



# sanitation

Kathryn Garcia Commissioner

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**Kathryn Garcia, Commissioner**

**Hearing on the FY 2018 Executive Budget  
Before the New York City Council Committees on  
Sanitation and Solid Waste Management and Finance**

**Friday, May 12, 2017  
10:00 A.M.  
City Hall – Council Chambers**

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Good morning Chair Reynoso, Chair Ferreras-Copeland, and members of the City Council Committees on Sanitation and Solid Waste Management and Finance. I am Kathryn Garcia, Commissioner of the New York City Department of Sanitation. I am joined by Dennis Diggins, First Deputy Commissioner, and Larry Cipollina, Deputy Commissioner for Finance and Administration. Thank you for this opportunity to testify on the Department's expense and capital portions of the Mayor's Fiscal Year 2018 Executive Budget.

The FY 18 Executive Budget allocates \$1.67 billion in expense funds to the Department. Of this, \$976.4 million is for Personal Services, and \$697.7 million is for Other Than Personal Services. Since I last testified before you in March on the FY 18 preliminary budget, new funding in the Department's portion of the FY18 Executive Budget includes:

- \$10.6 million to continue expanding residential organics collection, and an additional \$0.8 for Fall leaf collection in districts where curbside organics collection is not yet fully implemented;
- \$1.1 million to expand the curbside e-waste collection program;
- \$15.5 million in City funds for the Lot Cleaning program that was previously funded using federal Community Development Block Grant funding;
- \$3.3 million to maintain service levels for the Sanitation Management Analysis, Reporting and Tracking system, line-of duty billing system, and JTP support staff, as well as separate facility repairs; and
- \$11.7 million for the final adjustment to our 2016-2017 winter snow season expenses.

The Department's cost savings in the FY 18 Executive Budget also include:

- \$5.0 million in personnel services surplus;
- \$0.8 million in clerical and administrative headcount eliminated through efficiencies;

- \$6.0 in additional revenue from the sale of landfill gas and associated environmental attributes; and
- \$9.0 million in savings from export waste.

The Department's capital portion of the FY 18 Executive Budget is \$345.8 million. The capital budget includes \$168 million for collection trucks and other essential equipment, \$162.7 million for facility related improvements and \$15.1 million for technology projects.

The Department continues to build on its major capital program to construct new garages at new and existing sites over the next ten years. These new garages will replace undersized or structurally deficient garage facilities currently in use, many of which have exceeded their intended useful life. In some cases, these new garages will be constructed on the site of an existing Sanitation garage, and in other cases the Department has sought or will seek an appropriate new site within or near the service area. When planning and siting any potential sanitation district garages, the Department must consider important factors that include size, zoning, convenient access to truck routes, and reasonable proximity to the district to be serviced.

Recently, the Mayor announced an allocation of \$142.6 million for the Department to replace an aging and undersized sanitation garage in Queens District 1 where we have operated since the 1930s. The Department is presently investigating potential replacement sites within Queens Community District 1. Once a site is chosen, we will begin the ULURP process.

The Department is currently in the design phase of a new garage for Brooklyn District 3. Construction is scheduled to begin in 2019.

In addition, the Department of Design and Construction is currently in the design procurement phase for the new garage for Staten Island Districts 1 and 3 located at the former Fresh Kills Landfill. Construction is projected to begin in the summer of 2020 with completion expected in 2024.

The Department is currently procuring a designer for the Bronx Districts 9, 10 and 11 garage replacement project. Once we select a consultant team and register the related design contract, design efforts will begin for this new multi-district garage with construction projected to start in 2020.

The Department is also working with the New York City Economic Development Corporation to complete the Draft Environmental Impact Statement and file the ULURP application for the proposed Manhattan 6/6A/8 Garage and the bookend development parcels on East 25<sup>th</sup> Street in Manhattan. Certification of the application is expected this fall.

Also, following a thorough evaluation of potential sites, the proposed relocation of the Manhattan District 11 garage to the Potamkin site is undergoing the ULURP process and we anticipate the City Planning Commission will hold a public hearing this June.

Turning now to our commitment to promote sustainability and achieve zero waste, the Department will expand the NYC residential organics program to seventeen more community boards throughout this year, and will continue expanding the program to meet our goal of

serving all New Yorkers with curbside collection or convenient neighborhood drop-off locations by the end of 2018.

The FY 18 Executive Budget also allocates funding for the Department to provide leaf collection service this fall in over 20 districts where residential organic collection will not yet have been fully implemented. We expect that as we continue to expand organic collection citywide in 2018, collection of leaves will be done by organics trucks.

I am also pleased to announce starting this fall, the Department will expand its pilot curbside electronic waste collection program to the Brooklyn North zone. The pilot program, which began on Staten Island last fall, will allow residents in buildings with fewer than 10 dwelling units to call 311 or go online to request Department curbside pickup for unwanted computers, televisions, and other electronics banned from disposal. The pick-ups generally take place Monday through Friday, except city holidays, and may be scheduled up to two weeks in advance. Buildings with 10 or more apartments anywhere in the City may continue to sign up for free collection with e-cycleNYC.

The Department also continues to hold ten SAFE disposal events each year, two in each borough, to provide residents with a one-stop drop-off to safely dispose of potentially harmful household products. Since early April, we have held the first three Spring SAFE events in Brooklyn, Manhattan and on Staten Island, and tomorrow we will hold our Bronx SAFE event in the Orchard Beach Parking Lot. The next SAFE event will be in Queens on June 10<sup>th</sup> in the CitiField parking lot. I'm also pleased to announce our first 'pop-up', walk-in SAFE event on Saturday, June 17<sup>th</sup>, hosted together with Assembly Member Mike Dendekker, at the Jackson Heights Shopping Center. These small-scale events will be more local and convenient for residents to walk in and properly dispose of electronics, household hazardous waste, and other products. Going forward, we hope to continue working with other elected officials and community groups to expand the number of pop-up events across the City to accommodate residents who do not have access to cars and encourage them to drop off their potentially harmful household products.

To conclude, I would like to thank you for the opportunity to testify this morning on the funding of the Department's programs and operations and our proposed initiatives to advance the Department's zero waste goals, and for your continued leadership in helping us to improve solid waste management in our City.

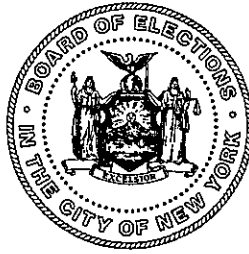
I am now happy to answer your questions.

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# **Testimony of Michael J. Ryan, Executive Director Board of Elections in the City of New York**

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

### **Fiscal Year 2018 Executive Budget**

**May 12, 2017**

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

Present at today's hearing are the Board's:

- Finance Officer, Gerald Sullivan
- General Counsel, Steven H. Richman, Esq.
- Deputy General Counsel, Raphael Savino, Esq.

### **FY17 Accomplishments**

Before I begin discussing the Mayor's Preliminary Budget for FY18, I would like to thank the City Council and the Mayor for providing the necessary support to the Board in FY17 to meet its Constitutional and Statutory Mandates as well as the needs of the Voters of the City of New York.

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

I would like to take a few moments to highlight some of the accomplishments of the Board in FY17 that this funding made possible.

#### **Enhancements to Election Night Returns Project**

- The Board acquired an additional 1,100 tablets (supplementing the 3,000 in FY 2016) to enhance the Board's ability to service the Voters, expedite Election Day problem resolution and provide Unofficial Election Night Results upon the closing of the Polls

- In FY16, in cooperation with the Office of Management and Budget and the Department of Citywide Administrative Services the Board acquired 6,000 sq. ft. of new space for the General Office to serve critical functions as a dedicated technology center for storing, programming and processing transmitted tablet data. The Election Night Results are transmitted to rapidly provide election night results to the public. In addition, the Board utilizes the tablets to check in Poll Workers on Election Day providing the Board with real-time information on Poll Worker attendance and allows the Board to more efficiently dispatch standby Poll Workers. The use of the tablets has remarkably increased the speed at which the public has access to Election Night Results. The tablets are also used to enhance Election Day communication between the Poll Site Monitors, technicians and the Board Offices; thus permitting expedited dispatch of supplies and personnel to Poll Sites as necessary.

### Election Night Results Process

On Election Night, Poll Site Coordinators used tablets to transmit the Unofficial Election Results from all open Poll Sites. The Unofficial Results on the Portable Memory Devices (PMDs) were read into tablets. The tablets transmitted those Unofficial Election results to the Secure File Transfer Protocol (SFTP) Servers at the General Office.

Election Reporting Manager (ERM) Servers at the General Office process the Unofficial Results from the SFTP Servers. On a five (5) minute refresh during Election Night, the Unofficial Results are electronically transferred to the Board's Website, the State Board of Elections, the Board's S-Elect System, and to the media. In addition, the PMDs are transported to the Police Precincts. Bipartisan teams of Board's Personnel upload the PMDs into Election Night Results (ENR) Tablets. The additional upload of the PMDs ensures that Unofficial Election Results are sent to the General Office if a PMD was not able to upload at the poll site.

## History

### 2012

- There were over 2.1 million votes cast Citywide on DS-200 Scanners
- PMDs were sent to NYPD Precincts
- ENR Clerks used laptops at the Precincts to transmit the unofficial Results
- 75% of the PMDs were read into the system and the votes were tabulated by 12:20AM

### 2014

- There were over 995 thousand votes cast Citywide on DS-200 Scanners
- PMDs were sent to Precincts
- Additionally, 200 Poll Sites were selected for a pilot project to read PMDs at the Poll Site
- ENR Clerks used tablets to transmit the Unofficial Results
- 75% of the PMDs were read into the System and the Votes were tabulated by 11:00PM

### 2016

- There were over 2.5 million Votes cast Citywide on DS-200 Scanners
- At all Poll Sites, ENR Clerks Insert PMDs into a tablet and transmit the Unofficial Results
- 75% of the PMDs were uploaded into the System and the Votes were tabulated by 9:40PM (80% by 10 p.m. and 92% by 11 p.m).

### Minority and Women Owned Businesses

The BOE continues to encourage participation of Minority/Women owned Business Enterprises (MWBE) to provide goods and services to the Board under that portion of the Budget for discretionary spending. To date in fiscal 2017, the Board has spent \$804,000 with MWBE owned businesses. This represents a 48% increase from Fiscal 2016 and also represents 8.04% of the Boards discretionary spending in its OTPS budget. The Board

will continue to reach out to MBWE owned businesses during its solicitation process to increase participation in the Board's solicitation of goods and services.

### Cyber Security

After careful review of reports prepared by Grizzly Steppe and FireEye Mandiant and the Department of Homeland Security's Cyber Security Study it has been determined that the Board is currently meeting most of the recommended Cyber Security measures; however, there are areas where the Board requires fortification of Cyber protections:

- In our preliminary budget testimony the Board requested additional positions in the Electronic Voting Systems and MIS Departments to further enhance our Cyber Security efforts. The Board is in the process of formulating a more robust Agency Cyber Security Plan and will work closely with the Mayor's Administration and relevant agencies to ensure that Cyber Security needs are fully met.

### Remarks Regarding FY17

I would like to thank the City Council and the Mayor for providing the necessary funding to the Board in FY 2017 to meet its Constitutional and Statutory Mandates as well as the needs of the Voters of the City of New York. This responsible funding partnership has allowed the Board to conduct the business of election administration, manage its finances and engage in more effective short and long-term budget planning. As in the past, the Board continues to look forward to fulfilling our mandate of ensuring that all eligible Voters have the opportunity to freely and independently exercise the Voting Franchise.



## **Mayor's Executive Budget for Fiscal Year 2018**

The Board would like to take this opportunity to extend its gratitude to the Mayor, his administration and the New York City Council for partnering with the Board. The funding provided in the Mayor's FY18 Executive Budget is \$141 million, of which \$71.1 million is allocated for Personal Services (PS) and \$69.9 million allocated for Other Than Personal Services (OTPS).

The Board acknowledges that its fiscal needs are fully met to conduct three (3) Citywide election events including a Citywide Primary (September 2017) and General Election (November 2017) for Mayor, Comptroller, Public Advocate, City Council, and for various Supreme Court positions.

The Board also recognizes the possibility for a citywide runoff in October if a candidate of a recognized party for mayor comptroller or public advocate does not receive 40% of the vote total in the primary Election. Should the need arise the Board is confident the Mayor's office will provide the necessary funding as a new need in the November Plan.

The Board reaffirms its responsibility to work closely with the Mayor's administration to ensure that all fiscal needs will be provided for through the end of FY17. The Board and the administration have conducted regular meetings throughout this process. It is anticipated that the pattern of effective communication will continue throughout the fiscal year allowing for periodic adjustments based upon the needs of individual election events and for any special elections that may occur due to vacancies.

### **Conclusion**

The Board remains sensitive to the fiscal challenges faced by the City and mindful of its obligations to serve the voters of the City of New York. The Board remains committed to the partnership that has been forged with this Administration and this Council. The Board is confident that the additional funding requests will enhance its ability to serve the voters of the City of New York. The Board reaffirms its commitment to this Council that any allocated resources will be wisely utilized and the public trust will continue to be its guidepost. As always, my colleagues and I are available to answer any questions that you may have, and we are always available if anyone should need further information.



FY 2018 EXECUTIVE BUDGET HEARING  
NEW YORK CITY COUNCIL  
COMMITTEE ON GOVERNMENTAL OPERATIONS  
MAY 12, 2017

Good afternoon Chair Ferraras-Copeland, Chair Kallos and Committee members. I am Lisette Camilo, Commissioner of the Department of Citywide Administrative Services (DCAS). I am joined by members of my executive team to discuss the planned expenditures and revenues for FY18, as well as highlights of DCAS' Capital plan.

### **Overview**

The Mayor's FY18 Executive Budget supports our agency's goal of being an accessible, accountable support agency delivering essential services and expertise for city agencies, city employees, and the public. Each day we provide resources that enable our clients to further the Administration's vision for a more sustainable, resilient and equitable city.

This budget builds on our agency's accomplishments over the last year and will support our major priorities this year including: more efficient administration of civil service tests; the deployment of a space management initiative; increased M/WBE utilization, and further reduction of greenhouse gas emissions in city owned buildings. This budget also enables DCAS to continue the acceleration of the City's Clean Fleet Initiative, and funds important safety fleet initiatives as part of Vision Zero.

I would like to take this opportunity to provide updates for some of the projects highlighted in my FY18 Preliminary Budget testimony, as well as talk about some of our new initiatives.

### **Human Capital**

DCAS continues to work on compliance with the New York State Civil Service Law to reduce provisional employees. Key to these efforts is the administration of civil service examinations in a more efficient manner. To that end, we developed a new type of civil service examination. The Qualified Incumbent Examination (QIE) is given to provisional staff who have served at least two years in one of the 193 titles specified in the New York State legislation that granted the city a two-year extension for provisional reduction.

DCAS began administering QIEs in late January 2017 and anticipates administering 67 QIEs by the end of FY17, with 115 QIEs slated for FY18. In addition to the QIEs, DCAS is projecting to administer “conventional” civil service examinations for another 75 titles in FY18 to ensure that we are providing city agencies with pools of qualified candidates to fill critical city positions.

#### **Citywide Diversity and EEO Office**

DCAS continues to lead the way in providing training on diversity and inclusion and Equal Employment Opportunity rights to City employees. For FY17 to date, we have provided classroom and computer based training to over 16,000 employees and we’re on track to meet our FY17 training goal of approximately 20,000 employees. In the remaining months of this fiscal year we are focused on deploying online transgender inclusion training. For FY18, DCAS plans to train an additional 20,000 employees.

#### **Citywide Procurement**

DCAS continues to work on maximizing M/WBE vendor participation by conducting outreach and ensuring that M/WBE’s are included as a normal part of the agency’s purchasing culture. In fact, this fiscal year we have hosted more than 15 events and we plan to continue this work in the upcoming year. These events are an important way to communicate with businesses and are part of the reason why DCAS continues to see growth in the number of contracts we are awarding M/WBE firms. In this fiscal year, we have awarded approximately \$20 million in contracts to M/WBE firms and are on pace to exceed the dollars we awarded in FY16.

#### **Citywide Fleet**

DCAS is working to make the largest municipal fleet the safest and most sustainable. Our Fleet team is leading the implementation of the NYC Clean Fleet Initiative to add 2,000 Electric Vehicles (EVs) to the City’s Fleet by 2025, and to reduce transportation greenhouse gas emissions by 50 percent. We are happy to report that we are ahead of schedule, and will reach over 1,000 on-road electric vehicles by the end of the summer. We expect to reach at least 1,250 EVs by the end of FY18.

## **Real Estate**

DCAS is working with the First Deputy Mayor and the OMB Director to implement a new Citywide Office Space Management Initiative. The goal is to maximize the use of all City-owned and private leased space currently occupied by City agencies. Any new request for additional space will be evaluated to determine if there are opportunities to maximize the agency's existing space, or utilize the City's own portfolio before entering into any new leases.

The maximization of the use of space is also expected to reduce the citywide cost for leasing space by \$3 million, which is incorporated into DCAS' FY18 Operating Budget, along with an additional citywide reduction of \$10 million in FY19.

## **Energy Management**

DCAS is ramping up the rate of installation of clean energy technologies within the city. DCAS estimates it will initiate 17 Mega Watts of solar power clean distributed generation projects this calendar year, which is almost double what we have installed to date. DCAS is also piloting energy storage technologies that are both stand-alone and coupled with clean distributed generation. DCAS expects to have the first two energy storage demonstration projects completed this calendar year. These pilot programs will increase the efficiency of distributed generation, reduce peak demands and corollary energy costs and enhance emergency power provisions.

## **Expense Budget and Funding Additions**

DCAS' expense budget reflects funding of \$1.2 billion and a budgeted headcount of 2,419 in FY18. The majority of DCAS' planned FY18 expenditure – \$714 million – is allocated for citywide heat, light and power expenses. The FY18 energy budget is a collaborative effort between DCAS and OMB in forecasting agency energy usage as well as commodity rates in the upcoming fiscal year. 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, and improving operations and maintenance.

In the FY18 Executive Budget, DCAS received expense funding to enhance our services through joint efforts with other City Agencies, including but not limited to public safety, office space efficiencies, improvement in Citywide procurement processes and the administration of the Non-Public School Security Program. Some highlights include:

- Office Space Management Initiative: DCAS received funding for twenty-one positions (21) and \$2.9 million to more closely and effectively manage space utilization by agencies.
- Engineering/Architectural Staff: DCAS received seven (7) engineering and architectural positions and \$800,000 to perform the required work to relocate the Brooklyn Housing Court from private leased space at 141 Livingston Street to a city owned building at 210 Joralemon Street.
- DCAS Citywide Procurement Tacking System: DCAS, in coordination with the Mayor's Office of Contracts and FISA, is working on the Citywide Procurement Innovation (CPI) Initiative. One of the keys to this initiative is the creation of new technology to simplify and add transparency to citywide procurement. The implementation of PASSPort will allow us to decommission several DCAS and Citywide procurement systems such as the CLIPS Mainframe that is used to create citywide contracts and Vendex. DCAS IT received three positions and \$400,000 for staff to work on the development of the new system, PASSPort, which will be used to manage the annual \$15 billion citywide procurement process.
- Local Law 2 of 2016, Non-Public School Security Reimbursement Program: DCAS received a total of \$19.8 million in FY18, as required in Local Law 2, to be used to reimburse security expenses incurred by participating non-public schools.

#### **Agency Efficiency Initiatives**

As requested by OMB, we have identified savings in areas that will not adversely affect the agency's ability to provide critical services to both the public and our client City agencies. Some of these include:

- NYSERDA Incentive Payments: In FY18, DCAS expects to receive an additional \$400,000 in incentive payments from the New York State Energy Research Development Authority (NYSERDA) associated with the installation of solar photovoltaic power projects at 24 schools which were completed in FY16.

- Elimination of Vacant Positions: DCAS will eliminate 10 vacant positions in FY18 which will result in \$700,000 in savings. The agency will implement this reduction in areas that will create the least adverse impact to agency operations.
- Civil Service Exams Revenue: DCAS is projecting to earn an additional \$1.5 million in Civil Service Exams Fees in FY18, as a result of an increase in the number of exams associated with the Provisional Reduction Program.

## Revenues

The FY18 total DCAS revenue budget is \$65.8 million primarily due to:

- Commercial rentals of City-owned property, projected at \$43.1 million;
- The sale of surplus vehicles and other City-owned equipment totaling \$8.9 million; and
- Anticipated revenue of approximately \$5.3 million in filing fees for civil service examinations.

## Capital Plan

As you are aware, the Executive Budget reflects an updated Ten-Year Capital Plan of \$4.8 billion for FY18 - FY27 to maintain and enhance DCAS facilities and build out leased office spaces. More specifically, the Executive Capital Budget for FY18 is \$880 million and will allow us to complete some of the following initiatives:

- DCAS Managed Facilities: DCAS' capital construction program for City-owned office and court buildings totals \$428 million including \$83 million allocated for electrical upgrades at Queens Criminal Court, 210 Joralemon St. and the Brooklyn Appellate Court.
- IT Equipment Upgrades: DCAS received \$9.3 million in funding to replace the existing property management database with a new integrated space management system to better track and manage our space portfolio.
- Energy Conservation and Clean Energy Projects: The capital plan for FY18 totals \$315 million including \$27.4 million for the solar power additions, lighting fixtures and energy efficiency retrofits at DOE schools.

## **Conclusion**

Thank you for this opportunity to discuss DCAS' planned expenditures and revenues for FY18, as well as our capital plan. I look forward to a continued working relationship with the Council over the next year. I welcome any questions at this time.



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

**City Council Committees on Governmental Operations and Finance  
May 12, 2017**

Good afternoon to the Chairs, Council Member Kallos and Council Member Ferreras-Copeland, and to the members of the Governmental Operations and Finance Committees. I am Amy Loprest, Executive Director of the New York City Campaign Finance Board. With me today are Kitty Chan, Chief of Staff, and Eric Friedman, Assistant Executive Director for Public Affairs.

As you know, we are well into our preparations for the municipal elections this year. As of today, with the May 15 disclosure deadline coming next week, nearly 200 candidates have registered with the CFB for the 2017 elections.

The Board's fiscal year 2018 budget is \$56.7 million, which reflects the additional costs of administering the Program in an election year. Pursuant to the New York City Charter Section 1052(c), the Board submitted its proposed budget to the Mayor on March 10, 2017, and it was included in the Executive Budget.

The largest portion of our FY 2018 budget request is \$29 million for projected public matching funds payments to candidates during the 2017 primary and general elections. This modest investment in the political process makes it possible for candidates to finance their campaigns with support from their friends and neighbors, instead of relying on large contributions from wealthy donors and special interests. Matching funds provide an important safeguard against corruption and help ensure that a more diverse range of voices is represented in city government.



To appreciate the impact of New York City's matching funds system, look at the small handful of competitive Congressional races unfolding around the country, which predictably end up as proxy battles between deep-pocketed interest groups looking to influence the national debate. By matching contributions from city residents, the Program helps ensure that the interests of everyday New Yorkers come first.

Our request of \$29 million for the 2017 elections is an estimate based on data from previous election cycles. The estimate accounts for differences between the expected number of payments in open-seat elections and the expected number of payments in races with an incumbent running for re-election.

For purposes of comparison, we included \$51 million in our FY2014 budget request for the 2013 elections and paid out approximately \$38 million to candidates in those elections.

Competitive citywide races—which can include potential runoff elections—are the largest factor in increasing the total public matching funds payments. In 2013, with no incumbents running for reelection to citywide office, nine candidates received payments of more than \$1 million each.

Our request for the 2017 election is significantly lower, because there are fewer open seats. As such, we expect fewer payments to candidates. This year, each of the three citywide elected officials is running for re-election. There are also fewer open City Council seats in 2017, with only seven incumbents term-limited out of office, compared with four years ago, when there were 20.

Our request for \$29 million is a conservative estimate that will secure sufficient funds for payments to candidates. As in previous years, any funds remaining after the elections will be returned to the City's General Fund.

The Board's budget request includes \$11 million to produce, print, mail, and promote the city's official, nonpartisan Voter Guide, which is the centerpiece of our efforts to engage and inform voters about the citywide elections.

As mandated by the City Charter, the Guide is delivered to every household with a registered voter in the five boroughs. It is produced in the languages covered by the Voting Rights Act—in English and Spanish citywide, and in Chinese, Korean, and Bengali in certain parts of the city.

Of the \$11 million allocated to the Guide, the largest portion will go towards printing and postage costs, which are \$4.75 million and \$2.3 million respectively.

For this year, we have undertaken a significant redesign of the print Guide, which will help voters more easily find and understand the information they need to make informed choices at the polls.

Pursuant to Local Law 170 of 2016, we are creating a system to give city voters the opportunity to “go green” and opt into electronic notifications about the online Voter Guide, instead of receiving the printed guide in the mail. In the coming months, we will be working with an outside vendor to create a system that will allow us to maintain the opt-out list. Included in the cost is funding for a potential postcard mailing to preview the Guide and advertise the opportunity to “go green.”

The Voter Guide allocation also includes \$1.4 million for advertising the Guide in the transit system, in print, and on social media, in order to connect voters with this important resource.

The increase in the agency's personal services costs reflect increased staffing needs for the election year and beyond. As we prepare for the municipal elections, the CFB is working to implement new mandates included in legislation enacted in December 2016.

On May 25, the Board will hold a hearing for public comment on proposed rules for implementing the new laws, some of which will also require significant administrative effort.

Local Law 167 of 2016, which eliminates public matching funds for contributions bundled by people doing business with the city, requires new processes for reviewing matching claims submitted by campaigns. Those processes are being finalized.

Local Law 168 of 2016, which changes the payment calendar to allow for a payment determination as early as June, does not take effect until after this election. Because it requires changes to a complex process, work on implementation will begin this summer.

Local Law 182 of 2016 requires our disclosure software for campaigns, C-SMART, to be fully compatible with the State BOE disclosure system. We are working to resolve the final remaining minor incompatibility, which will be completed by mid-July.

I would also like to note that we recently completed a comprehensive overhaul of our C-SMART software. It has an improved user interface, a simpler, streamlined navigation, and an upgraded technology infrastructure that has significantly improved the system's performance. We are continuing to add functionality to C-SMART—in addition to the updates mentioned above, we will be working during the coming fiscal year to extend the capability to upload campaign documentation via C-SMART.

Our online contribution processing platform for candidates, NYC Votes Contribute, has been a huge success. To date, 169 candidates have chosen to use the platform, and they have collected nearly 16,000 contributions totaling almost \$2.4 million. The platform provides candidates with a powerful fundraising tool for no cost, connects directly to C-SMART for easy disclosure, and provides documentation for candidates that helps ensure their contributions are valid for matching funds. We have been creating new functionality

for the site throughout the year, and as we get closer to the election, we will be focused on delivering new resources for voters.

Looking ahead, we are starting an overhaul of the database that informs all of our work, the Campaign Finance Information System (CFIS). We use CFIS to manage all of the data that flows into the CFB; our staff uses the database to manage campaigns' basic information; perform many of our internal compliance reviews; calculate candidates' payment amounts; track documents, and much, much more. This is a multi-year project that has the potential to create significant efficiencies across all of our various functions.

I would also like to provide an update on the progress of our audits from the 2013 elections. To date, we are in compliance with the deadlines in the Act, and we have completed audits for 214 candidates in the 2013 elections. Penalty determinations were made for another candidate at yesterday's Board meeting. That leaves 20 candidates whose audits have not yet come before the Board. Of those, seven are expected to be discussed at the June Board meeting. Four more have received their notice of alleged violations, and we are awaiting their response. Seven have chosen to contest their alleged violations before an administrative law judge at the Office of Administrative Trials and Hearings (OATH), and another two have had their deadlines suspended.

As we approach the 2017 elections, we are conducting a thorough review of our post-election audit procedures. While maintaining our rigorous oversight of the public's investment in the political process, our aim is to improve efficiency by focusing more of our resources and attention on more serious non-compliance issues, and providing campaigns with more practical feedback even earlier in the election cycle.

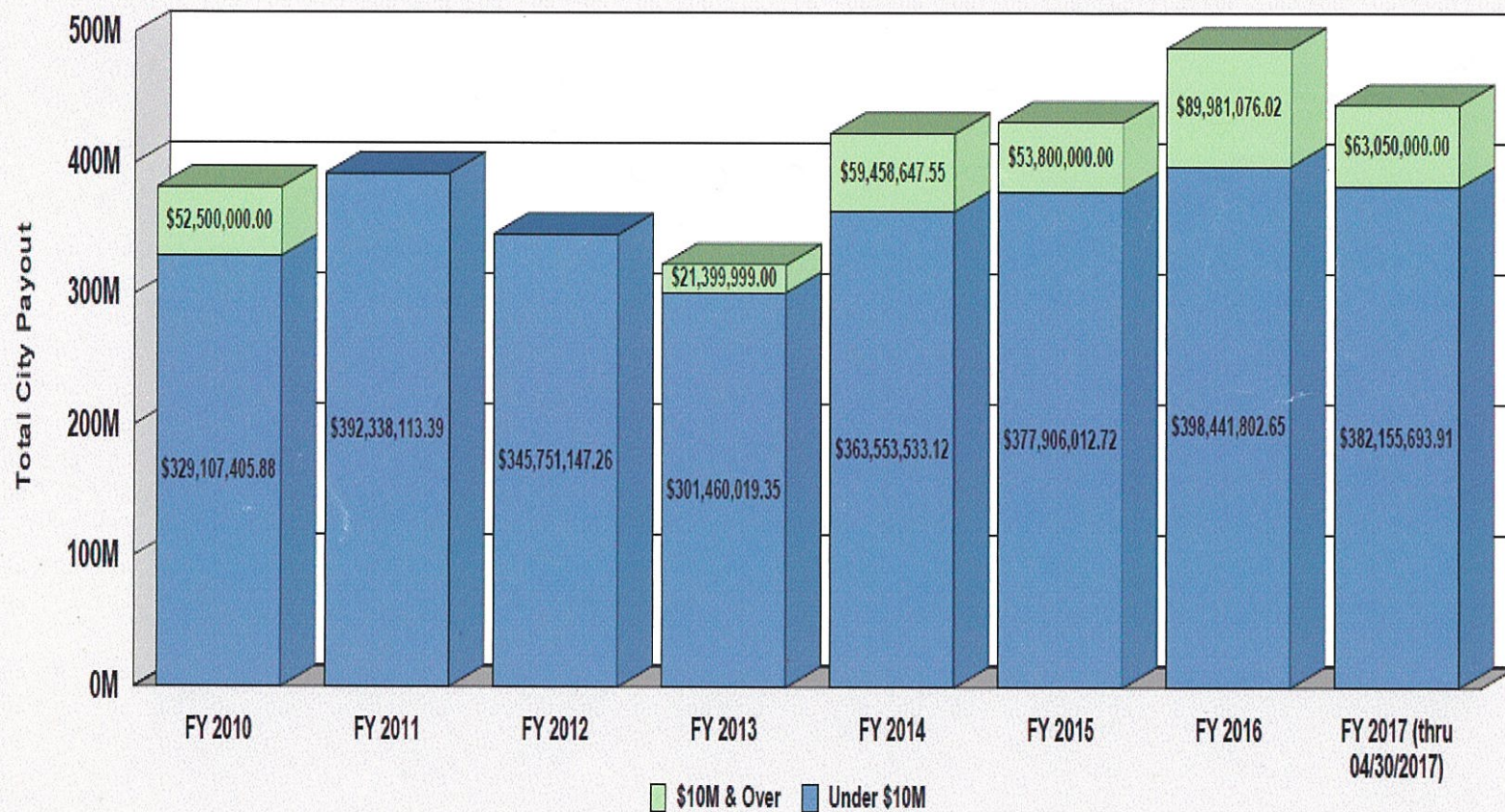
Thank you for the opportunity to testify today. I am pleased to answer your questions.

**NEW YORK CITY CAMPAIGN FINANCE BOARD OPERATING BUDGET  
FISCAL YEAR 2018**

	<b>FISCAL 2017 CFB BUDGET</b>	<b>FISCAL 2018 CFB BUDGET</b>	<b>CHANGES FROM 2017 ADOPTED</b>
<b>PERSONAL SERVICES (PS)</b>	\$9,461,761	\$10,556,171	\$1,094,410
<b>OTHER THAN PERSONAL SERVICES (OTPS)</b>			
OTPS	\$4,945,500	\$5,898,012	\$952,512
VOTER GUIDE	\$768,500	\$11,102,000	\$10,333,500
NYC CAMPAIGN FINANCE FUND	\$1,000,000	\$29,100,000	\$28,100,000
SUB TOTAL OTPS	\$6,714,000	\$46,100,012	\$39,386,012
<b>TOTAL</b>	<b>\$16,175,761</b>	<b>\$56,656,183</b>	<b>\$40,480,422</b>

<b>HEADCOUNT</b>	<b>FY2017 Full Time</b>	<b>Seasonal</b>	<b>FY2018 Full Time</b>	<b>Seasonal</b>	<b>CHANGE Full Time</b>	<b>Seasonal</b>
	96	13	103	13	7	0

**Actions Disposed with Payouts in FY 2010-2017 (thru 4/30/2017)**



**Statement by Corporation Counsel Zachary W. Carter to the City Council  
in Connection with the Executive Budget for Fiscal Year 2018**

**May 12, 2017**

Good afternoon, Chair Ferraras-Copeland, Chair Kallos and distinguished Members of the Finance and Government Operations Committees. I am pleased to appear before you to discuss the Law Department's fiscal year 2018 Executive Budget.

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

The Executive Budget contains funds to support the transition of the Tort Division's practice in the Bronx and Brooklyn.

The volume of litigation matters pending against the City presents a substantial challenge. The Tort Division alone defends nearly 22,000 cases currently pending against the City, its agencies, and employees. Approximately 7,500 new Tort cases are filed against the City each year. More than 6,000 cases are resolved each year by trial, motion practice, and settlement. With Council's assistance, this fiscal year the Law Department has begun to transform the manner in which cases are handled in the Brooklyn and Bronx Offices of the Tort Division. Due to the volume of cases pending in the Tort Division, until recently, most cases were handled by several attorneys, with different attorneys each handling only a segment of any case. While such case handling has certain efficiencies, case handling by one person or a unified team from beginning to end permits better development of case theories leading to improved trials, motions, and settlements.

Three years ago, the Law Department created a unit within the Tort Division to handle cases in defense of law enforcement in this manner. That changed approach has contributed to a marked decrease in new filings in the past two years (at least a 20% decrease each year). Similarly, in FY2012, staffing in the Special Federal Litigation Division was increased to permit more proactive case handling, including taking more cases to trial. Since that time, the new case filings have decreased, the number of cases tried has tripled, and our win rate in these federal trials now approaches 90 percent.

As a result of these efforts, the City litigates a significant portion of civil cases which are tried by juries in the federal courts. In FY14 and FY15, the City cases accounted for 24% of the federal civil cases tried by juries in the United States District Courts for the Southern District and Eastern District of New York. In FY16, City cases were 27% of the total number of completed civil jury trials.

The transformation of our Tort practice will permit not only improved case handling but also improve upon our good trial practice in New York State Courts. Of all civil jury trials commenced in Supreme Civil Term, City cases accounted for 10 to 14% of trials between 2014

and 2016. Such a percentage of trials is a substantial presence, considering that more than 80,000 new civil cases are filed in the State Courts within New York City every year.

While the Law Department has been transforming our Tort practice, we are planning for the transformation of our Family Court practice in FY19. The recently passed Raise The Age legislation will significantly increase the volume of our practice within the Family Court as the Law Department is the presentment agency in juvenile delinquency filings. We look forward to partnering with the Council in this endeavor.

### **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.



**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: 5/12/17

(PLEASE PRINT)

Name: Georgia Pestano

Address: NYC Law Dept

I represent: 100 Church Street

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

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Name: Zachary Carter

Address: Corporation Counsel

I represent: 100 Church Street

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

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Name: Muriel Goode-Trufant

Address: 100 Church Street

I represent: Law Department

Address: 100 Church Street

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Date: 5/13/17

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Name: Eric Friedman

Address: 100 Church St

I represent: Campaign Finance Board

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

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Date: 5/12/17

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Name: Amy Loprest

Address: 100 Church St, 12th Floor, NY NY 10007

I represent: NYC Campaign Finance Bd

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

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Name: Keith Kerman

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

I represent: DCA

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

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THE CITY OF NEW YORK**

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Name: Down M. Pinnock  
Address: 1 Centre Street, NY, NY 10007  
I represent: Dept. Citywide Admin. Services  
Address: 1 Centre Street NY, NY 10007

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Name: Anthony Fiore  
Address: DCAS  
I represent: \_\_\_\_\_  
Address: \_\_\_\_\_

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Date: 5/12/17

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Name: Gerald Sullivan  
Address: 16 Beach 213 Street Breezy Point, NY 11558  
I represent: The Board of Elections  
Address: 32 Broadway NY, NY 10004

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THE CITY OF NEW YORK**

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Date: 5/12/17

(PLEASE PRINT)

Name: RAPHAEL SAVINO

Address: 42 BROADWAY, 7TH FL, NY, NY

I represent: BOARD OF ELECTIONS IN

Address: THE CITY OF NEW YORK

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 5-12-17

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Name: STEVEN H. KICKMAN

Address: GENERAL COUNSEL

I represent: NYC Bd of Elections

Address: 32 Bldg, NY 10004

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: 5/12/17

(PLEASE PRINT)

Name: MICHAEL J. RYAN

Address: 42 BROADWAY

I represent: NYC Bd of Elections

Address: S/A/A



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 5/11/11

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Name: DEPUTY COMMISSIONER Tom Farrell

Address: LARRY CIPOLLINA

I represent: DEPT. OF SANITATION

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

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

(PLEASE PRINT)

Name: FIRST DEPUTY COMMISSIONER

Address: DENNIS DIGGINS

I represent: DEPT OF SANITATION

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

**THE COUNCIL  
THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

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

(PLEASE PRINT)

Name: COMMISSIONER KATHRYN GARCIA

Address: DEPT. OF SANITATION

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

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

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**THE COUNCIL  
THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

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(PLEASE PRINT)

Name: Lisette Camillo

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

I represent: DCAS

Address: Centre St

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**THE COUNCIL  
THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

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

(PLEASE PRINT)

Name: Richard Bodillo

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

I represent: DCAS

Address: Centre St

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