



**THE COUNCIL
THE CITY OF NEW YORK
FINANCE DIVISION
250 BROADWAY, 15TH FLOOR
NEW YORK, N.Y. 10007-2594**

(212) 788-6921

TO: Honorable Christine Quinn
Speaker

Honorable David I. Weprin
Chairman, Finance Committee

FROM: Preston Niblack
Director, Finance Division

DATE: September 30, 2009

SUBJECT: A budget modification (MN-1) for Fiscal Year 2010 to reallocate appropriations in the FY 2010 Adopted Budget.

INITIATION: By letter dated September 28, 2009, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to transfer funds totaling \$4,963,818 between various agencies in Fiscal Year 2010 to implement changes in the City's expense budget.

BACKGROUND: This modification (MN-1) reallocates appropriations that were reflected in the FY 2010 Adopted Budget to fund City Council initiatives.

FISCAL IMPACT: This modification represents the reallocation of appropriations. The net effect of this modification is zero.

PRECONSIDERED

RESOLUTION NO.

By Council Member Weprin

**RESOLUTION APPROVING THE MODIFICATION
(MN-1) OF UNITS OF APPROPRIATION AND THE
TRANSFER OF CITY FUNDS BETWEEN
AGENCIES PROPOSED BY THE MAYOR
PURSUANT TO SECTION 107(b) OF THE
CHARTER OF THE CITY OF NEW YORK**

Whereas, at a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on September 30, 2009 , the Committee on Finance received a communication, dated September 28, 2009 from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit A (the "Modification"), to modify units of appropriation and transfer city funds in the amount of \$4,963,818 between various agencies in the Fiscal Year 2010 expense budget as adopted by the Council on June 19, 2009, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter"); and

Whereas, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

NOW, THEREFORE, The Council of The City of New York hereby resolves as follows:

- 1. Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.
- 2. Effective Date.** This resolution shall take effect as of the date hereof.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by The Council of The City of New York on _____ on file in this office.

Clerk of The Council of The City of New York

THE COUNCIL

REPORT OF THE COMMITTEE ON FINANCE RESOLUTION APPROVING THE MODIFICATION (MN-1) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK

The Committee on Finance, to which was referred the above-captioned resolution, respectfully submits to The Council of the City of New York the following

REPORT

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York on September 30, 2009, the Committee on Finance received a communication, dated September 28, 2009 from the Office of Management and Budget of the Mayor of The City of New York, of a proposed request, (the "Modification"), to modify units of appropriation and transfer city funds between units of appropriation in the Fiscal 2010 Expense Budget (as defined below) pursuant to Section 107(b) of the Charter of the City of New York (the "Charter").

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 19, 2009, the Council adopted the expense budget for fiscal year 2010 (the "Fiscal 2010 Expense Budget"). This modification (MN-1) reallocates appropriations that were reflected in the FY 2010 Adopted Budget. The net effect of this modification is zero.

At the time the Council prepared to adopt the Fiscal 2010 budget, the City had made application to New York State to use federal American Recovery and Reinvestment Act (ARRA) funding to continue certain programs that had been proposed for reduction or elimination in the Mayor's Fiscal 2010 Executive Budget. Among these were the Department of Youth and Community Development's Out-of-School Time (OST) program. Approval by the State for the proposed use of stimulus funds had not been finalized at the time of adoption of the 2010 budget, and the Council provided \$4.572 million to DYCD to partially restore the cuts.

Subsequent to adoption of the Fiscal 2010 Expense budget on June 19, 2009, the New York Secretary of State approved the City's proposal. Accordingly, the Council is re-allocating the funding as follows:

- To the Department of Education, to fund full-day Universal Pre-Kindergarten classes in community-based organizations ("CBO"), \$1.25 million. This will provide a total of \$5 million to DOE's UPK program including \$2.25 million baselined in the DOE budget to support full-day classes in 58 CBOs with the capacity to enroll approximately 1,090 students;

- To the City University of New York, \$500,000, for operations;
- To the Department of Youth and Community Development, \$580,000, to fund additional capacity in the Shelter Beds for At-Risk, Runaway and Homeless Youth program;
- To the Department of Health and Mental Hygiene, for the City Council Cancer Prevention Initiative, \$600,000. This will provide a total of \$1.6 million for this initiative in 2010, and allow the American Red Cross and other providers to continue to provide screening and other services;
- To the District Attorneys, an additional \$1.5 million, as follows:
 - Bronx County: \$229,988.54
 - Kings County: \$339,653.32
 - New York County: \$394,880.21
 - Queens County: \$193,742.61
 - Richmond County: \$36,710.93
 - Office of the Special Narcotics Prosecutor: \$305,024.39

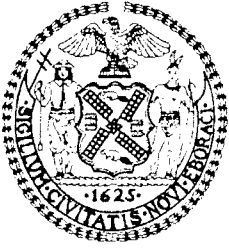
As a result of the above reallocation, changes to the budgets of several agencies are necessary, and are reflected in the mod. The changes include:

- a net increase to the budget of the Department of Education (040) of \$1,248,000 (including the changes noted above);
- a net increase to the budget of the City University of New York (042) of \$735,800 (including the changes noted above);
- a net increase to the budget of the Fire Department (057) of \$4,500;
- a net increase to the Miscellaneous Budget (098) of \$153,500;
- a net increase to the budget of the Department for the Aging (125) of \$93,518;
- a net decrease to the budget of the Department of Cultural Affairs (126) of \$136,843;
- a net decrease to the budget of the Department of Youth and Community Development (260) of \$4,488,600 (including the changes noted above);
- a net decrease to the budget of the Department of Small Business Services (801) of \$109,000;
- a net increase to the budget of the Department of Housing Preservation and Development (806) of \$88,000;
- a net increase to the budget of the Department of Health and Mental Hygiene (816) of \$732,125;
- a net decrease to the budget of the Health and Hospitals Corporation (819) of \$20,000; and

- a net increase to the budget of the Department of Parks and Recreation (846) of \$199,000.

Procedure. If the Mayor wishes to transfer part or all of any unit of appropriation to another unit of appropriation from one agency to another or such that the transfer results in any unit of appropriation being increased or decreased by the greater of five percent or \$50,000, Section 107(b) of the Charter requires that the Mayor must first notify the Council of the proposed action. Within 30 days after the first stated meeting of the Council following receipt of such notice, the Council may disapprove such proposed action. If the Council fails to approve or disapprove such proposed action within such 30-day period, the proposed action becomes effective and the Mayor has the authority to make such transfer.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 107(b) of the Charter. Such resolution would take effect as of the date of adoption.



The City of New York
Office of Management and Budget
75 Park Place • New York, New York 10007-2146
Telephone: (212) 788-5900 • Fax: (212) 788-6300

Mark Page
Director

September 28, 2009

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2010 to implement changes in the City's expense budget.

As requested by the City Council, this modification (MN-1) reallocates appropriations that were reflected in the FY 2010 Adopted Budget to fund City Council local initiatives.

Your approval of modification MN-1 is respectfully requested.

Yours truly,


Mark Page

Fiscal Year 2010 Budget Modification

-MN 1-

From

10	Department of Education	
454	Central Administration - OTPS	-201,000
126	Department of Cultural Affairs	
003	Cultural Programs	-131,843
012	N.Y. Hall of Science	-4,000
021	Studio Museum in Harlem	-1,000
260	Youth & Community Development	
005	Community Development - OTPS	-634,657
012	Other Than Personal Service	-3,853,943
801	Dept. Small Business Services	
002	Dept of Business Serv. - OTPS	-109,000
816	Dept Health & Mental Hygiene	
000	Mental Health	-8,375
819	Health and Hospitals Corp.	
001	Lump Sum	-20,000
		-4,963,818

Fiscal Year 2010 Budget Modification
-MN 1-

To

010	Department of Education	
	402 GE Instr. & School Leadership	1,449,000
042	City University	
	001 Community College-OTPS	735,800
007	Fire Department	
	005 Executive Admin - OTPS	4,500
098	Miscellaneous	
	002 OTPS	153,500
125	Department for the Aging	
	003 Community Programs - OTPS	93,518
806	Housing Preservation & Dev.	
	009 Office of Development-OTPS	88,000
	Dept Health & Mental Hygiene	
	113 Hlth Promo & Disease Prev-OTPS	740,500
846	Dept of Parks and Recreation	
	006 Maintenance & Operations-OTPS	199,000
001	District Attorney - N.Y.	
	001 Personal Service	394,880

Fiscal Year 2010 Budget Modification

-MN 1-

To

902	District Attorney - Bronx	
	001 Personal Service	229,989
903	District Attorney - Kings	
	001 Personal Service	339,653
904	District Attorney - Queens	
	001 Personal Service	193,743
905	District Attorney - Richmond	
	001 Personal Service	36,711
906	Off. of Prosec. & Spec. Narc.	
	001 Personal Service	305,024
		4,963,818
		0

Appendix A

From

040	Department of Education		
154	Central Administration - OTPS		
	Computers for Youth Foundation, Inc.	-1,000	
	Council for Unity, Inc.	-200,000	
	Unit of Appropriation Total		-201,000
126	Department of Cultural Affairs		
003	Cultural Programs		
	Queens Historical Society	-1,000	
	Staten Island Philharmonic Orchestra, Inc.	-1,000	
	Staten Island Children's Museum	-5,000	
	Songs of Love Foundation	-1,200	
	Russian American Cultural Heritage Center, Inc., The	3,500	
	Queens Symphony Orchestra, Inc.	-2,500	
	Primary Stages Company, Inc.	3,000	
	Primary Stages Company, Inc.	3,000	

Appendix A

From

126 Department of Cultural Affairs

003 Cultural Programs

King Manor Association of Long Island, Inc.	2,857
Alvin Ailey Dance Foundation, Inc.	2,000
Cultural After School Adventure	-200,000
Community Works, Inc.	5,000
Riverside Opera Company, Inc.	-1,000
Community Works, Inc.	30,000
Community Works, Inc.	20,000
Acuit Productions, Inc.	3,500
Alvin Ailey Dance Foundation, Inc.	3,000
Education Through Music, Inc.	4,000

Unit of Appropriation Total

-131,843

Appendix A

From

126	Department of Cultural Affairs		
012	N.Y. Hall of Science		
	New York Hall of Science	-4,000	
	Unit of Appropriation Total		-4,000
021	Studio Museum in Harlem		
	Studio Museum in Harlem, The	-1,000	
	Unit of Appropriation Total		-1,000
260	Youth & Community Development		
005	Community Development - OTPS		
	Northeast Queens Jewish Community Council, Inc.	-2,857	
	Our Lady of Good Counsel Parish	1,500	
	East River Development Alliance, Inc.	-200,000	
	Forest Hills Community and Civic Association	4,000	
	Friends of Abandoned Cemeteries, Inc.	1,000	
	Gateways Organization, Inc.	-10,000	
	Glendale Civilian Observation Patrol, Inc., The	6,000	
	Immigrant Opportunities Initiative	-235,800	

Appendix A

From

260	Youth & Community Development		
005	Community Development - OTPS		
	New Lane Shores Senior Citizens Resident Association, Inc.	1,500	
	New York City Outward Bound Center	-200,000	
	Unit of Appropriation Total		-634,657
312	Other Than Personal Service		
	Circuit Productions, Inc.	-3,500	
	Federazione Italo-Americana di Brooklyn and Queens, Inc.	1,500	
	Cultural After School Adventure	200,000	
	Council for Unity, Inc.	200,000	
	Community Works, Inc.	-5,000	
	Community Works, Inc.	-30,000	
	Glen Oaks Little League	5,000	
	Community Works, Inc.	-1,000	

Appendix A

From

260	Youth & Community Development	
212	Other Than Personal Service	
	Landmark West!	-6,500
	Children's Health Fund, The	3,500
	Asphalt Green, Inc.	-195,000
	Alvin Ailey Dance Foundation, Inc.	-3,000
	Young Men's Christian Association of Greater New York - Ridgewood	-1,000
	St. Stanislaus Kostka Church	3,000
	Community Works, Inc.	-20,000
	Rockaway Partnership, Inc.	10,000
	St. Stanislaus Athletic Association	2,357
	St. John's Lutheran Church & School	-3,000
	St. Adalbert's School	-3,000

Appendix A

From

260 Youth & Community Development

312 Other Than Personal Service

Songs of Love Foundation	1,200
Shelter Beds for At Risk, Runaway & Homeless Youth	580,000
Samaritans of New York, Inc.	-5,000
Fred Fugazzi Memorial Award	1,000
Russian American Cultural Heritage Center, Inc., The	-3,500
Riverside Opera Company, Inc.	1,000
Primary Stages Company, Inc.	-3,000
Primary Stages Company, Inc.	-3,000
Police Athletic League, Inc.	-5,000
Parents of Public School 9, Inc.	3,500
OST Option II PEG Restoration	-4,572,000
Samaritans of New York, Inc.	-3,500
Unit of Appropriation Total	-3,853,943

Appendix A

From

801	Dept. Small Business Services		
002	Dept of Business Serv. - OTPS		
	Davidson Community Center, Inc.	-25,000	
	Jewish Community Council of Greater Coney Island, Inc.	-40,000	
	Forest Hills Community and Civic Association	-4,000	
	Audubon Partnership for Economic Development LDC	-15,000	
	Astella Development Corporation	-20,000	
	Greater Ridgewood Restoration Corporation	-10,000	
	Benevolent Tax Professional Services, Inc.	5,000	
	Unit of Appropriation Total		-109,000
	Health & Mental Hygiene		
120	Mental Health		
	Samaritans of New York, Inc.	5,000	
	Heights Hill Mental Health Service, SBPC, Community Advisory Board, Inc.	-16,875	
	Samaritans of New York, Inc.	3,500	
	Unit of Appropriation Total		-8,375

Appendix A

To

040	Department of Education		
	002	GE Instr. & School Leadership	
		Public School 87 - William T. Sherman	3,000
		Education Through Music, Inc.	-4,000
		Public School 199 - Jessie Isador Straus School	3,000
		New York City Outward Bound Center	200,000
		Universal Pre-Kindergarten	1,250,000
		Public School 9M - Sarah Anderson	-3,000
		Unit of Appropriation Total	1,449,000
042	City University		
	001	Community College-OTPS	
		Immigrant Opportunities Initiative	235,800
		Operations	500,000
		Unit of Appropriation Total	735,800
	Department		
	005	Executive Admin - OTPS	
		Glendale Volunteer Ambulance Corps, Inc.	4,500

Appendix A

From

819 Health and Hospitals Corp.

001 Lump Sum

Montefiore
Hospital

-20,000

Unit of Appropriation Total

-20,000

-4,963,818

Appendix A

To

057 Fire Department

005 Executive Admin - OTPS

Unit of Appropriation Total

4,500

Miscellaneous

002 OTPS

Clinton Houses Tenant Association 1,000

Wilson Houses Tenant Association 1,000

UPACA Tenant Association 1,000

Jefferson Houses Tenant Association 1,000

Millbrook Houses Tenant Association 1,000

East River Development Alliance, Inc. 200,000

Carver Houses Tenant Association 1,000

on Houses Tenant Association 1,000

Frederick Douglass Houses Tenant Association 1,000

Appendix A

To

098	Miscellaneous		
	002	OTPS	
		Frederick E. Samuel MHOP Tenant's Association	3,500
		East River Houses Tenant Association	1,000
		Good Old Lower East Side, Inc.	-60,000
		Lehman Houses Tenant Association	1,000
		Unit of Appropriation Total	153,500
125	Department for the Aging		
	003	Community Programs - OTPS	
		Polonians Organized to Minister Our Community (POMOC), Inc.	-5,000
		Elmcor Youth and Adult Activities, Inc. - Elmcor Senior Center	15,000
		Agudath Israel - Moriah Older Adult Luncheon Club	1,000
		Heights and Hill Community Council, Inc.	16,875
		Jewish Community Council of Greater Coney Island, Inc.	40,000
		Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	-10,000
		New Lane Shores Senior Citizens Resident Association, Inc.	-1,500

Appendix A

To

125	Department for the Aging		
	003	Community Programs - OTPS	
		Queensboro Council for Social Welfare, Inc.	-2,857
		Taiwan Center, Inc.	5,000
		Mount Hope Housing Company, Inc., The	35,000
		Unit of Appropriation Total	93,518
806	Housing Preservation & Dev.		
	009	Office of Development-OTPS	
		Northern Manhattan Improvement Corporation	-2,000
		Greater Ridgewood Restoration Corporation	10,000
		Astella Development Corporation	20,000
		Good Old Lower East Side, Inc.	60,000
		Unit of Appropriation Total	88,000
810	Dept Health & Mental Hygiene		
	113	Hlth Promo & Disease Prev-OTPS	
		City Harvest, Inc.	3,500

Appendix A

To

816	Dept Health & Mental Hygiene		
113	Hlth Promo & Disease Prev-OTPS		
	Links, Inc., The	-5,000	
	Community Health Care Network	142,000	
	City Council Cancer Initiative	600,000	
	Brain Tumor Foundation, The	10,000	
	East Harlem Council for Human Services, Inc.	-10,000	
	Unit of Appropriation Total		740,500
846	Dept of Parks and Recreation		
006	Maintenance & Operations-OTPS		
	Federated Garden Clubs of New York, Inc.	2,000	
	Department of Parks and Recreation - Dry Harbor Play School	2,000	
	Asphalt Green, Inc.	195,000	
	Unit of Appropriation Total		199,000

Appendix A

To

901	District Attorney - N.Y.		
	001 Personal Service		
	District Attorney-New York - Supplemental Funding	394,880	
	Unit of Appropriation Total		394,880
902	District Attorney - Bronx		
	001 Personal Service		
	District Attorney-Bronx - Supplemental Funding	229,989	
	Unit of Appropriation Total		229,989
903	District Attorney - Kings		
	001 Personal Service		
	District Attorney-Kings - Supplemental Funding	339,653	
	Unit of Appropriation Total		339,653
904	District Attorney - Queens		
	001 Personal Service		
	District Attorney-Queens - Supplemental Funding	193,743	
	Unit of Appropriation Total		193,743
905	District Attorney - Richmond		
	001 Personal Service		
	District Attorney-Richmond - Supplemental Funding	36,711	

Appendix A

To

905 District Attorney - Richmond

001 Personal Service

Unit of Appropriation Total

36,711

907 Off. of Prosec. & Spec. Narc.

001 Personal Service

Office of the Special Narcotics Prosecutor -
Supplemental Funding

305,024

Unit of Appropriation Total

305,024

4,963,818

0

Agency	Agy#	From	To	Total
Department of Education	040	(\$201,000.00)	\$1,449,000.00	\$1,248,000.00
City University of New York	042		\$735,800.00	\$735,800.00
Fire Department	057		\$4,500.00	\$4,500.00
Miscellaneous	098		\$153,500.00	\$153,500.00
Department for the Aging	125		\$93,518.00	\$93,518.00
Department of Cultural Affairs	126	(\$136,843.00)		(\$136,843.00)
Department of Youth and Community Development	260	(\$4,488,600.00)		(\$4,488,600.00)
Department of Small Business Services	801	(\$109,000.00)		(\$109,000.00)
Housing Preservation and Development	806		\$88,000.00	\$88,000.00
Department of Health and Mental Hygiene	816	(\$8,375.00)	\$740,500.00	\$732,125.00
Health and Hospitals Corporation	819	(\$20,000.00)		(\$20,000.00)
Department of Parks and Recreation	846		\$199,000.00	\$199,000.00
District Attorney - New York	901		\$394,880.00	\$394,880.00
District Attorney - Bronx	902		\$229,989.00	\$229,989.00
District Attorney - Kings	903		\$339,653.00	\$339,653.00
District Attorney - Queens	904		\$193,743.00	\$193,743.00
District Attorney - Richmond	905		\$36,711.00	\$36,711.00
Office of the Special Narcotics Prosecutor	906		\$305,024.00	\$305,024.00
		(\$4,963,818.00)	\$4,963,818.00	\$0.00