

FY 2020 Borough Budget Consultations

Manhattan - Department of Buildings

Meeting Date 9/7/2018

AGENDA ITEM 1 : General Agency Funding Discussion

The purpose of holding the Borough Budget Consultations is to provide Community Boards with important information to assist in drafting their statement of District Needs and Budget Priorities for the upcoming fiscal year. As you know, Community Board Members are volunteers who may not be familiar with the budget process and how agencies' programs are funded. At the same time, Community Board members are very knowledgeable about local service needs.

This year's Manhattan agendas have three sections:

I. Agencies begin the consultation with a presentation of their goals, funding decision process, and highlights of their funding needs.

II. Then, the agenda continues with Community Boards asking about specific program funding.

III. Lastly, the agendas include Boards' requests on district-specific budget questions. We request that the agency respond in writing, but have any further discussions on these items with the Community Boards outside of the consultation.

For the first section, please present on the four topics below for 10-15 minutes at the beginning of our Consultation. Also, please provide written responses or even a PowerPoint presentation that we can use to fully and accurately educate our Board Members.

1. What are your priorities and operational goals for FY19 and projected priorities and operational goals for FY20?
2. What are the current proposed FY19 and FY20 service and operational goals and proposed funding?
3. Which programs is the agency adding, dropping, or changing for FY19 and projected for FY20?
4. What are your benchmarks for new and existing programs and what are your benchmarks/key performance indicators for measuring success?

AGENCY RESPONSE:

Broadly speaking, the Department's priorities and goals include continuing the build-out of DOB NOW, our online filing system that shortens wait times and affords increased transparency and convenience for the filing community and public. Implementation of Local Law 196, which when implemented will require construction safety training for many thousands of construction workers on construction sites throughout the City. Continued improvement in the levels of service we provide to the applicant community and public during this unprecedented scale of construction activity. And furthering our efforts to be more proactive and strategic in how we use limited resources to identify and discipline bad actors.

The FY19 adopted plan provides for a total budget of \$204.8 million for FY19 and 190.9 million for FY20. This includes \$13.2 million for 145 positions for construction site safety enforcement and compliance with the new construction safety training law pursuant to Local Law 196 of 2017. \$725,000 for a new unit focusing on AHV enforcement. \$10.8 million in FY18, \$5.7 million in FY19 and \$6.6 million in FY20 for expenses related to technology upgrades to DOB NOW. The Department received \$5.2 million in funding to strengthen its ability to protect tenants from construction harassment.

In addition to the answer provided in question 1 above, we are creating an After-Hours Variance ("AHV") Unit to enhance our enforcement of AHV complaints that is detailed below. We continue to harness the potential of data

analytics to further the Department's efforts to improve transparency. As such we have released a number of online tools providing a wealth of information on sidewalk sheds, elevators, and dashboards that provide information on construction activity that is updated quarterly. In addition, the Department now releases a monthly enforcement bulletin, which highlights enforcement actions the Department has taken. Finally, we now publish online waiting times for all our customer service areas, allowing the public to better plan their visits.

The Department's mandate has expanded broadly of late, with an increased focus on construction safety, gas safety, and tenant protection. Numerous laws have been enacted with respect to these areas, many of which include benchmarks. As community boards know, performance indicators are reported in the MMR, and the Department has increased the rigor of its performance measurement internally.

MEETING NOTES:

COMMENTS:

1. Safety- 100k construction workers required to have a min of 40 hrs of safety training. Final training requirement concludes in 2019.
2. Established new office within the dept. to establish safety compliance.
3. Real Time enforcement Unit

FOLLOW-UP:

AGENDA ITEM 2 : Staffing for Manhattan

Staffing for Manhattan Questions:

The Department of Buildings (DOB) over the last several years has increased staff to accommodate increased construction. In FY 19 there is an increase of \$17 million for an additional 185 positions. Manhattan CBs have asked for last several years to increase the number of Manhattan Liaisons from 1 1/2 (one Man also covers SI) to 3 to also be able to support increased work. Why does DOB support all areas with increased staff except community boards?

AGENCY RESPONSE:

The Office of the Tenant Advocate will provide additional support to community boards as it relates to the use of construction to harass tenants, particularly for Manhattan community boards where a significant portion of such harassment exists. The Department is working on a plan to broaden its Community Affairs Unit.

MEETING NOTES:

COMMENTS:

1. 2 new Liaisons in Office of tenant Advocate

FOLLOW-UP:

1. Susan asked if DOB could keep stats on complex complaints from Community Boards. Response times to CBs has gone down because Byron is now working with Tenant Advocate Office. Can someone be assigned temporarily to assist CB's?

- Patrick responded that cataloguing complaints from CB's is a good idea, establishing a category code to establish what's the rate of response for CB complaints

2. Jesse asked for clarification on Byron's job. Byron is the director of the Office of tenant Advocacy. Byron works closely with OBM (office of Building's Marshal) but no staff of his own. They are working to secure funding for Byron to have additional staff in order to respond to complaints quicker.

3. How can DOB deal with many issues that new construction can cause?

Patrick responded that dept. has received funding to hire 150 new inspectors to deal with these kinds of issues.

AGENDA ITEM 3 : Inspection Efficiency

Inspection Efficiency Questions:

1. What percent of 2018 DOB inspections required additional inspections due to inspections being done before or after standard DOB work hours or after closing hours or inspection of business and construction sites after work hours. Does DOB have a strategy to reduce the number of unproductive inspections and will FY 2019 staff increases address this?

AGENCY RESPONSE:

The Department performs inspections 24 hours a day and seven days a week. We endeavor to perform inspections promptly and when access is likely. There has been dramatic improvement in our response to higher priority complaints, all while decreasing the backlog of nonemergency complaints. Far too many inspections for which access is obtained result in no enforcement action taken because no violating conditions were present.

MEETING NOTES:

COMMENTS:

Patrick: For all inspections performed in Manhattan based on a complaint where we get access, for 70% of the complaints there is no violation warranted. For B complaints, 60% of the complaints, there is no violation warranted.

A complaint: structural instability, immediate threats, elevator issues, crane issues

B Complaint: Work without permit, illegal conversion, after hour variances

FOLLOW-UP:

AGENDA ITEM 4 : Audits Report Times

Audits Report Times Questions:

Have the staffing increases for FY18 and FY19 helped enable DOB to audit the required 20% of professionally certified plans? Does DOB plan to surpass the 20% goal, if so with what resources will they use and be made available? What percentage of professionals certified plans were audited in 2017 and so far in 2018? Have funds been secured to increase this percentage in FY19 and are increases projected for FY20?

What is the average response time for interagency correspondence? Why does DOB routinely not officially respond to Community Board resolutions\letters\emails? What does DOB require to officially respond to Community Board correspondence?

AGENCY RESPONSE:

In FY 2017 the Department audited 23% of pro-cert jobs, compared to 20% in FY 2016. This despite an increase in pro-cert jobs by 5%. The Department plans to continue exceeding our 20% goal.

In 2017, DOB audited 23% of pro-cert jobs. In 2018 (through July), DOB audited 26% of jobs.

The Department receives an enormous volume of correspondence, with some being as simple as an inspection request, and others involving complex Code and Zoning matters that require significant time and resources to review and respond to. The Department endeavors to respond in a timely manner. Given the volume and oftentimes complexity of the inquiries we receive, and the absence of staff exclusively responsible for correspondence, it can take some time to provide a written response. When appropriate, responses are provided orally to save time.

MEETING NOTES:

COMMENTS:

FOLLOW-UP:

AGENDA ITEM 5 : CB Complaint Resolution

CB Complaint Resolution Questions:

What funding in the FY19 budget will enable DOB to respond to requests to audit plans and complete inspections in a more timely manner? Is that funding secure for FY20?

In the Mayor's Management Report for 2018 it states that responses to 311 Services requests for Illegal Conversion of Residential Building/Space (60 days) and General Construction/Plumbing - Contrary/Beyond Approved Plans/Permits (60 days) are below FY17 FY18 goals. What funding requests has DOB made in the FY19 Budget to resolve this and have they been projected for FY20?

-- We have followed 311 complaints where residents sent information. Inspections are not scheduled for several weeks until the CB follows up with the liaison to get inspections scheduled. What funding would it take for DOB to be able to respond immediately for various types of inspection?

AGENCY RESPONSE:

Dramatic progress has been achieved in our response to both enforcement and development inspection requests. Our response to audit requests is a function of the complexity of the request and plan examiner workload.

The 2019 Report will show dramatic improvement in both areas.

The Department has made dramatic progress in our response to complaints. The statement above is not consistent with our data. For those complaints concerning a potential threat to the safety of the public or occupants, the Department responds well within our 24 hour service level.

MEETING NOTES:

COMMENTS:

FOLLOW-UP:

AGENDA ITEM 6 : Capital Tech Improvements

What were DOB's funding request for any additional capital technology improvements for FY19 and projected FY20? How will these assist in department-wide effectiveness and transparency in responding to service requests?

Is the BIS replacement project, as highlighted by DOB last year, on schedule and is it fully funded?

What is the status of the backlog of applications\plans being uploaded into the BIS system? Would capital improvements such as technology or expense improvement such as additional staff best resolve the backlog?

AGENCY RESPONSE:

The budget provides \$5.7 million in FY19 and \$6.6 million in FY20 for expenses related to technology upgrades to DOB NOW.

It is not fully funded. For the funding provided we are largely on schedule.

This concern will be addressed with the continued build-out of DOB NOW

MEETING NOTES:

COMMENTS:

FOLLOW-UP:

AGENDA ITEM 7 : Budget Priorities

What budget priorities and staffing requests would DOB like Community Boards to support?

AGENCY RESPONSE:

N/A

MEETING NOTES:

COMMENTS:

FOLLOW-UP:

Is staffing fully funded, does there need to be advocacy for staffing at DOB?

AGENDA ITEM 8 : District Specific Question #1

CB4: There has been a rash of improperly approved demolitions with demo-restricted special districts. DOB promised to update their BIS system to flag all sites that are within special districts. That has yet to happen. Please update us.

AGENCY RESPONSE:

While there been a small number of improperly approved demolitions in the past, a number of controls have been put in place to help prevent that from reoccurring. Since then, no such demolitions have been improperly approved.

MEETING NOTES:

COMMENTS:

Question has been previously answered.

FOLLOW-UP:

AGENDA ITEM 9 : District Specific Question #2

CB7: Last year DOB announced they will be making changes to the AHV policy at the end of October 2016. Please explain these changes and what impact DOB believes they have had on the community and the construction industry.

AGENCY RESPONSE:

The Department received funding to create a new AHV Unit. Staff dedicated to the program will audit after-hours permits, do unannounced inspections, and issue violations. This program will enable DOB to visit more than 7,000 construction sites with AHVs each year.

MEETING NOTES:

COMMENTS:

Question has been previously answered.

FOLLOW-UP:

From CB9: is there anything being done on the DOB side to address Legionnaire's?

Patrick: DOB handles inspections of the towers, but handling Legionnaires is handled by DOH. Will follow up with CB9 on what else can be done.

What are plans to handle L Train shutdown?

Patrick: Conversations are being had to study the effect of shutdown with DOT and other agencies.



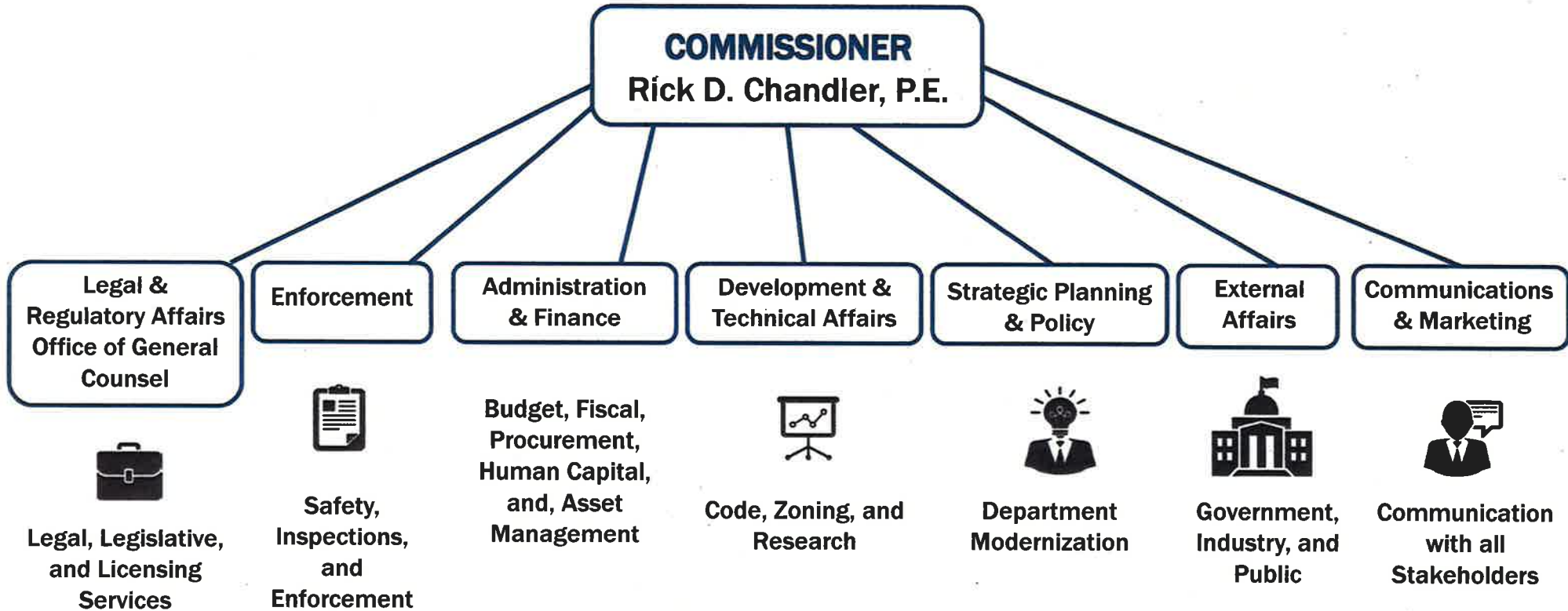
OVERVIEW PRESENTATION FOR MANHATTAN COMMUNITY BOARDS

September 7, 2018

NYC
Buildings



THE DEPARTMENT



Over 1,800 Employees

DEPARTMENT SNAPSHOT

The **Department of Buildings** regulates the **safe and lawful use of nearly 1.1 million buildings and 45,000 active construction sites** across the five boroughs.

Advancing Code Compliant Development

- **230M sq/ft of new construction built in 2014-2017 – compared to 103M sq/ft from 2010-2013**
- **166,000 construction permits issued in 2017 – more than 50% increase since 2010**
 - **2,163 New Building Permits and 107,561 Alteration Permits**
 - **2,030 Demolition Permits**

Promoting and Enforcing Safe Construction

- **74,000 ECB violations issued / \$153M in ECB fines collected in 2017**
- **16 new Local Laws enacted focusing on construction safety, including LL 196 requiring safety training for workers**

Licenses and Registrations

- **4,371 new licenses issued to construction professionals in 25 different disciplines in 2017**
-

STREAMLINING DEVELOPMENT

Enabling DOB Customers to Quickly Navigate the Regulatory Process

- **In 2017**
 - **90,00 Job Filings Received Online**
 - **Nearly 150 New Plan Examiners Hired**
 - **Major-project Plan Reviews in 5 days** – down from 16 days in 2015
 - **156,000 Development Inspections** – up 12% from 2015
 - **Development Inspections Performed in 2.7 days** – down from 5 days in 2015
 - **64% of Jobs are now Professionally-Certified**

- **Established an Affordable Housing Unit to Prioritize Affordable Housing Projects**

PUBLIC SAFETY & INTEGRITY

Strengthening DOB's Enforcement Efforts and Ensuring Professional Accountability to Protect the Public

More Rapid Response to Complaints

- **Hired 140 Inspectors**
- **16,591 "A" Complaints responded to within 14 Hours; 2 hours for the most serious cases**
- **72,848 "B" Complaints responded to within 9 days**

Increased Penalties and Enhanced Enforcement Operations

- **74,000 ECB violations issued in 2017 – an increase of 20,000 over calendar year 2016**
- **Quadrupled fines for the most serious safety lapses**
- **Targeted enforcement sweeps at sites with poor safety records and higher frequency of construction accidents**
- **Greater site safety supervision at all major construction sites**

Vigorous Enforcement of Bad Actors

- **22 design professionals had filings privileges revoked or suspended**
- **20 construction professionals had licenses revoked / 19 had licenses suspended**
- **Improved data analytics to target bad actors and problem construction sites**
- **Provide monthly enforcement action reports to the public**

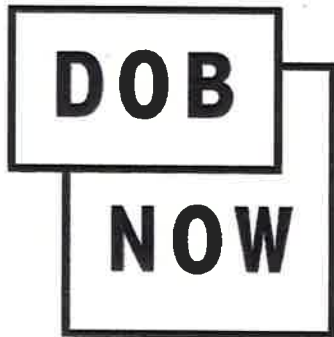
INCREASED TRANSPARENCY

Provide Clear Information about DOB's Processes and Requirements

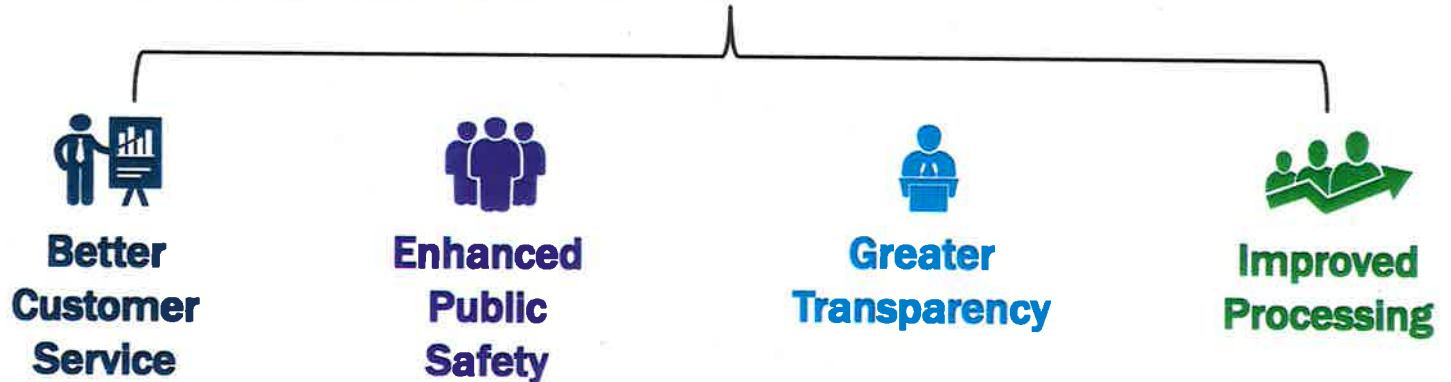
- Delivering on **Data Analytics** with a **new Construction Dashboard** and **Façade Safety & Sidewalk Shed Report**
- Developed and Published a series of **Project Guidelines to Improve Consistency and Predictability**
- **Standardize and Automate Objections**, Saving Time, and Reducing the Need for a Filing Representative
- Releasing More Data to the **Open Data** Platform
- **Consolidating Construction Codes** to Simplify Compliance
- Prioritize **Industry Engagement** to Create and Share Best Practices

BUILDING ONE CITY

21st CENTURY AGENCY



DOB NOW is an interactive, web-based portal that will enable building owners, design professionals, filing representatives, and licensees to **do all business with DOB online.**

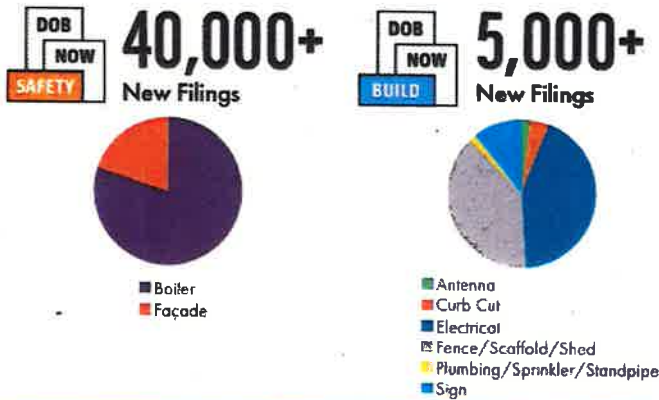


DOB NOW BY THE NUMBERS



DOB NOW 2017 YEAR IN REVIEW

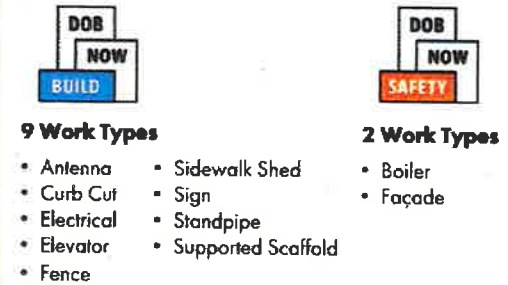
FILING TOTALS



INSPECTION REQUESTS



NEW RELEASES



IN-PERSON TRAINING



20 Webinar Trainings Held | 430 Attendees

LOOKING AHEAD TO 2018

- | | | |
|--|-------------------------------|-----------------------------|
| <p>Increased Functionality</p> <ul style="list-style-type: none"> • Waiver and Deferral • Withdrawal • Supersede • Enhanced Plan Exam • Multiple Stakeholders | <p>Enhanced Public Portal</p> | <p>10+ DOB NOW Releases</p> |
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DOB IN THE COMMUNITY

HOMEOWNER'S & SMALL BUSINESS OWNER'S NIGHT

Information sessions for **Homeowners, Small Business Owners**, and **residents** to meet with Department representatives

Every Tuesday night from **4:00pm to 7:00pm** in each borough office



- ★ *Free of charge*
- ★ *No appointment needed*



build safe | live safe

NYC
Buildings