’ salaries by \$50, from \$200 to \$250 for poll workers and from \$300 to \$350 for poll worker coordinators beginning in the November 2018 General Election. Given that this policy has only been recently implemented, it remains to be seen whether it will have a transformative impact on poll worker performance.

## Budget Issues

### New York State Election Reforms

In the New York State Fiscal 2020 Executive Budget, Governor Cuomo announced his intention to implement a number of voting reforms that would have a significant impact on the electoral process in New York City. Several of these reforms have already been signed into law, while others require a change to the New York State Constitution, and could not be implemented until 2022 at the earliest. Below is a list of the major reforms.

1. **Universal Vote by Mail.** This initiative will allow any voter to vote by mail regardless of whether they have an excuse to do so or not. Under current law, an NYC voter may only obtain an absentee ballot if they will not be in NYC at the time of the election, or if they have a disease or illness that would prevent them from going to the poll site. Implementing this proposal would require an amendment to the New York State Constitution, and would not go into effect until 2022.

<sup>2</sup> Since 2001, poll workers have been paid \$200 per day, while poll worker coordinators have been paid \$300 per day. Raising poll worker salaries can only be accomplished through a Mayoral Executive Order or through the State Legislature.

2. **Statewide Early Voting.** This initiative will allow early voting for nine days prior to Election Day. This proposal is now law and will go into effect for the November 2019 General Election.
3. **Same-day Voter Registration.** This initiative will allow voters to register to vote as late as the day of an election, as opposed to at least ten days prior to an election under current law. Implementing this proposal would require an amendment to the New York State Constitution, and could not go into effect until 2022.
4. **Synchronization of Federal and State Primary Elections.** This initiative will ensure that Federal and State primary elections are both held on the same day in June. This legislation has been passed into law and will go into effect for the 2020 State and Federal elections.
5. **Permit Voter Pre-Registration of 16- and 17-year-olds.** This initiative will allow 16- and 17-year-olds to pre-register to vote. This legislation has been passed into law and will go into effect on January 1, 2020.
6. **Ensure Registration Portability Across New York State.** This initiative will ensure that anyone who moves within New York State would be automatically registered to vote in their new place of residence without having to re-register. This legislation has been passed into law and is in effect as of March 2019.
7. **Electronic Poll Books.** This initiative will establish a system of electronic poll books for local boards of election to use in replacement of paper-based poll books. This would reduce human error when determining whether or not someone is eligible to vote at a certain poll site, as well as allow for the implementation of same day voter registration. Legislation has been approved by the State Senate and has been sent to the State Assembly for consideration.
8. **Automatic Voter Registration.** This initiative will ensure that anyone who applies for a driver's license, change of address, or DMV identification card would be automatically registered to vote, unless that person opts not to. Legislation is currently being considered by the New York State Senate.

### Language Assistance Program

In the 2018 Preliminary Budget Response, City Council urged the Board of Elections to work with the Mayor's Office of Immigrant Affairs (MOIA) to commit to including additional languages to its Language Assistance Program. The BOE places language interpreters at poll sites in order to assist voters with limited English proficiency in the voting process, currently providing Spanish, Chinese (Cantonese and Mandarin), Korean, Bengali and Hindi interpreters in various targeted neighborhoods across New York City.

In response to this request, \$350,000 was included in the Fiscal 2018 Budget for the Mayor's Office of Immigrant Affairs for a pilot program providing interpreter services in Russian and Haitian Creole at select poll sites for the 2017 General City Election. However, BOE opposed allowing interpreters access to polling sites, thus the program operated outside a 100-foot radius of poll sites.

An additional \$640,000 was allocated to finance an expansion of this program to include more poll sites and additional languages in Fiscal 2019. This MOIA program again operated outside a 100-foot radius of poll sites for the November 2018 General Election due to opposition from the Board. Prior to the February 2019 Public Advocate Special Election, the Board sued the City to stop it from sending its interpreters into poll sites. However, the Brooklyn Supreme Court ruled that the BOE must allow these interpreters access to the poll sites. The BOE is planning to appeal this decision.

In addition, The Mayor’s Charter Commission’s Ballot Proposal 2 was passed in the 2018 November Election. This proposal established the Civic Engagement Commission, which will have a number of responsibilities, one of which is to establish a program for providing language interpreters at poll sites beginning with the 2020 General Election.

## Appendices

### A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY19			FY20		
	City	Non-City	Total	City	Non-City	Total
<b>BOE Budget as of the Adopted FY19 Budget</b>	<b>\$122,169</b>	<b>\$0</b>	<b>\$122,169</b>	<b>\$98,249</b>	<b>\$0</b>	<b>\$98,249</b>
<b>New Needs</b>						
Poll Worker Salary Adjustment	\$1,463	\$0	\$1,463	\$0	\$0	\$0
2018 General Election	3,828	0	3,828	0	0	0
February 2019 Special Election	15,793	0	15,793	0	0	0
June 2019 Primary	3,905	0	3,905	0	0	0
<b>Subtotal, New Needs</b>	<b>\$24,989</b>	<b>\$0</b>	<b>\$24,989</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Other Adjustments</b>						
Collective Bargaining	\$158	\$0	\$158	\$270	\$0	\$270
<b>Subtotal, Other Adjustments</b>	<b>\$158</b>	<b>\$0</b>	<b>\$158</b>	<b>\$270</b>	<b>\$0</b>	<b>\$270</b>
<b>Citywide Savings</b>						
<b>Subtotal, Citywide Savings</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL, All Changes</b>	<b>\$25,147</b>	<b>\$0</b>	<b>\$25,147</b>	<b>\$270</b>	<b>\$0</b>	<b>\$270</b>
<b>BOE Budget as of the Preliminary FY20 Budget</b>	<b>\$147,316</b>	<b>\$0</b>	<b>\$147,316</b>	<b>\$98,520</b>	<b>\$0</b>	<b>\$98,520</b>

### B: BOE Headcount

	Actual - Year end					Budgeted – FY20 Prelim Plan			
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Full-Time	367	367	469	512	537	517	517	517	517
Full-Time Equivalent	257	271	283	194	195	562	562	562	562
<b>TOTAL</b>	<b>624</b>	<b>638</b>	<b>752</b>	<b>706</b>	<b>732</b>	<b>1,079</b>	<b>1,079</b>	<b>1,079</b>	<b>1,079</b>

### C: BOE Contract Budget

<b>BOE FY20 Preliminary Contract Budget</b>				
<i>Dollars in Thousands</i>				
Category	FY19 Adopted	Number of Contracts	FY20 Preliminary	Number of Contracts
Contractual Services General	\$5,094	2	\$7,288	2
Telecommunications Maintenance	841	8	1	8
Maintenance and Repair - General	1,258	1	1,258	1
Office Equipment Maintenance	220	2	220	2
Data Processing Equipment	200	1	200	1
Printing Contracts	17,007	9	17,007	9
Security Services	200	1	200	1
Cleaning Services	100	1	100	1
Transportation Expenditures	2,750	9	2,750	9
Training Program City Employees	190	1	190	1
Professional Services - Legal Services	150	1	150	1
Professional Services - Other	100	1	100	1
<b>TOTAL</b>	<b>\$28,110</b>	<b>37</b>	<b>\$29,464</b>	<b>37</b>

**D: BOE Miscellaneous Revenue**

<b>BOE Miscellaneous Revenue Budget Overview</b>						
<i>Dollars in Thousands</i>						
Revenue Sources	FY17	FY18	FY19	Preliminary Plan		*Difference
	Actual	Actual	Adopted	FY19	FY20	FY19-FY20
Photocopies & Searches	\$27	\$32	\$55	\$55	\$55	\$0
Sales of Maps & Voter Lists	24	22	60	60	60	0
Minor Sales	0	0	1	1	1	0
<b>TOTAL</b>	<b>\$51</b>	<b>\$55</b>	<b>\$116</b>	<b>\$116</b>	<b>\$116</b>	<b>\$0</b>

*\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

**E: BOE 2018 PMMR Indicators**

BOE Performance Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY17	FY18
Voter turnout - general election (000)	236	2,760	1,166	*	*	NA	NA
Voter Registration forms processed	166,961	503,609	110,510	*	*	NA	NA
Total registered voters (000)	4,552	4,927	5,054	*	*	NA	NA
Total active voters (000)	4,108	4,477	4,596	*	*	NA	NA
Poll worker attendance on Election Day (%)	89.1%	93.2%	87.8%	*	*	NA	NA
Voter complaints regarding poll workers	304	721	460	*	*	NA	NA
Voter complaints regarding poll workers - service	243	394	363	*	*	NA	NA
Voter complaints regarding poll workers - procedure	61	327	97	*	*	NA	NA
Voting equipment replacement rate - ballot scanners (%)	0.3%	0.9%	0.0%	*	*	NA	NA
Voting equipment replacement rate - ballot marking devices (%)	0.5%	1.4%	1.4%	*	*	NA	NA
Precision of unofficial election results (%)	1.8%	1.1%	0.5%	*	*	NA	NA
Interpreters deployed on election day	1,874	2,329	2,052	*	*	NA	NA
Interpreters deployed on election day - Bronx	155	176	158	*	*	NA	NA
Interpreters deployed on election day - Brooklyn	500	670	588	*	*	NA	NA
Interpreters deployed on election day - Queens	830	910	862	*	*	NA	NA
Interpreters deployed on election day - Manhattan	351	529	404	*	*	NA	NA
Interpreters deployed on election day - Staten Island	38	44	40	*	*	NA	NA