

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N. Y. 10007

**Testimony of Jintana (Tina) Chiu on the Mayor's Management Report (MMR)  
In front of the Committee on Governmental Operations  
December 14, 2015**

Good afternoon, Chair Kallos and other members of the Governmental Operations Committee. My name is Tina Chiu, and I am the Deputy Director for Performance Management in the Mayor's Office of Operations. Thank you for this opportunity to discuss the Mayor's Management Report, or MMR, with you.

Since 1977 the Mayor's Management Report (MMR) has served as a public account of the performance of City agencies, measuring whether they are delivering vital services efficiently, effectively and expeditiously. As mandated by Section 12 of the New York City Charter, the Mayor reports to the public and the City Council twice a year on the performance of each City agency: an annual MMR is released every September; a Preliminary Mayor's Management Report (PMMR), covering the first four months of the fiscal year, is published two weeks after the release of the January financial plan.

The MMR and PMMR cover the operations of City agencies that report directly to the Mayor. Three additional non-Mayoral agencies are included, for a total of 44 agencies and organizations. Activities that have direct impact on New Yorkers—including the provision of support services to other agencies—are the focus of the report. The report is organized by agency around a set of services listed at the beginning of each agency chapter. Within service areas, goal statements articulate the agency's aspirations. Each goal statement is accompanied by performance indicators that speak to whether or not the agency is achieving that goal and how much progress has been made. The services and goals are developed through collaboration between the Office of Operations and the senior managers of each agency.

The MMR and PMMR are available via an interactive website and as PDF documents. I'd like to draw particular attention to the online Citywide Performance Reporting system, or CPR. Throughout the year, agencies routinely report on all critical indicators contained in the MMR/PMMR through the Citywide Performance Reporting portal. CPR is publicly available and allows users to easily sort information by agency and by time period. CPR also provides opportunities to view five-year trends as well as mapping information for select indicators. Data can also be publicly accessed online through the City's Open Data Portal.

The MMR has been historically, and continues to be, a collection of key metrics taken from individual City agencies, so the public can evaluate the efficacy of City government in areas like education, safety, housing, health and human services, public infrastructure and administrative services. More recently, in addition to reporting on performance indicators for individual agencies, the MMR has highlighted initiatives that cross multiple agencies and disciplines. We continue to emphasize multi-agency collaborations, including signature City initiatives like Pre-K for All, Vision Zero and Housing New York, as well as new efforts that began in 2015, such as IDNYC, the Mayor's Task Force on Behavioral Health and the Criminal Justice Action Plan and Career Pathways.

The MMR release last year for Fiscal 2014 was the first produced by this administration, and for the first time, each chapter opened with a Focus on Equity statement by each agency. These statements highlight our belief that effective government performance must take into account the fair delivery and quality of services across the locations and populations of our city. This focus on equity continues to evolve as agencies advance their work and launch new programs and initiatives that create a New York that is fair and accessible to all who live here. In the Fiscal 2015 MMR agencies continued to highlight equity.

The MMR has several components which work together to provide performance information and which users should be aware of when reviewing an agency's data. These are, as referenced in the user's guide included in the report:

**What We Do** – This provides a summary of each agency's activities, facilities and resources.

**Focus on Equity** – As previously discussed, this section articulates how each agency works to promote fair delivery and quality of services among and across groups of people and places, supporting the goals of equity, equality and opportunity for all New York City residents.

**Services and Goals** – This section describes each agency's major areas of responsibility for delivering services to New Yorkers and the steps it takes to provide those services.

**How We Performed** – This narrative describes how the agency has progressed in meeting its goals.

**Performance Indicators** – These measures of agency performance are organized by goals, and include five full fiscal years of data in the full year MMR, and three years in the PMMR, for the most recent fiscal years wherever available.

**Critical Indicators** – These are indicators that are considered critical to agency performance and designated with an asterisk in the report. These indicators also appear on the Citywide Performance Reporting website.

**Target** – These are desired levels of performance for the current fiscal year and the next fiscal year. An asterisk means no numeric target was set by the agency. An up or down arrow shows the desired direction of the indicator without specifying a numeric target.

**Desired Direction** – For indicators there is a desired direction of the indicator over time; this can be used to assess performance comparing the current year to prior years or to the overall five-year trend. (Please note that this is only included in the MMR.)

**5 Year Trend** – This column shows whether or not the five years of data presented in the performance indicator table exhibits an upward or downward trend. An upward trend means that the end point of the computer-generated trend line is more than 10 percent higher than the start point. A downward trend means that the end point of the computer-generated trend line is more

than 10 percent lower than the start point. Neutral means that the trend is neither up nor down. NA means five full years of data are not available. (Please note that this is only included in the MMR.)

**Agency Resources** – This provides an overview of the financial and workforce resources used by an agency. The past five fiscal years are included in the MMR, and the past three years in the PMMR, as well as the planned resources available to the agency in the current and upcoming fiscal years.

**Noteworthy Changes, Additions or Deletions** – The PMMR and MMR both include changes to an agency's data.

**Additional Resources** – This encompasses the full Internet addresses of links to additional agency information and statistics, including the agency's website.

The MMR provides multiple data points and several options to evaluate performance. For each indicator in the MMR, we have three or four elements that provide context. The ways in which the MMR helps the reader evaluate performance include: 1) comparison between the current year and the previous year (year-over-year change); 2) comparison between the desired direction and the year-over-year change; 3) comparison between the desired direction and the five year trend; and finally, where available, 4) we can compare the current year's actual to that year's numeric or directional target. Further, in the narrative portion of the MMR on the first page of every agency section, the agency's goal statements clearly spell out the specifics of what the agency is working to achieve. Each goal statement is repeated on the pages that follow with specific measurements listed under each statement so you can clearly see if the stated goal is being met. Generally, we evaluate performance by comparing the current year to the previous year, the same comparison that forms the basis of the continuous improvement model used in the Citywide Performance Reporting system.

Targets can be used to express a desired level of performance, as in a "ceiling" or a "floor" that performance should stay within. Although we do not require agencies to set targets for every indicator, generally we prefer that every critical indicator with a desired direction of up or down have a target, either a numeric target or an arrow showing the direction in which we want the trend to go (that is, a directional target). Generally we do not recommend setting a numeric target for the number of injuries or number of fatalities unless that target is set at zero. Generally we prefer directional targets for injury and fatality indicators. However, in a sense the desired direction of each indicator is in itself a target.

Additional MMR-related information is available online, including: 1) definitions for each agency performance indicator, including the data source; 2) additional tables showing information of interest across agencies, including workforce absence rates, fleet vehicle usage, inquiries to the 311 Customer Service Center and budgetary units of appropriation; and 3) community-level information for selected performance measures, disaggregated by local service district (such as community district, police precinct, or school district). This local service information is available through the interactive Citywide Performance Reporting Agency Performance Mapping feature of the City's website.

**A Local Law in relation to mandating that the Mayor's Management Report include citizen satisfaction survey responses**

In regards to Introduction 711, the MMR currently includes information related to assessing the satisfaction of residents (not just citizens) with agency services. We point the Council and the Committee to the customer experience scores known as "CORE," which stands for Customers Observing and Reporting Experiences. CORE facility ratings are an average score based on the rating of 24 conditions, including physical conditions (e.g., cleanliness, litter, seating) and customer service conditions (e.g., wait time, professionalism), for all agency walk-in facilities inspected, divided by the number of walk-in facilities inspected. Facilities are rated by trained City inspectors who anonymously act as agency customers. Each agency chapter also contains information regarding how well the agency is serving its customers including timeliness in responding to e-mail, letters and service requests made through the City's 311 Customer Service Center. We believe that this information accurately captures the quality of service being delivered to residents when they use City services. Additionally, a satisfaction survey of residents would be voluminous, time-consuming, expensive and too lengthy for inclusion in the MMR.

**A Local Law in relation to additional reporting by the board of elections (BOE) to the council regarding performance**

In regards to Introduction 302, BOE is not a Mayoral agency, as discussed previously, but we include basic voting information in the MMR. We use data that is publicly available from BOE's annual reports. In Fiscal 2014 BOE provided a focus on equity statement for the MMR.

Regarding these bills, Introductions 711 and 302, we understand that there are legal concerns with both that are being discussed separately with Council staff.

Thank you for the opportunity to testify today on the work the Mayor's Office of Operations does in putting together the MMR. It is a product of ongoing collaboration between the Office of Operations and 44 City agencies and partners and we are very proud of the work we do. I look forward to answering any questions you may have at this time.



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**Testimony of the New York City Independent Budget Office  
On the Mayor's Management Report  
To the New York City Council Committee on Governmental Operations**

**December 14, 2015**

Good afternoon Chairman Kallos and members of the committee. I am Doug Turetsky, chief of staff and communications director for the city's Independent Budget Office. Thank you for the opportunity to speak today about proposed changes to the Mayor's Management Report.

This is not the first time I or colleagues from IBO have testified in regard to the Mayor's Management Report. Links to our previous testimony can be found [here](#), [here](#), and [here](#).

Given our past testimony, I will focus IBO's comments on one particular aspect of today's agenda: proposed legislation requiring that citizen surveys become part of the annual MMR reporting process. IBO has previously suggested that surveys of residents could add a dynamic element to the MMR, one that provides a broader view of how well public services are being delivered.

The performance indicators in the Mayor's Management Report have long served as a fundamental measure of service delivery in the city. Many of the indicators in the report are focused on inputs and the administration of public services. Such measures are far more important to agency administrators than the broader public.

To residents, what ultimately matters is outcomes. How clean are the streets? How well maintained are the parks? How quickly do the police come when they are called? The Mayor's Management Report also contains performance indicators on these outcomes. But these measures may not always match up with how residents perceive these services. If the MMR's performance measures provide one view but residents or program participants have a different sense, it tells us something may be getting lost in the process of communication or implementation of a particular program.

Sometimes it may also be true that resident perceptions have not yet caught up with actual changes or improvements. But policymakers and other public officials must be aware of the dichotomy in order to address it.

Or there may be another factor in the gulf between performance indicator and public perception. New York is a large and diverse city. A program functioning well in one part of the city may not be performing as well in another. Over the years, the MMR became large and somewhat unwieldy. This caused a streamlining that often led to presenting performance indicators on a citywide basis such as police response times. But response times can be very different for different reasons in different parts of the

city. As a result, perceptions of these response times can also differ. Presenting some of the findings from resident surveys on a borough, community, or other disaggregated basis can provide greater texture and insight into how New Yorkers perceive service delivery.

How the surveys are developed is also critical. Resident surveys can take a number of different forms. They can employ quantitative responses to questions about satisfaction with services and the quality of life in communities, or they seek qualitative responses, or they can take a hybrid approach. Whatever the form, and there are pluses and minuses to each, they should be constructed with input from residents to determine which service outcomes are most important to be surveyed.

Cities ranging from Philadelphia to Portland, San Diego to San Jose use resident surveys to gauge public perceptions of how well services are being delivered and assess their constituents' impressions of the quality of life in their communities. New York would have the ability to review the methodologies used by these and other cities in order to determine what might best work here. But the primary point is this: As IBO testified to the City Council more than a decade ago, resident surveys can be a useful supplement to traditional performance indicators and help public officials—and the public as a whole—have a fuller understanding of the efficacy of municipal services and the tax dollars being spent on them.

Thank you and I would be pleased to answer any questions.



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### BOE Comments on Legislation before the City Council Committee on Governmental Operations December 14, 2015 Public Hearing

#### Int. Number 302

Intro. Number 302 directs the Board of Elections in the City of New York, not later than December 15<sup>th</sup> of each year, to provide information to the council regarding “its performance for the first four months of the current fiscal year relative to any program performance goals and measure established for such year by the council in consultation with the mayor.” Additional information, the specifics of which are again to be determined by the council in consultation with the mayor, shall be provided by August 1<sup>st</sup> of each year.

This Intro. seeks to change the duties and responsibilities of the Board of Elections (the “City Board”) as prescribed by State Law. Pursuant to Section 3-212 of the New York State Election Law (“Election Law”), each board of elections, including the City Board, shall make an annual report of its affairs and proceedings to its local legislative body. As such, Intro. 302 seeks to modify the Election Law is pre-empted by the State Constitution and Election Law.

Generally, the New York State Constitution in Article IX, Section 2(c)(i) provides that every local government may adopt laws relating to the “property, affairs or government” so long as those laws do not conflict with the Constitution or any general law of the State. This Intro presents just such a conflict.

This opinion is consistent with New York State’s constitutional and statutory framework for the organization and operation of Boards of Elections and has been confirmed by numerous judicial determinations.

The Constitution of the State of New York and enacted statutes mandate that Boards of Elections generally operate free from interference from their respective county or city

governmental bodies. This independence is essential to the Board's ability to fairly administer elections (including those for the local elected officers). The Election Law grants certain specified and limited powers to local governmental bodies with respect to the activities of Boards of Elections, such as the appointment of Commissioners of Elections [Election Law Section 3-204] and the allocation of funds required to conduct elections [Election Law Section 4-136].

The State Courts have recognized the unique constitutional and statutory status of the Boards of Election for over 75 years. The Election Law has statewide applicability and the "uniform statewide application to protect the fundamental right of suffrage and to ensure the orderly conduct of elections for local, statewide and federal officers—is a matter of statewide concern" [Matter of Wood v. Cortland County, 23 Misc 3d 913,(2009) affd 72 AD3d 1447 (2010)]. In 1939, the New York State Court of Appeals ruled that the New York City Government could not restrict the hiring of Board employees within the amounts appropriated to the Board notwithstanding the exigencies created by the "Great Depression". [Fugazy v. Kern 280 NY 375(1939)] That basic concept that Boards of Elections are empowered with independent authority has continued to be applied. Even when local governments have faced severe fiscal constraints within the last decade. [See: Mohr v Giambra, 7 Misc 3d 723, affd 27 AD3d 723 (2005) {Local Erie County Law requiring Board of Supervisors to approve all salaries and set the number of employees cannot be enforced against the Board of Elections}].

In a recent case, the New York State Supreme Court after an exhaustive review of the legislative history of Section 1-102 of the Election Law and concluded that it applies only to other New York State statutory provisions and not to local laws or the Charters of municipalities. [Castine v. Zurlo, \_\_\_NYS2d\_\_\_, 204 WL 6992446 (2014)]. In this instance, the County Government sought to impose its ethics code provision relating to holding multiple public offices on an Election Commissioner notwithstanding the specific provisions of Election Law Section 3-200(4).

Moreover, the City Board is established as a non-mayoral agency by statutory framework. Mandating that the City Board provide information "relative to any program performance goals and measures established . . . in consultation with the mayor", infringes upon the agency's constitutionally and statutorily mandated independence.

The City Board regularly appears before the New York City Council, gives testimony and provides requested information. Although the additional proposed reporting requirements are in conflict with the mandates of the State Constitution and statutes , given the reporting requirements in place the public will remain well-served even in the absence of additional regulatory intervention.



Int. Number 711

This Intro has no impact on the Board of Elections. Therefore, the Board takes no position on this Intro.



**FOR THE RECORD**

## **Committee on Governmental Operations**

**Testimony by Julia Kite, Policy and Research Manager, Transportation Alternatives**

**Monday, December 14, 2015**

Thank you, Chair Kallos and the members of the Committee on Governmental Operations, for convening this hearing.

I am Julia Kite, Policy and Research Manager of Transportation Alternatives. We are a 42-year-old non-profit with more than 150,000 activists in our network, dedicated to improving the safety of New York City's streets. Along with the established Vision Zero pillars of Engineering, Enforcement, and Education, we believe that Equity and Evaluation also have crucial roles to play in helping our city achieve the goal of no more deaths or serious injuries on our roads. We applaud the upcoming publication of the Mayor's Management Report as an important measure for ensuring city agencies remain accountable to the public and progress can be monitored.

As an activist-driven organization, we rely on city agencies keeping and disseminating up-to-date public records. We are pleased to see the Department of Transportation, one of the most important city agencies for Vision Zero, providing detailed year-on-year performance indicator data. We welcome the publication of their achievements in FY2015, including their installation of 382 speed humps, 40.4 million linear feet of roadway safety markings, and 208 Leading Pedestrian Interval signals, which protect pedestrians crossing the street by reducing potential conflict between cars and pedestrians. We hope that these figures will now serve as benchmarks upon which to improve year upon year until our city streets are truly safe for all users. We also applaud their timely activation of the maximum number of speed cameras allowed by law before the start of the 2015-2016 school year.

However, we know that Vision Zero cannot be achieved without comprehensive redesign of New York City's most dangerous streets, and their contribution to the Mayor's Management Report unfortunately does not address progress towards many of the goals of their Pedestrian Safety Action Plans. These Action Plans specifically detailed the most dangerous streets and intersections where redesigns are more crucial. The DOT enumerated 154 Priority Corridors on 146 streets, but to date, we have calculated that only 32 of those streets have received any kind of street treatment at two or more consecutive intersections or blocks, and only three have detailed plans for the entire length of the Priority Corridor. We believe that in order to ensure equity and monitor progress towards Vision Zero goals, progress on Priority Corridors needs to be included in this report.


In addition, in the section of the report addressing the DOT's mandate to design and build transportation alternatives, we wish for the figures on expansion of the bike lane network to be disaggregated by the specific type of bike lane, as defined by the DOT Street Design Manual. Not all bike lanes are created equal, ranging from the gold standard of the Class 1 Protected Bike Lane to the compromise of the "sharrows," or street markings indicating that cyclists and motorists should share the road without any designated separation of space. We would like the balance of these different types of lanes to be made public. In addition, in order to address equity, we wish to see in this report a breakdown by borough of where protected bike lanes are installed. Similarly, while we are happy to see the DOT expand the NYC Plaza Program, which prioritizes low-income neighborhoods, we also wish for figures on the installation of pedestrian space, including the CityBench program, to be broken out by borough.

Thank you for allowing us the opportunity to testify. We wish you a safe and happy holiday season.

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**FOR THE RECORD**

**Resident Satisfaction Surveys:  
Giving People Voice, Improving Management**

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**Testimony Before the Committee on Governmental Operations  
December 14, 2015**

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I conceive that the great part of the miseries of mankind are brought about by them by false estimates they have made of the value of things.

Benjamin Franklin, *The Whistle*, 1789

Good morning Councilmember Kallos, members of the committee, and staff. I'm Douglas Muzzio, a professor at the Baruch College School of Public Affairs. I thank you for inviting me to testify on Intro 711. This is the seventh time testifying before the Governmental Operations Committee, under chairs Mary Pinkett, Bill Perkins (twice), Simcha Felder, and Gale Brewer, and Councilmember Kallos almost exactly a year ago.

**Major Deficiency of MMR: Lack of Resident Surveys**

In my six previous testimonies, I've focused on two major long-standing deficiencies of the MMR: foremost, the absence of customer surveys and, secondly, the absence of linkage between budget and performance. (One of those testimonies was in support of then-Intro 370 which also mandated resident satisfaction surveys.) The September 2015 MMR, like all its predecessors across six mayoral administrations, lacks comprehensive, uniform, recurring surveys of its residents as an integral feature of its performance assessment and reporting. Nor does it relate budget with performance.

Today, my sole focus is on Section 2 of the proposed local law which through charter change directs the Office of Operations to conduct "an annual citizen satisfaction survey or surveys." I've been preaching the virtues, indeed, the necessity of resident surveys for close to 20 years. This committee has heard basically the same pitch as it will today -- with updates.

Last December, I closed my testimony with a recommendation to the Council -- all in CAPS:

**PASS LEGISLATION SIMILAR TO INTRO 370 (2005) WHICH CALLED FOR MANDATING THAT THE MAYOR'S MANAGEMENT REPORT INCLUDE CITIZEN SATISFACTION SURVEY RESPONSES**

This year I'll start with that. Given the number of sponsors – 38 as of today – of Intro 711, I am hopeful that New York will soon give voice to New Yorkers. I thank Councilmember Johnson, the prime sponsor, and the other members who have signed on.

### **Consensus on Value of Resident Surveys**

A consensus exists among government officials, management experts, and program analysts that government services must be “customer driven.” Government organizations should pay attention to residents’ perceptions and assessments of the quality of the services they provide.

- “The best way to encourage good performance is to measure it, and the best indicator of government performance is citizen satisfaction” (International City and County Managers Association)
- “Surveys of customers have begun to be perceived nationally, if not internationally, as a major source of evaluation feedback of public services and as an important component of public accountability” (Urban Institute)
- “It is important for reported performance to include measures of citizen and customer perceptions about the results of the service or program. Without this information against which to compare other, more quantitative measures of performance, a complete picture of results is not obtained” (Government Accounting Standards Board)

### **Resident Survey Use in U.S.**

Resident surveys are used widely by U.S. municipalities to evaluate the impacts and quality of their services.

#### **FIGURE 1**

Philadelphia, for instance, uses both agency data and resident survey data in its “Mayor’s Report on City Services,” that city’s equivalent of New York’s MMR. The beginning of the Philadelphia 2004 report presents “Citizen Satisfaction Highlights,” including five-year trend data on satisfaction on select (13) municipal services.

Resident surveys provide a perspective on municipal services not available from other sources. As noted by the Controller’s Office for the City and County of San Francisco, “One of the most direct ways to measure the outcomes of the City’s effort – that is, the extent to which services are having their desired effects – is to ask the users of those services.”

Municipal/county resident surveys have been/are variously conducted, located in different government offices, in mode of survey conduct, in sampling, and whether the survey data are employed by managers and policy-makers.

#### **FIGURE 2**

### **Benefits of Resident Surveys**

Resident surveys concentrate on the outcomes or the results of government services – how satisfied people are with their schools and parks, how safe they feel in their neighborhoods. Most administrative measures – including those derived from survey data -- focus on inputs and outputs. While these are certainly important for internal accountability, public accountability – what the public wants from government – centers on results. Additionally, resident surveys allow for the analysis of individual differences in how people use and experience city services – for example, difference by race, ethnicity, age, and gender. Most administrative measures of service quality cannot identify who uses and how they are affected by the service.

In a study of what citizens want from local government performance reporting, the Government Accounting Standards Board found that outcomes and resident perceptions were the performance measures of most interest to the general public. The Independent Budget Office has recommended that the city “identify and report on results that matter to the public and reflect the way the public sees and uses city services.”

Rigorously constructed and conducted and appropriately analyzed surveys give residents "voice," enhancing the quality of governance.

### **Unique Source of Information**

Resident surveys are possibly the most efficient, if not the only, way to obtain information on:

- constituents' satisfaction with the quality of specific services and facilities, including the identification of problem areas
- facts such as the number and characteristics of users and non-users of various services (and the frequency and form of use)
- reasons why specific services/facilities are disliked or not used
- community needs assessment; identification of high priority but inadequate community services, potential demands for new services
- residents' opinion on various community issues, including feelings of confidence or trust toward government and specific agencies/officials
- residents' assessment of real policy options. Results provide guidance (but not mandates) for official action.
- resident surveys can provide socio-economic and demographic data to complement/supplement other sources.

### **Resident Surveys and Policy**

Resident surveys, as outcome data, can inform decision makers and managers throughout the policy process:

- Policy formulation: Help public officials to determine what residents need, want, prefer, or demand; help make choices, set priorities, change practices
- Policy implementation: Help public managers determine how best to deliver services. As long as respondents have some knowledge about an implementation issue, questions can concern projects, programs, procedures.
- Policy evaluation: With service delivery, the consumer's perception is the pertinent reality. Even the most efficient department is not doing its job well if residents are not satisfied with the various dimensions of department output – e.g. quality, timeliness, range, scope, accuracy, reliability, convenience, utility, prices.

### **Previous NYC Resident Surveys, 2000, 2001, 2009**

In 2000 and 2001, the Baruch College Survey Unit (I was co-director) conducted resident surveys for the New York City Council under then-Speaker Vallone, the data and reports of which were presented to the Committee on Governmental Operations.

The first was a telephone survey of 2132 adult residents of the five boroughs of NYC who were contacted in English and Spanish between August 1 and August 28, 2000. The second was based on telephone interviews of 2020 adult New York City residents contacted between July 17 and August 28, 2001. Survey questions were designed to determine use patterns and satisfaction with a broad range of City services, as well as their views on the overall quality of life in the City and their confidence in City government, among other matters. The surveys were not continued by the newly-elected Speaker in 2002. Those reports are available at [dmuzz@aol.com](mailto:dmuzz@aol.com).

In 2009, the Bloomberg administration with Public Advocate Gotbaum conducted a city-wide "customer" survey with serious conceptual and analytical flaws and not followed up. Nor incorporated, it seems, in any city performance measurement report/database. It was extensively, and clearly reported and presented on the website. There were serious analytical issues. ([www.nyc.gov/html/ops/html/data/feedback.shtml](http://www.nyc.gov/html/ops/html/data/feedback.shtml))

## **Customer Satisfaction in the MMR**

### **2012 MMR**

In 2012, only two agencies reported customer satisfaction in the PMMR – Department of Design and Construction and the 311 Customer Service Center. In 2014, the Office of Operations queried city agencies on how they collected and reported for MMR indicator “Number of agency customers surveyed for overall customer satisfaction.” Twenty-four agencies replied.

Agency practices varied “significantly in all aspects of determining customer satisfaction levels.” Among the findings:

- most MMR agencies do not collect customer satisfaction data that could reliably be considered measures of satisfaction at either the goal or agency level
- agencies used a variety of survey modes – Web, mail, in person. None used telephone surveying.
- agency-designed and administered surveys predominated
- the universe of customers surveyed ranged from a small segment of an agency’s constituency to a significant percentage of all “customer” groups
- the amount of information requested varied considerably by agency
- the number of completed surveys also varied considerably by agency

### **2015/2014 MMR**

A common feature of each reporting agency last and this year is a section titled “Agency Customer Service”. A subheading is titled “Customer Experience.” This is not so; what is measured are agency outputs, not customer outcomes. According to the Sept. 2015 MMR “User Guide: “AGENCY CUSTOMER SERVICE – Statistics on how well an agency provides services to its customers via phone, e-mail, letters and walk-in centers. For 12 agencies that handle 311 Customer Service Center service requests, a table shows performance for five key service request types.” The three standard agency “Customer Service” measures are: “E-mails routed and responded to in 14 days”; “Letters routed and responded to in 14 days”; “Completed customer request for interpretation.”

A review of the Sept 2014 MMR found six agencies that report some form of customer data:

- Parks and Recreation: “Respondents who rated parks acceptable for overall condition”
- 311: “Customer satisfaction index” [3 of 6 years]
- Human Resources Administration: “Customer satisfaction rating for Public Health Insurance Program services ‘good’ or ‘excellent’
- DoE: “Customers rating service good or better (%) (as applicable)”
- NYC Housing Authority : “Customers rating service good or better (%) (as applicable)”
- Information Technology and Telecommunications: “Rate of overall customer satisfaction”

In September 2015, those six agencies reported the same form of “customer satisfaction” data. Additionally, the Department of Environmental Protection reported “Visitors rating customer services at borough centers as good or excellent (%)” and the Department of Housing Preservation and Development “Visitors to Tenant Resources and Owner Services rating customer service as good or better (%)”

Also, several agencies (Departments of Transportation, Buildings, Housing Preservation and Development, Finance, Citywide Administrative Services, Homeless Services, Parks and Recreation, City Planning and the Taxi and Limousine Commission report a “Core [Customer Observing Reporting Experience] customer experience rating.” I could not locate any discussion of CORE practices in the MMR but [www.govloop.com](http://www.govloop.com) characterized CORE as “citywide inspections of walk in facilities.” The city inspects approximately 300 walk-in centers at 28 different agencies located throughout the City’s five boroughs. Inspectors “observe and rate facility conditions and

customer service." This is not customer satisfaction but an agency employee's perception of customer service.

Finally, this year as last I was unable to locate (again, perhaps my fault) any discussion in the document or website of the universes sampled, sampling method, dates of conduct, method of contact, number of respondents contacted/interviewed, questionnaires/question wording and order, frequency of contact. This information may be publicly accessible at other City data portals. If not, this is a critical deficiency; if yes but scattered across locations, not much better..

### **Intro 711 (3/11/2015)**

Section 1. Subdivision c of section 12 of the New York city charter is amended by adding a new paragraph (7) to read as follows:

(7) for those agencies that provide services to the public, the results of a citizen satisfaction survey or surveys conducted pursuant to subdivision h of section 15 of the charter gauging how the those who are served by such agencies perceive the effectiveness of the services provided.

§ 2. Section 15 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. The office of operations shall conduct an annual citizen satisfaction survey or surveys gauging how those who are served by agencies that provide services to the public perceive the effectiveness of the services provided.

§ 3. This local law shall take effect 90 days after enactment.

First a quibble; such surveys are not strictly "citizen" surveys but rather "resident" surveys. Respondents need not be native-born or naturalized Americans.

More substantively, an annual New York City survey of adult New York City residents should be more broadly conceived than exclusively measures of customer "satisfaction" of how the general and various publics "perceive the effectiveness of the services provided" by New York City agencies. As noted, resident surveys can do a great deal more in a unique way in giving New Yorkers voice and improving city government management and performance.

### **RECOMMENDATION REGARDING MMR/CITY DATA PORTALS (Still in CAPS)**

**ADOPT INTRO 711 MANDATING ANNUAL COMPREHENSIVE, UNIFORM, RECURRING SURVEYS OF NYC RESIDENTS, INCLUDING USERS OF SPECIFIC SERVICES/CUSTOMERS OF CITY AGENCIES, AS AN INTEGRAL FEATURE OF THE MAYOR'S MANAGEMENT REPORT -- AND OTHER NYC DATA PORTALS--IN THEIR PERFORMANCE ASSESSMENT AND REPORTING.**

### FIGURE 1: RESIDENT SURVEY USE IN MAJOR U.S. CITIES

Hundreds of U.S. counties, cities, and other local governments survey their residents regularly. Of the twenty largest U.S. cities, eleven conduct resident satisfaction surveys regularly.

1. New York	No*	11. Austin	Yes
2. Los Angeles	No	12. Indianapolis	No
3. Chicago	No	13. Jacksonville	No
4. Houston	No	14. San Francisco	Yes
5. Philadelphia	Yes	15. Columbus	No**
6. Phoenix	Yes	16. Charlotte	Yes***
7. San Antonio	Yes	17. Fort Worth	No
8. San Diego	Yes	18. Detroit	Yes
9. Dallas	Yes	19. El Paso	Yes
10. San Jose	Yes	20. Memphis	No

\*In 2000 and 2001, the New York City Council funded citywide resident satisfaction surveys. In 2009 citywide resident satisfaction survey was conducted by the Mayor's Office of Operations and the New York City Public Advocate.

\*\* The last publicly available survey appears to be 2002 but city regularly surveys residents on issues e.g. recycling.

\*\*\* Mecklenburg County.

*Sources:* 2013 U.S. Census update on city ranking, 2014 author analysis of surveys.



**FIGURE 2: WHERE (WHEN), WHO, HOW, WHAT  
SELECT U.S. CITIES CONDUCTING RESIDENT SURVEYS IN 2000s**

	<b>WHO CONDUCTS?</b>	<b>HOW MANY? HOW?</b>	<b>PERFORMANCE INDICATORS?</b>
Philadelphia (2004)	independent pollster	1101 telephone	yes
Phoenix (2006)	Independent pollster	700 telephone	yes
San Diego (2004)	Independent pollster	600 telephone	no
Portland (2006)	City Auditor	2742 mail	yes
Dallas (2006)	National Citizen Survey (ICMA)	1657 mail	yes
San Jose (2006)	independent pollster	1000 telephone	yes
San Francisco (2007)	City Controller	3,685 by mail (73%), telephone (20%), Internet (7%)	no
Austin (2005)	independent pollster	1126 by mail	yes

**Testimony of Paul Epstein to the Government Operations Committee of the New York City Council,**  
December 14, 2015

*NOTE: Epstein's qualifications, at the end of this document, are not in spoken testimony.*

I thank City Council Members and staff for soliciting my views. My written testimony has my qualifications I will skip to save time. I'll summarize my experience by saying I have worked since the 1970s on performance measurement and reporting, performance management and improvement, and community governance in two New York Mayor's offices and as a consultant to many other governments and communities in the U.S. and abroad, for which I've been recognized with a lifetime achievement award. I testified to the Government Operations Committee on the Committee on Oversight and Investigations at an equivalent hearing a year ago (Dec. 10, 2014). My testimony then addressed four main ideas, which are still relevant, so I still urge the City Council pursue those ideas:

- First, I recommend that the Council look outward from the government performance indicators of the MMR to higher-level community conditions of concern to residents, often called community indicators. I will say more about this today, because of a new opportunity that has arisen and because of apparent interest in requiring the MMR to include citizen satisfaction survey responses.

I will not speak to the other three ideas I spoke to last time, but I will refer City Council to my testimony from last year and will offer a new copy of it to Council upon request. These other three ideas are:

- The Council should look inward to how city performance information is being used as part of a systemic cycle of improvement, generally called a performance management system.
- The Council should ask the Mayor's Office to provide one-click access from the MMR to "strategy pages" for each agency and major multi-agency collaborative initiative.
- The Council should ask the Comptroller and Mayor put in place regular audit and assessment processes to assure the relevance and reliability of reported performance information.

Now, to elaborate on my main points for today:

**CONNECT CITY PERFORMANCE MEASUREMENT TO A SYSTEM OF COMMUNITY INDICATORS**

1. Last year I pointed out that an improvement in the MMR over many years was an increase in outcome measures reported. But these outcome measures, like all MMR indicators, are chosen by city agencies and the Mayor's Office. Most are probably important. But they do not necessarily reflect community conditions as city residents see and feel them, and they do not necessarily measure outcomes of greatest concern to city residents and other stakeholders. In addition to MMR indicators and other city data online, the city needs an independent system of reporting community indicators chosen through a representative and deliberative public engagement process. The city government can be a partner in the process, but the reporting should be by an independent organization such as a nonprofit civic organization, or a collaboration, perhaps involving civic groups and universities, that can bring together strengths in community outreach and quantitative research and communications, and serve as an impartial convener.

**New Opportunity: CUNY Institute of State and Local Governance (ISLG) Equality Indicators**

2. On October 1, 2015, the CUNY Institute of State and Local Governance, or ISLG, released its first annual "Equality Indicators" report (<http://equalityindicators.org/>) examining a broad range of outcome indicators organized by themes of "Economy," "Education," "Health," "Justice," and "Services." While they

did not hold what I would call a complete “representative and deliberative public engagement process” to determine the indicators or topics, they did engage the Federation of Protestant Welfare Agencies to organize forums to engage people from community organizations that do represent a wide array of populations and resident interests. I understand that the Mayor’s Office of Operations funded that outreach effort and has been very interested in the results. The CUNY ISLG report looks at community outcomes through an “equality” lens, in which they make comparisons between groups with the least or most favorable outcomes for each indicator. But they also provide data on other groups considered for most indicators, so a user of their data can make many other comparisons they may find useful. This report is a very useful addition to the community outcome data environment in New York City.

### **Relating the MMR to Independently Reported Community Indicators: the CUNY ISLG Offers a Valuable Starting Point**

3. The de Blasio administration has put a big emphasis on reducing inequality and has all agencies commenting on equity at the start of their MMR narratives. So it makes a great deal of sense to start connecting information on what agencies are doing with outcomes reported via the CUNY ISLG Equality Indicators. The CUNY ISLG community indicators are telling stories about life in the city as residents experience it based on whether they are, for example, children; women; immigrants; people living in poverty; members of racial, ethnic, or religious minorities; seniors; single parents; and other populations of New Yorkers. These indicators present an excellent opportunity to connect these stories of unequal community outcomes with stories of how the City government is changing policies, improving services, forging collaborations, or taking other measures to address measured inequalities while improving outcomes for all New Yorkers. For example, instead of simply having agencies comment on equity—which some agencies do in vague and indirect terms—at the start of their MMR narratives, the MMR should include specific equality data produced by an independent source such as CUNY ISLG and use commentary to say specifically what the City is doing, or not doing, about it. And, the MMR should go further and, wherever feasible, make clear linkages between the independently reported community outcomes and specific agency or citywide performance indicators that can influence outcomes. So, for example, for indicators of health outcomes including inequalities reported by CUNY ISLG, what indicators reported by DOHMH and HHC are related? While the city government on its own cannot improve all community outcomes and eliminate all inequalities, it can influence many. Those things the city can do, and can measure, can be considered “drivers” of community outcomes. Those driver indicators should be specified in the MMR and their connection with specific community outcome indicators highlighted and discussed in narratives.

### **Including Citizen Survey Data in the MMR**

Citizen surveys can provide important forms of outcome data, so I generally recommend that citizen or resident survey information be included in government performance reports such as the MMR. However, I caution against just mandating citizen satisfaction survey data in general without ensuring that a survey is thorough enough to make effective use of the data produced. For example, for most city services, it is probably not useful just to know how “satisfied” respondents are with the service without knowing whether respondents were users of the service or if they had personal interactions with the agency in some way. Other issues involve, for example, having large enough segmented samples for useful demographic and geographic comparisons. Also, rather than just get data on satisfaction with services, resident surveys should also ask about people’s perceptions of conditions in their community, such as perceptions of community safety and cleanliness. To be thorough enough to be useful, resident surveys must be well funded, and they should be designed with the user in mind. As the City Council is

considering mandating surveys, then Council Members should consider themselves primary users of these surveys and should insist on taking part in the process to design the surveys. I'm not suggesting that the Council should frame specific survey questions: leave that to professional survey developers. What I am suggesting is that Council Members be engaged in determining survey topics and issues, and in identifying specific things the Council wants to learn from survey results. To make this process even better I would recommend that all Council Members solicit constituent views from community boards and other constituent channels on what community conditions and services are most important to them before Council Members then participate in the process to design the surveys.

Thank you, again, for the opportunity to testify.

### **Qualifications of Paul Epstein on Public Performance Reporting and Performance Management**

Paul Epstein leads the Results That Matter Team ([www.RTMteam.net](http://www.RTMteam.net)) of the consulting firm Epstein & Fass Associates, based in New York City. He first became involved in public performance measurement and reporting as a member of Mayor Lindsay's Project Management Staff. In that role, he analyzed, monitored, and managed productivity improvement projects of several agencies (including what are now DOT, HPD, TLC, and DOHMH) and contributed to Mayor Lindsay's quarterly public productivity reports in 1972-73. Later, from 1976-80 Paul worked for the U.S. Department of Housing and Urban Development to spur innovation in local government performance measurement and improvement and help cities and counties adopt those innovations to measure and improve their own performance.

In 1981, Paul returned to New York to become Manager of Citywide Productivity in the Mayor's Office of Operations, where he worked through late 1985. In that capacity, he oversaw numerous productivity improvement projects, often involving helping agencies measure performance in new ways. And he helped train a cadre of performance measurement and improvement staff in all agencies. At the time, Paul staffed two high level citywide committees: an executive Productivity Steering Committee chaired by the Deputy Mayor for Operations, and including the budget, labor relations, and personnel directors; and a Labor-Management Productivity and Quality of Worklife Committee co-chaired by the Deputy Mayor of Operations (Nathan Leventhal) and Chair of the Municipal Labor Committee (Victor Gotbaum). Under the auspices of the Productivity Steering Committee, he initiated the integration of productivity improvement with the budget process, which produced over \$120 million in savings and revenue its first year (vs. a target of \$40 million). As the process continued, savings and revenue grew, to levels of over \$1 billion in cumulative annual savings and revenue as reported in Mayor's Management Reports (MMRs) after Paul left Operations. While at the Office of Operations, Paul also contributed to nine MMRs. For most of them, he edited the Productivity Improvement section near the beginning of each MMR in that period.

In late 1985 Paul started a consulting practice, now called the Results That Matter Team. His consulting has involved strategy management including balanced scorecards, and a wide range of performance measurement and improvement projects for all levels of government and nonprofits in the U.S., other countries, and the United Nations. Several projects involved helping entire local governments and the Port Authority of NY & NJ start or improve performance management systems. Others have involved engaging citizens in performance management, in the U.S. and abroad, including projects based on the "Effective Community Governance Model" featured in Paul's third book. For ten years, he was a consulting member of the performance reporting research team of the Governmental Accounting Standards Board (GASB). In that role he co-authored GASB research reports and case studies, including a report on citizens from across the country discussing what they want to see in performance reports. He also helped GASB

develop "suggested criteria" for performance reporting and co-authored a "Special Report" on the criteria and a guide for elected officials and citizens in using a performance report. Working with the Institute of Internal Auditors (IIA) and government audit leaders, he managed a four-year grant to train thousands of auditors across North America in how they can help improve public performance management (see [www.AuditorRoles.org](http://www.AuditorRoles.org)). In 2003 the American Society for Public Administration (ASPA) awarded Paul the Harry Hatry Distinguished Performance Measurement Practice Award for lifetime achievement. Earlier, an ASPA committee he chaired was cited by Congress when it passed the Government Performance and Results Act of 1993. Paul's many publications include three books: *Using Performance Measurement in Local Government* (Van Nostrand, 1984; National Civic League, 1988), *Auditor Roles in Government Performance Measurement* (IIA Research Foundation, 2004), and *Results That Matter* (Jossey-Bass/Wiley, 2006). He has an engineering degree from MIT (BS in Aeronautics and Astronautics) and he has taught graduate public management at NYU, Baruch College, and the University of Hartford.



**CITIZENS UNION OF THE CITY OF NEW YORK**  
**Testimony to the NYC Council Governmental Operations and**  
**~~Oversight & Investigations Committees~~**  
**on the Structure and Content of the Mayor's Management Report**  
**December 14, 2015**

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Good afternoon Chair Kallos and members of the City Council Governmental Operations Committee. My name is Rachael Fauss, and I am the Director for Public Policy for Citizens Union of the City of New York. Citizens Union is a nonpartisan good government group dedicated to making democracy work for all New Yorkers. Citizens Union serves as a civic watchdog, combating corruption and fighting for political reform.

Thank you for the invitation to testify today about the 2015 Mayor's Management Report (MMR), and two associated pieces of legislation. Citizens Union has been previously engaged on this issue, having testified before the Governmental Operations Committee in 2014, 2011 and 2012 at similar oversight hearings, and served on the Mayor's Management Report Roundtable convened by the Mayor's Office of Operations in 2012. The Roundtable's goal was to redesign the MMR to make it more user-friendly to the public and more effective as a measurement of agency performance.

Given recent news coverage of more than 900 of the 1,500 indicators having no specific targets, and in 200 cases metrics being lower than current performance, Citizens Union believes that this oversight hearing is timely and necessary.<sup>1</sup> We applaud the Council for its diligent oversight of the MMR to ensure its relevance and utility.

Our previous recommendations are summarized below; however, I will focus the majority of my testimony on the legislation before you today.

1. **Performance targets** are too often blank and should be completed by agencies, even if goal is to decrease the number, for example, to decrease workforce injuries or accidents in schools;
2. **More detailed budgetary information** should be included for each agency's programs if not its goals in the MMR;
3. **The MMR should include important good government, cross-agency initiatives such as:**
  - Inclusion of data on the open data portal
  - Agency Compliance with the Pro-Voter Law
  - Freedom of Information Law (FOIL) Responses
  - Meetings webcast or recorded

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<sup>1</sup> Dawsey, Josh. "City Chided for Setting Bar Too Low." Wall Street Journal. December 11, 2015. Available at: <http://www.wsj.com/articles/city-chided-for-setting-bar-too-low-1449877586>

Regarding **Intro 302 (Lander)**, Citizens Union strongly supports this legislation, having worked with the current sponsor on its initial introduction. The City Board of Elections (Board) has in recent years provided greater information in its Annual Report to the City Council, and the Office of Operations has been able to pull some data from that report to fill out some indicators, but unlike other agencies, there is no back and forth to set targets.

We understand that the Board has expressed reservations about the legislation's legality and its desire to be an "independent agency," but believe that the Council's role in approving the Board's budget, appointing/approving members of the Board, and recognized role in state law as receiving an annual report from the Board speak to the Council's authority to legislate in this area. Rather than preempting action from the City Council, this reporting could be seen as an extension of that current responsibility rather than "occupying the field." Additionally, Section 1-102 of the Election Law provides for discretion for localities to pass legislation that may conflict with state law.

Regarding **Intro 711 (Johnson)**, Citizens Union has not officially taken a position on this legislation, but can offer some informal thoughts. We have generally supported the need for greater public input being provided in determining agencies' metrics, and this legislation – which would require the Office of Operations to conduct a citizen satisfaction survey and include the results in the MMR in some fashion – could achieve this goal. The legislation is not prescriptive in this area regarding how the Office of Operations would conduct the survey, its contents, or how it would be used in an evaluative manner. This flexibility could be helpful to ensure that the survey is workable by agencies, but at the same time, more specificity from the Council could be helpful to ensure that it is meaningful. We encourage the Council – provided you haven't already – to engage with the Mayor's office in constructing something that meets both goals. One other small point – as raised by Professor Muzzio – is that the survey should specify it is for residents, not only citizens.

Thank you again for providing the opportunity for Citizens Union to provide its thoughts on the 2014 Mayor's Management Report. I am happy to answer any questions you might 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: \_\_\_\_\_

(PLEASE PRINT)

Name: Guenevere Knowles

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

I represent: Operations

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

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

(PLEASE PRINT)

Name: Doug Tweety

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

I represent: IBC

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

General Comments  in favor  in opposition  
on MMR

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

(PLEASE PRINT)

Name: Julia Kite

Address: 200 Riverside Drive, New York, NY 10025

I represent: Transportation Alternatives

Address: 111 John Street, Suite 260, NY, NY 10038

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**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: 12/14/2015

(PLEASE PRINT)

Name: PAUL EPSTEIN

Address: 60 COOPER ST. Apt. 4G, NY, NY 10034

I represent: Self

Address: (above)

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 711 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/14/15

(PLEASE PRINT)

Name: DOUGLAS MURZIO

Address: 41 POPLAR AVE, POHATON PLNS NJ 07444

I represent: MYSELF

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 302 Res. No. \_\_\_\_\_

in favor  in opposition

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

(PLEASE PRINT)

Name: Rachael Fauss

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

I represent: Citizens Union

Address: 299 Broadway

Please complete this card and return to the Sergeant-at-Arms

**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: \_\_\_\_\_

(PLEASE PRINT)

Name: MARIA DOUIS

Address: TWO PENN PLAZA

I represent: CITIZENS BUDGET COMMISSION

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

**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: 12/14

(PLEASE PRINT)

Name: MICHAEL RYAN

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

I represent: EXEC DIR - BLDG DEPT

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

**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: 12/14/15

(PLEASE PRINT)

Name: JINTANA CHU

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

I represent: MAYOR'S OFFICE OF OPERATIONS

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

Please complete this card and return to the Sergeant-at-Arms