

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Teresa Deloach Reed
FIRE CHIEF

SUBJECT: FY 2013-14 Budget Balancing
Supplemental Information

DATE: February 27, 2014

City Administrator
Approval

Date

2/27/14

COUNCIL DISTRICT: 1, 4, 6, and 7

SUPPLEMENTAL INFORMATION

As requested by the Rules and Legislation Committee on February 27, 2014, the attached information contains the complete Auditor's Report of findings associated with the 2013 Vegetation Inspection Audit conducted by the Office of the City Auditor. Also attached is the City Administrator's formal response to the findings, as well as a memo to the Mayor and City Council in response to concerns raised as a result of the audit findings.

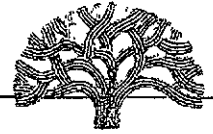
Respectfully submitted,

for: Teresa Deloach Reed
Fire Chief

Attachments:

- A. Vegetation Inspection Audit Report
- B. Administration Formal Response
- C. Memo to Council

Item: _____
Finance and Management Comte.
March 11, 2014



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Administrator
Deanna J. Santana
City Administrator

(510) 238-3302
FAX (510) 238-2223
TDD (510) 238-2007

November 6, 2013

ATTACHMENT A

The Honorable Courtney Ruby
Oakland City Auditor
1 Frank Ogawa Plaza, 4th Floor
Oakland, California 94612

RE: Vegetation Inspection Audit

Dear City Auditor Ruby:

I am pleased to provide you with the City Administration's response to the Vegetation Inspection Audit. As mentioned in the exit interview, the Fire Department welcomes performance audits conducted cooperatively to improve the efficiency, effectiveness and customer service of City government.

During the period selected for the performance audit, there have been many changes, both selected and mandated within the Vegetation Management Unit. The audit performed only validated the issues the Fire Department has been working to address, such as permanent staffing of the supervisor position, a more efficient contract bidding system, a cost recovery billing system and a well-trained and dedicated inspection staff.

Although the Administration is concerned about the proposal of additional workload placed upon an already short staffed Vegetation Management Unit, staff will work with parking enforcement and examine what can be done regarding emergency vehicle access within the Oakland Hills area.

Attached to this cover letter is the Administration's detailed response (Attachment A) on the audit findings, recommendations and other content. I look forward to working with your office to target key issues identified in the audit process that could result in ways to improve the vegetation management inspection process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deanna Santana", written over a horizontal line.

Deanna Santana
City Administrator

c: Osborn Solitei, Controller

Attachments: Attachment A - Detailed Response

Oakland Fire Department Vegetation Inspection Audit Response

November 6, 2013

Recommendation	Response
<p>1. Implement clear policies and procedures that include stronger supervision and quality control measures, including but not limited to procedures requiring:</p> <ul style="list-style-type: none"> • Oversight of inspection performance and inspection forms for accuracy and completeness • Stronger controls over the accuracy and monitoring of information in the database • Inspection performance included as part of written performance evaluations for Fire Department Staff 	<p>Staff Agrees with Recommendation –</p> <ul style="list-style-type: none"> • Staff is in the process of developing and distributing the proper procedures for conducting an inspection and accurately completing the vegetation management annual inspection form. Although both of these subjects are addressed during the annual refresher training, staff feels it is necessary to create a reference sheet to reinforce the annual training. Company Officers are responsible for signing off on each of the inspection forms. This space is located on the upper left hand corner of the form. This confirms officers have reviewed the form, for accuracy and completion. Staff will also reiterate the responsibility of the Company Officer when completing and signing the inspection form. • The OneStep database program was purchased off the shelf, and not tailored or designed to meet the needs of the Department. Over the last few years, staff has been working with the programmer to modify the database to meet the needs of the Fire Prevention Bureau. Staff has been directed to research redesign options for the program to include mandatory fields for completion for final submission and close out of an inspection in the database. If this is possible, this should ensure completed forms are submitted. • Due to the fact this has not been a measure of performance in the past for management staff, this item will be subject to meet and confer. Staff has been assigned to facilitate this process.
<p>2. Consider additional ways to integrate inspector's expertise to help guide and oversee the quality of inspections performed and data recorded</p>	<p>Staff partially agrees with recommendation - Due to the turnover of 60% (3 of 5) of our Vegetation Management Unit staffing, there is a high probability sworn staff may have more experience with conducting vegetation management inspections than non-sworn staff. Because 60% (3 of 5) of the vegetation management inspectors are part time there is a high chance the first round of vegetation management inspections may be completed</p>

	<p>before the part time staff comes on board. In 2011, the Vegetation Management Unit was staffed with five full time inspectors and one</p>
	<p>supervisor. Today all but two of these positions are part time, placing a limit on any additional work we may want to assign them. The majority of the inspection work must be conducted within a 6 month period. The part time inspectors serve as a liaison between the public and Vegetation Management supervisor.</p>
<p>3. Implement a tracking mechanism to ensure all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive</p>	<p>Staff agrees with recommendation – Staff will coordinate with line personnel to make sure the training being provided for vegetation management inspections meets the needs of both the Vegetation Management Unit and line personnel responsible for conducting vegetation management inspections. As we move forward, all training sponsored outside of the Training Division will utilize the tracking mechanism established by the Training Division.</p>
<p>4. Work with Fire Department and Human Resources regarding the employment timing of its part-time vegetation management inspectors to better ensure inspectors are working during the fire season</p>	<p>Staff partially agrees with recommendation – Due to the increase in citizen involvement in vegetation management and fuel reduction, staff supports the full implementation of the vegetation management staffing. Having a year round program will provide a higher level of accountability, response and mitigation of fuel within the Fire District, year round, not just during fire season. Currently, the Vegetation Management Unit is staffed with one supervisor and one FTE inspector; the other three inspectors are part time. If full time staffing is not an option, staff has determined having staff work May 15 - - October 31 will be most effective. We will coordinate with HR to determine if this will fall within their guidelines.</p>
<p>5. Increase the efficiency and effectiveness of the abatement process, which includes but is not limited to:</p> <ul style="list-style-type: none"> • Adjusting the noncompliant notification process so abatements can happen earlier in the fire season • Establishing blanket contracts that can be used for common type of abatements rather than going through a competitive contracting process for each property that will be abated • Ensure each year, the Fire Department invoices noncompliant property owners for all abatement costs, re-inspection fees and administrative costs 	<p>Staff agrees with recommendation –</p> <ul style="list-style-type: none"> • Staff has been instructed to explore the same concept used for the commercial inspection program when determining the amount of time needed to mitigate violation. All levels of violations should not automatically equate to a 30 day notice. Depending upon the type or extent of the violation, 14 days may be sufficient time to bring property into compliance. • Staff has been instructed to coordinate with the Contract Compliance and Controller's Office, Purchasing Section to determine the best method to contract out work, not projects; similar to the goat

<ul style="list-style-type: none"> • Increase the effectiveness of the Fire Department's billing system by programming the system to produce automated notices for outstanding amounts due 	<p>contract.</p> <ul style="list-style-type: none"> • Staff is now invoicing all noncompliant property owners for all abatement costs.
<ul style="list-style-type: none"> • Have the Fire Department work with the Revenue Division to implement a collections process that will ensure timely cost recovery for properties abated by the City 	<ul style="list-style-type: none"> • In the past, second and third billing was a manual process due to OneStep not being set up to process second and third billing. It was determined that with additional reprogramming of the OneStep database, this system will be able to print second and third billing. Starting January 1, 2014, staff will produce automated notices for outstanding amounts due. • The Fire Department staff will work with the Revenue Division to implement a collections process to ensure timely cost recovery for properties abated by the City.
<p>6. Consider establishing alternative collections methods, beyond placing liens on property sales that can be used to ensure the City collects all amounts owed.</p>	<p>Staff agrees with recommendation – See recommendation #5, bullet #5</p>
<p>7. Work with City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement priority and if so, an enforcement program should be designed with input from community stakeholders. If this is determined to be an enforcement priority, the Administration and City Council should:</p> <ul style="list-style-type: none"> • Work with the Fire Department, Parking Enforcement and any other applicable department to obtain a greater understanding of emergency road access needs in the Oakland Hills. If greater emergency access is needed, consider how to address the issue and then define and implement an action plan • Consider the costs and benefits of promoting greater emergency vehicle access to the Oakland Hills by authorizing the Fire Department to issue citations during its annual fire inspections, roving fire patrols, or when the Fire Department experiences an obstruction • Work with Parking Enforcement to more actively issue tickets for cars parked in the Oakland Hills that are obstructing road access and may hinder emergency responses 	<p>Staff partially agrees with recommendation –</p> <ul style="list-style-type: none"> • Parking Enforcement should work with the Fire Department to gain a greater understanding of emergency road access needs in the Oakland Hills, thereby increasing the enforcement efforts within these identified areas. • Staff will examine the cost, training, staffing and memorandum of understanding (MOU) impacts to having the Fire Department issue parking citations • See bullet #1

City of Oakland Office of the City Auditor

November 19, 2013

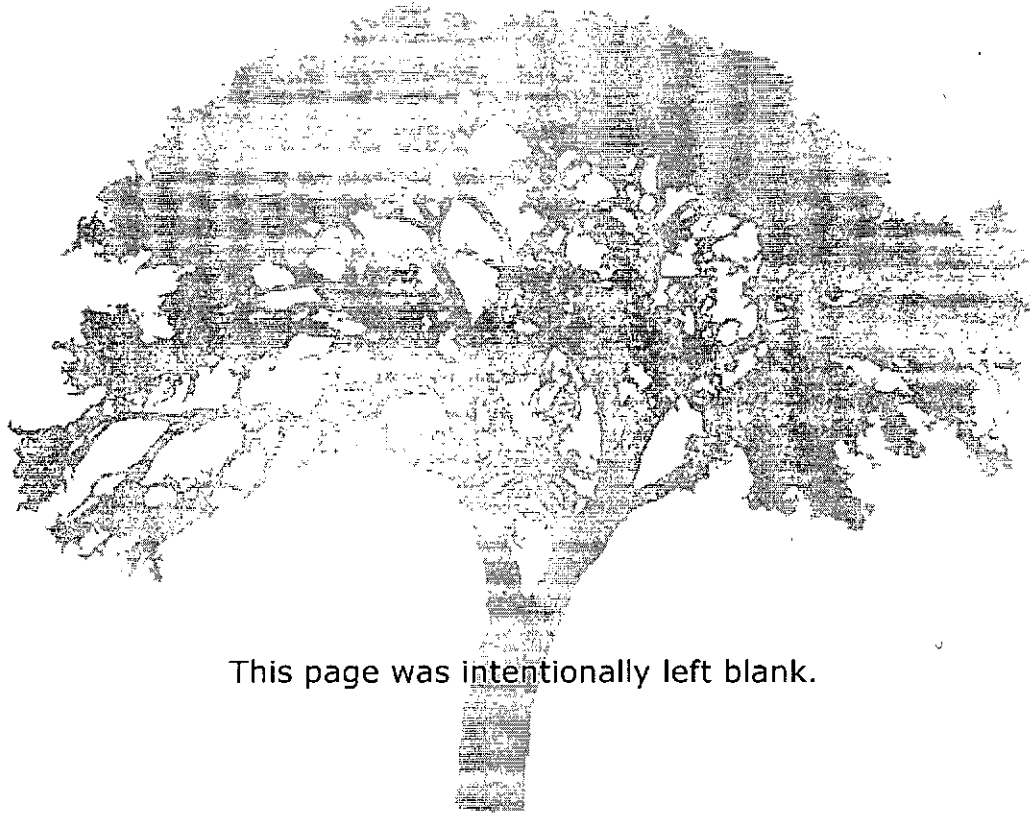
Oakland Fire Department Vegetation Inspection Audit 2011 - 2012

*The audit found that the City can further mitigate risks within the Oakland Hills
by improving its management over the vegetation inspection process
and addressing parking obstructions.*



City Auditor
Courtney A. Ruby, CPA, CFE

PERFORMANCE AUDIT



This page was intentionally left blank.



CITY HALL • ONE FRANK H. OGAWA PLAZA, 4TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Auditor
Courtney A. Ruby, CPA, CFE
City Auditor

(510) 238-3378
FAX (510) 238-7640
TDD (510) 238-3254
www.oaklandauditor.com

November 19, 2013

OFFICE OF THE MAYOR
HONORABLE CITY COUNCIL
CITY ADMINISTRATOR
CITIZENS OF OAKLAND
OAKLAND, CALIFORNIA

RE: OAKLAND FIRE DEPARTMENT VEGETATION INSPECTION AUDIT FOR 2011 AND 2012

Dear Mayor Quan, President Kernighan, Members of the City Council, City Administrator Santana, and Oakland Citizens:

The catastrophic Oakland Hills Fire in 1991 left an indelible mark on our community. Twenty-five lives were lost, with more than 3,000 homes destroyed, resulting in an estimated \$1 billion economic loss. In the 22 years since the disaster, policies and procedures have been put into place to better protect our community and mitigate the risks associated with the threat of wildfires.

Attached is the Vegetation Inspection Audit, which reviewed the Oakland Fire Department's vegetation management and inspection program during calendar years 2011 and 2012. The audit revealed that the City has more to do to mitigate risks within the Oakland Hills by improving its management over the vegetation inspection process and addressing parking obstructions.

Specifically, the audit found that:

- The Fire Department needs to better communicate the importance of proper inspections to its staff, as well as improve its property inspection, abatement, and reporting process.
- Shifting priorities, coupled with budgetary constraints have led to a lack of clarity and resources among staff who supervise and conduct approximately 26,000 annual inspections.
- The City needs to address potential fire safety risks related to parking obstructions on narrow roads.

For example, economic constraints have forced the Fire Department to downgrade six full-time inspectors in the Vegetation Management Unit to part-time status. These part-time inspectors exhaust their allotted hours early in the year and are not given additional hours until after the next fiscal year commences. The result is that inspectors are not working during key months of the fire season.

The audit also revealed that the abatement process for noncompliant properties needs improvement. Ninety-three percent of noncompliant residential properties were left unabated in 2011, and 82 percent were left unabated in 2012 as a result of the Fire Department not having enough resources.

Additionally, the Fire Department has not recouped a majority of the \$130,000 of abatement-related expenses due to inadequacies in the billing and collections process. In fact, the City failed to invoice property owners at all in 2011, and unpaid invoices were never forwarded to Citywide collections in either of the two years reviewed.

Finally, as City leaders we must heed the warning – the probability of another fire in the hills is great and we cannot turn a blind eye to the immediate need for better emergency access for firefighting equipment in the Oakland hills. The audit revealed the need for the City Council to be involved in working with community stakeholders and the Administration to determine if parking enforcement in the Oakland hills is a priority and if so, how to implement a plan that effectively reduces the risk of lives and homes being lost.

We cannot control the weather conditions that put our City at risk for wildfires. However, successfully managing resources, prioritizing inspections, training staff, and ensuring emergency access are within the Fire Department's control. It is my hope that this report more clearly informs the City Administration, City Council, and City employees on areas for improvement in the Oakland Fire Department's vegetation management and that these issues be addressed expediently. Our citizens' lives are literally at stake.

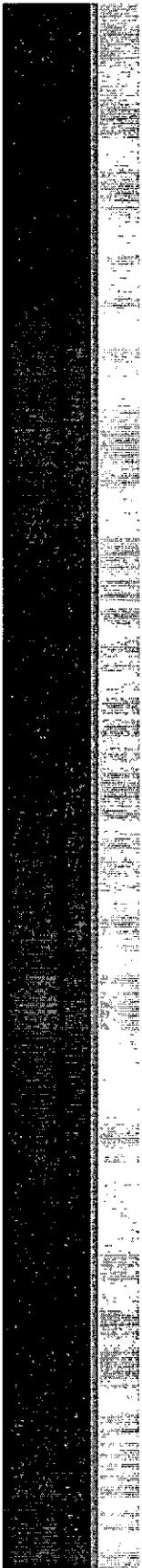
I want to express our appreciation to the Fire Chief and her staff for their cooperation and commitment to addressing the concerns highlighted in the audit.

Respectfully submitted,

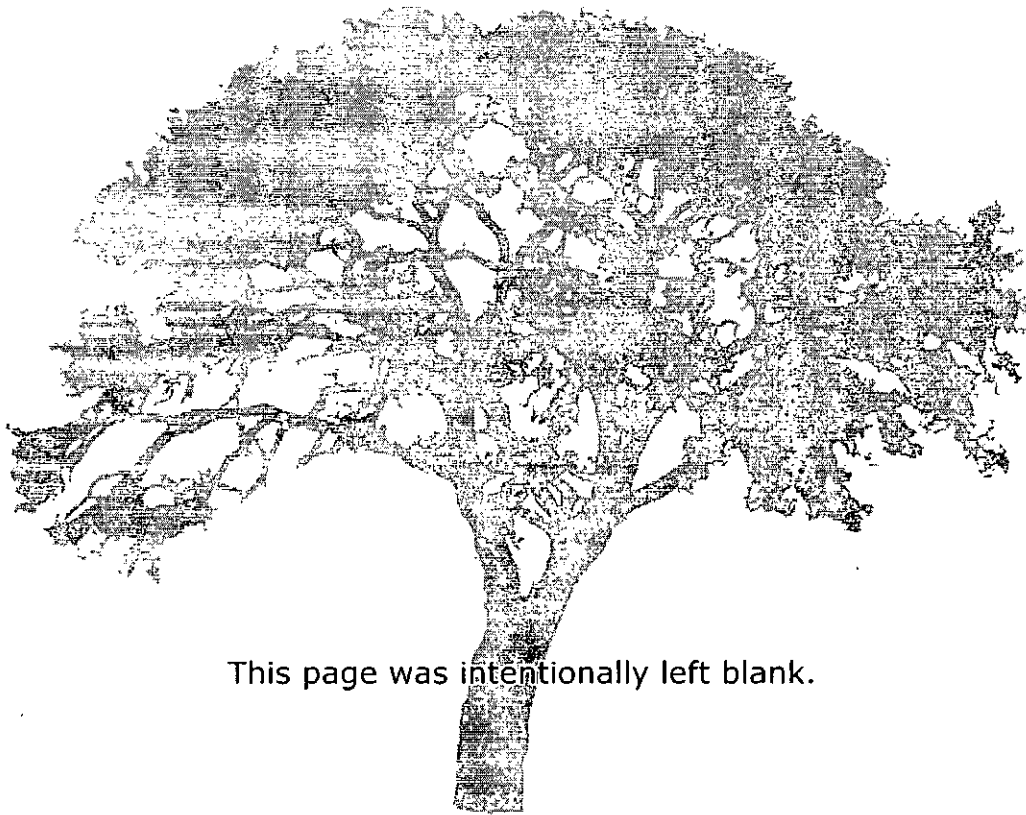


COURTNEY A. RUBY, CPA, CFE
City Auditor

Table of Contents



Summary	1
Introduction	3
Audit Results	5
Findings Matrix	13
Recommendations Matrix	13
Administration's Response	15
Summary of Actions Necessary to Close the Report	21



This page was intentionally left blank.

REPORT SUMMARY

Oakland Fire Department Vegetation Inspection Audit

OVERVIEW

The City can mitigate risks within the Oakland Hills by improving its management over the vegetation inspection process and addressing parking obstructions.

Objectives

The Office of the City Auditor conducted a performance audit of the City's management over the vegetation inspection process during Calendar Years 2011 and 2012.

Given Oakland's fire history, the Fire Chief is charged with the responsibility of inspecting all properties within the Oakland Hills for specific fire hazard conditions, including vegetation management (per Oakland Municipal Code Section 4906). In response to concerns regarding the Fire Department's management of the inspection process, the Office of the City Auditor conducted an audit.

Key Findings

The findings from the audit include:

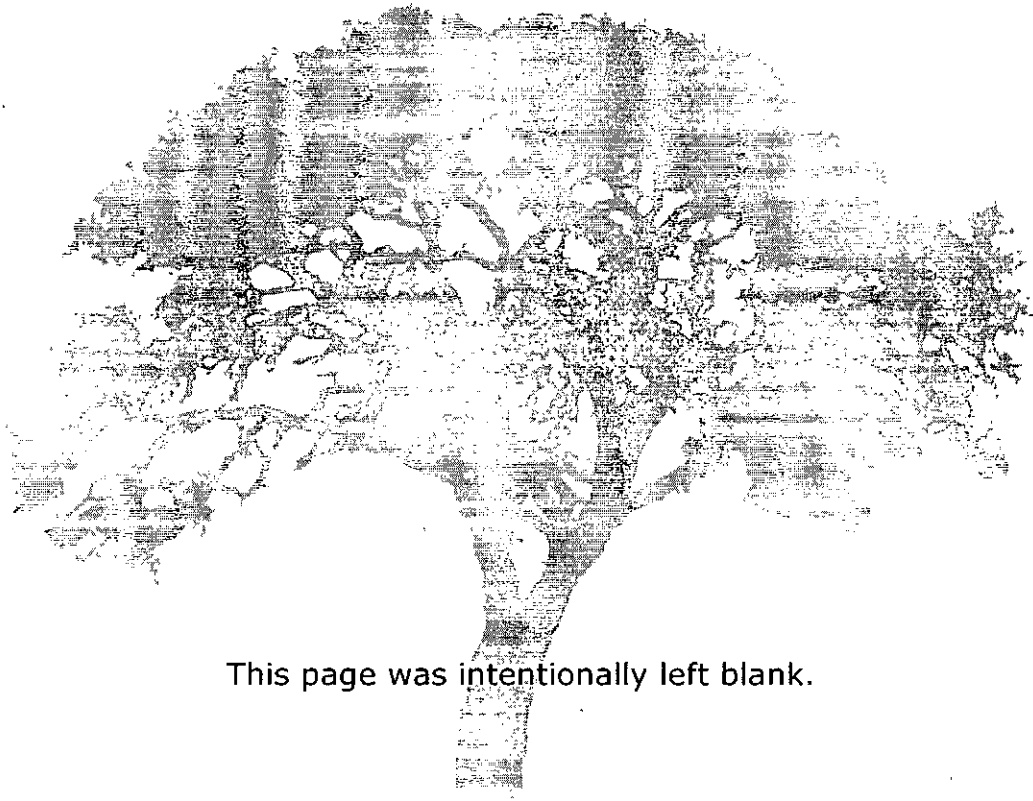
- Finding 1: The Fire Department needs to better communicate the importance of performing proper inspections and evaluating results
- Finding 2: The abatement process for non-compliant properties needs improvement
- Finding 3: The risk associated with parked vehicles obstructing road access needs to be more effectively communicated

Key Recommendations

To address the audit's findings, the report includes seven key recommendations.

The Administration should:

- Implement clear policies and procedures that include stronger supervision and quality control measures
- Consider additional ways to integrate inspectors' expertise to help guide and oversee the quality of inspections performed and data recorded
- Implement a tracking mechanism to ensure that all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive
- Work with Fire Department and Human Resources regarding the employment timing of its part-time fire inspectors to better ensure that inspectors are working during fire season
- Increase the efficiency and effectiveness of the abatement process
- Consider establishing alternative collections methods, beyond placing liens on property sales, that can be used to ensure the City collects all amounts owed
- Work with the City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement issue. If so, an enforcement program should be designed with input from community stakeholders



This page was intentionally left blank.

Introduction

In 1991, a fire burned its way through the Oakland Hills taking 25 lives, destroying more than 3,000 structures, and causing more than \$1 billion in damage. Before the 1991 fire occurred, the threat of a fire was identified but warnings were not prioritized and procedures that might have lessened the risks were not put into practice. Management of vegetation within the Oakland Hills, such as abating overgrown trees and shrubs, is important because if left unchecked, vegetation can pose a serious threat by fueling a fire's intensity. The Oakland Fire Department's Fire Prevention Bureau (Fire Department) vegetation management oversight plays a role in reducing this risk and in safeguarding Oakland from another costly catastrophe. In response to concerns regarding the enforcement of vegetation management, the Office of the City Auditor (Office) conducted an audit of the Fire Department's management of the inspection process within the Very High Fire Hazard Severity Zone.

Background

Due to its location, topography, flammable vegetation, climate, and history, the Oakland Fire Code (Fire Code) designates the majority of the Oakland Hills area as a Very High Fire Hazard Severity Zone.¹ The Fire Chief is charged with the responsibility of inspecting all properties within its boundaries for compliance with the Fire Code's vegetation management requirements. This mandate is administered through the Fire Department's Fire Prevention Bureau. The Fire Department performs roughly 26,000 property inspections per year. The majority of inspections are carried out by Firefighters and Firefighter-Paramedics (Fire Department staff).

The Oakland Hills also receives supplemental fire prevention services funded by the Wildfire Prevention Assessment District (District), which was formed in response to the 1991 Oakland Hills Fire. The monies collected from property owners within the District² pay for additional fire prevention, suppression, and preparedness activities beyond what is generally performed by the Fire Department.

Objectives, Scope & Methodology

Audit Scope & Objectives

The objective and scope of this audit was to determine whether the Fire Department effectively managed the vegetation inspection process for calendar years 2011 and 2012.

¹ Topography is defined as the features (such as mountains and rivers) in an area of land. Flammable vegetation is defined as vegetation, including ornamental, that either by its intrinsic characteristics, placement, or lack of care is easy to ignite, spreads fire rapidly, produces high heat, or creates fires that are difficult to suppress.

² Residential property owners within the Wildfire Prevention Assessment District pay an annual \$65 assessment tax.

Audit Methodology

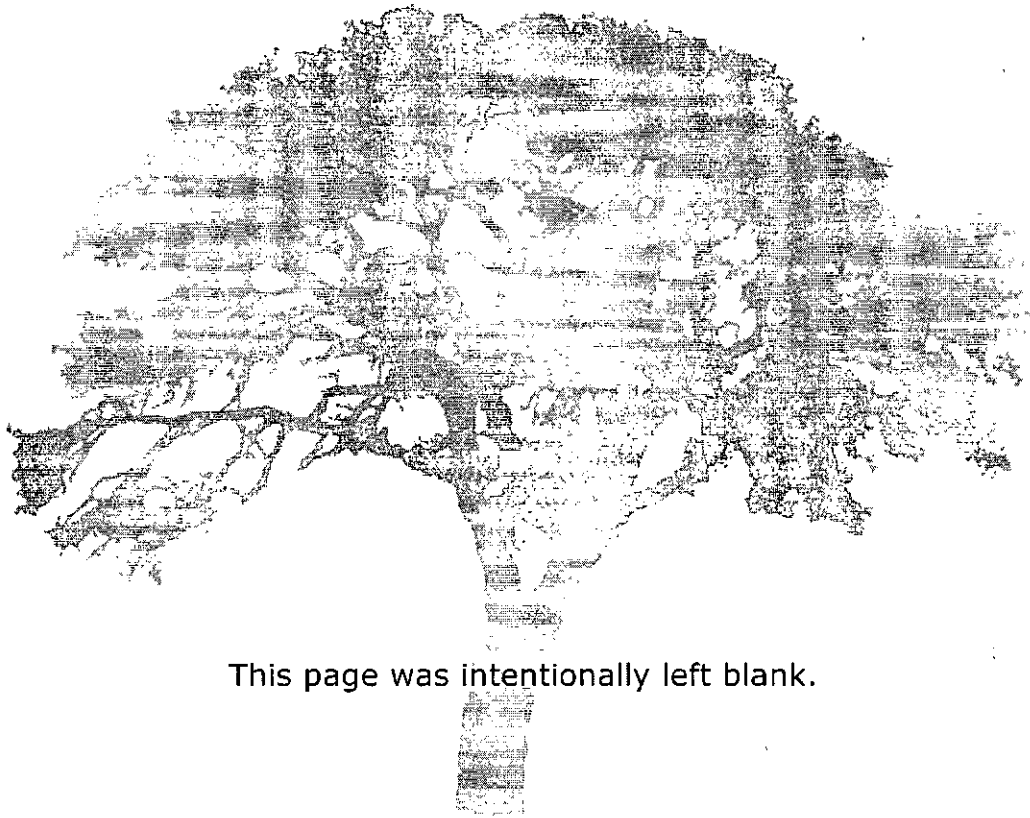
To conduct the audit, the Office:

- Reviewed the Fire Department's inspection policies and procedures
- Reviewed relevant State and City fire codes, regulations, and standards
- Interviewed seven randomly and judgmentally selected Fire Department staff and management
- Reviewed the Fire Department's inspection and compliance records
- Reviewed the Fire Department's abatement documentation, including invoices when available
- Reviewed related tips received through the Fraud, Waste + Abuse hotline
- Reviewed public forums regarding vegetation inspections
- Reviewed State and City vehicle codes and regulations
- Observed parking conditions during a weekday early afternoon within the Oakland Hills area

The Office conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). These standards require that the Office plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the audit's findings and conclusions based on the audit's objectives. The Office believes that the evidence obtained provides a reasonable basis for the audit's findings and conclusions based on the audit objectives.



AUDIT RESULTS



This page was intentionally left blank.

Finding 1

The Fire Department needs to better communicate the importance of performing proper inspections and evaluating results.

Multiple changes within the Fire Department and the lack of supervision over the inspection process may have impacted the quality of inspections being performed. Based on a random and judgmental selection of interviews with Fire Department staff, six out of seven interviewees noted that there is a lackluster culture surrounding performing fire inspections, including that inspections are not taken seriously and may not always be performed correctly.

Numerous changes to the inspection program may have impacted this culture. Some of the major changes that have occurred to the inspection process include:

- The number of budgeted inspectors in the Vegetation Management Unit, which is responsible for spearheading the inspection process of 26,000 properties annually, was reduced from six full-time inspectors to six part-time inspectors in 2011 due to lack of funding. According to the Fire Department, these part-time inspectors exhaust the maximum hours allowed by their part-time status³ early in the fire season and cannot be given additional hours until the start of a new fiscal year. What this means, according to the Fire Department, is that trained inspectors are not working during key months of the fire season⁴.
- In 2011, the Fire Department decided to allow property owners of vacant parcels to self-inspect and report on their properties. This practice was discontinued in 2012.
- In 2011, inspection training was performed in a classroom with a live instructor, but changed in 2012 to an online format.
- In 2012, company officers and firefighters were assigned additional duties to enter inspection and compliance data into the database. Previously, the inspectors entered this data.
- According to Fire Department staff, fire inspections were performed in teams of firefighters and inspectors prior to 2010. This team approach did not occur in 2011 and 2012⁵.

Another factor that may have impacted the inspection culture is that the Fire Department did not have clear policies and procedures or supervision over the inspection process. For example:

- Policies and procedures have not been implemented to guide the inspection process. No established process exists for management to ensure that inspections are adequately performed and documented correctly. There is no required supervision over the inspection process, inspection forms, or staff performance. For example, a Deputy Fire Chief instructed all Battalion

³ Part-time employees may work no more than 1000 hours in a fiscal year.

⁴ The California Department of Forestry and Fire Protection defines the fire season as that portion of the year, generally 6 to 8 months in the summer and fall in California, declared such by the responsible public agency fire administrator. Declaration is based on fuel and weather conditions conducive to the ignition and spread of wildland fires.

⁵ Although the teams of firefighters and inspectors occurred outside of the audit's scope of 2011 and 2012, it provides additional information that gives a greater understanding of changes occurring within the Fire Department.

Chiefs to review and approve at least 7% (or 986) of all inspections by signing the inspection forms. According to Fire Department staff, this never occurred. Additionally, performance reviews do not include a written evaluation of Fire Department staff's inspection performance.

- While it is not mandatory that the Fire Department provide annual vegetation management training, the Fire Department has required that all appropriate Fire Department staff attend inspection trainings. Out of seven Fire Department staff interviewed, the Office found one instance where a Fire Department staff member had not attended training in three consecutive years even though this staff member had performed inspections each year. A comparison of the Fire Department's training logs to inspections performed showed that approximately 35% (or 248) of Fire Department staff who performed inspections in 2012 did not attend training that year⁶. Training is meant to inform Fire Department staff of the Fire Code and to instruct them on how to adequately perform inspections. The Fire Department records attendance, but it does not have a mechanism to ensure that all appropriate staff attend the annual inspection training. According to the Fire Department, some staff may miss training due to vacation, sick leave, or off-duty status at the time training is provided.
- Based on interviews with some Fire Department staff, there appears to be a lack of controls over the database for documenting and tracking compliance with inspections.

While many of these changes may have been, in part, because of limited resources, they appear to support the perception that fire inspections are not necessarily important. Consistent training, increasing controls, and including policies and procedures over the inspection process would likely help ensure the accuracy and completeness of inspections and may help to further mitigate fire risk.

Recommendations

We recommend that the Administration:

1. Implement clear policies and procedures that include stronger supervision and quality control measures, including but not limited to procedures requiring:
 - Oversight of inspection performance and inspection forms for accuracy and completeness
 - Stronger controls over the accuracy and monitoring of information in the inspection database
 - Inspection performance as part of written performance evaluations for Fire Department staff
2. Consider additional ways to integrate inspectors' expertise to help guide and oversee the quality of inspections performed and data recorded
3. Implement a tracking mechanism to ensure that all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive
4. Work with Fire Department and Human Resources regarding the employment timing of its part-time vegetation inspectors to better ensure that inspectors are working during the fire season

⁶ The Fire Department was unable to provide a complete 2011 inspection record to compare to the training attendance log for 2011.

Finding 2

The abatement process for noncompliant properties needs improvement.

The Fire Department's abatement⁷ process for noncompliant properties needs improvement. The process for addressing noncompliant properties is lengthy. As a result, properties with potentially the greatest fire risk (noncompliant properties whose property owners are unresponsive) may not get abated until September, toward the end of the fire season when the risk of fire may be waning. Additionally, given its limited resources, the Fire Department does not abate all properties remaining out of compliance with the Fire Code. For the properties that were abated in 2011 and 2012, the Fire Department's billing and collections process failed to ensure cost recovery of the abatement fees fronted by the City, as required by the Oakland Municipal Code.

The Fire Department's process for addressing noncompliant properties is lengthy. This results in properties with unresolved fire risks not being mitigated until the end of the fire season. The Fire Department begins the annual inspection process by sending out a first notice to all property owners that it will be performing inspections at least 30 days prior to the inspection date. When the Bureau finds a property to be noncompliant, they provide the property owners with up to two additional re-inspections and subsequent notices (with extended deadlines) to bring their properties into compliance. If issues with the property remain unaddressed after three inspections, the Fire Department then decides whether or not to abate the property. For properties the Fire Department decides to abate, the next step is to begin the competitive bidding process to obtain a contractor to perform the work. The contracting process is performed for each individual property and takes approximately one to two weeks to complete. Overall, the process to abate a noncompliant property is lengthy and abatements do not occur until September, which is toward the end of the fire season when the risk of fire may be waning.

The Fire Department does not abate all properties remaining out of compliance with the Fire Code. In 2011, out of all residential properties that failed inspections and were not subsequently brought into compliance by the property owner, 7.4% (or 39 properties) were abated by the City and 92.6% (or 488 properties) were left unabated. In 2012, 18% (or 54 properties) were abated by the City and 82% (or 248 properties) were left unabated. According to the Fire Department, it lacks the funding required to abate all non-compliant properties and prioritizes abating the highest risk properties first. In 2011, the Fire Department budgeted \$100,000 per year to spend on abating properties. According to the Fire Department, the intent was to use the \$100,000 as seed money to be spent and collected within the same fire season. The Fire Department used the money to abate the properties in 2011 and 2012, but it has not recouped the majority of the money, which is partially due to its failure to apply the collections and liens process for outstanding amounts due. According to the Fire Department, liens may be placed on a property, however, because a property owner could feasibly not have to pay the lien off until the property is sold (which could be many years later), this type of lien does not ensure timely recovery of money the City spends abating private properties.

⁷ Abatement is described in the Oakland Municipal Code Section 109.3.2 as removal, restriction, rehabilitation, demolition, instituting security protocols, or by whatever means the Fire Chief deems reasonably necessary to correct a violation.

The Oakland Municipal Code, Section 109.3.1.2. instructs the Fire Chief to take action in recovering the cost for abating properties in violation of the Fire Code. In 2011 and 2012, as shown in the Exhibit below, the City spent at least \$171,308⁸ on properties that remained noncompliant, and \$126,803 of this amount was paid to contractors to abate properties. In 2011, the Fire Department did not invoice property owners. As a result, none of the money the City spent on abating those properties was recouped. In 2012, the Fire Department invoiced property owners for abatement-related expenses, but the City only recouped \$7,819. Municipal Code, Sections 114.1 and 114.2 state that when a property owner fails to pay an invoice due to the City, the City should escalate the outstanding amount to the next level in the collections process, for example, placing a lien on the property. No liens were placed on properties for either 2011 or 2012 and unpaid invoices were not forwarded to Citywide Collections, as required by City policy, Administrative Instruction 1051.

Fire Department's Abatement Statistics, Calendar Years 2011 and 2012								
Year	Abatements Needed	Abatements Performed	Contract Cost Paid	Fees & Overhead Costs	Total Spent by City	Total Amount Invoiced	Amount Recouped	Number of Liens
2011	527	39 (7.4%)	\$40,736	\$0 ^a	\$40,736 ^a	\$0	\$0	0
2012	302	54 (18%)	\$86,067	\$44,505	\$130,572	\$130,572	\$7,819	0
Total	829	93 (11%)	\$126,803	\$44,505^a	\$171,308^b	\$130,572	\$7,819	0

Source: The Oakland Fire Department
^a Associated re-inspection fees and administrative costs were not provided for the abatements performed in 2011
^b Figure includes contract costs and associated re-inspection fees and administrative costs

According to the City's Building Services Division (Building Services), it administered the Fire Department's billing, collections, and lien process for properties that were abated, however, it discontinued this function in Fiscal Year 2010-11 due to a lack of staffing. Based on the Exhibit above, it appears that after Building Services discontinued the billing, collections, and lien process, the Fire Department did not fully integrate these processes into its operations. The Fire Department also noted that its billing system is not fully automated and while the system can produce invoices it is not yet programmed to provide automated notices for outstanding amounts due. Because of this, the Fire Department must manually prepare such notices.

While the Fire Department may lack experience and resources for the billing and collections process, the City has other departments that are experienced in administering collections and can provide advice on establishing a process or potentially integrating the Fire Department's billing and collections function into already existing processes.

⁸ Associated re-inspection fees and administrative costs were not provided for the abatements performed in 2011.

Recommendations

We recommend that the Administration:

5. Increase the efficiency and effectiveness of the abatement process, which includes but is not limited to:
 - Adjusting the noncompliance notification process so that abatements occur earlier in the fire season
 - Establishing blanket contracts and on-call service contracts that can be used for common type of abatements rather than going through a competitive contracting process for each property that will be abated
 - Ensuring that each year the Fire Department invoices noncompliant property owners for all abatement costs, re-inspection fees, and administrative costs
 - Increasing the effectiveness of the Fire Department's billing system by programming the system to produce automated notices for outstanding amounts due
 - Having the Fire Department work with the Revenue Division to implement a collections process that will ensure timely cost recovery for properties abated by the City
6. Consider establishing alternative collections methods, beyond placing liens on property sales, that can be used to ensure the City collects all amounts owed

Other Reportable Matters	During the course of this audit, the Office noted another issue that was outside the original scope of the audit. This finding is described below.
---------------------------------	--

Finding 3

The risk associated with parked vehicles obstructing road access needs to be more effectively mitigated.

Given that many streets in the Oakland Hills are narrow and winding, parked vehicles that obstruct road access pose a risk by reducing or limiting access by Fire Department vehicles. Road access was an issue in the devastating 1991 Oakland Hills Fire. The City of Los Angeles fire officials cite Oakland's fire as support for their decision to specifically target vehicles parked on the narrow streets of the Hollywood Hills.

According to Fire Department staff, parking tickets are not issued during fire inspections, roving fire patrols, or after responding to calls where there has been difficulty responding due to obstructions of parked vehicles. Three interviewees could recall an instance where they were unable to reach their destination due to parked cars obstructing access. It was reported that on one occasion, Fire Department staff had to abandon their fire truck and run the rest of the way to their destination. As part of this audit, the Office and Fire Department staff observed parking conditions in the Oakland Hills. Within a two hour period, multiple instances of parked cars obstructing access were observed. In one instance, a parked car almost prevented the Fire Department's SUV from continuing forward and would have prevented a larger fire truck from passing.

The California Vehicle Code section 22651 and Oakland Municipal Code section 10.08.080 allows firefighters to enforce certain laws, including parking laws that are related to fire suppression and response. Based on discussions with the City Attorney's Office, it is the City Auditor's conclusion that Fire Department staff are not legally prohibited from enforcing parking regulations in the City. The City, however, must comply with the requirements of the City Charter, the Civil Service Rules, and the Fire Department's Memorandum of Understanding. According to the Fire Department, this is outside the scope of a firefighter's responsibility. It is not effective for firefighters to take on another responsibility, such as issuing parking tickets, when the department has higher priorities. The Fire Department also noted that parking tickets can only be issued for parking code violations and while many of the parked cars in the Oakland Hills may obstruct road access because the roads are narrow and winding, this does not mean there is a citable violation. Further, according to the City, prior attempts to designate certain roads in the Oakland Hills as "no parking" zones have been met with resistance from residents.

As part of this audit, the Office also spoke with the City's Parking Enforcement Division (Parking Enforcement) to gain a better understanding of Parking Enforcement's presence in the Oakland Hills. According to Parking Division, the Oakland Hills are assigned to at least one Parking Enforcement Technician on a daily basis. However, the extent of these patrols varies from beat to beat, including the time spent patrolling, the area covered by the patrols, and the number of tickets issued on each beat. Because of this, the extent of patrol coverage in the Oakland Hills is unclear. According to the Parking Division, all areas of Oakland are patrolled with emphasis on patrolling areas with time limits and meter zones. For the most part, the streets in the Oakland Hills do not have parking time limits or meters.

Recommendations

We recommend that the Administration:

7. Work with the City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement priority and if so, an enforcement program should be designed with input from community stakeholders. If this is determined to be an enforcement priority, the Administration and City Council should:
 - Work with the Fire Department, Parking Enforcement, and any other applicable department to obtain a greater understanding of emergency road access needs in the Oakland Hills. If greater emergency access is needed, consider how to address the issue and then define and implement an action plan
 - Consider the costs and benefits of promoting improved emergency vehicle access to the Oakland Hills by authorizing the Fire Department to issue tickets during annual fire inspections, roving fire patrols, or when the Fire Department encounters an obstruction
 - Work with Parking Enforcement to more actively issue tickets for cars parked in the Oakland Hills that are obstructing road access and may hinder emergency responses, and if necessary have cars towed

FINDINGS

The audit found the following:

Finding 1	The Fire Department needs to better communicate the importance of performing proper inspections and evaluating results.
Finding 2	The abatement process for noncompliant properties needs improvement.
Finding 3	The risk associated with parked vehicles obstructing road access needs to be more effectively mitigated.

RECOMMENDATIONS:

We recommend that the Administration:

Recommendation #1	Implement clear policies and procedures that include stronger supervision and quality control measures, including but not limited to procedures requiring: <ul style="list-style-type: none">• Oversight of inspection performance and inspection forms for accuracy and completeness• Stronger controls over the accuracy/ and monitoring of information in the database• Inspection performance as part of written performance evaluations for Fire Department staff
Recommendation #2	Consider additional ways to integrate inspectors' expertise to help guide and oversee the quality of inspections performed and data recorded
Recommendation #3	Implement a tracking mechanism to ensure that all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive
Recommendation #4	Work with Fire Department and Human Resources regarding the employment timing of its part-time vegetation inspectors to better ensure that inspectors are working during the fire season
Recommendation #5	Increase the efficiency and effectiveness of the abatement process, which includes but is not limited to: <ul style="list-style-type: none">• Adjusting the noncompliant notification process so that abatements can happen earlier in the fire season• Establishing blanket contracts and on-call service contracts that can be used for common type of abatements rather than going through a competitive contracting process for each property that will be abated• Ensuring that each year the Fire Department invoices noncompliant property owners for all abatement costs, re-inspection fees, and administrative costs

	<ul style="list-style-type: none"> • Increasing the effectiveness of the Fire Department's billing system by programming the system to produce automated notices for outstanding amounts due • Having the Fire Department work with the Revenue Division to implement a collections process that will ensure timely cost recovery for properties abated by the City
Recommendation #6	Consider establishing alternative collections methods, beyond placing liens on property sales, that can be used to ensure the City collects all amounts owed
Recommendation #7	<p>Work with the City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement priority and if so, an enforcement program should be designed with input from community stakeholders. If this is determined to be an enforcement priority, the Administration and City Council should:</p> <ul style="list-style-type: none"> • Work with the Fire Department, Parking Enforcement, and any other applicable department to obtain a greater understanding of emergency road access needs in the Oakland Hills. If greater emergency access is needed, consider how to address the issue and then define and implement an action plan • Consider the costs and benefits of promoting greater emergency vehicle access to the Oakland Hills by authorizing the Fire Department to issue tickets during its annual fire inspections, roving fire patrols, or when the Fire Department encounters an obstruction • Work with Parking Enforcement to more actively issue tickets for cars parked in the Oakland Hills that are obstructing road access and may hinder emergency responses, and if necessary have cars towed

FILED
CITY AUDITOR'S OFFICE
2013 NOV -7 PM 1:45

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Administrator
Deanna J. Santana
City Administrator

(510) 238-3302
FAX (510) 238-2223
TDD (510) 238-2007

November 6, 2013

The Honorable Courtney Ruby
Oakland City Auditor
1 Frank Ogawa Plaza, 4th Floor
Oakland, California 94612

ATTACHMENT B

RE: Vegetation Inspection Audit

Dear City Auditor Ruby:


I am pleased to provide you with the City Administration's response to the Vegetation Inspection Audit. As mentioned in the exit interview, the Fire Department welcomes performance audits conducted cooperatively to improve the efficiency, effectiveness and customer service of City government.

During the period selected for the performance audit, there have been many changes, both selected and mandated within the Vegetation Management Unit. The audit performed only validated the issues the Fire Department has been working to address, such as permanent staffing of the supervisor position, a more efficient contract bidding system, a cost recovery billing system and a well-trained and dedicated inspection staff.

Although the Administration is concerned about the proposal of additional workload placed upon an already short staffed Vegetation Management Unit, staff will work with parking enforcement and examine what can be done regarding emergency vehicle access within the Oakland Hills area.

Attached to this cover letter is the Administration's detailed response (Attachment A) on the audit findings, recommendations and other content. I look forward to working with your office to target key issues identified in the audit process that could result in ways to improve the vegetation management inspection process.

Sincerely,


Deanna Santana
City Administrator

c: Osborn Solitei, Controller

Attachments: Attachment A - Detailed Response

Oakland Fire Department Vegetation Inspection Audit Response

FILED
CITY AUDITOR'S OFFICE

November 6, 2013

Recommendation	Response
<p>1. Implement clear policies and procedures that include stronger supervision and quality control measures, including but not limited to procedures requiring:</p> <ul style="list-style-type: none"> • Oversight of inspection performance and inspection forms for accuracy, and completeness • Stronger controls over the accuracy and monitoring of information in the database • Inspection performance included as part of written performance evaluations for Fire Department Staff 	<p>Staff Agrees with Recommendation –</p> <ul style="list-style-type: none"> • Staff is in the process of developing and distributing the proper procedures for conducting an inspection and accurately completing the vegetation management annual inspection form. Although both of these subjects are addressed during the annual refresher training, staff feels it is necessary to create a reference sheet to reinforce the annual training. Company Officers are responsible for signing off on each of the inspection forms. This space is located on the upper left hand corner of the form. This confirms officers have reviewed the form, for accuracy and completion. Staff will also reiterate the responsibility of the Company Officer when completing and signing the inspection form. • The OneStep database program was purchased off the shelf, and not tailored or designed to meet the needs of the Department. Over the last few years, staff has been working with the programmer to modify the database to meet the needs of the Fire Prevention Bureau. Staff has been directed to research redesign options for the program to include mandatory fields for completion for final submission and close out of an inspection in the database. If this is possible, this should ensure completed forms are submitted. • Due to the fact this has not been a measure of performance in the past for management staff, this item will be subject to meet and confer. Staff has been assigned to facilitate this process.
<p>2. Consider additional ways to integrate inspector's expertise to help guide and oversee the quality of inspections performed and data recorded</p>	<p>Staff partially agrees with recommendation - Due to the turnover of 60% (3 of 5) of our Vegetation Management Unit staffing, there is a high probability sworn staff may have more experience with conducting vegetation management inspections than non-sworn staff. Because 60% (3 of 5) of the vegetation management inspectors are part time there is a high chance the first round of vegetation management inspections may be completed</p>

	<p>before the part time staff comes on board. In 2011, the Vegetation Management Unit was staffed with five full time inspectors and one supervisor. Today all but two of these positions are part time, placing a limit on any additional work we may want to assign them. The majority of the inspection work must be conducted within a 6 month period. The part time inspectors serve as a liaison between the public and Vegetation Management supervisor.</p>
<p>3. Implement a tracking mechanism to ensure all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive</p>	<p>Staff agrees with recommendation – Staff will coordinate with line personnel to make sure the training being provided for vegetation management inspections meets the needs of both the Vegetation Management Unit and line personnel responsible for conducting vegetation management inspections. As we move forward, all training sponsored outside of the Training Division will utilize the tracking mechanism established by the Training Division.</p>
<p>4. Work with Fire Department and Human Resources regarding the employment timing of its part-time vegetation management inspectors to better ensure inspectors are working during the fire season</p>	<p>Staff partially agrees with recommendation – Due to the increase in citizen involvement in vegetation management and fuel reduction, staff supports the full implementation of the vegetation management staffing. Having a year round program will provide a higher level of accountability, response and mitigation of fuel within the Fire District, year round, not just during fire season. Currently, the Vegetation Management Unit is staffed with one supervisor and one FTE inspector; the other three inspectors are part time. If full time staffing is not an option, staff has determined having staff work May 15 -- October 31 will be most effective. We will coordinate with HR to determine if this will fall within their guidelines.</p>
<p>5. Increase the efficiency and effectiveness of the abatement process, which includes but is not limited to:</p> <ul style="list-style-type: none"> • Adjusting the noncompliant notification process so abatements can happen earlier in the fire season • Establishing blanket contracts that can be used for common type of abatements rather than going through a competitive contracting process for each property that will be abated • Ensure each year, the Fire Department invoices noncompliant property owners for all abatement costs, re-inspection fees and administrative costs 	<p>Staff agrees with recommendation –</p> <ul style="list-style-type: none"> • Staff has been instructed to explore the same concept used for the commercial inspection program when determining the amount of time needed to mitigate violation. All levels of violations should not automatically equate to a 30 day notice. Depending upon the type or extent of the violation, 14 days may be sufficient time to bring property into compliance. • Staff has been instructed to coordinate with the Contract Compliance and Controller's Office, Purchasing Section to determine the best method to contract out work, not projects; similar to the goat

<ul style="list-style-type: none"> • Increase the effectiveness of the Fire Department's billing system by programming the system to produce automated notices for outstanding amounts due • Have the Fire Department work with the Revenue Division to implement a collections process that will ensure timely cost recovery for properties abated by the City 	<p>contract.</p> <ul style="list-style-type: none"> • Staff is now invoicing all noncompliant property owners for all abatement costs. • In the past, second and third billing was a manual process due to OneStep not being set up to process second and third billing. It was determined that with additional reprogramming of the OneStep database, this system will be able to print second and third billing. Starting January 1, 2014, staff will produce automated notices for outstanding amounts due. • The Fire Department staff will work with the Revenue Division to implement a collections process to ensure timely cost recovery for properties abated by the City.
<p>6. Consider establishing alternative collections methods, beyond placing liens on property sales that can be used to ensure the City collects all amounts owed.</p>	<p>Staff agrees with recommendation – See recommendation #5, bullet #5</p>
<p>7. Work with City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement priority and if so, an enforcement program should be designed with input from community stakeholders. If this is determined to be an enforcement priority, the Administration and City Council should:</p> <ul style="list-style-type: none"> • Work with the Fire Department, Parking Enforcement and any other applicable department to obtain a greater understanding of emergency road access needs in the Oakland Hills. If greater emergency access is needed, consider how to address the issue and then define and implement an action plan • Consider the costs and benefits of promoting greater emergency vehicle access to the Oakland Hills by authorizing the Fire Department to issue citations during its annual fire inspections, roving fire patrols, or when the Fire Department experiences an obstruction • Work with Parking Enforcement to more actively issue tickets for cars parked in the Oakland Hills that are obstructing road access and may hinder emergency responses 	<p>Staff partially agrees with recommendation –</p> <ul style="list-style-type: none"> • Parking Enforcement should work with the Fire Department to gain a greater understanding of emergency road access needs in the Oakland Hills, thereby increasing the enforcement efforts within these identified areas. • Staff will examine the cost, training, staffing and memorandum of understanding (MOU) impacts to having the Fire Department issue parking citations • See bullet #1

SUMMARY OF ACTIONS NECESSARY TO CLOSE THE REPORT

The "Summary of Actions Necessary to Close the Report" provides the Office of the City Auditor's (Office) analysis of the City Administration's (Administration) proposed actions required to close the report. At the time of the Administration's response, 5 recommendations are resolved and 2 recommendations are partially resolved. There are no unresolved recommendations. **The Administration has agreed to implement 86 percent of the recommendations in the report.**

<p><u>Recommendation #1</u></p> <p>Implement clear policies and procedures that include stronger supervision and quality control measures, including but not limited to procedures requiring:</p> <ul style="list-style-type: none"> • Oversight of inspection performance and inspection forms for accuracy and completeness • Stronger controls over the accuracy and monitoring of information in the database • Inspection performance as part of written performance evaluations for Fire Department staff 	<p>Resolved - The Administration agrees with this recommendation and stated that it is in the process of developing and distributing procedures for conducting and completing inspections and inspection forms, and that it is working to modify its inspection database to meet the needs of the Fire Prevention Bureau. The Administration also stated it will facilitate a meet and confer process with the Union about including inspection performance as part of written evaluations for Fire Department staff.</p> <p>To close this recommendation, the Administration should provide evidence that it has implemented policies and procedures that include stronger supervision and quality control measures. The Administration should also provide evidence that it has modified its database to improve data accuracy and integrity and that it has included inspection performance as part of written evaluations. These documents should be provided to the Office by May 19, 2014.</p>
<p><u>Recommendation #2</u></p> <p>Consider additional ways to integrate inspectors' expertise to help guide and oversee the quality of inspections performed and data recorded</p>	<p>Partially Resolved - The Administration partially agrees with this recommendation. While the Administration appears to agree with this recommendation, it noted that the vacant inspector positions may not be filled and new inspectors may not be the most experienced with the inspection process by the next round of inspections. The Office understands that the Administration will adjust for short-term, staffing limitations as appropriate.</p> <p>To close this recommendation, the Administration should provide evidence of how it has integrated inspectors' expertise, or expertise of similar value, into improving quality of inspections performed and data recorded. This documentation should be provided to the Office by May 19, 2014.</p>
<p><u>Recommendation #3</u></p> <p>Implement a tracking mechanism to ensure that all Fire Department staff attend training annually and consider the costs and benefits of amending the training to be more interactive</p>	<p>Resolved - The Administration agrees with this recommendation and stated that it will better coordinate training to meet the needs of the Fire Department staff performing inspections. Additionally, the Administration agrees to track inspection training attendance.</p> <p>To close this recommendation, the Administration should provide support for how it has improved its training and that it implemented a tracking mechanism to ensure that all Fire Department staff attend training annually. This documentation should be provided to the Office by May 19, 2014.</p>

<p><u>Recommendation #4</u></p> <p>Work with Fire Department and Human Resources regarding the employment timing of its part-time fire inspectors to better ensure that inspectors are working during the fire season</p>	<p>Resolved - The Administration partially agrees with this recommendation. However, the Office's review of the Administration's response to the recommendation found it to be in agreement with the recommendation's intent. The Office considers this recommendation to be resolved.</p> <p>The Administration stated that its preference is to return to full-time vegetation management staffing. However, if that is not possible, it agrees to coordinate with Human Resources to increase effectiveness by determining if it can have part-time staff work from May 15 to October 31.</p> <p>To close this recommendation, the Administration should provide support for how it has addressed this issue, either by increasing inspection staff to full-time or by adjusting the months that part-time inspection staff are working. This documentation should be provided to the Office by May 19, 2014.</p>
<p><u>Recommendation #5</u></p> <p>Increase the efficiency and effectiveness of the abatement process, which includes but is not limited to:</p> <ul style="list-style-type: none"> • Adjusting the noncompliant notification process so that abatements can happen earlier in the fire season • Establishing blanket contracts that can be used for common type of abatements rather than going through a competitive contracting process for each property that will be abated • Ensuring that each year the Fire Department invoices noncompliant property owners for all abatement costs, re-inspection fees and administrative costs • Increasing the effectiveness of the Fire Department's billing system by programming the system to produce automated notices for outstanding amounts due • Having the Fire Department work with Revenue Division to implement a collections process that will ensure timely cost recovery for properties abated by the City 	<p>Resolved - The Administration agrees with this recommendation and stated staff will explore alternative concepts to improve the abatement process, including the length of time given to property owners to fix their code violations and the best method to contract out abatement work. The Administration states that all noncompliant property owners are now being invoiced and that by January 1, 2014, the Fire Department's billing system will be programmed to produce automated notices for outstanding amounts due. The Administration also agrees to have the Fire Department work with the Revenue Division to implement a collections process to ensure a more timely cost recovery for abated properties.</p> <p>To close this recommendation, the Administration should provide evidence that adjustments have been made to the noncompliant notification process and the abatement contracting process so that abatements are addressed more timely. Additionally, the Administration should provide documentation to support that all abatements have been invoiced; that OneStep has been programmed to produce automated invoices for outstanding amounts due; and that a timely cost recovery collections process has been implemented. This documentation should be provided to the Office by May 19, 2014.</p>

<p><u>Recommendation #6</u></p> <p>Consider establishing alternative collections methods, beyond placing liens on property sales, that can be used to ensure the City collects all amounts owed</p>	<p>Resolved - The Administration agrees with this recommendation and states that the Fire Department will work with the Revenue Division to implement a collections process to ensure timely cost recovery for properties abated by the City.</p> <p>To close this recommendation, the Administration should provide support for the Fire Department and Revenue Division's collection process, including its consideration and implementation of alternative collection methods. This documentation should be provided to the Office by May 19, 2014.</p>
<p><u>Recommendation #7</u></p> <p>Work with City Council to determine if parking that obstructs road access in the Oakland Hills is an enforcement priority and if so, an enforcement program should be designed with input from community stakeholders. If this is determined to be an enforcement priority, the Administration and City Council should:</p> <ul style="list-style-type: none"> • Work with the Fire Department, Parking Enforcement and any other applicable department to obtain a greater understanding of emergency road access needs in the Oakland Hills. If greater emergency access is needed consider how to address the issue and then define and implement an action plan • Consider the costs and benefits of promoting greater emergency vehicle access to the Oakland Hills by authorizing the Fire Department to issue tickets during annual fire inspections, roving fire patrols, or when the Fire Department experiences an obstruction • Work with Parking Enforcement to more actively issue tickets for cars parked in the Oakland Hills that are obstructing road access and may hinder emergency responses, and if necessary, have cars towed 	<p>Partially Resolved - The Administration partially agrees with this recommendation. Although the Administration acknowledges the need to gain a greater understanding of emergency road access within the Oakland Hills and has agreed to consider the impacts of issuing parking citations, the Administration did not comment on collaborating with the City Council or community stakeholders throughout this recommendation's deliberative process.</p> <p>This report demonstrates that there are varying opinions among residents of the Oakland Hills and City departments regarding the issue of parking obstructions and that this issue can result in catastrophic losses, as was learned in the aftermath of the 1991 Oakland Hills Fire. As such, the Administration should work with the City Council to engage community stakeholders in addressing parking obstructions as a costly threat to both the residents and the City at large.</p> <p>To close this recommendation, the Administration should provide evidence that it has worked with the Fire Department, Parking Enforcement, and the City Council to determine if this is an enforcement priority. The Administration should also provide evidence of the steps it has taken to address parking obstructions in the Oakland Hills. This documentation should be provided to the Office by May 19, 2014.</p>

Unresolved status indicates no agreement on the recommendation or the proposed corrective action. Implementation of proposed corrective action is directed in the City Auditor's Analysis and Summary of Actions Necessary to Close the Report.

Partially Resolved status indicates partial agreement on the recommendation or the proposed corrective action. Implementation of the proposed corrective action is clarified in the Analysis and Summary of Actions Necessary to Close the Report.

Resolved status indicates agreement on the recommendation and the proposed corrective action. Implementation of the proposed corrective action forthcoming from the auditee.

ATTACHMENT C

DISTRIBUTION DATE: 1/24/14



MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Teresa Deloach Reed
Fire Chief

SUBJECT: Response to Concerns
Regarding Oakland Fire Department
Vegetation Inspection Audit

DATE: January 24, 2014

City Administrator
Approval

Date

/s/ Deanna J. Santana 1/24/14

INFORMATION

The purpose of this information memo is to address concerns raised by the Metropolitan Greater Oakland Democratic Club regarding the November 19, 2013 Oakland Fire Department Vegetation Inspection Audit conducted by the City Auditor's Office. The concerns appear as follows:

- Lackluster culture surrounding the performance of fire inspections
- Reduction of full time inspectors
- Staff performing inspections failed to attend training sessions
- Lack of policies and procedures to guide the inspection process
- Mismanagement and neglect of program

Lackluster Culture

The audit methodology included interviewing seven randomly and judgmentally selected Fire Department staff and management. Six of the seven interviewed stated there was a lackluster culture surrounding performing inspections. However, members of this organization know firsthand the impact of a failed vegetation management program, whether they responded to the 1991 Oakland Hills fire or they have responded to one of the many catastrophic fires up and down the state of California through their participation in a mutual aid strike team response. Because of this experience, Fire Administration would not define our culture surrounding the vegetation management program as lackluster. Oakland Fire Department currently staffs six fire stations located within the Fire District (6, 7, 21, 24, 25 and 28) with individuals dedicated and committed to the preservation of life and property within that area.

Fire Administration is confident that the majority of the dedicated and committed members of Oakland Fire Department takes all portions of their job seriously and has a genuine concern regarding the quality of their work and is committed to providing a high level of professionalism regardless of the job function. Fire Administration will continue to assure quality inspections are being conducted and will work to improve and provide a consistent inspection program.

Reduction of Full-Time Inspectors

The adopted FY 11/13 budget “changed vegetation management group to Permanent Part-Time (6.0 FTE Fire Suppression District Inspectors reduced to 3.0 FTE); the program will be reduced from year round to 6 months.” Currently, the Vegetation Management Unit is staffed with one Vegetation Management Supervisor (FTE), one Fire Suppression Inspector (FTE) and 3 Fire Suppression Inspectors (PT).

Fire Administration would like to see the city support a year round vegetation management program through full time staffing of the Vegetation Management Unit. A year round program will provide a higher level of accountability, response and mitigation of fuel within the Fire District, since it is difficult to define the fire season. Major fires are now occurring outside of fire season, such as the December 2013 Big Sur fire which burned 900 acres and destroyed thirty-four homes. As of January 2014, the weather service is still announcing “Red Flag Warnings” and there are still active fires burning in California.

An inspector position is a specialized position. Personnel newly coming into this position require time to understand the position, responsibilities, processes, fire code, district, policies and procedures. Part-time employees work a total of 1000 hours and can be available between August and May if their hours are flexed by working a four hour day vs. an eight hour day for a period of three months. May through August is a critical time for the vegetation management unit due to the workload to prepare for private property inspections (21,425 inspections), which requires refresher training of all sworn personnel. This can be an overburden for two personnel while still preparing for public property inspections (4,460 inspections) and providing training for contractors and part-time personnel and managing expectations set by the Wildfire Prevention Assessment District (WPAD).

Failure to Attend Training Sessions

Over the last three years, the Vegetation Management Unit has utilized various means to provide training for line personnel. The Unit has utilized online training as well as class room training. The training covers the history of fires in the Oakland hills, how to conduct a quality inspection, accountability, compliance standards and customer service. Training for the 2014 inspection season will take place in May.

Staff is currently working on updating the lesson plan placing a greater emphasis on areas, such as, how to correctly complete the form, enter information into the OneStep database and conduct a vegetation management inspection. Along with the training, each company officer will receive a “Vegetation Management Inspection Reference Sheet” to utilize when there are questions regarding the inspection process. The reference sheet will reinforce the training on how to conduct an inspection, complete the inspection form and complete data entry.

During this training session, Fire Prevention is committed to utilizing the tracking mechanism used by the Training Division to readily identify who has attended the training. It takes approximately six weeks (which includes make up dates) to provide training to the entire department. During this period, line staff is responsible for assuring line personnel attends the training during their designated time or during the training period. Reasons for missing training are disability, sick leave, vacation etc.

Lack of Policies and Procedures

Line personnel have been conducting vegetation management inspections since 1993. When inspecting a residential property, there are ten violations line personnel look for. These ten violations are listed on the inspection form, which can be used to provide guidance to line personnel on how to conduct an inspection (Attachment A). Two years ago, line personnel were tasked with entering completed vegetation management inspections into the OneStep database. Since the implementation of the OneStep Data System, Fire Prevention provided training for line personnel and designated a fire inspector to work as a liaison with line personnel to address issues arising from implementing the new OneStep system. The rollout of the OneStep system did not go smoothly. Staff was challenged with implementing new technology with limited funding for data entry and technical support, resulting in a loss of confidence in the functionality of the system. Line personnel questioned why the system was implemented and why data entry became their function.

The sworn Assistant Fire Marshal position within the Fire Prevention Bureau has been frozen since October 2008. This position will become unfrozen July 1, 2014. The sworn Assistant Fire Marshal position will be responsible for the accountability and oversight of the vegetation inspection program conducted by fire station personnel. Fire Administration believes filling this position will address many of the issues regarding vegetation management inspection accountability and quality assurance.

Mismanagement and Neglect of Program

Fire Administration would disagree in categorizing the management of this program as egregiously negligent. Like so many other programs within the city, the vegetation management program is also a product of budget cuts, limited resources and the challenges of bringing new technology into the system without proper funding or human resources to implement it.

The Fire Prevention Bureau continues to work diligently to address all of the issues facing the Bureau. During the last budget cycle, Council approved the appointment of a non-sworn Fire Marshal, but did not allocate funding for the position. As the business community continues to expand and the nation's economic status continues to grow, investment in the Fire Prevention Bureau is critical. The Bureau plays a critical role in public safety as well as economic development.

TO: HONORABLE MAYOR & CITY COUNCIL

Subject: Response to Concerns Regarding OFD Vegetation Inspection Audit

Date: January 24, 2014

Page 4

Please click on the following link for the City Administration's full response to the Vegetation Inspection Audit (<http://www.oaklandauditor.com/images/oakland/auditreports/vein.pdf>).

Respectfully submitted,

/s/

TERESA DELOACH REED

Fire Chief

Oakland Fire Department

Attachment (1)

C-1) Vegetation Management Inspection Form

Office use only:
 CO Initial _____
 Date _____
 FIRE PREVENTION BUREAU
 FPB/RG&E:

Oakland Fire Department, Fire Prevention & Support Services Bureau
 250 Frank H. Ogawa Plaza, Ste. 3341
 Oakland, CA 94612-2032
www.Oaklandnet.com/WildfirePrevention



Vegetation Management Inspection Report

Inspection Location:
 Owner:

APN:
 District:
 Station:

An inspection has been performed at the location above. Properties marked Not in Compliance, will receive a re-inspection AFTER the date of this notice. Properties marked Not In Compliance AFTER a re-inspection, will be assessed a re-inspection fee. All fees incurred by the City to perform abatement after a re-inspection, will be billed to the property owner on record. Please be advised that the California Fire Code is enforceable YEAR-ROUND.

As of the date of this notice, your property is: In Compliance Not In Compliance

Violations Noted During Inspection Must Be Corrected Immediately:

Improved

- 1. Maintain a 30-ft fuel reduction zone around all buildings and neighboring structures; additional may be req. (CFC 4907.1.1)
- 2. If property is greater than 1/2 acre, maintain a 100-ft fuel reduction zone around all buildings and neighboring structures; additional may be req. (CFC 4907.1.2)
- 3. Maintain a 10-ft minimum roadside clearance; additional may be req. (CFC 4910.3)
- 4. Remove all portions of trees within 10-ft of chimney and/or stovepipe outlets. (CFC 4907.1.3)
- 5. Maintain 10-ft of horizontal clearance for all trees from any structure. (CFC 4910.2.2.4)
- 6. Maintain roof of all structures free of leaves, needles or other dead/dying vegetation. (CFC 4907.1.5)
- 7. Maintain trees adjacent to/overhanging any structure. Keep free of fallen and/or broken branches or other dead/dying vegetation. (CFC 4907.1.4)
- 8. Remove all tree limbs within 6-ft of the ground, or 1/4 the height of the tree. (CFC 4910.2.2.4)
- 9. Remove dead/dying vegetation from property. (CFC 4907.1)
- 10. Provide street address numbers that are legible and visible from the street/road fronting the property. Numbers must be a minimum of 4 inches in height with contrasting color to their background. (CFC 505.1)

Unimproved

- 1. Provide a minimum clear width of 30-ft fuel reduction zone around property line perimeter. (CFC 4907.1)
- 2. Additional defensible space outward to 100-ft along the perimeter of vacant lots adjacent to neighboring structures; additional may be req. (CFC 4907.1)
- 3. Maintain trees adjacent to/overhanging any structure. Keep free of fallen and/or broken branches or other dead/dying vegetation. (CFC 4907.1.4)
- 4. Remove dead/dying vegetation from property. (CFC 4907.1)
- 5. Remove all tree limbs within 6-ft of the ground, or 1/4 the height of the tree. (CFC 4910.2.2.4)
- 6. Maintain 10-ft minimum of horizontal clearance for all trees crowns. (CFC 4910.2.2.4)
- 7. Remove all portions of trees within 10-ft of chimney and/or stovepipe outlets. (CFC 4907.1.3)
- 8. Clear entire lot to a height of 6 inches or less. (CFC 4907.1)
- 9. Maintain a 10-ft minimum clearance next to the roadside. (CFC 4910.3)

Refer to back of form for additional explanation

Place the violation #. in the approximate location.

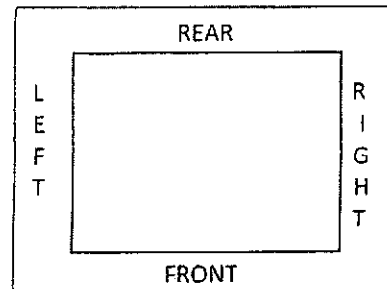


Diagram indicates property boundaries (not to scale).

Citizen Contact: Yes No 360 Access: Yes No

Station _____ Last Name _____ Signature & Date _____