

THE COUNCIL OF THE CITY OF NEW YORK

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Report on the Fiscal 2017 Executive Budget Department of Correction May 9, 2016

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Executive Budget Summary

- **Expense Budget Overview:** The Department of Correction (DOC or the Department) Fiscal 2017 Executive Budget totals \$1.4 billion; is \$146.3 million more than DOC's Fiscal 2016 Adopted Budget of \$1.2 billion.
- **Headcount:** The Fiscal 2017 Executive Budget would support a workforce of 12,508 positions (966 positions more than the Fiscal 2016 Adopted Budget). The Department's actual headcount is 10,777 as of May 2016, which is 1,637 positions below its current budgeted headcount.
 - **Uniform Headcount**
 - The Department's uniform headcount for Fiscal 2017 is 10,336 positions, an increase of 683 positions, or seven percent, when compared to the Fiscal 2016 Adopted Budget.
 - The Department's Fiscal 2016 actual uniform headcount is 9,233 as of May 2016, which is 1,009 positions below the DOC's current budgeted headcount of 10,242.
 - **Civilian Headcount**
 - The Department increased civilian headcount by 283 positions, or 15 percent, to 2,172 civilian positions for Fiscal 2017.
 - The Department's Fiscal 2015 actual civilian headcount is 1,544 as of May 2016, 628 positions below the DOC's current modified budgeted headcount.
- **Fiscal 2017 Executive Budget Changes:** The Fiscal 2017 Executive Budget includes \$16.5 million in new needs, of which \$6.7 million will go towards funding the DOC's Anti-Violence Agenda, a 14-Point Plan to reduce violence on Rikers Island, and the remainder will support recruitment, correctional health, uniforms, and a training program for cadets and Captains.
- **Fiscal 2017 Overtime:** The Executive Plan for Fiscal 2017 includes \$137.5 million for overtime (\$130.8 million for uniform staff and \$6.8 million for civilian). The projected total spending on overtime in Fiscal 2016 is \$187.9 million (\$171.1 million for uniform staff and \$16.8 million for civilian), \$101.2 million more than the \$86.6 million budgeted at adoption.
- **Fiscal 2016-2020 Capital Commitment Plan:** The Executive 2017 Capital Commitment Plan includes \$2.2 billion in Fiscal 2016-2020 for the DOC: \$838.9 million for Capacity Replacement; \$147.1 million for Support Space; \$1 billion for Building Systems; and Infrastructure; and \$141.2 million for Equipment.

DOC Overview

This report presents a review of DOC's Fiscal 2017 Executive Budget. The section below presents an overview of the DOC's budget and how it has changed during the course of Fiscal 2016, followed by a review of the significant budget actions introduced in the Fiscal 2017 Executive Budget. Major issues related to the Department's budget are then discussed. Analysis and highlights of the Department's Capital Commitment Plan for the Fiscal 2017 Executive Budget follows the discussion of the expense budget. Appendix 1 report the changes made to the Fiscal 2016 and Fiscal 2017 Budgets since Adoption of the Fiscal 2016 Budget. For additional information on the Department's budget and its various programs, please refer to the Fiscal 2017 Preliminary Budget Report for the Department of Correction at: www.council.nyc.gov

DOC Financial Summary						
<i>Dollars in Thousands</i>	2014	2015	2016	Executive Plan		*Difference
	Actual	Actual	Adopted	2016	2017	2016 - 2017
Spending						
Personal Services	\$971,624	\$1,023,614	\$1,043,967	\$1,147,864	\$1,200,497	\$156,529
Other Than Personal Services	131,473	138,507	178,565	196,264	168,330	(10,235)
TOTAL	\$1,103,097	\$1,162,121	\$1,222,532	\$1,344,128	\$1,368,827	\$146,294
Budget by Program Area						
Administration-Academy and Training	\$27,138	\$23,729	\$19,511	\$20,690	\$22,221	\$2,710
Administration-Mgmt & Administration	\$47,440	\$51,002	\$55,075	\$72,413	\$72,574	17,499
Health and Programs	\$11,830	\$14,763	\$19,459	\$34,141	\$47,466	28,007
Jail Operations	\$920,039	\$963,198	\$1,052,099	\$1,132,047	\$1,144,343	92,244
Operations-Hospital Prison Ward	\$16,190	\$18,936	\$13,533	\$13,533	\$13,535	1
Operations-Infrastr. & Environ. Health	\$45,265	\$49,101	\$36,876	\$42,882	\$36,521	(355)
Operations-Rikers Security & Ops	\$35,196	\$41,390	\$25,979	\$28,422	\$32,168	6,189
TOTAL	\$1,103,097	\$1,162,121	\$1,222,532	\$1,344,128	\$1,368,826	\$146,294
Funding						
City Funds	\$0	\$0	\$1,211,972	\$1,329,453	\$1,358,168	\$146,197
Other Categorical	0	0	\$0	\$302	\$0	0
Capital- IFA	0	0	\$724	\$759	\$776	51
State	0	0	\$1,109	\$1,418	\$1,109	0
Federal - Other	0	0	\$8,584	\$11,260	\$8,680	97
Intra City	0	0	\$143	\$935	\$93	(50)
TOTAL	\$1,103,097	\$1,162,121	\$1,222,532	\$1,344,128	\$1,368,826	\$146,294
Budgeted Headcount						
Full-Time Positions - Civilian	1,353	1,418	1,889	2,172	2,172	283
Full-Time Positions - Uniform	8,922	8,756	9,653	10,242	10,336	683
TOTAL	10,275	10,174	11,542	12,414	12,508	966

*The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Executive Budget.

The City's Fiscal 2017 Executive Budget totals \$82.2 billion, \$3.7 billion more than the Fiscal 2016 Adopted Budget of \$78.5 billion. City funds (City tax-levy and non-tax revenues) total \$59.4 billion, compared to the Fiscal 2016 Adopted Budget amount of \$56.9 billion. For the DOC, the Fiscal 2017 Executive Budget totals \$1.4 billion. This represents approximately one percent of the City's total budget.

The DOC's Fiscal 2017 Executive Budget of \$1.4 billion is \$146.3 million more than its Fiscal 2016 Adopted Budget of \$1.2 billion. The \$146.3 million increase is due to growth in the Personal Services (PS) budget of approximately \$156.5 million, offset by a decrease of \$10.2

million in the Other Than Personal Services (OTPS). The proposed budget is approximately \$61.1 million more than the DOC's Fiscal 2017 Preliminary Budget of \$1.3 billion.

Since adoption of the Fiscal 2016 Budget, several initiatives have impacted both the DOC's budget and headcount for Fiscal 2016 and Fiscal 2017. For Fiscal 2016 these include \$91.2 million in new needs, \$30.4 million in other adjustments, and headcount changes of 872 (283 civilian and 589 uniform). For Fiscal 2017 these include \$123.9 million in new needs, \$46 million in other adjustments, and headcount changes of 966 (683 uniform and 283 civilian.) Combined, the above actions reconcile the DOC to its current budget of \$1.3 billion for Fiscal 2016 and \$1.4 billion for Fiscal 2017. Headcount changes are reconciled to 12,414 in the current Fiscal 2016 budget and 12,508 in Fiscal 2017. (See Appendix 1 for a list of all budget actions since adoption.)

Changes introduced in the Fiscal 2017 Executive Budget increased the Fiscal 2016 Budget by \$1.8 million and the Fiscal 2017 Budget by \$16.5 million. For Fiscal 2017 changes include \$16.5 million in new needs and \$44.7 million in other adjustments.

Below is a summary of key changes by program area and funding source.

- **City Tax-Levy Increase.** The Fiscal 2017 City-funded portion of the budget shows an increase of \$146.2 million when compared to the Fiscal 2016 Adopted Budget and the Current Modified Budget for Fiscal 2016 shows growth of \$117.5 million.
- **Non-City Funding.** For Fiscal 2016 non-city revenue for federal grants increased by approximately \$96,000 when compared to the Fiscal 2016 Adopted Budget.
- **Jail Operations.** The Fiscal 2016 budget for the program area "Jail Operations" shows an increase of \$92.2 million when compared to the Fiscal 2016 Adopted Budget. The majority of the increase to Jail Operations is attributable to an increase in uniform salaries, supplies, and materials.
- **Headcount Changes.** The Department's overall headcount increases by 966 positions from the Fiscal 2016 Adopted Budget to the Fiscal 2017 Executive Budget, with an increase of 283 civilian positions and 683 uniform positions. The Current Modified Budget for Fiscal 2016 reflects an increase of 872 positions, 283 civilian positions and 589 uniform positions since adoption.

New in the Executive Budget

The following are major financial plan actions for Fiscal 2017 included in the Executive Plan, of which \$6.7 million is for the 14-Point Plan Reform Agenda.

14-Point Plan Reform Agenda

- **Central Visit Center Security.** The Fiscal 2017 Executive Plan includes \$935,993 in Fiscal 2016 and \$2.9 million in Fiscal 2017 for the Department's central visit center. This increase is associated with the 14-Point Plan to keep weapons and drugs off Rikers Island. The additional funding will provide 37 positions (34 uniform and 3 civilian) allocated to the central visitor facility to allow the command to establish steady staffing to support greater search capabilities by utilizing an additional line scan.
- **Facility Storehouse Staffing.** The Fiscal 2017 Executive Plan includes \$642,060 in Fiscal 2016 and \$1.2 million in Fiscal 2017 for 20 positions (8 uniform and 12 civilian). As part of the 14-Point Plan, the Department is ensuring proper supply distribution within the Department facilities. The additional staffing will enable the facility-based storehouses to electronically document the inventory received from the central warehouse. This will ensure that the facilities are properly stocked and supplies are used efficiently.
- **Learning Management System.** The Fiscal 2017 Executive Plan includes one-time funding of \$2.5 million in Fiscal 2017 to acquire a new learning management system to replace the existing system currently used by the DOC training academy. As part of the 14-Point Plan. This new system will allow the Department to better manage course administration including, course scheduling, participant enrollment, attendance monitoring, tracking qualifications, and re-certification. Additionally the new system will track training progress and generate standard and customized reports.

Additional New Needs

- **Correctional Health Initiatives.** The Fiscal 2017 Executive Plan includes baseline funding to expand the number of Program for Accelerating Clinical Effectiveness (PACE) units from \$6.6 million in Fiscal 2017 and increasing to \$14 million and 163 positions (162 uniform and 1 civilian) by Fiscal 2020. The additional funding will enable the Department to rollout two PACE additional units per fiscal year for the next five fiscal years for a total of eight PACE units; this would bring the total number of PACE units to 12, there is also a corresponding headcount and funding increase in the Health and Hospitals Fiscal 2017 Executive Plan. This funding also includes the use of TeleHealth system, which will enable inmates to teleconference directly with healthcare providers on or off Rikers Island. The DOC will also create additional 12 mini-clinics within DOC facilities to allow for better medical access to inmates.
- **Correction Intelligence Bureau.** The Fiscal 2017 Executive Plan includes \$238,421 in Fiscal 2016 and \$1.4 million in Fiscal 2017 for 17 positions (5 uniform and 12 civilian) to enhance the Department's crime scene and evidence collection practices.
- **Cadet Program and Captain Training Program.** The Fiscal 2017 Executive Plan includes \$1.3 million in Fiscal 2017 and \$3.9 million in Fiscal 2018 to establish a cadet and captain training program at John Jay College. The cadet program funded will provide training and experience through hands-on work with the Department. Cadets will be

paid \$14.80 per hour to work part time while enrolled in this program. The Department expects to enroll up to 150 students by the third year of this program. The Captain training program will focus on preparing correction officers for the Captain's promotion exam as well as provide leadership skills. The Department expects to enroll up to 100 correction officers in the program by year three.

- **Institutional Inmate Uniforms.** The Executive Plan includes \$509,809 in Fiscal 2017 and \$213,179 in Fiscal 2018 to support the annual replacement of inmate uniforms.
- **Collective Bargaining.** The Fiscal 2017 Executive Plan includes a collective bargaining increase of \$34.6 million in Fiscal 2016 and \$49.7 million in Fiscal 2017 for the Correction Officers' Benevolent Association (COBA).

DOC Budget Issues

The Council's response to the Mayor's Fiscal 2017 Preliminary Budget called upon the Administration to increase the Department's capital budget by \$50 million to construct a new training academy for the DOC. This project was not included in the Capital Budget.

- **Construct a Department of Correction Training Academy.** The Administration should increase the Department of Correction's (DOC) Capital Budget by \$50 million to build a new training facility. The Department of Correction's current training facility is located in Queens and is in need of serious renovations. The academy does not meet the needs of the ever growing class sizes. In addition, the duration of the new recruit training and the need to provide in-service training such as crisis management is prohibiting the DOC from providing state of the art training. The DOC requires a new training facility to be able to reach its authorized headcount. A new training facility is an essential part of the DOC's plan to reform the Department.

Preliminary Budget Highlights

- **The Nunez Settlement.** The Fiscal 2017 Preliminary Plan included a total of \$247.6 million over the course of the next five years to support 429 positions and other related costs. The Fiscal 2017 Preliminary Budget included \$39 million in Fiscal 2016 and \$58.3 million in Fiscal 2017 for 429 positions (298 uniform and 131 civilian) as a result in the City's settlement with the DOJ. Additional OTPS funding will provide IT equipment, vehicles, and other operational needs to support a considerable expansion in the Department's staff. The additional staff will support various operational needs, including but not limited, to the applicant investigation unit, the training academy, investigation unit, trials and ligation, legal and information technology divisions, expanded young adult staffing, and OTPS related costs. According to the Department, the distribution of uniform positions is still under review. It should be noted that the *Nunez* settlement budget actions can be seen in multiple program areas across DOC's budget.
- **George R. Vierno Center (GRVC) Model Facility.** The Fiscal 2017 Preliminary Plan included \$6.3 million in Fiscal 2016, which increases to \$12.6 million in Fiscal 2017 and in the outyears for 159 positions (147 uniform and 12 civilian) to staff the Department's model facility at the GRVC. This model facility concept encompasses all of the principles associated with 14-Point Plan Reform Agenda. The Department will be reviewing the effectiveness of the model facility before implementing the model to other facilities.

- Five Hours of Programming per Day for Adults.** The Fiscal 2017 Preliminary Plan included \$6.1 million in Fiscal 2016 and baseline funding of approximately \$22 million beginning in Fiscal 2017 for 152 positions (81 civilian and 71 uniform) to expand the level of programming offered for the adult inmate population beyond Individualized Correction Achievement (I-CAN). I-CAN is a jail-based community re-entry program designed to reduce recidivism through targeted discharge planning that supports inmates in obtaining high school equivalency diplomas, finding employment and treating substance abuse issues. DOC plans to add programming for re-entry services, substance abuse, behavioral health, incarcerated veterans, and gender responsive programming. Introduced in February 2013, the additional uniform positions will increase the DOC's capacity to transfer and escort inmates to programs, while the increase in civilian positions will provide counselor-led programming. The Fiscal 2017 Preliminary Budget included one-time funding in Fiscal 2016 of \$3 million as a "stopgap" measure, allowing the Department to begin to expand programming for adults to five hours per day in the current fiscal year. It should be noted that the expanded adult programming budget actions can be seen in multiple program areas across DOC's budget.

DOC Capital Program

Capital Commitment Plan

The Fiscal 2017 Executive Budget Capital Commitment Plan includes \$2.2 billion (\$2.1 billion in City funds and \$75.8 million in federal FEMA funds) in Fiscal 2016-2020 for the Department of Correction (including City and Non-City funds). This represents approximately three percent of the City's total \$67.1 billion Executive Plan for Fiscal 2016-2020. The agency's Executive Commitment Plan for Fiscal 2016-2020 is 25 percent greater than the \$1.7 billion scheduled in the Preliminary Commitment Plan, an increase of \$435.4 million.

The majority of the capital projects span multiple fiscal years and it is therefore common practice for an agency to roll unspent capital funds into future fiscal years. In Fiscal 2015, the Department of Correction committed \$155.3 million or 73 percent of its annual capital plan. Therefore, it is assumed that a portion of DOC's Fiscal 2016 Capital Plan will be rolled into Fiscal 2017, thus increasing the size of the Fiscal 2017-2020 Capital Plan.

DOC 2016-2020 Capital Commitment Plan						
<i>Dollars in Thousands</i>						
	2016	2017	2018	2019	2020	Total
Preliminary Plan	\$568,621	\$158,656	\$776,729	\$157,492	\$53,440	\$1,714,938
Executive Plan	458,449	316,528	929,729	392,192	53,440	2,150,338
Change	(110,172)	157,872	153,000	234,700	0	435,400
Percentage Change	(19%)	100%	20%	149%	0%	25%

Source: OMB Fiscal 2017 Executive Capital Commitment Plan

Executive Budget Highlights

The Executive 2017 Capital Commitment Plan includes \$2.1 billion in Fiscal 2016-2020 for the DOC: \$838.9 million for Capacity Replacement; \$147.1 million for Support Space; \$1 billion for Building Systems; and Infrastructure; and \$141.2 million for Equipment. The Fiscal 2017 Executive Capital Commitment Plan includes funding for construction of programming and classroom space and the addition of cells to replace beds in modular structures.

Below are major capital projects included in the DOC's Fiscal 2016-2020 Executive Capital Commitment Plan:

- **New Adolescent Facility.** The Fiscal 2017 Executive Capital Commitment Plan includes \$17 million in Fiscal 2017 and the remainder in Fiscal 2018 for a total of \$170 million to study, site, and build a new facility for the adolescent population (16-17 year olds). The study will take into account the need for an off-island facility with necessary programming and staff space.
- **Renovation for Program Space.** The Fiscal 2017 Executive Capital Commitment Plan includes \$70 million for the renovation of programming and classroom space at George Motchan Detention Center (GMDC) and George R. Vierno Center (GRVC) facilities. This capital funding is associated with the Department's commitment to provide programming to the entire population on Rikers Island. \$16 million in capital funding is also included to renovate program space at Anna M. Kross Center (AMKC) and Eric M. Taylor Center (EMTC). Additional funding of \$5 million is included to renovate program space at Rose M. Singer Center (RMSC).
- **Cell Addition on Rikers Island.** The Fiscal 2017 Executive Capital Commitment Plan includes \$168 million for the addition of 300 cells at GRVC (\$72 million) and 400 cells at Robert N. Davoren Center (RNDC) (\$96 million). This will replace 500 wood modular cells at GRVC and 800 wood modular cells at RNDC. According to the Department, they anticipate using the additional cells to temporarily house inmates as they make repairs to other DOC facilities.
- **Rikers Island Facility.** The Fiscal 2017 Executive Capital Commitment Plan includes approximately \$102.8 million in Fiscal 2017 for construction of a new jail on Rikers Island. The total amount budgeted for the project is approximately \$501million, with the majority of the funding in Fiscal 2018. According to the Department, this project has been on hold, due to the massive reform effort underway and the revised housing classification system.

Appendix 1: DOC Fiscal 2017 Budget Actions since Fiscal 2016 Adoption

<i>Dollars in Thousands</i>	FY 2016			FY 2017		
	City	Non-City	Total	City	Non-City	Total
DOC Budget as of the Adopted 2016 Budget	\$1,211,972	\$10,560	\$1,222,532	\$1,188,598	\$10,262	\$1,198,860
New Needs - Prelim. 2017						
Consulting Services*	\$6,700	\$0	\$6,700	\$0	\$0	\$0
Investigation Case Management*	1,602	0	1,602	0	0	0
Overtime*	15,000	0	15,000	0	0	0
Staff Performance Management System*	1,000	0	1,000	0	0	0
5 Hours of Programming per Day for Adults	6,098	0	6,098	21,995	0	21,995
Arrest Unit	788	0	788	765	0	765
Expanded Reporting Requirements for Council Bills	1,194	0	1,194	763	0	763
Expedited Camera Installation	3,793	0	3,793	3,793	0	3,793
Model Facility Staffing (GRVC)	6,309	0	6,309	12,618	0	12,618
Nunez Settlement	39,029	0	39,029	58,299	0	58,299
Other Adjustments	6,009	0	6,009	7,484	0	7,484
Staffing for new DCJC	1,003	0	1,003	1,204	0	1,204
Tablets for Targeted Training	854	0	854	556	0	556
Subtotal, New Needs	\$89,379	\$0	\$89,379	\$107,477	\$0	\$107,477
Other Adjustments - Prelim. 2017						
Auto Mechanics CBA	\$141	0	\$141	\$180	0	\$180
Automotive Service Worker CBA	25	0	25	29	0	29
Carpenters CBA	267	0	267	267	0	267
Energy Smart Competition	0	50	50	0	0	0
FY16PS6EDRP	0	191	191	0	0	0
plaNyC Energy Manager	0	82	82	0	0	0
plaNyC ExCEL Program	0	408	408	0	0	0
plaNyC RCM Projects	0	217	217	0	0	0
Press Operator CBA	7	0	7	9	0	9
Prison Rape Elimination Act	0	35	35	0	0	0
Records Management	0	57	57	0	0	0
Rubber Tire Repairer CBA	6	0	6	7	0	7
Safety Holsters	0	250	250	0	0	0
Sandy	0	636	636	0	0	0
Sheet Metal Workers CBA	0	28	28	38	0	38
Staff Analysts OSA CBA	0	436	436	550	0	550
Cement Masons (L237) CBA	8	0	8	9	0	9
CEO Funding Adjustment	0	0	0	24	0	24
FAMILY LAUNDRY SERVICE	0	(51)	(51)	0	(50)	(50)
Maintenance Worker (L237) CBA	230	0	230	282	0	282
Mason's Helper (L237) CBA	6	0	6	8	0	8
PREA Program	0	493	493	0	0	0
Subtotal, Other Adjustments	\$691	\$2,835	\$3,526	\$1,403	(\$50)	\$1,353
TOTAL, All Changes Prelim. 2017	\$90,070	\$2,835	\$92,904	\$108,880	(\$50)	\$108,830
DOC Budget as of the Preliminary 2017 Budget	\$1,302,507	\$12,929	\$1,315,436	\$1,297,478	\$10,212	\$1,307,690
New Needs - Exec. 2017						
Cadet Program and Captain Training Program	\$0	\$0	\$0	\$1,254	\$0	\$1,254
Central Visit Center Security	936	0	936	2,949	0	2,949
Correction Intelligence Bureau	238	0	238	1,443	0	1,443
Correctional Health Initiatives	0	0	0	6,616	0	6,616
Facility Storehouse Staffing	642	0	642	1,217	0	1,217
Learning Management System	0	0	0	2,500	0	2,500

<i>Dollars in Thousands</i>	FY 2016			FY 2017		
	City	Non-City	Total	City	Non-City	Total
OTPS Adjustment	0	0	0	510	0	510
Subtotal, New Needs	\$1,816	\$0	\$1,816	\$16,489	\$0	\$16,489
Other Adjustments - Exec. 2017						
BYRNE COMPETITIVE GRANT	\$0	\$89	\$89	\$0	\$0	\$0
Correction Officers CBA	34,575	0	34,575	49,728	0	49,728
ENERGY DEMAND RESPONSE PROGRAM	0	95	95	0	0	0
ENERGY DEMAND RESPONSE SUPP	0	16	16	0	0	0
ExCEL Supplemental Agreement	0	52	52	0	0	0
FR 3300-600 TO 6622-40X	0	2	2	0	0	0
FR 6622-600 TO 40X	0	5	5	0	0	0
Fund Medical Supplies DOC	0	5	5	0	0	0
Fund Psychological Testing DOC	0	20	20	0	0	0
Heat, Light and Power	(8,018)	0	(8,018)	(4,873)	0	(4,873)
Heating Fuel	(1,417)	0	(1,417)	(799)	0	(799)
High Pressure Plant Tender CBA	58	0	58	87	0	87
IFA Funding Adjustment	(35)	35	0	(51)	51	0
Lease Adjustment	0	0	0	293	0	293
Locksmith CBA	142	0	142	180	0	180
Motor Fuel	(300)	0	(300)	(492)	0	(492)
MOU WITH DOC	0	1	1	0	0	0
PREA GRANT	0	(395)	(395)	0	395	395
Radio Repair Mechanics CBA	21	0	21	28	0	28
SCAAP AWARD	0	1,818	1,818	0	0	0
STATE READY INMATES	0	1	1	0	0	0
Wage Adjustment	103	0	103	103	0	103
Subtotal, Other Adjustments	\$25,131	\$1,744	\$26,875	\$44,205	\$446	\$44,650
TOTAL, All Changes - Exec. 2017	\$26,947	\$1,744	\$28,691	\$60,694	\$446	\$61,139
DOC Budget as of the Fiscal 2017 Executive Plan	\$1,329,454	\$14,673	\$1,344,128	\$1,358,172	\$10,658	\$1,368,829

*New Needs in the November Plan