

THE COUNCIL OF THE CITY OF NEW YORK

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Report to the Committee on Finance and the Committee on Governmental Operations
on the Fiscal 2020 Executive Budget for

Board of Elections

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Board of Elections Overview

This report presents a review of the Board of Election's Fiscal 2020 Executive Budget. The section below presents an overview of the Department's budget and how it has changed during the course of Fiscal 2019, followed by a review of the significant budget actions introduced in the Fiscal 2020 Executive Budget. Major issues related to the Department's budget are then discussed. Appendix 1 reports the changes made to the Fiscal 2019 and Fiscal 2020 Budgets since Adoption of the Fiscal 2019 Budget. For additional information on the Department's budget and its various programs, please refer to the Fiscal 2020 Preliminary Budget Report for the Board of Elections at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2019/03/003-Board-of-Elections1.pdf>

Below is a summary of key funding changes by program area and source when comparing the Board of Elections' Fiscal 2020 Executive Budget to its Fiscal 2019 Adopted Budget.

Board of Elections Financial Summary						
<i>Dollars in Thousands</i>	FY17	FY18	FY19	Executive Plan		*Difference
	Actual	Actual	Adopted	FY19	FY20	FY19-FY20
Spending						
Personal Services	\$63,094	\$64,777	\$62,569	\$79,955	\$115,874	\$53,304
Other Than Personal Services	58,525	64,340	59,600	81,031	130,155	70,555
TOTAL	\$121,618	\$129,316	\$122,169	\$160,986	\$246,029	\$123,860
Personal Services (PS)						
Additional Gross Pay	\$245	\$470	\$89	\$89	\$89	\$0
Full-Time Salaried	24,555	28,020	27,929	29,274	32,331	4,402
Other Salaried & Unsalaries	29,724	28,844	25,054	40,782	70,193	45,138
Overtime - Civilian	8,274	7,229	8,327	8,327	12,091	3,764
P.S. Other	295	213	1,170	1,482	1,170	0
SUBTOTAL	\$63,094	\$64,777	\$62,569	\$79,955	\$115,874	\$53,304
Other Than Personal Services (OTPS)						
Contractual Services	\$21,391	\$30,372	\$28,110	\$48,717	\$80,540	\$52,430
Fixed & Misc. Charges	18	55	0	2	0	0
Other Services & Charges	29,789	29,089	23,461	23,841	33,839	10,378
Property & Equipment	4,685	2,123	4,029	3,866	7,576	3,547
Supplies & Materials	2,642	2,901	3,999	4,606	8,199	4,200
SUBTOTAL	\$58,525	\$64,340	\$59,600	\$81,031	\$130,155	\$70,555
TOTAL	\$121,618	\$129,316	\$122,169	\$160,986	\$246,029	\$123,860
Funding						
City Funds			\$122,169	\$160,986	\$246,029	\$123,860
State			0	0	0	0
Federal - Other			0	0	0	0
TOTAL	\$121,618	\$129,316	\$122,169	\$160,986	\$246,029	\$123,860
Budgeted Headcount						
Full-Time Positions	512	537	517	517	517	0
TOTAL	512	537	517	517	517	0

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

The Board of Elections' Fiscal 2020 Executive Budget totals \$246 million, which is \$123.9 million more than its Fiscal 2019 Adopted Budget of \$122.2 million. The major reason for this increase is due to new State mandates that the City will have to cover, including \$75 million allocated for early voting and \$21 million allocated for electronic poll books. These changes will be outlined in the following section of the report.

The BOE's budget varies significantly from year-to-year based on several variables, including but not limited to, the type of election (local, statewide, congressional or presidential), the implementation of new voter laws, and special elections and other changes in election scheduling, many of which occur mid-year. While BOE routinely identifies budget shortfalls, funding for any deficits are added to the Board's budget by the fiscal year's end.

New in the Executive Plan

The Board of Elections' Fiscal 2020 Executive Budget introduces \$12.2 million in new needs for Fiscal 2019, \$140.3 million in Fiscal 2020, and baselined funding of \$27.3 million beginning in Fiscal 2021. The majority of this new funding is a result of the New York State Fiscal 2020 Executive Budget, as Governor Cuomo announced his intention to implement a number of voting reforms that would have a significant impact on the electoral process in the City of New York. 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. Consequently, BOE's new needs in the Fiscal 2020 Executive Plan covers costs associated to the reforms put forth by the Governor.

New Needs

- **June 2019 Primary.** The Fiscal 2020 Executive Plan includes new needs of \$11.8 million in Fiscal 2019 to cover PS and OTPS costs associated with the June 2019 Primary, for Congressional and New York State Assembly seats.
- **Early Voting.** The Fiscal 2020 Executive Plan includes new needs of \$75 million in Fiscal 2020 to cover costs associated with early voting in the City, which would mainly support the salaries of BOE workers and pollsite costs for nine days prior to the 2019 November General Election. New Yorkers will now have the option to cast their vote in the 2019 General Election, from October 26th through November 3rd across all five boroughs at select sites. The BOE must designate polling places for early voting, with at least one early voting place per every 50,000 registered voters in each county, provided that no county is required to designate more than seven polling places.
- **Electronic Poll Books.** The Fiscal 2020 Executive Plan includes \$21 million in new needs in Fiscal 2020 to pay for electronic poll books that will replace the paper-based poll books currently in use. This new need aims to reduce human error when determining whether or not an individual is eligible to vote at a certain poll site, and allow for the implementation of same day voter registration. BOE stated that additional costs associated with electronic poll books may arise in the upcoming financial plans, as BOE would need to obtain data plans for all e-poll books.
- **Baselined Election Funding.** The Fiscal 2020 Executive Plan includes \$44.3 million in new needs for Fiscal 2020 and baselined funding of \$27.3 million beginning in Fiscal 2021 to

bolster election funding. The BOE's budget varies based on election changes, its budget in the Preliminary Plan is usually much lower than in other plans. The Board subsequently identifies its specific budgetary needs, which are then added in the Executive and Adopted budgets. As such, this new need intends to reconcile election-related funding in order to reduce the discrepancy of BOE budgetary needs in future financial plans. Specifically, the additional funding will be used to cover PS and OTPS related costs associated with the June 2019 Primary, the November General Election, and the 2020 US Presidential Primaries.

- **May 2019 Special Election.** The Fiscal 2020 Executive Plan includes \$400,000 in new needs in Fiscal 2019 for the May 2019 Special Election. In November 2018, former Council Member Jumaane Williams won the seat to become Public Advocate of the City of New York. As such, a special election is being held in May 2019 to determine the Council's representative of District 45 in Brooklyn.

Other Adjustments

- **Heat, Light and Power.** The Fiscal 2020 Executive Plan adds \$41,000 to BOE's Fiscal 2019 Heat, Light and Power budget, while reducing Heat, Light and Power budgets by \$220,000 in Fiscal 2020 and in the outyears.
- **Lease Adjustments.** The Fiscal 2020 Executive Plan includes baselined funding of \$4.9 million beginning in Fiscal 2020 for increased lease expenditures to the Department of Citywide Administrative Services (DCAS).
- **Collective Bargaining.** The Fiscal 2020 Executive Plan includes new needs of \$1.4 million in Fiscal 2019 \$2.4 million in Fiscal 2020, and baselines \$2.5 million in Fiscal 2021 for collective bargaining purposes at the BOE with the Communications Workers of America (CWA) 1183.

Fiscal 2020 Preliminary Budget Response

The Council's response to the Mayor's Fiscal 2020 Preliminary Budget included a few proposals/recommendations for the Board of Elections.

Introduce Ranked Choice Voting

In the Fiscal 2020 Preliminary Budget Response, the Council called on the Administration to support and introduce ranked voting in an attempt to avoid costly run offs and inspire voters to vote their preference, if ranked choice voting becomes legally authorized. Currently, in non-special citywide elections, if no candidate is able to achieve above 40 percent of the vote, an additional run-off election must be held between the two candidates with the largest number of votes. This most recently occurred in 2013 for the Democratic Primary for the Office of the Public Advocate, and cost the City \$10.4 million. This has not been included in the Fiscal 2020 Executive Budget.

Offer Translation at Poll-Sites

The BOE currently offers interpretation services in Spanish, Chinese, Bengali and Korean in neighborhoods with large numbers of speakers in those languages. Unfortunately, interpretation

services in some of the City's most commonly spoken languages, including Russian, Haitian Creole, Yiddish and Polish are not offered.

In Fiscal 2019, pursuant to an agreement with the City Council, the Mayor's Office of Immigrant Affairs (MOIA) launched a supplementary program to provide poll-site interpretation services in languages not covered by the BOE. As per the Fiscal 2020 Preliminary Budget Response, the Council called on the Administration to fund this program in Fiscal 2020, by restoring \$640,000 and adding \$400,000 to expand the scope of the program to cover additional poll sites. In addition, the Council called on the Administration to transfer the operation of poll-site interpreters to the Voter Assistance Advisory Committee, an independent body that specializes in voter outreach and engagement. As of this writing, the Administration has agreed to provide \$640,000 for the language translation at poll sites program.

Due to the Mayor's Charter Commission Ballot Proposal 2 having been passed in the 2018 November Election, the Fiscal 2020 Executive Plan adds \$300,000 in Fiscal 2019, under the budget of the Department of Social Services for the Civic Engagement Commission (CEC) to provide poll interpretation services for the Primary Election that will be held on June 25th, 2019 in the City. Per the City's Charter, the CEC will develop a language access program at poll sites in consultation with the Mayor's Office of Immigrant Affairs (MOIA) and the Department of City Planning (DCP). To the extent practicable, the Commission will consult and coordinate with the Board of Elections in the development and implementation of the program established.

Appendix 1: Fiscal 2020 Budget Actions since Fiscal 2019 Adoption

<i>Dollars in Thousands</i>	FY19			FY20		
	City	Non-City	Total	City	Non-City	Total
BOE Budget as of the Fiscal 2019 Adopted Budget	\$122,169	\$-	\$122,169	\$98,249	\$-	\$98,249
New Needs - Prelim 2020						
Poll Worker Salary Adjustment	\$1,463	\$-	\$1,463	\$-	\$-	\$-
2018 General Election	3,828	-	3,828	-	-	-
February 2019 Special Election	15,793	-	15,793	-	-	-
June 2019 Primary	3,905	-	3,905	-	-	-
Subtotal, New Needs	\$24,989	\$-	\$24,989	\$-	\$-	\$-
Other Adjustments						
Collective Bargaining	\$158	\$-	\$158	\$270	\$-	\$270
Subtotal, Other Adjustments	\$158	\$-	\$158	\$270	\$-	\$270
Total, All Changes	\$25,147	\$-	\$25,147	\$270	\$-	\$270
BOE Budget as of the Fiscal 2020 Preliminary Plan	\$147,316	\$-	\$147,316	\$98,520	\$-	\$98,520
New Needs - Exec 2020						
Baseline Election Funding	\$-	\$-	\$-	\$44,337	\$-	\$44,337
Early Voting	-	-	-	75,000	-	75,000
Electronic Poll Books	-	-	-	21,000	-	21,000
June 2019 Primary	11,785	-	11,785	-	-	-
May 2019 Special Election	400	-	400	-	-	-
Subtotal, New Needs	\$12,185	\$-	\$12,185	\$140,337	\$-	\$140,337
Other Adjustments						
CWA 1183 Collective Bargaining	\$1,443	\$-	\$1,443	\$2,442	\$-	2,442
Heat, Light and Power	41	-	41	(220)	-	(220)
Lease Adjustment	-	-	-	4,951	-	4,951
Subtotal, Other Adjustments	\$1,484	\$-	\$1,484	\$7,173	\$-	\$7,173
Total, All Changes	\$13,669	\$-	\$13,669	\$147,510	\$-	\$147,510
BOE Budget as of the Fiscal 2020 Executive Plan	\$160,986	\$-	\$160,986	\$246,029	\$-	\$246,029