



**ADMINISTRATION TESTIMONY  
BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON  
GOVERNMENT OPERATIONS**

*February 4, 2019*

**INTRODUCTION**

Good morning Speaker Johnson, Chair Cabrera, and members of the Committee on Governmental Operations. My name is Joe Morrisroe, I am the Executive Director of New York City 311. Thank you for the opportunity to testify today. I will address the bill being heard before this committee and will then turn it to the individual agencies to provide testimony on their 311 response operations. You will hear from DEP, DOB, DOF, DOHMH, DOT, HPD, and TLC.

Introduction 1002 by Council Member Holden would require the 311 customer service center to indicate that an agency is unable to respond to a service request or complaint.

Let me begin by giving a bit of background. The creation of the 311 system was specifically built to have a "closed loop" process so customers may know the result of the issue they report based on the individual agency assigned to the request. As you will hear today, service requests have a wide range of service level agreements, or SLAs, which is the timeframe an agency is expected to respond for a particular issue. Some SLAs are as short as an hour, while others can span for several days, depending on the severity to public safety. 311's role is to communicate that information to the customer and provide an expectation on when the service request will be fulfilled. As such, 311 is unable to follow an agency's workflow process for each of the 3 million service requests that are filed yearly and accurately provide a disposition for service requests that have not been marked "Closed." We rely on our agencies to do that.

Introduction 1002 will drastically change 311's operations and would not allow it to fulfill its role of providing New Yorkers with the information they seek or help them submit and monitor their service requests. For these reasons, we cannot support the bill's intent in its current form.

At this point, I will turn it to Deputy Commissioner Michael DeLoach from the Department of Environmental Protection.

**DEP ✖**

Good morning, Speaker Johnson, Chair Cabrera and members of the Committee. I am Michael DeLoach, Deputy Commissioner for Public Affairs at the Department of Environmental Protection. I'm pleased to be here today to talk about DEP's response to 311 complaints.

DEP protects the environment and public health by providing high quality drinking water, managing wastewater and stormwater and reducing air, noise, and hazardous materials pollution. Due to the scope of

our operation, DEP responds to more than 200,000 311 complaints per a year. DEP has a large and sophisticated 311 response system in place to ensure that every complaint is responded to.

DEP has 123 unique complaint types in the 311 system, which fall into 11 different complaint categories. The 123 complaint types are categorized as either priority or non-priority complaints. Twenty-six of our complaint types are priority, meaning that they must be responded to within 24 hours. Some responses – such as chemical spills – must be responded to within an hour. Non-priority complaints – such as damaged curb pieces – may be responded to within a few days.

All 311 calls forwarded to DEP are automatically routed to the appropriate response bureau within the agency. Priority complaints are simultaneously sent to the Emergency Communication Center (ECC), which is staffed 24/7. Upon receiving the priority message, staff at the ECC contact on-call staff who immediately respond to the complaint.

## **DOB**

Good morning, Speaker Johnson, Chair Cabrera and members of the Committee. I am Patrick A. Wehle, Assistant Commissioner of External Affairs at the New York City Department of Buildings (“the Department”). I am pleased to be here today to discuss the Department’s response to 311 complaints.

The Department takes very seriously its obligation to respond to every complaint it receives. In Fiscal Year 2018, the Department received nearly 102,000 311 complaints. The Department triages its complaints based on the severity of alleged conditions. As such, the Department has established nearly one hundred unique complaint categories, each of which is assigned a priority. The Department’s top priority is responding to complaints that allege serious safety issues. This includes structural instability, failure to safeguard construction sites, accident response, and work occurring without a permit from the Department. These complaints are categorized as “Priority A” and “Priority B” complaints. The Department also responds to lower priority complaints, which capture violating conditions that if occurring, while serious, do not present an immediate threat to the public.

The Department responds to complaints expeditiously. In Fiscal Year 2018, the Department responded to nearly 16,500 “Priority A” complaints. While the Department’s target to respond to these complaints is twenty-four hours, such complaints are generally responded to within nine hours of receipt and within two hours for the most serious cases. The Department also responded to approximately 75,000 “Priority B” complaints. While the Department’s target to respond to these complaints is forty days, such complaints are responded to within eleven days, down from over forty days four years ago. Additionally, the Department responded to nearly 33,000 lower priority complaints.

## **DOF**

Good morning, Speaker Johnson, Chair Cabrera and members of the Committee. My name is Sheelah Feinberg and I am the Director of Intergovernmental Affairs for the Department of Finance. Thank you for this opportunity to testify about DOF’s processes for responding to 311 service requests.

DOF maintains a close working relationship with our partners at 311. We share information with each other in real time in order to empower 311 to respond to most inquires at the point of first contact. This is especially important to DOF due to the high volume of DOF-related calls that 311 receives. In FY 2018, 311 received 1,021,918 calls about DOF matters, and was able to resolve to 87% of them during the call.

Our partnership with 311 increases the quality of the customer service that we can provide and helps the public get the information they need as quickly and easily as possible.

Our staff is in contact with 311 on a daily basis. Both 311 and DOF monitor call volume and adjust the information given to the public in real time to respond to the types of inquiries that are trending. DOF prepares 311 in advance of all mailings and public initiatives to ensure that the agents have the information necessary to respond to the public's questions.

When 311 is not able to resolve the matter at first contact, DOF accepts and responds to service requests. In FY18 we received 63,318 service requests from 311, which accounts for 6% of the total DOF-related call volume to 311.

Service requests are addressed by individual business units in the order they are received. Last year, DOF received 39,445 requests for copies of documents, form, and other printed material, and the average turnaround time to respond was one day. The average length of time to close a service request agency-wide was 10 days. In total DOF closed over 96% of all service requests received in FY18.

Overall, 67% of service requests were closed within their service level agreement, or SLA, in FY2018. DOF is already making strides to improve this number: through the first half of FY19, 74% of service requests have been closed within their SLA. In many cases, our first response to repose to the customer is within the service level agreement, even if we aren't not able to fully resolve the issue and close the service request.

In summary, we continue to prioritize customer service. We strive to give our customers the information they need as quickly as possible by working with 311 and responding to service requests.

## **DOHMH**

Good Morning, Speaker Johnson, Chair Cabrera and members of the Committee. I am Jeff Hunter, Assistant Commissioner for Environmental Health Administration at the Department of Health and Mental Hygiene (DOHMH). Thank you for inviting us here to testify on how we respond to 311 service requests.

New Yorkers can use 311 to file complaints and other service requests for DOHMH to enforce provisions of the NYC Health Code, with a wide scope including rodent infestations, food safety, smoking, water safety, as well as other environmental conditions that may cause injury or illness.

New Yorkers can also use 311 to access general public health information like information on infectious disease outbreaks and product contamination. New Yorkers can also be connected to healthcare services like sexual health clinics and health insurance enrollment centers. For 311 inquiries that require discussion of confidential health information, like accessing birth and death certificates, callers are routed to the DOHMH Call Center, where trained customer service representatives can help them with their inquiry.

In 2018, 311 received over 320,000 inquiries and over 66,000 service requests for DOHMH. While we strive to respond to all complaints we receive in a timely manner, our response protocol prioritizes complaints based on the threat to public health alleged in the complaint. For serious allegations, we may respond with an immediate inspection of the site. For lesser public health threats, we may respond within 3 days, and for less severe allegations, we may send a warning letter to the operator or business owner, requesting that they eliminate the condition or the Department will take action.

Our most common complaints are rodent complaints. In 2018, DOHMH received over 30,000 rodent related service request. When a New Yorker files a rodent complaint through 311, it is routed to DOHMH for assignment and review. All rodent complaints are routed for an unannounced inspection (unless they are duplicates of a complaint already scheduled for inspection.) Our target timeframe for inspection is within 10 business days, and in FY18, we met that expectation in 81% of cases.

After a service request is resolved, DOHMH staff update our internal complaint tracking system with the case resolution. That data is then copied to the Citywide reporting system controlled by DOITT. When a New Yorker files a 311 rodent complaint, they are informed that all inspection outcomes are available on 311. This information is available on Open Data, grouped by property, which is especially helpful for New Yorkers because they can see what other rodent complaints and inspections have occurred.

DOHMH is committed to prompt and transparent response to all inquiries and complaints, and thank the Council for their partnership in helping to protect and improve the health of all New Yorkers.

## **DOT**

Good morning, Speaker Johnson, Chair Cabrera and members of the Committee. I am Rebecca Zack, Assistant Commissioner for Intergovernmental and Community Affairs at the New York City Department of Transportation. Thank you for inviting us here to testify on City agency responsiveness to 311 service requests.

With 6,000 miles of street and 12,000 of sidewalk, 14,000 signalized intersections, 300,000 streetlights, over a million signs, 14,000 muni meters, and 69 million linear feet of markings to safely and efficiently manage and always in need of continuing attention, DOT makes up a sizable portion of 311 service requests. Defective streetlights, potholes, signals, other street conditions, sidewalk conditions, broken meters, and missing or dangling signage are among our top requests, in that order.

Our first goal is to make safe any dangerous condition. In the case of traffic signals for example, in addition to receiving complaints, our own system will alert us to an issue and for the fourth fiscal year in a row we exceeded our performance target of two hours to make safe. In the case of signage we prioritize any sign that is dangling, regulatory signage, or an intersection without at least one sign to identify the main or cross street for emergency services and continue to meet our performance target for replacing high priority regulatory signage within less than two business days for the fifth year running.

Let me address one of our most common complaints, potholes. With the de Blasio Administration's record level of resurfacing, the number of potholes we have had to fill in the most recent fiscal year was down almost 40 percent since 2014 and our average response time is down to three and half days for FY18, after which the case is closed. Dangerous conditions are prioritized first, followed by 311 service requests according to their age. In addition we address conditions identified by our own crews and arrange our work routes for efficiency. In fact for the most recent fiscal year about half of all our jobs were proactive rather than in response to a request.

In summary, DOT appreciates the public's assistance as our eyes and ears to report maintenance issues when they see them. Responding to urgent issues is a top priority of our agency, as well as the upkeep and maintenance of the vital infrastructure on which New Yorkers rely, to ensure safe, efficient mobility for all.

## HPD ✖

Good morning, Speaker Johnson, Chair Cabrera, and members of the Committee. My name is Sarah Mallory, and I am the Chief of Staff for Government Affairs at the New York City Department of Housing Preservation and Development (HPD). Thank you for the invitation to testify on the critical steps HPD is taking to respond to 311 complaints in a timely and effective manner.

HPD aggressively enforces the City's Housing Maintenance Code (HMC) by responding to complaints, conducting inspections, and issuing violations. Our goal is to respond with an inspection as quickly as possible to every 311 complaint about housing maintenance conditions, especially those with serious health or safety circumstances. In Fiscal Year 2018 (FY18), we attempted more than 700,000 inspections and issued more than 522,000 violations in response to complaints, including 580,000 311 service requests, observed conditions by inspectors and proactive inspections initiated by HPD.

With over 150 complaint types in the 311 system relating to HPD maintenance service requests, we further categorize them into non-hazardous, hazardous, or immediately-hazardous complaints based on the severity of the reported conditions. Upon receipt of a complaint, HPD will attempt to contact a building's managing agent almost immediately to advise them that a complaint has been filed and that a violation may be issued if the condition is not corrected. HPD will also attempt to call the tenant to see if the condition was corrected and, if so, HPD will close the complaint. If not, HPD will send a Code Inspector within a timeframe dependent on the severity of the complaint. There are also more than 20 information request types, which HPD staff attempt to fulfill in an expedient manner, including requests for the *ABCs of Housing*, HPD's guide to housing rules and regulations for owners and tenants.

To give an example, HPD responds to heat and hot water complaints as quickly as possible. Every year, "Heat Season" officially begins on October 1<sup>st</sup> and runs through May 31<sup>st</sup> in response to colder weather. Residential building owners are required by law to maintain indoor temperatures at 68 degrees when it falls below 55 degrees outside during the day and a minimum of 62 degrees indoors overnight, regardless of outdoor temperatures. Building owners are also legally required to provide hot water at 120 degrees year-round. In heat season FY18, HPD received over 210,000 complaints for heat and for hot water. Despite this high volume of complaints, our Code Inspectors were able to reach residents within three days. So far in this current heat season, we have received over 131,000 heat and hot water complaints, and have been able to reduce that response time by one full day, so that our Code Inspectors are reaching residents within two days. We are constantly working to get to residents even quicker whenever possible. Our non-emergency complaints, which can range from low water pressure to the cleanliness of a garbage storage area, have slightly longer response times for inspections.

I want to give a special thanks to our Code Inspectors, who brave polar vortexes and blistering heat to ensure that New Yorkers are living in safe, quality housing. Customer service and our everyday interactions with tenants are important to HPD, and we strive to respond to every request as soon as possible.

## TLC ✖

Good morning, Speaker Johnson, Chair Cabrera and Members of the Committee. I am Mark Lee, Assistant Commissioner of Licensing and Standards at the New York City Taxi and Limousine Commission (TLC).

The core of TLC's mission is to regulate and license almost 130,000 medallion taxicabs, for-hire vehicles (community-based liveries, black cars and luxury limousines), commuter vans, paratransit vehicles, and nearly 200,000 TLC-licensed drivers as well as the businesses that support them. TLC-licensed drivers perform over one million trips every day, and with all these trips, 311 receives a significant number of lost property reports, consumer complaints and other service requests.

I want to give a brief overview of how TLC processes and responds to requests received through 311. When a passenger reports property left inside a yellow or green taxi, the passenger and trip information go into 311's system.

The customer next receives an automatic e-mail informing them that their case has been assigned along with the TLC employee's name and phone number assigned to the case. This usually occurs the same day or next day. TLC staff will attempt to locate the driver, vehicle or garage using TLC trip data and licensee records but may need to contact the passenger for additional information (such as clarifying the drop off time and location). Once the driver is identified, staff will facilitate conversations between passengers and licensees so that the property can be returned. Staff closes the record in 311's system once the search has been completed or if they are unable to proceed without further information and haven't heard back from the passenger. If passengers contact TLC after a case has been closed, TLC staff will reopen the investigation and continue to pursue the lost property search. The whole process usually takes no more than 2-3 days.

Turning to complaints filed against a TLC licensee, TLC's Prosecution Unit completes daily imports from 311's system into TLC's Electronic Summoning and Administration Program (ESAP) System. Immediately thereafter, correspondence is generated to the complainant acknowledging the receipt of their complaint and stating that TLC is investigating the incident and will keep them informed throughout the process. If the TLC investigation finds evidence of a TLC rule violation, they will move forward with a case against the licensee. If, however, the investigation determines that no violation occurred, the complainant will be notified that TLC is unable to prosecute their complaint. In all cases, TLC prosecutors are available by telephone or email to discuss their complaint and answer any questions complainants may have. These 311 requests are closed out only after the complaint is resolved, including if TLC declines to prosecute the complaint, if a driver settles, or if the case is decided by OATH after a hearing or appeal.

Compliments and agency issues are small in volume and comprise the remainder of TLC 311 requests. TLC's External Affairs Unit reviews compliments and often prepares Commissioner letters thanking TLC licensees for providing stellar service. Agency issues are reviewed and responded to by the TLC Correspondence Team. Matters requiring additional information are forwarded to other units for investigation. Requests are closed when a response has been communicated to the customer.

TLC is committed to having adequate controls over its processing of 311 requests. Working together, we can continue to further this commitment.

On behalf of all the agencies here today, we thank you for the opportunity to testify. At this point we are happy to answer any questions that you may have.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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

in favor  in opposition

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

(PLEASE PRINT)

Name: Sheelah Feinberg, Director of IGA

Address: DOF, One Calver St. NYC 10007

I represent: NYC A. Dolan Commission

Address: DOHMH

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in favor  in opposition

Date: 2/4/19

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Name: Patrick Wehle

Address: DOB

I represent: Zeit Hunter

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

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

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Name: Michael DeLoach

Address: Dep Comm, DEP, back

I represent: 59-17 Junction Blvd, Queens

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

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

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

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Name: Rebecca Zack

Address: Deputy Commissioner DOT

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

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

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in favor  in opposition

Date: 2/4/19

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Name: Jeff Hunter, Assistant Commissioner

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

I represent: DOHMA

Address: 125 Worth St., NYC

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in favor  in opposition

Date: 2/4/2019

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Name: JOE MORRISPOE

Address: 59 MAIDEN LANE, NY NY 10038

I represent: SH

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

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



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in favor  in opposition

Date: 2/4/19

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Name: Sarah Mallory

Address: 100 Gold

I represent: HPD

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

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in favor  in opposition

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

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Name: Jeff Hunter

Address: Assistant Commissioner

I represent: DOHMH

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

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Appearance Card

I intend to appear and speak on Int. No. 1002 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/4/19

(PLEASE PRINT)

Name: Mark Lee

Address: Assistant Commissioner of Licensing

I represent: and standards, NYC Taxi & Limousine Commission

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

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