

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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February 4, 2019  
Start: 10:12 a.m.  
Recess: 12:00 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: FERNANDO CABRERA  
Chairperson

COREY JOHNSON  
Public Advocate

COUNCIL MEMBERS: Ben Kallos  
Alana N. Maisel  
Bill Perkins  
Keith Powers  
Ydanis A. Rodriguez  
Kalman Yeger

## A P P E A R A N C E S (CONTINUED)

Joe Morrisroe, Executive Director, NYC 311

Michael Deloach, Deputy Commissioner for Public Affairs, Department of Environmental Protection, DEP

Patrick Wehle, Assistant Commissioner for External Affairs, NYC Department of Buildings, DOB

Sheelah Feinberg, Director of Intergovernmental Affairs, NYC Department of Finance, DOF

Jeff Hunter, Assistant Commission for Environmental Health Administration, Department of Health and Mental Hygiene, DOHMH

Rebecca Zack, Assistant Commissioner for Intergovernmental and Community Affairs, NYC Department of Transportation, DOT

Sarah Mallory, Chief of Staff, Government Affairs NYC Department of Housing, Preservation and Development, HPD

Mark Lee, Assistant Commissioner of Licensing and Standards, NYC Taxi & Limousine Commission, TLC

2 [sound check] [pause] [gavel]

3 SPEAKER JOHNSON: Good morning and  
4 welcome. I'm Corey Johnson, Speaker of the City  
5 Council, and also acting Public Advocate. You're  
6 welcome Kalman Yeger. In my dual role, I am here to  
7 provide oversight a fundamental power of the  
8 Legislative branch. As the Acting Public Advocate,  
9 I've also focused on examining the city's  
10 responsiveness to concerns New Yorkers register  
11 through 311, what we are getting right, and what we  
12 could be doing better. I want to thank our  
13 Governmental Operations Committee Chair Fernando  
14 Cabrera. He has been an incredibly dedicated partner  
15 on this issue. So, I want to thank him. Today,  
16 we're going to examine agency responsiveness to 311  
17 requests. Much of our discussion will be based on  
18 2018 data that is available [coughs] to the public on  
19 the NYC Open Data Portal where it is updated daily.  
20 This is a great tool transparency and the City  
21 Council hosts several maps and charts on our website  
22 that analyze 311 data, and tell New Yorkers where 311  
23 requests are being made and what concerns are  
24 important to communities, but this information is  
25 only as valuable as the quality of the data that 311

2 collects. We are concerned with ensuring that New  
3 Yorkers are receiving timely responses to their  
4 requests and that the 311 system is as robust and  
5 useful as possible. Unfortunately, we see extensive  
6 data quality issues. There are pervasive data errors  
7 that impeded the ability of the public to understand  
8 how quickly agencies respond to complaints. There  
9 are also ambiguous complaint resolution descriptions  
10 that make it impossible to know how the agency in  
11 question responded to certain complaints and also the  
12 poor quality of complaint resolution status makes a  
13 high number of complaints receive through the 311  
14 system appear inconclusive and unresolved. Based on  
15 the data, we unfortunately don't know when, how or  
16 even if many complaints were actually resolved. For  
17 example, nearly all of the complaints--[coughs]  
18 excuse me. Nearly all the complaints handled by the  
19 Taxi and Limousine Commission and the Department of  
20 Health and Mental Hygiene are technical marked  
21 closed, but appear to be ongoing. We're talking  
22 about 99% of TLC complaints, and 99% of DOHMH  
23 complaints here. TLC's most common complaint  
24 resolution just says that TLC will contact you in 14  
25 days to confirm your complaint details. How do we

2 know when or if TLC actually resolved the complaint?  
3 About 20% of rodent complaints were reportedly  
4 addressed by the Department of Health and Mental  
5 Hygiene before the complaint was ever even submitted.  
6 How is that possible? For the other 80% of rodent  
7 complaints, the complaint resolution just says that  
8 DOHMH will review your complaint and the complaint  
9 will probably result in an inspection and a call-back  
10 in 30 days for status. How do we know when or if  
11 DOHMH actually resolved the complaint? Why can't the  
12 complaint status simply be updated once action has  
13 occurred? Roughly 46 of complaints handled by the  
14 Department of Transportation have a vague resolution  
15 description, which just says that service request  
16 status is available on DOT's website. Again, how do  
17 we know what DOT actually did resolve the complaint?  
18 Similarly, roughly 74% of complaints handled by the  
19 Department of Finance were also ambiguous. Thousands  
20 are updated to "We have researched your claims." How  
21 do we know if the Department of Finance actually  
22 resolve the complaint? We don't know. Some agencies  
23 resolve cases quickly at first and then slow down.  
24 Then show a sudden spike around a certain time. DOT  
25 usually takes about two weeks to resolve street sign-

2 street sign complaints, but closes out nearly 10% of  
3 those complaints right around the 180-day mark. Is  
4 this a true reflection of when DOT has resolved these  
5 cases? Despite these troubling issues, we do see  
6 some very positive things from the data, and I want  
7 to commend—I want to commend specifically the  
8 Department of Sanitation for their clarity and  
9 responsiveness. Fifty percent of their cases are  
10 marked fixed, and they have zero ambiguous resolution  
11 descriptions. So, I want to thank the Department of  
12 Sanitation. Today we'll hear commitment from 311 and  
13 from all of the agencies present that data accuracy  
14 and clear and constant communications with the public  
15 will be a priority when moving forward. So, I want  
16 to thank you all for being here. I want to turn it  
17 over to our Governmental Operations Chair for his  
18 opening statement.

19 CHAIRPERSON CABRERA: Thank you so much.  
20 Good morning. I am the chair of the Committee on  
21 Governmental Operations, Council Member Fernando  
22 Cabrera. We are please to be joined today by the  
23 Speaker and acting public Advocate Corey Johnson who  
24 has given us incredible leadership on this issue of—  
25 on the issues related 311. Today, we will be

2 conducting oversight on the agency responsiveness to  
3 311 requests—service requests. As you will recall at  
4 the last hearing 311 in January dealt with the call  
5 taking system, and improving system features to  
6 better serve New Yorkers. Today, we are asking what  
7 happens once agencies receive service request from  
8 311. We are also hearing one piece of legislation  
9 today. I will describe it briefly, but the sponsor  
10 can discuss it—discuss it in detail. Introduction  
11 1002 of 2018 sponsored by Council Member Holden in  
12 relation to requiring the 311 Customer Service Center  
13 to indicate that an agency is unable to respond to a  
14 service request or complaint. This bill will require  
15 311 to indicate in a service request status update  
16 when the agency in question is unable to take action  
17 on a request. This information will be publicly  
18 available to the original 311 complaint. 311 is only  
19 as valuable as the response it generates and the  
20 public only knows their complaints as being responded  
21 to when agencies provide information back to them.  
22 New Yorkers should be able to trust that a complaint  
23 filed with 311 when that language and avoid (sic),  
24 but would respond to promptly and include an accurate  
25 status update. Unfortunately, the 311 data we have

2 seen shows varied and uneven response times and  
3 accuracy and status updates. Today, we want to hear  
4 how 311 and agencies are working together to ensure  
5 that 311 is as robust as it could be, as the nation's  
6 largest non-emergency call center. I would like to  
7 thank—to again thank the Speaker Corey Johnson for  
8 joining us today, and the sponsor of this legislation  
9 being heard today, Council Member Holden. I would  
10 also like to thank our staff whose work made this  
11 hearing possible, Brad Reed, Elizabeth Cronk, Emily  
12 Forgione, Zach Harris, Alaa Moussawi, Julia  
13 Friedenbergh, Ben Witt as well as my own Legislative  
14 Director Claire McLeveighn. I will now turn the  
15 microphone over to Council Member Holden to speak on  
16 his bill.

17 COUNCIL MEMBER HOLDEN: Thank you, Chair  
18 Cabrera, and thanks Speaker and Public-Acting Public  
19 Advocate for your—your words. We all know that 311  
20 is as useful tool for constituents to report to  
21 respective city agencies, the quality of life  
22 concerns that they have. City agencies respond to  
23 all types of concerns from illegal parking to heat or  
24 hot water complaints of derelict vehicles and/or the  
25 lack of garbage pickup. I use 311 app, and see



2 requests closed untruthfully, and I can't tell you  
3 how many I've called about car at a hydrant. You get  
4 up the next morning, you get the request. It said  
5 the car is not there, and I get up and I look and  
6 it's there. So, what is going on? Who's, you know,  
7 not telling the truth? We know that a lot of police  
8 calls are closed untruthfully, and I want to—I want  
9 to get to a number of—of issues, but I understand  
10 that, you know, in an abundance of requests city  
11 agencies especially like I mentioned the NYPD cannot  
12 adjudicate all requests in a timely fashion. We need  
13 to know that. We need to see that, and we need to  
14 hear that. Intro 1002 would ensure that each service  
15 request is closed truthfully, and that's not too much  
16 to ask, folks that we get the truth. So, if an  
17 agency is unable to respond it would be—they would be  
18 obligated to close a 311 request stating they could  
19 not respond to the request for service. The City  
20 Council looks forward to increase transparency in  
21 city government and this bill calls for increased  
22 transparency for all our agencies. Our constituents—  
23 constituents should be told the absolute truth when  
24 it comes to 311 requests. If folks are willing to  
25 take the time out of their day to report their

2 concerns, the city agencies should be accountable  
3 with the in-in-with informative information or the  
4 truth. This is exactly what government ought to be  
5 about. Like I mentioned, NYPD not responding  
6 truthfully. For years folks, for years and as a  
7 civic leader over and over again we—we had to call  
8 the precinct. Then finally when I—we would report to  
9 the Department of Sanitation a problem, let's say a  
10 zombie house filled with all over the front yard  
11 litter. I put in a number a number of requests, and  
12 I didn't put my name sometimes on it because I wanted  
13 to see what would happen. So, as a civic leader they  
14 knew me. So, if I put my name they would act  
15 truthfully. They would respond okay, yes, ticketed  
16 the-the zombie house. When I didn't put my name in,  
17 no ticket. They said an agent responded, and didn't  
18 see a problem. So, there's something going on here.  
19 I think we need to really get to the bottom of it,  
20 and this bill I hope does, and I—I would like to hear  
21 how we can get truthful response from these agencies  
22 and from the panel here. Thank you.

23 SPEAKER JOHNSON: Thank you, Council  
24 Member Holden and thank you, Chair Cabrera. I want

2 to ask the committee counsel to please swear in the  
3 witnesses today.

4 LEGAL COUNSEL: Please raise your right  
5 hand. Do you swear or affirm to tell the truth, the  
6 whole truth and nothing but the truth in your  
7 testimony before this committee, and to respond  
8 honestly to Council Member questions?

9 FEMALE SPEAKER: I do.

10 JOE MORRISROE: I do.

11 LEGAL COUNSEL: Thank you

12 SPEAKER JOHNSON: I believe we're going  
13 to start with Mr. Morrisroe and then we're probably  
14 going to go down from the different agencies. So,  
15 thank you very much for being here this morning.

16 JOE MORRISROE: Good morning Speaker  
17 Johnson, Chair Cabrera, and members of the Committee  
18 on Governmental Operations. My name is Joe  
19 Morrisroe. I am the Executive Director of New York  
20 City 311. Thank you for the opportunity to testify  
21 today. I will address the bill being heard before  
22 this committee and will then turn it to the  
23 individuals agencies to provide testimony on their  
24 311 response operations. You will hear from  
25 Department of Environmental Protection, Department of

2 Buildings, the Department of Finance, the Department  
3 of Health and Mental Hygiene, the Department of  
4 Transportation, Housing, Preservation and  
5 Development, and the Taxi and Limousine Commission.  
6 Introduction 1002 by Council Member Holden would  
7 require the 311 Customer Service Center to indicate  
8 that an agency is unable to respond to a service  
9 request or a complaint. Let me begin by giving a bit  
10 of background. The creation of the 311 system was  
11 specifically built to have closed loop process so  
12 customers may know the result of their issue—sorry,  
13 the issue they report based on the individual agency  
14 assigned to the request. As you will hear today,  
15 service requests have a wide range of Service Level  
16 Agreements or SLAs, which is the timeframe and agency  
17 is expected to respond to respond for a particular  
18 issue. Some SLAs are as short as an hour while  
19 others can span for several days depending on the  
20 severity to public safety. 311's role is to  
21 communicate that information to the customer and  
22 provide an expectation on when the service request  
23 will be fulfilled. As such, 311 is unable to follow  
24 an agency's workflow process for each of the three  
25 million service requests that are filed yearly and

2 accurately provide a disposition for a service  
3 request that has not marked as closed. We rely on  
4 our agencies to do that. Introduction 1002 would  
5 drastically change 311's operations. It would not  
6 allow it to fulfill its role of providing New Yorkers  
7 with the information they seek or help them submit  
8 and monitor their service request. For these reasons  
9 we, cannot support the bill's intent in its current  
10 form. At this point, I will turn it to Deputy  
11 Commissioner Michael Deloach from the Department of  
12 Environmental Protection.

13 DEPUTY COMMISSIONER DELOACH: [coughs]

14 Good morning, Speaker Johnson, Chair Cabrera and  
15 members of the Committee. I'm Michael Deloach,  
16 Deputy Commissioner for Public Affairs at the  
17 Department of Environmental Protection. I'm pleased  
18 to be here today to talk about DEP's response to 311  
19 complaints. DEP protects the environment and public  
20 health by providing high quality drinking water,  
21 managing waste water and storm water and reducing  
22 air, noise and hazardous materials pollution. Due to  
23 the scope of our operation, DEP responds to more than  
24 200,000 311 complaints a year. DEP has a large and  
25 sophisticated 311 response system in place to ensure

2 that every complaint is responded to. DEP has 123  
3 unique complaint type in the 311 system, which fall  
4 into 11 different complaint categories. The 123  
5 complaint types are categorized as either priority or  
6 non-priority complaints. Twenty six of our complaint  
7 types are priority meaning that they must be  
8 responded with 24 hours. Some responses like a  
9 chemical spill must be responded to within an hour.  
10 Non-priority complaints like damaged curb pieces may  
11 be responded to within a few days. All 311 calls  
12 forwarded DP-DEP are automatically routed to the  
13 appropriate response bureau within the agency.  
14 Priority complaints are simultaneously sent to the  
15 Emergency Communication Center, which is staffed  
16 24/7. Upon receiving the priority message staff at  
17 the ECC contact are on-call who immediately respond  
18 to the complaint.

19 ASSISTANT COMMISSIONER WEHLE: Good  
20 morning Speaker Johnson, Chair Cabrera and members of  
21 the committee. I am Patrick Wehle, Assistant  
22 Commissioner for External Affairs at the New York  
23 City Department of Buildings. I'm pleased to be here  
24 today to discuss the department's response to 311  
25 complaints. The department takes very seriously its

obligation to respond to every complaint that it receives. In Fiscal Year 2018, the department received nearly 102,000 311 complaints. The department triages its complaints based on the severity of the alleged conditions. As such, the department has established nearly 100 unique complaint categories each of which is assigned a priority. The department's top priority is respond to complaints that allege serious safety issues. This includes structural instability, failure to safeguard construction sites, accident response and work occurring with out 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 24 hours, such complaints are responded to within nine hours of receipt, and within 2 hours for the most serious cases. The department also responded to

2 approximately 75,000 Priority B complaints. While  
3 the department's target to respond to these  
4 complaints is 40 days, such complaints are responded  
5 to within 11 days, down from over 40 days 4 years  
6 ago. Additionally, the department responded to  
7 nearly 33,000 lower priority complaints.

8 SHEELAH FEINBERG: Good morning Speaker  
9 Johnson, Chair Cabrera and members of the Committee.  
10 My name is Sheelah Feinberg, and I'm the Director of  
11 Intergovernmental Affairs for the Department of  
12 Finance. Thank you for this opportunity to testify  
13 about DOF's processes for responding to 311 service  
14 requests. DOF maintains a close working relationship  
15 with our partners at 311. We share information with  
16 each other in real time in order to empower 311 to  
17 respond to most inquiries at the point of first  
18 contact. This is essential—especially important to  
19 DOF due to the high volume of DOF related calls that  
20 311 receives. In Fiscal Year 2018, 311 received  
21 1,021,918 calls about DOF matters, and was able to  
22 resolve up to 87% of them during the call. Our  
23 partnership with 311 increase the quality of the  
24 customer service that we provide and helps the public  
25 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 address the information given to the public in real time to respond to the types of inquiries that are trend-trending. DOF prepares 311 in advance. Of all mailing 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 Fiscal Year 18, 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, forms and other printed materials, and the average turn-around 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 Fiscal Year 18. Overall, 67% of service requests were closed within their Service Level Agreement or SLA in Fiscal Year 2018. DOF is already making strides to improve this number. Through the first half of Fiscal Year

2 19, 74% of service requests have been closed within  
3 their SLA. In many cases, our first response to  
4 response to the customer is within the Service Level  
5 Agreement even if we are not able to fully resolve  
6 the issue and close the service request. In summary,  
7 we continue to prioritize customer service. It's one  
8 of our four pillars. We strive to give our customers  
9 the information they need as quickly as possible by  
10 working with 311 and responding to service requests.

11 DEPUTY COMMISSIONER HUNTER: Good morning  
12 Speaker Johnson, Chair Cabrera committee—and members  
13 of the committee. I am Jeff Hunter, Assistant  
14 Commission for Environmental Health Administration at  
15 the Department of Health and Mental Hygiene. Thank  
16 you for inviting us here to testify on how we respond  
17 to 311 service request. New Yorkers can use 311 to  
18 file complaints and other service requests for DOHMH  
19 to enforce provisions of the New York City Health  
20 Code with a wide scope including rodent infestations,  
21 food safety, smoking, water safety as well as other  
22 environmental conditions that may cause injury or  
23 illness. New Yorkers can also use 311 to access  
24 general public health information like information on  
25 infectious disease outbreaks and product

2 contamination. New Yorkers can also be connected to  
3 healthcare services like sexual health clinics,  
4 health insurance enrollment centers for 311 inquiries  
5 that require discussion of confidential health  
6 information like accessing birth and death  
7 certificates. Callers are routed to the DOHMH Call  
8 Center where trained customer service representatives  
9 can help them with their inquiry. In 2018, 311  
10 received 320-over 320,000 inquiries and over 66,000  
11 service requests for DOHMH. While we strive to  
12 respond to all complaints we receive in a timely  
13 manner, our response protocol prioritizes complaints  
14 based on the threat to public health alleged in the  
15 complaint. For serious allegations we may respond  
16 within an immediate inspection of the site. For  
17 lesser public health threats, we may respond within  
18 three days, and for less severe allegations, we may  
19 send a warning letter to the operator or business  
20 owner requesting that they eliminate the condition or  
21 the department will take action. Our most common  
22 complaints are rodent complaints. In 2018, DOHMH  
23 received over 30,000 rodent related service requests.  
24 When a New Yorker files a rodent complaint through  
25 311, it is routed do DOHMH for assignment and review.

2 All rodent complaints are routed for an unannounced  
3 inspection unless there are duplicates of the  
4 complaint already scheduled for inspection. Our  
5 target timeframe for inspection is with 10 business  
6 days. In FY18, Fiscal Year 18 we met that  
7 expectation in 80–81% of cases. After a service  
8 request is resolved, DOHMH staff update our Internal  
9 Complaint Tracking System, with the case resolution.  
10 That data is then copied to the Citywide Reporting  
11 System controlled by DOITT. When a New Yorker files  
12 a 311 rodent complaint, they are informed that all  
13 inspection outcomes are available on 311. This  
14 information is available on the open data grouped by  
15 property, which is especially helpful for New Yorkers  
16 because they can see what other rodent complaints and  
17 inspections have occurred. DOHMH is committed to  
18 prompt and transparent response to all inquiries and  
19 complaints, and thanks the Council for their  
20 partnership in helping to protect and improve the  
21 health of all New Yorkers.

22 ASSISTANT COMMISSIONER ZACK: Good  
23 morning Speaker Johnson, Chair Cabrera and members of  
24 the Committee. I am Rebecca Zack, Assistant  
25 Commissioner for Intergovernmental and Community

2 Affairs at the New York City Department of  
3 Transportation. Thank you for inviting us to testify  
4 on city agency responsiveness to 311 service  
5 requests. With 6,000 miles of street and 12,000  
6 miles of sidewalks, 14,000 signalized intersections,  
7 300,000 street lights, over a million signs, 14,000  
8 muni meters and 69 million linear feet of markings to  
9 safely and efficiently manage and always in need of  
10 continuing—excuse me—continuing attention, DOT makes  
11 up a sizable portion of 311 service requests.  
12 Detective—defective street lights, potholes, signals,  
13 other street conditions, sidewalk conditions, broken  
14 meters and missing or dangling signage are among our  
15 top requests in that order. Our first goal is to  
16 make safe any dangerous condition. In the case of  
17 traffic signals, for example, in addition to  
18 receiving complaints, our own system will alert us to  
19 an issue and for the fourth fiscal year in a row we  
20 have had—we have exceeded our performance target of  
21 two hours to make safe. In the case of signage, we  
22 prioritize any sign that is dangling, regulatory  
23 signage or any—or an intersection without at least  
24 one sign to identify the main or cross street for  
25 emergency services and continue to meet our

2 performance target for replacing high priority  
3 regulatory signage with less—within less than two  
4 business days for the fifth year running. Let me  
5 address one of our most common complaints: Potholes.  
6 With the de Blasio Administration's record level of  
7 resurfacing, the number of potholes we have—we have  
8 had to fill in the most recent fiscal year was down  
9 almost 40% since 2014 and our average response time  
10 is down to 3-1/2 days for FY18 after which the case  
11 is closed. In addition, we address conditions  
12 identified by our own crews and arrange our work  
13 routes for efficiency. In fact, for the most recent  
14 Fiscal Year, about half of all our jobs were  
15 proactive rather than in response to a request. In  
16 summary, DOT appreciates the public assistance as our  
17 eyes and ears to report maintenance issues when they  
18 see them. Responding to urgent issues is a top  
19 priority for our agency as well as the upkeep and  
20 maintenance of the vital infrastructure on which New  
21 Yorkers rely to ensure safety—ensure safe, efficient  
22 mobility for all. Thank you.

23 SARAH MALLORY: Good morning Speaker  
24 Johnson, Chair Cabrera and members of the committee.  
25 My name is Sarah Mallory, and I'm the Chief of Staff

2 for Government Affairs with the New York City  
3 Housing, Preservation and Development. Thank you for  
4 the invitation to testify on the critical steps HPD  
5 is taking to respond to 311 complaints in a timely  
6 and effective manner. HPD aggressively enforces the  
7 City's Housing Code (sic) by responding to  
8 complaints, conducting inspections and issuing  
9 violations. Our goal is to respond with an  
10 inspection as quickly as possible to every 311  
11 complaint about housing maintenance conditions  
12 especially those with serious health or safety  
13 circumstances. In Fiscal Year 2018, we attempted  
14 more than 700,000 inspections and issued more than  
15 522,000 violations in response to complaints  
16 including 580,000 311 service requests, observed  
17 conditions by inspector and proactive inspection  
18 initiated by HPD. With over 150 complaint types in  
19 the 311 system relating to HPD maintenance service  
20 requests, we further categorize them into non-  
21 hazardous, hazardous or immediately hazardous  
22 complaints based on the severity of the reported  
23 conditions. Upon receipt of a complain, HPD will  
24 attempt to contact the building's managing agent  
25 immediately to advise them that a complaint has been

2 filed, and that a violation may be issued if the  
3 condition is not corrected. HPD will also attempt to  
4 call the tenant to see if the condition was  
5 corrected, and if so, HPD will close the complaint.  
6 If not, HPD will send a code inspector within a  
7 timeframe depending on the severity of the complaint.  
8 There are also more than 20 information request  
9 types, which HPD staff attempt to fill in an  
10 expedient manner including requests for the ABCs of  
11 Housing, HPD's Guide to Housing Rules and Regulations  
12 for Owners and Tenants. To give an example, HPD  
13 responds to heat and hot water complaints as quickly  
14 as possible. Every year heat season officially  
15 begins on October 1<sup>st</sup> and runs through May 31<sup>st</sup> in  
16 response to the colder weather. Residential building  
17 owners are required by law to maintain in-door  
18 temperatures of 68 degrees when it falls below 55  
19 degrees outside during the day, and a minimum of 62  
20 degrees indoors overnight regardless of outdoor  
21 temperatures. Building owners are also legally  
22 required to provide hot water at 120 degrees year-  
23 round. In heat season FY18, HPD received over  
24 210,000 complaints for heat and hot water. Despite  
25 this high volume of complaints our code inspectors



2 were able to reach residents within three days. So  
3 far, in this current heat season we have received  
4 over 131,000 heat and hot water complaints, and  
5 they've been able to reduce that response time by one  
6 full day, but our code inspectors are reaching  
7 residents within two days. We are constantly working  
8 to residents even quicker whenever possible. Our  
9 non-emergency complaints, which can range from low  
10 water pressure to the cleanliness of a garbage  
11 storage area have slightly longer response times for  
12 inspections. I want to give a special thanks to our  
13 code inspectors who brave fuller vortexes and extreme  
14 heat to ensure that New Yorkers are living in safe  
15 quality housing. Customer service in everyday and  
16 our actions with tenants are important to HPD, and we  
17 strive to respond to every request as soon as  
18 possible.

19 MARK LEE: Good morning Speaker Johnson,  
20 Chair Cabrera, and members of the committee. I am  
21 Mark Lee, Assistant Commissioner of Licensing and  
22 Standards at the New York City Taxi and Limousine  
23 Commission. The core of TLC's mission is to regulate  
24 and license almost 130,000 medallion taxicabs, for-  
25 hire vehicles, including community-based liveries,

2 black cars and luxury limousines, commuter vans,  
3 paratransit vehicles and nearly 200,000 TLC licensed  
4 drivers as well as the businesses that support them.  
5 TLC licensed drivers perform over one million trips  
6 every day, and with all of these trips, 311 receives  
7 a significant number of lost property reports,  
8 consumer complaints and other service requests. I  
9 want to give a brief overview of how TLC processes,  
10 and responds to requests received through 311  
11 starting with lost and found. When a passenger  
12 reports property left inside a yellow or green taxi,  
13 the passenger and trip information go into the 311  
14 system. The customer next receives an automatic  
15 email informing them that their case has been  
16 assigned along with a TLC's employee's name and phone  
17 number assigned to the case. This usually occurs the  
18 same day or next day. TLC staff will attempt to  
19 locate the driver, vehicle or garage using TLC trip  
20 data and licensee records, but may need to contact  
21 the passenger for additional information such as  
22 clarifying the drop-off time and location. Once the  
23 driver is identified, staff will facilitate  
24 conversations between passengers and licensees so  
25 that the property can be returned. Staff closes the

2 record and 311 system once the search has been  
3 completed or if they are unable to proceed without  
4 further information and haven't heard back from the  
5 passenger. If passengers contact TLC after a case  
6 has been closed, TLC staff will reopen the  
7 investigation and continue to pursue—continue to  
8 pursue the lost property search. The whole process  
9 usually takes no more than two to three days.

10 Turning to complaints filed against a TLC licensee,  
11 TLC's Prosecution Unit completes daily imports from  
12 the 311 system into TLC's Electronic Summoning and  
13 Administration Program or ESAP. Immediately  
14 thereafter correspondence is generated to the  
15 complainant by acknowledging the receipt of their  
16 complaint, and stating that TLC is investigating the  
17 incident and will keep them informed throughout the  
18 process. If the TLC investigation finds evidence of  
19 a TLC rule violation, they will move forward with a  
20 case against the licensee. If, however, the  
21 investigation determines that no violation occurred,  
22 the complainant will be notified that TLC is unable  
23 to prosecute their complaint. In all cases, TLC  
24 prosecutors are available by telephone or email to  
25 discuss their complaint and answer any question

2 complaints may have. These 311 requests are closed  
3 out only after the complaint is resolved including if  
4 TLC declines to prosecute the complaint, if the  
5 driver settles or if the case is decided by OATH  
6 after a hearing or appeal. Compliments and agency  
7 issues are small in volume, and comprise the  
8 remainder of TLC 311 requests. TLC's External  
9 Affairs Unit reviews compliments and often prepared  
10 Commissioner letter thanking TLC licensees for  
11 providing stellar service. Agency issues are  
12 reviewed, and responded to by the TLC Correspondence  
13 Team. Matters requiring additional information are  
14 forwarded to other units for investigation. Requests  
15 are closed when a respondent has—when a response has  
16 been communicated to the customer. TLC is committed  
17 to having adequate controls over its processing of  
18 311 requests. Working together we can continue  
19 further this commitment, and on behalf of all the  
20 agencies here today, we thank you for the opportunity  
21 to testify. At this point, we are happy to answer any  
22 questions you may have.

23 SPEAKER JOHNSON: Thank you, Assistant  
24 Commissioner Lee. Thank you all for being here. I  
25 want to start. My first question is a basic one.

2 It's for each of you. Will you commit today to  
3 providing more regular status updates on 311 service  
4 requests, and to closing out complaints when they are  
5 complete. Would everyone agree to that?

6 JOE MORRISROE: I think that's a goal  
7 we're always striving. So, yes we could all agree.

8 ASSISTANT COMMISSIONER ZACK: Yes.

9 ASSISTANT COMMISSIONER WEHLE:  
10 Absolutely.

11 SPEAKER JOHNSON: So, to 311, Mr.  
12 Morrisroe, is there a technical barrier that is  
13 preventing agencies from providing thorough  
14 information regarding resolution descriptions? If  
15 there is, how could we resolve that?

16 JOE MORRISROE: There are a couple of  
17 steps involved in transmitting information from the  
18 agencies back to 311, but I would not say there is a  
19 technical barrier that exists today.

20 SPEAKER JOHNSON: So then how come when I  
21 gave my opening statement how come we have so many  
22 vague resolution issues from some agencies more than  
23 others we—we applauded Sanitation, but we also talked  
24 about with Department of Health and with DOT how  
25 there are still significant issues on those

2 resolutions. What—why does it—why is there such a  
3 large delta from agency to agency?

4           JOE MORRISROE: I am not sure what the—  
5 why there would be a large delta. I'm not familiar  
6 with the specifics of the examples. If there were a  
7 barriers, as you mentioned before, of passing the  
8 data from an agency back through the system to the  
9 311 system, we have to take a look at that and  
10 address that and understand why. If it's beyond  
11 that, I wouldn't be able to speak to that, and would  
12 defer to my colleagues at the city agencies to  
13 reference that.

14           SPEAKER JOHNSON: Well, if—and—and  
15 correct me if I'm reading this wrong, if you look at  
16 the—the chart that the Council put together, you see  
17 some agencies with very few ambiguous issues related  
18 to the service requests. So, TLC has very, very few.  
19 [man shouting] But then if you go over to the  
20 Department of Finance, 74% of cases are ambiguous.  
21 So there is a very wide difference from agency to  
22 agency where there's an ambiguous resolution or where  
23 there isn't, and it's 311 analyzing these datasets  
24 from agency to agency and figuring out why certain  
25 agencies are better at resolving it while other

2 agencies still have a large outstanding ambiguous  
3 resolution.

4           JOE MORRISROE: First, forgive me for  
5 twisting around to see the screen and turning away.  
6 I'm going to answer your last question first. 311  
7 does not analyze and—and analyze and go through these  
8 agency responses and updates that our core  
9 competencies are really focused on customer service,  
10 intake and referral process and making sure New York  
11 City government information and services are  
12 accessible to all New Yorkers. We do not do a  
13 monitoring or an evaluation function on service  
14 request responses.

15           SPEAKER JOHNSON: I mean I understand  
16 that, but that's also a problem. If you are the—the  
17 agency that people are coming to make complaints,  
18 there needs to be some level of data cleanup or  
19 quality assurance that's being done, and checking to  
20 see that the information that you're providing since  
21 you are the portal for people to go get a status  
22 update on their requests, if one agency has very low  
23 issues related to ambiguous resolutions and others  
24 don't, you would think that you agency would want to  
25 figure out why that is, and work with the individuals

2 agencies to see if there's a way to have greater  
3 transparency and uniformity across the board. It  
4 would e strange if one day I woke up and had a  
5 Sanitation complaint, and made that Sanitation  
6 complaint and I got a very good response, and I was  
7 able to track it, and it wasn't ambiguous. But t he  
8 next day I went to another agency whether it's on  
9 this chart, the Department of Finance and for a long  
10 period of time it was ambiguous in many instances.  
11 I'm probably not blaming that individual agency. I'm  
12 probably blaming 311. I'm probably saying well why  
13 is 311 presenting this to me this way? So, how would  
14 you respond to that?

15                   JOE MORRISROE: Okay. One of the things  
16 we do is put a very focused effort and a robust  
17 effort on making sure the intake process for  
18 complaints is accurate. The agencies have a number  
19 of requirements for data collection that we need to  
20 get right whether the customer is talking to an  
21 agency from the Call Center or whether the customer  
22 is self-serving through the on-line or perhaps  
23 through the mobile app making sure that the—the  
24 fields and the valleys in those fields are captured  
25 correctly, and making sure the correct complaint type



2 is captured and the descriptor associated with that  
3 complaint type is corrected. Basically the-the  
4 accuracy of that intake is what we do focus on. We  
5 also then work with the agencies on a regular basis.  
6 We have a staff that interacts with city agencies as  
7 my colleagues mentioned here. In most cases with  
8 these agencies on a daily basis on policies and  
9 programs and sharing information. What we do not have  
10 is a focus or-or a sizing or source to be able to  
11 understand the inner workings of an agency, and what  
12 a response-what type of Response A is versus Response  
13 B that they would provide back for a particular  
14 complaint.

15 SPEAKER JOHNSON: Before we go to DOF, I  
16 just-I just want to say have you seen this chart  
17 before, Mr. Morrisroe?

18 JOE MORRISROE: I have not seen this  
19 particular chart, no.

20 SPEAKER JOHNSON: So, I mean I-and I-I  
21 don't say this in a-really what I'm about to say, I  
22 don't say it in any to-because I think you do a great  
23 job, and I have been impressed with how our team has  
24 worked with you, and understanding the work that you  
25 do. But, I would says that, you know, I know the

2 Mayor's Office has the Mayor's Office on Data  
3 Analytics who do a great job, but our data team  
4 similarly was able to pull this information, and—and  
5 where we have found I think some inadequacies, or  
6 some issues across the board. We would be happy to  
7 work with you all, and figure out ways to be sort of  
8 more responsive as it relates to the—the chart that  
9 we're seeing today. And ways potentially with 311 to  
10 creatively figure out in a way that doesn't require a  
11 huge amount of new personnel, but what are some  
12 systematic ways to have 311 work agency by agency to  
13 have some more uniformity and to make sure that the  
14 level of responsiveness and transparency and non-  
15 vagueness can be more aligned.

16           JOE MORRISROE: I welcome that, Speaker  
17 and I—and I thank you for that. One of the things  
18 that 311 has done over the years and really just over  
19 the last five years, as I mentioned in previous  
20 testimony, we've doubled the number of customer  
21 contacts from 20 something million to 44 million  
22 customer contacts last year. One of the reasons for  
23 that is working closely with and accepting feedback  
24 and working closely with partners. The head of the  
25 Mayor's Office on Data Analytics and I are going to

2 be working on information along these lines. So, I  
3 appreciate your offer, and—and we'll take you up on  
4 that.

5 SPEAKER JOHNSON: Great. So, DOF roughly  
6 as I said, Sheelah, who I like very much, it's good  
7 to see you.

8 SHEELAH FEINBERG: Hi speaker.

9 SPEAKER JOHNSON: 74% of complaints  
10 handled by DOF include ambiguous resolutions updated  
11 to "We have researched your claims." How do we know  
12 that DOF actually did to resolve the complaint? Why  
13 is the number that high?

14 SHEELAH FEINBERG: Well, DOF is dealing  
15 with very sensitive matters, your property taxes,  
16 your parking tickets. So, our response is on an  
17 individual basis. So, (1) that means we don't have a  
18 carte blanche answer. That's why we say something  
19 like we researched your case. In the notes field, we  
20 provide more information on the resolution of that  
21 case, but that might not be reflected in the data  
22 that you're looking at right now. So, that's the  
23 explanation that I can provide right now.

24 SPEAKER JOHNSON: Is there a way—that  
25 make sense--

2 SHEELAH FEINBERG: [interposing] Okay.

3 SPEAKER JOHNSON: -but is there a way  
4 that-it still doesn't look good and-and it still  
5 seems like there could potentially be a better way to  
6 while still maintaining privacy related to the  
7 individual concerns to come up with categories that  
8 are slightly more descriptive not as ambiguous and  
9 provide more information while still maintaining the  
10 level of privacy required for sensitive concerns  
11 related that DOF may have.

12 SHEELAH FEINBERG: Sure and that's  
13 something that we're open to exploring and to maybe  
14 gives us more options in the drop-down menu that we  
15 provide back to 311.

16 SPEAKER JOHNSON: Okay, great. So, the-  
17 back to the TLC, if you go to the TLC chart, you see  
18 that 99% of cases are still ongoing. That doesn't-  
19 why is that?

20 MARK LEE: We would-we would certainly  
21 love to see the-the data behind this to explore this  
22 further. Just from our perspective I believe you  
23 mentioned that the-the 99%--it's an ongoing--indicates  
24 something along the lines that someone will contact  
25 the complainant with 14 days. That is certainly an

2 indicator of an—an early action, an early update,  
3 progress update that we provide to let people know  
4 that we have received the update. From our agency's  
5 perspective, there is a lot of action that is  
6 certainly occurring beyond that, and to consider—  
7 we're not sure if those should be necessarily  
8 considered closed, which is why we would love to look  
9 into that more, but we do want to look into this  
10 further and be able to provide more descriptions and  
11 remove this particular piece of ambiguity.

12 SPEAKER JOHNSON: So, again if you look  
13 at the—the slide we have on vague responses—no, if  
14 you go back down to where we were before, the—the  
15 chart—No, the chart that you were just at on vague  
16 responses. Yeah, right there. So, it says: TLC and  
17 DOHMH nearly all of the complaints are considered  
18 closed, but the resolution descriptions imply an  
19 ongoing case. Again, you just said it, Mark, that  
20 the TLC will contact you within 13 days to confirm  
21 your complaint details. Please note your service  
22 request number for future reference, and then while  
23 these complaints may have been addressed, there's no  
24 way to know based on the stated resolution because  
25 the actual resolutions are never posted. So, you'll

2 look into this with us. You'll work with us, and  
3 figure out a way for there to be something more  
4 transparent and responsive.

5 MARK LEE: Absolutely, and we are  
6 proactively communicating to complainants about how  
7 cases are proceeding through, but we do need to get  
8 that reflected into the public through the Open Data  
9 Portal. We certainly agree with that.

10 SPEAKER JOHNSON: So DOHMH, why are 20%  
11 of rodent complaints dated in a way that the  
12 complaints are resolved or closed before they're  
13 actually filed with 311? I mean this is a 311 issue  
14 as well. If you see this, if you're doing some level  
15 of data quality, quality assurance, data cleanup,  
16 that doesn't make any sense. How could 20% of the  
17 complaints be dated in a way that they're closed  
18 before they were ever filed? So, how would 311, how  
19 would DOHMH respond to that? It's very confusing for  
20 someone if you go to the website, and that's what it  
21 says.

22 JEFF HUNTER: I do agree that it's a  
23 little confusing. So, we can work to improve this.  
24 The issue is related to the parent record of let's  
25 say it's a property that's being addressed in a

2 larger scale by our rodent inspectors, they—the date  
3 that's updated in 311 refers back to potentially we  
4 were there three days prior, and issued a 5-day  
5 letter, and then a complaint was made. The original  
6 date that complaint might be—that's what's put in  
7 311. I think we can improve that in 311 to have it  
8 reflect to that complaint and not to the parent  
9 record, because when we—when we address rodent  
10 infestations or rodent complaints they're at the  
11 large—they're at a property scale. So, it's  
12 referring to the parent complaint, but we can improve  
13 that

14 SPEAKER JOHNSON: I don't say this—I'm  
15 not saying this to be critical of you. I—I don't  
16 even understand what you just said. Not because you  
17 didn't explain it well--

18 JEFF HUNTER: Sure.

19 SPEAKER JOHNSON: --but just because  
20 that's so confusing.

21 JEFF HUNTER: Absolutely.

22 SPEAKER JOHNSON: And—and I want to just  
23 move on to—to DOT.

24 JEFF HUNTER: Okay.

2 SPEAKER JOHNSON: SO, for DOT, again, I  
3 said it, Rebecca, 40-46% of all complaints if we can  
4 go to the DOT. Oh, here it is, right here. 46% of  
5 all complaints received by DOT given a resolution  
6 description that directs individuals to research that  
7 service request status on the DOT website.

8 SHEELAH FEINBERG: Right. So, you-you  
9 can put your service request in to the DOT website  
10 and get a more-and get a more robust--

11 SPEAKER JOHNSON: [interposing] How does  
12 that make sense? What I'm saying here, the point I'm  
13 trying to make going agency by agency by agency is-  
14 and the 311-stop the insanity. There has to be a  
15 better way. There has to be a-a more user-friendly,  
16 more transparent-there has to be a more user  
17 friendly, more transparent way where it's not ad hoc  
18 agency by agency. I mean the staff here at the  
19 Council is very good, and they did a lot of work  
20 preparing for this hearing, but they haven't been  
21 preparing for three months. They've been preparing  
22 for a month or a few weeks, and they have been able  
23 to find all of these deficiencies, and as Council  
24 Member Holden said, you could talk about the NYPD  
25 issues. They're not here. You could talk about



1 Sanitation issues even though they're good at the  
2 vague response stuff, there are still issues with  
3 Sanitation. Agency by agency there are issues. So,  
4 Mr. Morrisroe, there needs to be some—I don't know  
5 whether it's some internal working group, whether it  
6 is some multi-level intergovernmental task force,  
7 whether it's with the City Council, the agencies that  
8 you work with, the Mayor's Office on Data Analytics,  
9 DOITT whoever to come together and say here are where  
10 the—the gaps exist. Here are the ways that we could  
11 fix those gaps because ultimately I would think that  
12 your goal and our goal, the city's goal to have 311  
13 is to be responsive, to be transparent, to get people  
14 the information that they need to do it where they're  
15 not banging their head against the wall or the  
16 computer because they have to go from 311 to then the  
17 DOT website where they don't understand why the  
18 rodent complaint is closed before it was filed or why  
19 99% of TLC complaints are considered ongoing. I  
20 could keep going. That's not a user-friendly way to  
21 run a system, and so, I would love to hear any ideas  
22 that you may have, or some of a commitment to look at  
23 what we put together, and to try to figure out a way  
24 to improve it.  
25

2           JOE MORRISROE: I can certainly provide  
3 the level of commitment here now. I'm certain as we  
4 speak some of my staff are already researching this  
5 in real time, and we will work with the agencies  
6 here. Some of these items are known items. Looked  
7 that over in the past. Some of these we will take  
8 into consideration as part of the upgrade to the new  
9 311 system, which will be—is something that is in  
10 progress now. As some folks may know, the existing  
11 system as well as the interfaces with city agencies  
12 it is approaching 16 years, and we're rolling into  
13 our new one. So, the work done by Council staff, but  
14 others, by agencies that have been identified here,  
15 we will certainly take that and work with them  
16 collectively. You also mentioned as—as did I, the  
17 Mayor's Office—the Mayor's Office on Data Analytics  
18 where they could be a strong ally in—in looking at  
19 this and helping us with everything from best  
20 practices to a first set of eyes in terms of looking  
21 at data.

22           SPEAKER JOHNSON: And so, when a  
23 complaint—thank you for that, Mr. Morrisroe. When a  
24 complaint is initially directed to the wrong agency  
25 through 311, that happens. You get so many

2 complaints that mistakenly, you know, you may think a  
3 sinkhole is a pothole because of potentially what the  
4 person on the phone is saying, and so it could go to  
5 DOT when it should go to DEP because sinkholes go to  
6 DEP, and potholes go to DOT. Do you transfer the  
7 complaint to the new agency when you realize that  
8 there was—that it was sort of mischaracterized?

9           JOE MORRISROE: I can speak to one of two  
10 steps in the process. On the front end, we do put  
11 extra care into trying to identify that as you said,  
12 but it's not always clear to the customer. It could  
13 be—one could be described as the other. I do  
14 believe, and I'd have to defer to my agency  
15 colleagues that there is the ability of reassigned  
16 process that happens in those particular cases.  
17 Sorry, in the particular case that you mentioned, but  
18 I would have to defer to the agency to confirm that.

19           SPEAKER JOHNSON: So, if it does get  
20 reassigned, if the reassignment is made to the  
21 correct agency based off of information you got you  
22 realized that as you were going to resolve the  
23 complaint, the agency that it was assigned to say  
24 that's not us. It's this sister agency and you make  
25 the reassignment, does the new agency then take over

2 inside the system, and are they then responsible for  
3 updating the complaint until it's resolved?

4 JOE MORRISROE: I'm not certain of the  
5 detail on that.

6 SPEAKER JOHNSON: Okay. So, Rebecca

7 REBECCA ZACK: Yeah, do you want--?

8 Okay. So, this is how we do sinkhole cave-in, that  
9 kind of--

10 SPEAKER JOHNSON: I wasn't speaking  
11 specifically about sinkholes, but I'm happy to about-

12 -

13 REBECCA ZACK: [interposing] Well, okay--

14 SPEAKER JOHNSON: --I'm happy to hear the  
15 example.

16 REBECCA ZACK: [interposing] -but I mean-  
17 -but I have bullets.

18 SPEAKER JOHNSON: Okay, I'm happy to hear  
19 that you have bullets.

20 REBECCA ZACK: [interposing] I want you  
21 to know that I have bullets. So, I think that's  
22 helpful.

23 SPEAKER JOHNSON: Okay.

24 REBECCA ZACK: So, since 2009, all cave-  
25 in complaints that used to go to DEP were routed to

2 DOT HIQA. HIQA stands for Highway Inspections and  
3 Quality Assurance. HIQA inspects location, and if  
4 it's, in fact, a cave-in, then we'd issue—issue  
5 what's called a Corrected Action Request to DEP, and  
6 close the complaint. If it's a pothole, we fix it.  
7 After receiving the call, DEP conducts an  
8 investigation and then they can make the repairs if  
9 it's a city line problem or issue a 3-day notice to  
10 the owner of house, utility company or give it to one  
11 of their emergency contractors if it's a serious  
12 break. We—

13 SPEAKER JOHNSON: [interposing] But—but  
14 just on that--

15 REBECCA ZACK: Yes.

16 SPEAKER JOHNSON: --you—you said you  
17 close the case.

18 REBECCA ZACK: Correct.

19 SPEAKER JOHNSON: Why? The case isn't  
20 close. Why doesn't it get transferred?

21 REBECCA ZACK: [interposing] Well, I mean  
22 I think because if it's a pothole, we're going to  
23 address it in less than four days, and--

24 SPEAKER JOHNSON: [interposing] No, but  
25 what I'm saying.

2 REBECCA ZACK: [interposing] Yes, right.

3 I don't have--

4 SPEAKER JOHNSON: --but if you--if it's a  
5 sign with the DOT--

6 REBECCA ZACK: [interposing] Understood.  
7 I get your point.

8 SPEAKER JOHNSON: --because it's a  
9 sinkhole--

10 REBECCA ZACK: Yep, yep.

11 SPEAKER JOHNSON: --it should be--it  
12 should be reassigned within the system--

13 REBECCA ZACK: [interposing] Right.

14 SPEAKER JOHNSON: --so then DEP just  
15 takes it over, and it says in the system:  
16 Transferred to DEP, and then people know okay I don't  
17 have to talk--I don't talk to DOT any more. I'm going  
18 to go to Michael Deloach's shop and work with them on  
19 resolving the complaint. I'm just trying to get to  
20 the point.

21 REBECCA ZACK: Understood.

22 SPEAKER JOHNSON: There are--there are  
23 better ways to do this for the public. There are--  
24 there are kind of more user-friendly, more  
25 transparent ways so that people can track things in

2 an easier way. Okay, I'm just going to end with—with  
3 this and then turn it back over to—to Chair Cabrera.  
4 [coughs] I'm really glad we've had these two  
5 hearings because again the—the sort of secret shopper  
6 calls that we had her at the Council on 311 most of  
7 them wen really, really well. I mean the—the 311  
8 operators who answered the phone were very engaged,  
9 very thorough, very dedicated, and most of the time  
10 would not let us off the phone when we wanted to get  
11 off the phone, they were being so thorough. So,  
12 today again these two hearings are in no way an  
13 indictment on 311. You guys do an incredible amount  
14 of work with such a high volume and we're grateful  
15 for that, but it's also about the real deficiencies  
16 that we have been able to point out through the—the  
17 limitations of the app that we talked about in the  
18 previous hearing needing that updated. We know that  
19 there's a plan to do that, and you all talked about  
20 that with DOITT at the previous hearing, and then  
21 today looking at doing this on different way, looking  
22 at agency by agency, which agencies are doing a  
23 really good job, which agencies—It's hard to know if  
24 they're doing a good job because the data is sort of  
25 ambiguous, and it's hard to—for us to fully analyze

2 that, and kind of just taking a rally in-depth  
3 detailed look on-on what we all can do to make 311  
4 better for New Yorkers who call in. What—what we  
5 don't want to happen, and this is I think why it's so  
6 important to have this hearing, and to figure out our  
7 next steps to improve all of this. You know, if  
8 people lose trust, they stop trying. They stop  
9 calling 311 because they think I'm not going to get  
10 information that's helpful to me so why am I making  
11 the complaint? And so whatever we can do to give  
12 people that trust to show them that it's being  
13 tracked in the appropriate way that it's being  
14 handled in the appropriate way that it makes sense  
15 that we don't make them jump through rings and hoops  
16 by to the DOT website instead of getting the updated  
17 email or being able to plug the complaint number  
18 directly into the 311 website or app, we don't want  
19 to make those switch over to another website. We  
20 want them to be able to get in the website that  
21 they're in if they made the complaint then. So, that  
22 is why I think it's really important in this moment  
23 that we're in as 311 is going through the process of  
24 building out new capabilities, looking at the app,  
25 looking at the website, investing a significant



2 amount of time and money into doing that. While that  
3 process is happening, we are happy to give you all of  
4 our data, point out the areas that we think could be  
5 done better, and hopefully whoever the point people  
6 are agency by agency putting together some working  
7 group to be able to look and see what the issues are  
8 to create greater uniformity across the board so that  
9 it makes sense if a New Yorker is making a complaint.  
10 So, I'm really grateful, Mr. Morrisroe for-for you  
11 being here for this second hearing, for your working  
12 with us, and preparing for these hearings, for your  
13 dedication to the city with the high volume of  
14 complaints that you're working on, and I look forward  
15 to this being a collaborative process with the  
16 Council with all of the agencies that we get to work  
17 with on a daily basis to help our constituents, and  
18 with you because of the vital lifeline that you  
19 provide to New Yorkers on a day-to-day basis.

20                   JOE MORRISROE: Thank you, Speaker  
21 Johnson, and I'd like to just say thank you also for  
22 acknowledging and the kind words of the women and men  
23 at 311 who do try-strive to do the best every day,  
24 and we appreciate that, and we share the same goals  
25 and I look forward to working with you.

2                   SPEAKER JOHNSON: So, we're going to  
3 probably come back a year from now, and have another  
4 hearing like this another maybe two hearings like  
5 this if Chair Cabrera is open to it, and to—and to  
6 say what have you done in year? What—what has been  
7 done over the course of a year given all the  
8 information we talked about today, given all the  
9 information we talked about two weeks ago, where are  
10 we. And so, that's why I think it's probably  
11 important to convene a group that will probably meet—  
12 hopefully meet regularly over the course of the year  
13 so that when we come back, we're like wow, you've  
14 done—you guys have done an amazing job resolving  
15 this. Thank you all very, very much. I also want to  
16 thank you all--who each one of you has been very  
17 helpful to my district office and to me personally.  
18 When I've had issues with your individual agencies,  
19 you all have been total professionals to work with,  
20 and I'm deeply grateful to your service, and the work  
21 you do every single day, and with that, I want to  
22 turn it over to Chair Cabrera.

23                   CHAIRPERSON CABRERA: Thank you so much,  
24 Mr. Speaker and again, thank you for all your  
25 leadership regarding to the 311 service requests. I

2 want to acknowledge that we've been joined by Council  
3 Members Ben Kallos, Powers, Yeger, Holden, Perkins  
4 and Maisel. I have a few questions. I want to turn  
5 it over to—after that just a couple of questions. I  
6 know my colleagues have questions, and I want to give  
7 them an opportunity. I'm must curios to know, is  
8 there any coordination between yourself and  
9 Government Operations at City Hall regarding all the  
10 follow-up data, the operating systems and—and if you  
11 could speak about the nature of it?

12 JOE MORRISROE: Sure. Is it 311 you're  
13 referring to?

14 CHAIRPERSON CABRERA: Yes.

15 JOE MORRISROE: Okay, I'll take that.  
16 First off, thank you for the question, and yes, 311  
17 actually coordinates with not only our city agencies,  
18 I mentioned earlier there is a small staff that  
19 interacts with each city agency. We also work  
20 closely with the Mayor's Office of Operations, and  
21 you mentioned. We work closely with DOITT on the  
22 technology side, and then other agencies as, you  
23 know, whether they be not represented necessarily  
24 here, but we have a conduit into both City Hall  
25 staff, the Mayor's Office of Operations staff I

2 should say, as well as all agencies, and we work with  
3 them.

4 CHAIRPERSON CABRERA: Do you have an  
5 internal alert system that goes to the agencies.  
6 They're established the, you know, the preferred due  
7 date when a response should take place. Let's say  
8 it's four days. Is there an alert that is automated  
9 that goes back to them and say hey before they have  
10 expired, you know, it could color coded from, you  
11 know, green, yellow to red. Just to, you know, just  
12 to give the alert that there is no, you know,  
13 response.

14 JOE MORRISROE: You mean an alert within  
15 the 311 system?

16 CHAIRPERSON CABRERA: Yes.

17 JOE MORRISROE: No, we do not have that.

18 CHAIRPERSON CABRERA: Is that something  
19 you're looking forward to integrating in your new  
20 system that you're going to be rolling out in July?

21 JOE MORRISROE: That's not included in  
22 the—in the current view of the new system, no.

23 CHAIRPERSON CABRERA: Okay. Would that  
24 be something that you see in the future as profitable

2 to the agencies to give them a proper alert system  
3 reminder?

4 JOE MORRISROE: I think it's something we  
5 could take a look at with agencies and see what it  
6 would take to do, and—and what the value of that  
7 would be.

8 CHAIRPERSON CABRERA: Is that something  
9 that I—you know, I'm just going to ask overall to the  
10 agency that would be helpful to the agencies?

11 MARK LEE: This is Mark from TLC. I'll  
12 say that we're some minors standing over the new  
13 system the ability to if nothing else home in on  
14 those service requests that are approaching a due  
15 date or past the due date. The new system will  
16 allow—will allow us to do that much more easily kind  
17 of at the ground and supervisor level. So, we're—  
18 we're certainly looking forward to that capability.

19 CHAIRPERSON CABRERA: Do you or do your—  
20 this is an overall question to everyone of you. Do  
21 you check the Open Data Portal of the data? Because  
22 that's where we got ours—our data from, and I notice  
23 in your testimonies and few of you there was, you  
24 know, there was lacking data in terms of your  
25 response. Some of you did a really good job at it.

2 Some of you it was—it was like AWOL. So, I'm just  
3 curious as to that something that you look at your  
4 agencies, and if so, why it was not in your briefing  
5 today?

6 MARK LEE: So speaking on behalf of TLC,  
7 to—for—for data on our service requests have come in  
8 how we're doing. We have a number of data sources  
9 for that including the 311 system itself and a  
10 reporting tool. I will say that we don't necessarily  
11 look at open data per se, but we have—we keep after a  
12 track, and have a pretty good handle on the number of  
13 service requests that come in, and how long they take  
14 to close them out.

15 CHAIRPERSON CABRERA: Okay, anybody else?  
16 Do I need to go one by one?

17 MICHAEL DELOACH: I mean at DEP we've got  
18 to only use the Open Data Portal to do a lot of good  
19 work about water quality or asbestos investigations—  
20 investigators. We do use it often.

21 CHAIRPERSON CABRERA: Okay.

22 MICHAEL DELOACH: We try and figure out  
23 the discrepancies sometimes between our tracking—and-  
24 and the open data.

2 CHAIRPERSON CABRERA: You're—you're with  
3 DEP?

4 MICHAEL DELOACH: Yes.

5 CHAIRPERSON CABRERA: But I didn't see no  
6 data here.

7 MICHAEL DELOACH: Well, we have such a  
8 wide variety of—of different types of priority, non-  
9 priority complaints. So, it would be hard to sort of  
10 go through all. You know, we have air quality  
11 monitoring. We have water main breaks, and it just  
12 runs the gamut. So, I mean I have all the data  
13 available, but the concise testimony, we didn't get  
14 into it.

15 CHAIRPERSON CABRERA: So, can you all  
16 provide us that data that was not included here? I  
17 know you were trying to perhaps make your testimony  
18 shorter so we wouldn't be here all day. Can we get  
19 all that data as to your level? We want to make sure  
20 that your data and ours match in terms of how timely  
21 you level of responsiveness is to a 311 caller. Can  
22 I have a commitment from all the agencies?

23 MICHAEL DELOACH: Yeah, for—for DEP all  
24 of our data is on the Open Data Portal now. So--

25 CHAIRPERSON CABRERA: [interposing] Okay.

2 MICHAEL DELOACH: --it's there.

3 CHAIRPERSON CABRERA: Okay.

4 MICHAEL DELOACH: But, yes. If there's  
5 additional information that you want, we can  
6 definitely provide it.

7 CHAIRPERSON CABRERA: Okay. Well, if I-  
8 alright. So, let me start-if you want me to go with  
9 DEP because what I have here is-and-and tell me if  
10 this makes sense--

11 MICHAEL DELOACH: Sure.

12 CHAIRPERSON CABRERA: --42.9 complaints  
13 are marked unobserved. When a DEP employee  
14 investigated, another 50.5 of the complaints resulted  
15 in no action taken by the agency. Is that correct?

16 MICHAEL DELOACH: I'm not sure if that  
17 data is-I'm not sure I have it broken down like that  
18 in front of me. Are you using that from the Open  
19 Data Portal?

20 CHAIRPERSON CABRERA: Yes, that's  
21 correct.

22 MICHAEL DELOACH: I'm-then it's probably  
23 accurate. I mean, it's hard to say.

24 CHAIRPERSON CABRERA: Okay.

25



2           MICHAEL DELOACH: I think the data that  
3 you are referencing and—and the way this is compiled  
4 is new to us. I don't think we've seen it. So, it's  
5 hard to confirm information that we haven't had a  
6 chance to review.

7           CHAIRPERSON CABRERA: Yeah, and just the  
8 data, and I believe the Speaker is asking all the  
9 agencies to look at. That way, you could make a  
10 proper assessment--

11           MICHAEL DELOACH: [interposing] Right.

12           CHAIRPERSON CABRERA: --as to your level  
13 of response--

14           MICHAEL DELOACH: Uh-hm.

15           CHAIRPERSON CABRERA: --to the agency. I  
16 want to—I know my colleagues have been waiting so  
17 I'm—I'm going to ask the sponsor of the bill, Council  
18 Member Holden followed by Council Member Yeger.

19 [pause]

20           COUNCIL MEMBER HOLDEN: Yeah, I'm just  
21 disappointed that NYPD is not here because that's the  
22 agency I have the biggest problem with on 311. It's  
23 also Sanitation. We—we see problems with the  
24 reporting of Sanitation, but I just want to get to a  
25 couple of things. I reported a loose manhole cover

2 and there is nothing more annoying in front of your  
3 house than a car is hitting a loose manhole, and  
4 rattling all night. Now, I reported it to DEP. I  
5 got an answer. DEP said, well, it's a DOT issue  
6 because they're claiming and I-I had called the  
7 agency. They're claiming that when they-when DOT  
8 paves the streets that the-the asphalt gets into the-  
9 into the rim of the manhole. So, it went back and  
10 forth six months. The-what happened was they're  
11 telling me I have to call DOT and vice versa. I got  
12 back and forth for six months. So, and this is a big  
13 complaint that we have in-in the neighborhood. So,  
14 people have given up actually trying to resolve these  
15 kinds of issues. So, what-what the Speaker was  
16 saying before about the agency communicating with one  
17 another, is that--? I mean this was about two years  
18 ago. I hope it's gotten better, but somehow I  
19 suspect it hasn't. Shouldn't the-the-the response-  
20 let's say if I complain to DEP, shouldn't the  
21 response from DEP say we're-we're reaching out to DOT  
22 and vice versa? Shouldn't that happen?

23 MICHAEL DELOACH: Yeah. I think there's  
24 been a long history of DOT and DEP having sort of  
25 issues determining exactly who's at cause or at

2 fault. We've worked very hard in the past couple of  
3 years to have joint inspections to make sure that  
4 we're sharing information between agencies. I think  
5 we still have, you know, some work to do to make sure  
6 that we're not having this frustration, but we  
7 definitely have made a lot of advances, and we're  
8 going to continue to work together to try and  
9 alleviate that. The--the specific issue reference, I  
10 don't know exactly what, you know, how it was  
11 handled, but I can say that those are no-priority  
12 fix, and as annoying and frustrating as they are for  
13 homeowners and residents, they do take longer to--to  
14 fix.

15 COUNCIL MEMBER HOLDEN: [interposing]

16 Yeah, I--I understand that. I know it's a non-  
17 priority until you--you're experiencing it--

18 MICHAEL DELOACH: Yeah.

19 COUNCIL MEMBER HOLDEN: --and it's quite  
20 loud and, you know, but there's been so many others  
21 that over the years that we see, and again, it's the--  
22 the agencies represented here so much. Maybe with  
23 the exception of the Department of Buildings, which  
24 had huge problems with from time to time, and we'll  
25 talk some more about it, where the responding agent

2 doesn't see anything wrong, of if you give them  
3 directions that you have to have to go. This  
4 commercial vehicle is parked in a residential  
5 driveway at 5:00 p.m. everyday, and they come at 2:00  
6 in the afternoon even though you put it in the 311  
7 complaint, if they didn't actually read it. So, we  
8 have a lot of situations like that in neighborhood.  
9 People are very frustrated. So, I agree with the  
10 Speaker that we needed some kind of taskforce or at  
11 least to sit down and work our and tweak this and—and  
12 work it out where people will again have faith in the  
13 311 system. Because in my neck of the woods and in—  
14 in the 30<sup>th</sup> Council District we—we have—we're  
15 probably one of the top quality of life complaint  
16 areas in the city of New York where we have—we don't  
17 have the big issues, we have the—the smaller quality  
18 of life, but it seems the agencies that we call most,  
19 and it's actually on here is the NYPD, and that is  
20 just—and that's why this—this actually was the—the  
21 reason why I'm introducing this bill is really to—to  
22 address more toward NYPD and the Department of  
23 Sanitation because they're—they're just making things  
24 up, and I'm disappointed they're not here. We have  
25 to get them to the table because I'd like them to

1 explain, and I have photographs obviously. I'm doing  
2 this for a long time where, like I mentioned before,  
3 you wake up and there's a car parked at the hydrant  
4 and they're saying it's gone. And I have to call the  
5 commander—the commander of the precinct and say, you  
6 know, here's a photograph. You tell me how—how do  
7 we—how do you explain that? And they don't really  
8 have an answer. It's a manpower issue, and the  
9 Department of Sanitation actually makes things up  
10 because again I only focus on the zombie houses or  
11 the houses that are—are in bad condition, and there's  
12 litter everywhere over the property—all over the  
13 property, and have the time the agents don't see  
14 anything wrong. So, again, I really don't have a  
15 problem so much with the agencies here, and it's a—I  
16 think it's not a coincidence that NYPD is not here or  
17 neither is Sanitation. So, we have the work—the  
18 311 problems out. It's a great system. I agree with  
19 the Speaker it's just people are losing faith in  
20 certain complaints that are just going into a, you  
21 know, a void, and—and they give up because nothing  
22 happens, and it's frustrating. So, I—we—we—we do  
23 have to get those two agencies NYPD and Sanitation to  
24

2 the table because again, that's the inspiration for  
3 this bill. Thank you. [pause]

4 CHAIRPERSON CABRERA: Thank you so much.  
5 I want to acknowledge that we've been joined by very  
6 important people. Right upstairs Little Red  
7 Schoolhouse from Greenwich Village. Welcome.  
8 [applause] [off mic] We're glad you're here.(sic)  
9 Welcome to the City Council. I had a question  
10 regarding—before I—I'll ask this on my site. Let's  
11 go to Council Member Yeger. I can't have you hold  
12 any more. No, please. It will be mine.  
13 [coughing/pause]

14 COUNCIL MEMBER YEGER: Well, I hope  
15 they're still in mood to answer your questions after—  
16 after mine, Mr. Chair. Thank you very much. Good  
17 morning everybody and also I would like to add my  
18 recognition of the next generation of Council  
19 Members. Thank you very much and hope we don't bore  
20 you too much. Folks, I just want to start off with  
21 thank you very much for your work. A quick show of  
22 hand if I may ask has—have any of you been down here  
23 to the Council to testify on a proposed piece of  
24 legislation either in this Council or a previous  
25 section of the Council? Just raise your hand if yes.

2 Okay, and just keep those hands up for a second.  
3 Have any of you ever come before the Council and said  
4 the bill that we're hearing today is a good idea. We  
5 have no objection whatsoever? Has that ever  
6 happened at any time? I know DOT has said yes in the  
7 past they've—and DOB you've said yes you have. Okay.  
8 Alright, well that's good hear because, you know, my  
9 experience today and I'm only here for a year 30  
10 something days has been that no matter what, it is  
11 that a Council Member proposes, it's a bad idea. You  
12 know, the agency comes down. A hearing is held  
13 eleven months after the bill is introduced, and the  
14 first reaction is it's a bad idea. So, let's just—  
15 let—let me just personify that with your own words,  
16 Director. Introduction 1002 will drastically change  
17 311's operations, and will not allow it to fulfill  
18 its role of providing New Yorkers with the  
19 information they seek or help them submit and monitor  
20 their service requests. For this—for these reasons,  
21 we cannot support the bill's intent in its current  
22 form. Okay, well I don't know why you can't support  
23 the bill's intent. I—I would hope you mean you can't  
24 support the bill as drafted, but surely, I hope the  
25 intent you can agree with. I'm going to take this

2 opportunity, if I may, Mr. Chair, 71 words is the  
3 number of words in the statute by Councilman Holden  
4 excluding the title and the introductory words, and  
5 I'm going to read it. If and agency that receives a  
6 request for service or complaint through the 311  
7 Customer Service Center is unable to take action on  
8 such requests for service or complaint, the 311  
9 Customer Service Center shall indicate in the  
10 description of the action take on such requests for  
11 service or complaints in the 311 computer system that  
12 the responding agency is currently unable to respond  
13 to the request for service or complaint. Seventy-on  
14 words. We probably could have done it in about 30.  
15 When we write statutes, we have to say the same word  
16 over and over again. That's just the way things work  
17 because lawyers get paid by the word, but my point  
18 here is that you can't support this bill because God  
19 forbid this bill should become law, it will  
20 drastically change 311's operations, and it will not  
21 allow you to fulfill the role of providing New  
22 Yorkers with the information they seek or help submit  
23 and monitor the service requests. Now, I want to be  
24 clear. I want to say something, Director. My  
25 complaints about how 311 works none of them are about



2 311 works. I think 311 is great. I really do. I  
3 think the people who answer the phones are very  
4 helpful. I think they have access to the  
5 information. It's the agencies that are failing, not  
6 311. The agencies fail. I asked DOT for a speed  
7 bump. Two or three years later they let you know  
8 whether or not you're going to get one. Department  
9 of Finance handles personal account requests, which  
10 is why I understand the interaction between Ms.  
11 Feinberg and Mr. Speaker. It's not—it's—they're in a  
12 very different category from all other agencies  
13 because really they're talking about people's  
14 accounts, and it's really hard to kind of pull a  
15 drop-down box and indicated how we've handled that,  
16 but every other agency they get a—they get a request,  
17 and, well, DOB is very good at going out and writing  
18 summonses on people who have illegal signs. That—we  
19 get them like that, but every other agency I could  
20 tell that this morning I saw at the corner of Bay  
21 Avenue and Avenue M, DOT finally addressing a pending  
22 issue that I can tell you that in my 18 years as a  
23 community board member prior to my joining this  
24 august body, we've probably complained for about the  
25 last five or six years, and it's being addressed

2 today. And I know it takes some time, but the  
3 Speaker's frustration and he was very kind in how he  
4 phrased it, but if I may elaborate a little bit, the  
5 Speaker's frustration is where an agency gets a  
6 request and they look at it and go well not our job,  
7 that's it. Not our job. Where is this—I don't  
8 understand that, and it's not the first hearing I've  
9 had on this topic this not our job thing in  
10 government. If I told a constituent that came into my  
11 office not my job and close the door, they'd throw me  
12 out office, rightfully. I don't understand how that  
13 works. I really don't this not our job thing. This  
14 two, three years to get an answer. As Mr. Speaker  
15 said, let's get you guys back here in a year and let  
16 us know how you—come back in a month. Come back in a  
17 month, and tell us how it's fixed. It's--this is the  
18 bread and butter of the—of the average New Yorker's  
19 frustration with living in this city. Something that  
20 you see it on the corner and you say well this  
21 doesn't look right. Here's a waste basket  
22 overflowing on the corner on Avenue M. People  
23 throwing their garbage there. We know they shouldn't  
24 put their household garbage there, but they do, and  
25 it's there and it's overflowing, but you know, I'll

2 take a picture and send it, and maybe I'll call 311.

3 I call 311. A day or two or three goes by and you

4 clearly see it's not being fixed. None of you are

5 responsible if that's not your agency. It's the

6 frustration, and I'm—I do look at you director

7 because you're 311, but I want to be clear, as I said

8 before, it's not 311. Well, 311 is very good.

9 You're—you're running an incredible portal of

10 information back and forth where you're accepting the

11 information from the—from the New Yorker. You're

12 forwarding onto the agency and then it falls into a

13 dark hole, and then silence, and that's the

14 frustration that I think Mr. Speaker was indicating

15 and—and that's what led me to join my wife's

16 colleague from Queens and he's been doing this a lot

17 longer than I am, and I'm older, but he's been doing

18 it a lot longer than I have as a civic leader, and as

19 a leader of his local community civic organization

20 before his election to Council, but that's really

21 where these things come right. It's the Council

22 Member. We get paid to do this. It's the people in

23 New York who are like they see something and they're

24 willing to—to take on that obligation of calling 311

25 about an overflowing waste basket, calling 311

2 because they see a ponding issue or they hear a  
3 manhole cover. They see these dangerous things, and  
4 they ask people to—they ask the agencies get involved  
5 and get them—we're not getting back from you know  
6 what, guys? We recognize there's a problem. Our  
7 systems are broken, and we're going to work very hard  
8 to get 311 the information they need in order to  
9 report back to the constituent and with the goal  
10 being hey, we can fix this in 30, you know, 30 days.  
11 And that, I never feared that we can fix this in 30  
12 days. We can get this done in two weeks. But DOF  
13 they get back to a constituent right away because  
14 we're talking about taking their money, right. The  
15 con-constituent calls DOF and says, hey, I got a  
16 bill. I don't understand it. I'm not going to pay it  
17 until you guys clarify it for me. That gets—that  
18 gets clarified. No problem, but every other agency  
19 all we're asking you to do is—is fix what's broken.  
20 I know none of you are actually responsible for  
21 fixing a broken thing. We're all Legislative and  
22 Governmental Affairs people. Noe of you are wearing  
23 hard hats and out on the street, but somewhere  
24 there's a management problem that every single agency  
25 represented here with the exception of DOF with the

2 exception of 311. Every single agency here there is  
3 a management problem. A rodent question with-with a  
4 30% fix rate. It's saying to me I don't understand  
5 that. A rodent problem should have a 100% request  
6 rate, and should have a picture of a dead rat in the  
7 response. Yeah, we got the rat. Here it is. Here's  
8 a picture. It's New York. We're a \$90 billion  
9 organization. Mr. Chair, I appreciate this. I-I  
10 actually don't have a question. I know that's  
11 shocking to you. That was my opportunity to tell you  
12 folks that I don't believe should have you back here  
13 and reconvene in a year. I believe, Mr. Speaker  
14 should bring you all back here within a month, and  
15 the agencies that are not here today as-as my  
16 colleague from Queens Mr. Holden indicated, the  
17 Department of Sanitation and the Police Department, I  
18 think they're great. They have the hardest jobs  
19 literally. The two hardest jobs in the city are the  
20 guys who grab the garbage and stuff it into the  
21 trucks and the Police Officers who put themselves in-  
22 in harm's way for me and my family. Two of the  
23 hardest jobs in the city, but they also because they  
24 are the two hardest jobs in the city, they have the  
25 most interaction with the daily quality of life of

2 the people in New York. It's reasonable to ask for  
3 answers to very simple questions, and I understand  
4 that when we call 311 and we indicate a DOT problem,  
5 an it may not be DOT, but it may be DEP and this  
6 ponding issue that I mentioned on Bay Avenue and  
7 Avenue M is an issue that has been going on for a  
8 long time, but it's not easily rectified. If I could  
9 do it, I'd do it myself. Give me some asphalt. I  
10 can't do it. I don't know what I'm doing. It's not  
11 easy. You have to level it out. I understand. It's  
12 very difficult but the notion of closing the case  
13 because it's not my job how can that not be fixed  
14 tomorrow? And I would just ask you to go back today  
15 to the office and say, you know, that—that crazy guy  
16 from Brooklyn once again is—is letting loose with his  
17 microphone, and maybe we can figure out a way that we  
18 don't have this again that—that DOT doesn't close out  
19 a complaint because it's not my job. And with that,  
20 Mr. Chairman, I thank you for your indulgence. Thank  
21 you.

22 CHAIRPERSON CABRERA: Thank you so much,  
23 and actually you took the words out of my mouth as to  
24 what I was going to bring up. So, let me ask you a  
25 question because you did make the statement that it

2 will now allow to fulfill each role. So, what is it  
3 about this bill? Can you be more specific that will  
4 not allow you to fulfill your mission?

5           JOE MORRISROE: So the 311 mission is-is  
6 focused on what I'll call the front end, intake  
7 referral that the Council Member for instance in his  
8 statement, the give and take between citizens and-and  
9 customers as we call them, and passing that  
10 information onto agencies that's our core competency.  
11 That's our front end. That's what our quality  
12 scores, our customer satisfaction scores say we do  
13 very well. That's what the volume of contacts to 311  
14 over the years. I mentioned earlier that it's  
15 doubled to-to over 44 million customer contracts over  
16 the year. That's the piece we focus on. To shift  
17 311 to serve as some sort of monitor or oversight or-  
18 or that you're in compliance would-would stretch too  
19 far, would stretch beyond 311's ability and take away  
20 from its focus. So, that's our interpretation of  
21 what was being asked of 311 in a particular case.

22           CHAIRPERSON CABRERA: What suggestions  
23 would you give for the intent of the bill?

24           JOE MORRISROE: I-I take away the  
25 suggestions made today by-by the Council Members, by

2 the Speaker by yourself, by my colleagues here at the  
3 agencies who—who have shared and answered some of  
4 these questions that where data can lead us to find  
5 opportunities, we can collectively work on that from  
6 the 311 perspective. We're very happy to do that.

7 CHAIRPERSON CABRERA: Okay. Let me pass  
8 it onto Council Member Rodriguez.

9 COUNCIL MEMBER RODRIGUEZ: Thank you,  
10 Chair. I—I feel that the—we others can give—take  
11 credit we have attained together for how we've been  
12 able to make programs in the city of New York, but  
13 there's always going to be challenges and opportunity  
14 on how we can do better, and I feel that 311 is one  
15 of those that, you know, we established it, we  
16 created. We connect New Yorkers who—agencies that  
17 we—they're expected to respond, but the level of  
18 frustration is like big, and I can give you a typical  
19 example, and I say—I can say I believe that I have  
20 said like in three or four hearings having here those  
21 agencies that are responsible, agencies that they've  
22 been getting the phone calls like they are in  
23 Washington Heights, Saint Nicholas Avenue between 180  
24 and 181<sup>st</sup> there's a business owner that they take  
25 the whole—you remember, they issue today a life a lot



2 of 311 phone calls. NYPD is aware. Inspector—a  
3 great inspector that we have hear in the community  
4 and I would day that was a typical example of like  
5 how—how many feet is that there's smoke and the  
6 business owner is supposed to use to be allowed to  
7 use on the sidewalk? Anyone knows by the city law?  
8 And so I ask business, how many feet are that  
9 business owners are supposed to be allowed to use?

10 SHEELAH FEINBERG: I don't know that off  
11 the top of my head, but I can get DCA because I have  
12 been emailing a lot with DCA and Sanitation. There  
13 have been multiple violations issued to the business  
14 that you're talking about.

15 COUNCIL MEMBER RODRIGUEZ: Yeah and  
16 today--

17 SHEELAH FEINBERG: [interposing] And I  
18 actually think it would be best. I know that you're  
19 just using it as an example if the multiple agencies  
20 who are responsible for the issues that you're  
21 talking about, if we all met with you in one--

22 COUNCIL MEMBER RODRIGUEZ: [interposing]  
23 I just know, it's not--

24 SHEELAH FEINBERG: [interposing] No, I  
25 understand that.

2 COUNCIL MEMBER RODRIGUEZ: [interposing]

3 No, it's nothing. This is what New Yorkers have  
4 expected to see for city agencies from and, of  
5 course, great partner with different group (sic)  
6 issues, but how can we, you know, tell New Yorkers  
7 what do we need? Like sidewalks should be for  
8 pedestrians. Who should intervene when as today as  
9 we're talking right here, and I've been bringing this  
10 issue for years: A business owner as far as I know  
11 they're allowed to use like three feet. I think that  
12 they only leave three feet for-to pedestrians, and  
13 they take like 10, and right now every day they have  
14 a big truck parked on the sidewalk, which they don't  
15 move, and for me this is about how many phone calls  
16 did I-and-and it's not only the Council Member and,  
17 you know, we will-we work very well together on many  
18 issues, but it's a level of federal frustration. Why  
19 should I have a meeting with interagency? Does that  
20 mean that the city doesn't have a plan to say when  
21 someone bring obstacles to pedestrians? It you be  
22 out there ASAP. Like what is it? It's like that  
23 those people have someone. They know someone that  
24 they know that when the NYPD is coming they get alert  
25 and, therefore, they don't get any tickets. So,

2 again, but that's a typical example, and I just bring  
3 it because like two, three years, and as today you  
4 send someone, that would be happening there. One  
5 train, 181<sup>st</sup> and Saint Nicholas Avenue very heavy for  
6 people to walk there. It's a heavily pedestrian use.  
7 A lot of 311 phone calls, and that's a typical gauge  
8 of citywide, but when it comes to the 311 access  
9 system, what does it take for us to say when New  
10 Yorkers dial 311, we are committed to get back to  
11 those New Yorkers who may come and say the average  
12 should not take more than two weeks?

13           JOE MORRISROE: When we do receive a  
14 customer request and submit it to the agency, there  
15 are various timeframes that the agency provides.  
16 Each issue could have a different timeframe.

17           COUNCIL MEMBER RODRIGUEZ: No, I-I get  
18 that part, and I get—and even though I was on Lava  
19 Lounge following also your testimony. I sent out a  
20 different agency response, how different and it's not  
21 saying if—if a 311 is made because there's something  
22 big or the Department of Building or it's something  
23 of the NYPD, even though, you know, probably we  
24 should say that phone call should be 911, but people  
25 they are more familiar with on 311 and the 311. I

2 get it that responses is not the same as someone who  
3 say there's no heat and hot water in my apartment.  
4 How can we work to say there's the average of time  
5 that as we are—are Vision Zero and we had a goal, and  
6 as we are with any other vision that we can say  
7 there's goal that New York city has that when one—  
8 someone make the 311 phone call, it will not take  
9 more than two weeks?

10           JOE MORRISROE: I'll respond on the 311  
11 side. We would work with city agencies to—to pursue  
12 and support that. I don't have a recommendation for  
13 you to answer your question directly. Again, I know  
14 what we focus on is setting the expectation with the  
15 customer irrespective of—of a goal of two weeks on  
16 what that time frame is that the agency provides.  
17 So—so we partner with the agencies to make sure we're  
18 accurately reflecting their timeframes as it varies  
19 across different complaint types.

20           COUNCIL MEMBER RODRIGUEZ: And—and I just  
21 say that since 311 is a mechanism, basically, you  
22 know the immediate one that people have, the one that  
23 we from the elected official can say if new  
24 constituency we hope when the office is closed and it  
25 up to 6:00 p.m. or it's Saturday and Sunday, even

2 though we always get to get informed, you know, by-  
3 from City Hall or the license that we have here, but  
4 311 is the immediate one. I believe that New York  
5 City should have the goal, and again, whatever it's  
6 taking and for the agency to plan together, and we  
7 need to plan together and identify the results, and  
8 say it will not take more than two weeks from the  
9 moment when someone made a phone call dialing 311 to  
10 respond to that phone call. And my-my other concern  
11 that I have--that's a suggestion. My other concern  
12 that I have, and I can tell you because I lived my  
13 own experience even as a Council Member living at 18  
14 Jacobus Place when I won in 2009, and having my  
15 daughters like two years old, and no heat at 2:00 in  
16 the morning, and waiting and waiting. When the  
17 inspector got there, the question at 10:00 in the  
18 morning was: Do you have heat? And then the answer  
19 was yes. There was no follow-up from that complaint,  
20 and myself as a Council Member and other people who  
21 know how to navigate and to advocate, we will not  
22 take, you know, from the inspectors who come and say  
23 well, do you have heat at 10:00 in the morning. My  
24 issues was not at 10:00 in the morning. My issue was  
25 at 2:00 in the morning, and I thin that those typical

2 things especially related to housing, to HPD that are  
3 happening. That people made the complain because  
4 they didn't have gas, and they didn't have heat at  
5 2:00 or 1:00 in the morning when by law the  
6 temperature was so low, and the landlord is  
7 responsible to provide it, and when the inspector get  
8 in touch, the immediate question is: Do you have  
9 heat? But at 10:00 a.m. is not at 2:00 in the  
10 morning. So, I hope that, you know, working together  
11 at the end the aim is to work, you know to fix  
12 problems, and I appreciate how many of you have been  
13 very accessible to issues that are important for us,  
14 to local small business. You know, related to  
15 buildings, to HPD, immigration and others, but I feel  
16 those experiences I don't think that this is only  
17 happening in Northern Manhattan. I think that the--  
18 well especially when it comes to HPD. I heard from  
19 the fine people that when they complain for lack of  
20 heat in the morning then later on when they get to  
21 approach the question with media, it's about do you  
22 have heat? And this is 11:00 a.m. They should be  
23 compared to whatever lack of heat people didn't have  
24 in the morning. So, my suggestion is again in that  
25 particular case when you get the information, the

2 complaint from 311 to be able to really, you know,  
3 get in this case HPD to fix whatever they can do  
4 better. Thank you.

5 CHAIRPERSON CABRERA: Thank you so much.  
6 Is-is, which agencies represented today does it take  
7 longer than two weeks to-to make an initial response?

8 ASSISTANT COMMISSIONER WEHLE: For the  
9 Buildings Department it depends on the severity of  
10 the complaint. So, our highest priority complaints  
11 are serviced over those 24 hours. We get out there  
12 within 9 hours. Our next level of severity what we  
13 call D complaints, our service level is 40 days, and  
14 currently we're getting out there to perform those  
15 inspections within 11 days, and then it goes on. It  
16 goes further. So, for a complaint of a very low  
17 priority, say someone's fence on-from their property  
18 is too tall, that's something that might take  
19 several-like three months for us to get out. But  
20 again, given the enormous volume of complaints that  
21 we receive, we have to appropriately triage those.  
22 And so we focus our inspections, our service level  
23 and the timeliness of those inspections on those  
24 issues that have the potential to, you know, affect  
25 the public image.

2 CHAIRPERSON CABRERA: Anybody else?

3 ASSISTANT COMMISSIONER ZACK: Yeah, I  
4 would echo that in terms of the time varies, but if  
5 we have a street signal that is out, a traffic signal  
6 I mean like we try to address that in two hours. If  
7 you have a pothole, it's less than four days. If  
8 you—someone complains about a street that needs, you  
9 know, full capital reconstruction, as you all well  
10 know, that—that can take much longer than—than two  
11 weeks.

12 CHAIRPERSON CABRERA: But the response,  
13 though. So, for example, if I'm calling, there is a  
14 problem.

15 ASSISTANT COMMISSIONER ZACK: I'll use an  
16 example of like a sidewalk if someone complaints  
17 about a sidewalk. Within 30 days they—they get a  
18 response from the agency that acknowledges that we  
19 heard from them, and with 180 days we are out there  
20 making sure that we do an inspection. It varies. I  
21 mean with, you know 1,200 miles of sidewalk. So, we—  
22 it—it varies I think on—on the problem, but I think  
23 our goal is to be as responsive as possible. I can't  
24 say sitting here knowing all the things that we're  
25 responsible for, but our response is always within



2 two weeks. I will say we are always trying to do  
3 better with that.

4 CHAIRPERSON CABRERA: So, it takes 30  
5 days because--?

6 ASSISTANT COMMISSIONER ZACK: Yes.

7 CHAIRPERSON CABRERA: Isn't that  
8 manpower?

9 ASSISTANT COMMISSIONER ZACK:  
10 [interposing] Yes, and, you know, re—you know,  
11 resources, the amount of complaints that we're  
12 getting all the time regarding sidewalks.

13 CHAIRPERSON CABRERA: Okay. Let me—let  
14 me ask you another question. In regards to, and I  
15 know this happens for a fact. If one person calls  
16 versus ten people call, are the ten calls—it's kind  
17 of rhetorical question, but do you pay more attention  
18 and when you have a larger volume versus if you have  
19 one—just one person calling in? How do you—how do you  
20 measure that in light of severity or the lack of  
21 severity and the amount of people that are coming in?

22 ASSISTANT COMMISSIONER ZACK: I think  
23 that depends on what that issue is. If ten people  
24 are calling about a broken curb, and one person is  
25 calling about a traffic signal being out, we are

2 going to prioritize that traffic signal. I mean—I  
3 mean--

4 CHAIRPERSON CABRERA: [interposing] I get  
5 the traffic--

6 ASSISTANT COMMISSIONER ZACK: --I mean  
7 I'll just have others things to say. (sic)

8 CHAIRPERSON CABRERA: Yes.

9 ASSISTANT COMMISSIONER ZACK: I  
10 understand your rhetoricalness to that.

11 CHAIRPERSON CABRERA: Yeah.

12 ASSISTANT COMMISSIONER ZACK: It's a--  
13 it's--

14 MICHAEL DELOACH: Yeah, for DEP for noise  
15 complaints if there—if we're getting a high volume of  
16 calls for a specific location, that will get  
17 prioritized above individual complaints--

18 CHAIRPERSON CABRERA: So, in the case--

19 MARK CHAMBERS: [interposing] --and it's  
20 on a case-by-case basis.

21 CHAIRPERSON CABRERA: So, let me give you  
22 an example, and I appreciate your examples. The  
23 traffic light that's a law actually, which I passed  
24 some years ago for Vision Zero, but in regards to--  
25 like example potholes four days. So, do you—if 10

2 people call versus more people call does it make a  
3 difference, and the reason I'm asking is because I-I  
4 struggle still with potholes in my district, you  
5 know, and I'm-I literally drive through the  
6 Commissioner the Bronx Commissioner, and we literally  
7 walk, and when we do this every three or four months,  
8 we go through it. And because my people keep telling  
9 me. They call it in, and-and I see it even on  
10 Burnside Avenue right now. I mean we-we complained  
11 about those potholes a long time ago, and we're still  
12 waiting for those potholes [laughs] to be done close  
13 to the Sedgewick Avenue, and in noticed I had to  
14 drive through there every time I go to work. So-so,  
15 what I'm trying to figure out is-is there-is-is--does  
16 that-and I--all things given, let's say we're not  
17 talking about high severity ones, right. They're  
18 Class A for the Buildings Department. I don't know  
19 what your classification spectrums that you have, but  
20 if one person calls versus 10 people call in this one  
21 block versus another block on the other side of the  
22 Bronx, do you pay more attention? And this is for  
23 all the agencies. I don't want DOT--

24 ASSISTANT COMMISSIONER ZACK: Yes.

2 CHAIRPERSON CABRERA:-- because I-I-I like  
3 you. You answer. You're bold to answer questions,  
4 but for all the other agencies, does it matter?  
5 Finance-I know it's a very individual type of-of  
6 scenarios here, but do you give more attention to the  
7 amount of calls that come in for the same kind of  
8 problem?

9 JOE MORRISROE: I would say generally we  
10 do. If there's a high volume, we do prioritize it  
11 depending again on the issue, but largely I would say  
12 we do.

13 CHAIRPERSON CABRERA: So, you do?

14 JOE MORRISROE: Yes. Yeah.

15 CHAIRPERSON CABRERA: Okay.

16 JOE MORRISROE: It's usually symbolic of  
17 something, you know, more of an emergency or  
18 something, you know, really egregious. I think that  
19 we do, you know, again a case by case is different,  
20 but generally we would prioritize the higher volume.

21 CHAIRPERSON CABRERA: Okay. That-anybody  
22 else? Because that kind of confirms what I hear in  
23 on the street streets.

24 MALE SPEAKER: [off mic]

2 CHAIRPERSON CABRERA: Sir, this ain't for  
3 everybody. I'm just going to go through some very  
4 specific cases. Dead animals. Who handles dead  
5 animals?

6 JEFF HUNTER: [off mic] The Department of  
7 Health does.

8 CHAIRPERSON CABRERA: Okay. How many  
9 days before a dead animal is picked up.

10 JEFF HUNTER: I would have to—

11 CHAIRPERSON CABRERA: [interposing] And  
12 upon the complaint.

13 JEFF HUNTER: I don't know off the top of  
14 my head of what our service level agreement is on  
15 dead animal pickup, but I can look into that for you.

16 CHAIRPERSON CABRERA: It's days.

17 JEFF HUNTER: Sorry?

18 CHAIRPERSON CABRERA: Days and I'm a  
19 little doubtful with that, you know, that agreement  
20 because I mean is that like a health hazard if you  
21 have an animal decomposing, and, you know, children  
22 poking at it, and, you know.

23 JEFF HUNTER: And my colleagues are  
24 reminding me that this might also be a Sanitation  
25 complaint.

2 CHAIRPERSON CABRERA: Okay, because I-I  
3 know when my wife called. We had a situation in  
4 front of our church, and they said oh, we'll-you  
5 know, within days. I forgot how many days it was,  
6 but it was days. I'm like this is not right, you  
7 know. Shouldn't we change? How often do you guys  
8 look at your service agreement?

9 JEFF HUNTER: So, within the Health  
10 Department we-we have varied ways to prioritize our  
11 complaints ranging from immediately to the most  
12 severe to 14 days and, you know, we're continuing  
13 looking at ways to improve. So, if there are certain  
14 areas where we do need to respond in a more immediate  
15 manner, we will-we can change that.

16 CHAIRPERSON CABRERA: Would you think  
17 that that's kind of an immediate kind of action that  
18 we should be taking?

19 JEFF HUNTER: I'd-I'd have to loop back  
20 with Sanitation to find the correct agency that's in  
21 charge of-of that specific--

22 CHAIRPERSON CABRERA: [interposing] But  
23 when I call 311 about dead animals, the 311 call gets  
24 transferred to who?

25 JEFF HUNTER: It depends.

2 JOE MORRISROE: Yeah, that would depend.

3 We would ask you a number of questions about the type  
4 of animal, the location and--

5 CHAIRPERSON CABRERA: [interposing]

6 Awesome.

7 JOE MORRISROE: --and then from there,  
8 where is it located. [laughs]

9 CHAIRPERSON CABRERA: A possum. Let's  
10 start there.

11 JEFF HUNTER: We just--we just did confirm  
12 that it is Sanitation.

13 CHAIRPERSON CABRERA: Okay, it is  
14 Sanitation, and they're not here.

15 JEFF HUNTER: Correct.

16 CHAIRPERSON CABRERA: Oh, bummer. I'm  
17 going to have to call them. It is, you know, if you  
18 guys could put answer (sic) because you do deal with  
19 health. If you could speak to them because honestly,  
20 by the time--if--if I remember right, I should call 311  
21 and ask. Maybe my staff could call right now 311,  
22 and--but from what I recall, it was like 4 or 8 days.  
23 I--I--it's one of those, which to me is like really?  
24 This thing is like bloated and flies everywhere  
25 especially in the summer or--I mean it just--we--we got

2 to do better than that, and since you're the health-  
3 you are the Health cap in the city. If you could  
4 communicate to Sanitation that we need to do a better  
5 reaction time than that. I don't have any more  
6 questions. Do my colleagues have any more questions?  
7 Council Member Holden.

8 COUNCIL MEMBER HOLDEN: Yeah, I just have  
9 a couple. I'd like to ask DOT this question. I get  
10 complaints. We had one huge complaint from residents  
11 on-in-in a certain area that their-a number of blocks  
12 were being paved except this one dead was not, and  
13 they said, and I got an answer from DOT. It's not a  
14 mapped street, and in this day and age the 21<sup>st</sup>  
15 Century it's very hard to believe, and this is-  
16 there's no end to this by the way. It's-you have to  
17 put it in a-in a request to get it mapped and it  
18 sometimes takes several years. So, these people are  
19 out-they're out. They-they can't get their potholes  
20 filled or they can't get the proper maintenance.  
21 They can't get their street paved, and this is in  
22 rough shape. So, how do we-how do we move that  
23 forward, and-and I want to ask all the agencies  
24 especially DOB how you offer solutions when you can't  
25 gain access? So, everybody should have some kind of



2 resolution, but it seems that we just keep going  
3 round and round, but let me get to the mapped street  
4 and DOT first.

5 MICHAEL DELOACH: That actually probably  
6 is a DDC construction project I would assume. I'm  
7 not sure.

8 COUNCIL MEMBER HOLDEN: Is it a DEP  
9 problem?

10 MICHAEL DELOACH: It probably—it could be  
11 a DEP project that—

12 COUNCIL MEMBER HOLDEN: Well, but I was—I  
13 —I contacted DOT and they said well, we can't use  
14 capital resurfacing because it's--

15 ASSISTANT COMMISSIONER ZACK: Right.

16 COUNCIL MEMBER HOLDEN: --it's not a  
17 mapped street.

18 MICHAEL DELOACH: Yeah, I mean we have  
19 this problem across the city in lots of instances  
20 for—for DEP. So, when it's not a mapped street,  
21 we're—we're legally not able to do it.

22 COUNCIL MEMBER HOLDEN: But why do we  
23 have—why do we have unmapped streets?

24 MICHAEL DELOACH: Because decades ago  
25 when the borough—the borough presidents were in

2 charge of approval, they were approving them even  
3 when it—for private property not--

4 COUNCIL MEMBER HOLDEN: Alright.

5 MICHAEL DELOACH: --on the city street.

6 (sic)

7 COUNCIL MEMBER HOLDEN: [interposing]

8 Alright. So, what's the solution?

9 MICHAEL DELOACH: I'm not sure if know  
10 the solution. I mean it would require a change of  
11 the law.

12 COUNCIL MEMBER HOLDEN: [interposing] So  
13 there are a number of taxpayers that are just lost.  
14 They—they can't get the services that they're paying  
15 their taxes for.

16 MICHAEL DELOACH: [interposing] Well,  
17 they knowingly bought and purchased property in-  
18 knowing that that was the case. So, it's not like a  
19 deceptive practice. I mean people are aware that  
20 they're on private property when they buy the house.

21 COUNCIL MEMBER HOLDEN: What if they were  
22 there for 30, 40, 50 years and that's just—so the buy  
23 beware, and you pay your taxes? Is that what you're  
24 saying?

25 MICHAEL DELOACH: Yeah.

2 ASSISTANT COMMISSIONER ZACK: Yeah.

3 COUNCIL MEMBER HOLDEN: You're saying  
4 that?

5 MICHAEL DELOACH: I mean it's—it's the  
6 law. I'm not—I'm not saying it. I'm just telling you  
7 what the law says.

8 COUNCIL MEMBER HOLDEN: I know but we  
9 need—we—see there's another case. We need solutions  
10 to this. We just don't need oh, well, buyer beware--

11 MICHAEL DELOACH: Right.

12 COUNCIL MEMBER HOLDEN: --because I'm  
13 paying my taxes. I pay the same amount of taxes as  
14 other people, and yet I'm not on a mapped street and  
15 I can't—no catch basins on the mapped street--

16 MICHAEL DELOACH: Well, that's actually--

17 COUNCIL MEMBER HOLDEN: --unmapped.

18 MICHAEL DELOACH: --DEP. That's just  
19 actually not true. If you have private—if you're on  
20 an unmapped private street, you're not paying DEP.  
21 You're not paying for the services because it's a  
22 private property. It's private infrastructure. So,  
23 you're not paying the same amount as your neighbor  
24 who is getting from DEP. I can't speak for every  
25 agency, but you're not paying for the services.

2 COUNCIL MEMBER HOLDEN: No, I have to  
3 check that one because there are people—we have a lot  
4 of streets in my neighborhoods that are unmapped, and  
5 we need to address that, and it's a long process I  
6 was told, but maybe we can talk about it a little bit  
7 more.

8 MICHAEL DELOACH: Sure.

9 COUNCIL MEMBER HOLDEN: DOB what  
10 solutions do you—you can't—you can't gain access an  
11 illegal conversion. What do you do? Where is the  
12 answer to the people other than we can't gain access?

13 ASSISTANT COMMISSIONER WEHLE: So, as you  
14 aware particularly as it relates to illegal  
15 conversions, we do have problems sometimes obtaining  
16 access to perform the inspection. Our process is our  
17 inspectors will attempt to perform a minimum of two  
18 inspections to try and gain access. We have a  
19 practice of working with folks in the community and  
20 complainants to try and time our inspections. At  
21 such a point in time that would increase the  
22 likelihood of our getting access. In the event we  
23 make those two attempts and we're unable to get  
24 access, the next step in the process is we can work  
25 with the Law Department to pursue and access warrant.

2 So, in the case of illegal conversion, if there's  
3 indicia of that illegal conversion say multiple  
4 mailboxes, door bells whatever the case might be, we  
5 can work with the Law Department to get a judge to  
6 sign off on a warrant, which will increase the  
7 likelihood of our attaining access in the next  
8 inspection.

9 COUNCIL MEMBER HOLDEN: So, I put the  
10 complaint in, do I get a message about that from 311  
11 or from DOB that here's what you can do now because  
12 we couldn't gain access, which is probably most of  
13 the time you can't gain access would you say? ?

14 ASSISTANT COMMISSIONER WEHLE: No, it's  
15 not most of the time. I'd say on the first instance,  
16 the first attempt we're successful about half the  
17 time, and then on that second attempt if we need to--

18 COUNCIL MEMBER HOLDEN: [interposing]  
19 Well, I-I would think that's just-that-it depends on  
20 the neighborhood. It's one-mostly one and two  
21 family homes. We see most of the time we're not  
22 getting access that DOB is not getting access.

23 ASSISTANT COMMISSIONER WEHLE: Well, they  
24 are providing access to some. (sic)

2 COUNCIL MEMBER HOLDEN: [interposing] I  
3 would—I would like to see it by neighborhood because  
4 in my district we're just not getting access. People  
5 just refuse.

6 ASSISTANT COMMISSIONER WEHLE:  
7 Understood. It is certainly a problem. So, again,  
8 if there's indicia of new conversion, we'll work with  
9 the Law Department to pursue and access warrant.

10 COUNCIL MEMBER HOLDEN: Okay, do you—do  
11 you think there should be a message that you get when  
12 the second if they can't gain access that there  
13 should be some recourse because it's frustrating for  
14 some of the complainants who have this—who put in  
15 multiple complaints and each time it's the same  
16 result?

17 ASSISTANT COMMISSIONER WEHLE: Your point  
18 is well taken. You are right. So, upon that  
19 inspection if we're not able to obtain access, 311  
20 and bid (sic) system will note that we were unable to  
21 get access, but it doesn't provide any information—  
22 additional information about the possibility of  
23 perhaps securing an access warrant.

24 COUNCIL MEMBER HOLDEN: Yes, and I think  
25 we should have that.

2 ASSISTANT COMMISSIONER WEHLE: It's  
3 something we should certainly consider I would say.

4 COUNCIL MEMBER HOLDEN: Okay, thank you.

5 CHAIRPERSON CORNEGY: Well, I want to  
6 thank you all. I'm looked forward in the future to  
7 if we could have a system an alert system for the  
8 agency. I know you have your hands full and between  
9 these two hearings that we had 311, we give you—you a  
10 huge list of ideas, but I think it will be beneficial  
11 and that way we could better assess the level of  
12 promptness of—of timely response and, you know,  
13 really what we're talking about here is precision.  
14 Youi know, it's precision and precision makes people  
15 and excellence makes people feel more comfortable.  
16 They feel safer, and in terms of being able to trust  
17 the 311 system. Unfortunately, a lot of times it's  
18 directed at 311, but it's really like Council Member  
19 Yeger mentioned it has to do with all the agencies  
20 responding in a timely manner. I have to tell you  
21 that in my district I have people that when I say  
22 call 311, they tell me they don't do anything, and  
23 that's -that really is discouraging, and I don't say  
24 this—I don't come here with a bat to blame. I'm  
25 just—I'm very solution focused, and so if we could

2 come up with better systems and structure within your  
3 agencies so we could regain the trust, and the way  
4 people feel that their—the—that your trustworthy, it  
5 comes down to one thing that you're for them, and  
6 when they feel that you're for them, because you're  
7 at the very least responding in a timely manner,  
8 people feel at least somebody cares, and that goes a  
9 long way. I know when you have to do something, some  
10 of the—actually that takes days, weeks, sometimes  
11 months. I mean it's just a reality of the complexity  
12 of problems that our people bring in, but as long as  
13 that level of communication that change is taking  
14 place, I think that it goes a long way. So, thank  
15 you again, and I know I didn't say enough thank you.  
16 So, just I want to thank you. I know what you do is—  
17 is not—it's not easy. It's everyday, you know,  
18 problems. It's just really it just is dealing with  
19 city wide problems of 8.5 million people. I want to  
20 thank my colleagues, further my question is that  
21 they're right on point. To the staff that did an  
22 amazing job to prepare us, and with that, we conclude  
23 today's hearing. Thank you so much.

24

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 3, 2019