



AGENDA REPORT



TO: Honorable Mayor and
members of the City Council

FROM: Councilmember Rebecca
Kaplan
At-Large District

Councilmember Kevin Jenkins
District 6

Council President Nikki
Fortunato Bas
District 2

SUBJECT: Abandoned Auto

DATE: March 7, 2024

RECOMMENDATION

Councilmembers Kaplan and Jenkins and Council President Fortunato Bas recommend that the City Council adopt a resolution.

RESOLUTION APPROPRIATING A TOTAL AMOUNT NOT TO EXCEED EIGHT HUNDRED FORTY THOUSAND FOUR HUNDRED NINETY DOLLARS (\$840,490) FROM MEASURE BB FUNDS TO IMPROVE ABANDONED AUTO TOWING AND CLEAR THE PUBLIC RIGHT OF WAY OF THE BLIGHT AND HAZARD OF ABANDONED VEHICLES AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO:

(1) NEGOTIATE AND EXECUTE AN AGREEMENT WITH AUTURA FOR SYSTEMS TO IMPROVE THE REMOVAL OF ABANDONED VEHICLES AND INCREASE THE EFFICIENCY AND TRACKING OF VEHICLE TOWING FOR THE CITY OF OAKLAND INCLUDING THE PURCHASE OF TOW MANAGEMENT SOFTWARE AND ASSOCIATED PROFESSIONAL SERVICES, WITH AN INITIAL TWO YEAR TERM, AT A COST NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) PER YEAR;

(2) ALLOCATE AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO COVER EXTRA PERSONNEL COSTS TO REMOVE THE BACKLOG OF ABANDONED VEHICLES;

(3) ALLOCATE AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY THOUSAND FOUR HUNDRED NINETY DOLLARS (\$190,490) TO UNFREEZE A PARKING AND MOBILITY MANAGEMENT DIVISION PROGRAM ANALYST FOR THE 2024-2025 YEAR;

Finance & Management Committee
March 12, 2024

(4) NEGOTIATE AND ENTER INTO ADDITIONAL CONTRACTS FOR TOWING SERVICES WITH NO NET COST TO THE CITY; AND

(5) WAIVE THE MULTI-STEP COMPETITIVE PROPOSAL SOLICITATION PROCESS AND LOCAL/SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS

EXECUTIVE SUMMARY

The City of Oakland (hereinafter “The City”) has experienced a rise in abandoned vehicles interfering with the functionality of the public right of way (PROW). Furthermore, abandoned vehicles create unsightly scenery for nearby residences. Moreover, abandoned vehicles create health and safety risks to all residents, as abandoned vehicles leak toxic material and are often used in criminal activity. The scenes of blight created by abandoned vehicles wreak havoc on the health of all residents and can create a collective negative attitude towards The City’s PROW. Currently, the number of abandoned vehicles exceeds the City’s capacity to promptly respond and process and remove them, and thus, this proposal addresses strengthening the City’s capacity to identify, process, tow and track abandoned vehicles. To remedy the issue practically and provenly, this proposal proposes a comprehensive multi-part approach to address the pronounced number of abandoned autos, including technology, staffing, and other resources.

As part of a multipart strategy, this proposal urges that The City enter a two-year contract with the nationwide leader in State and Local government agency software, Autura. By partnering with Autura, The City will bolster its abandoned auto mechanisms by utilizing Autura’s industry-leading technological solution software as part of a multipart strategy. Autura’s tow management software will enable greater efficiency, reliability, tracking and accountability in towing and tracking vehicles, and make it easier for Oakland’s personnel who handle abandoned vehicles. The City is requesting authorization to procure Autura via a sole source agreement. As Autura is the developer and caretaker of this software, a sole source agreement will mitigate the channels The City must navigate in its contract with Autura. As the developer and caretaker, Autura’s strength in thwarting cyber threats is significantly reinforced, thus bolstering the security of any information shared between Autura and The City. Autura will handle any potential cyber threat. Autura has not experienced any cyber threat, breach, or leak with any partner. Attached to this report is a detailed explanation of sole-source and information regarding Autura’s operations in other cities.

The multipronged strategy is to reduce abandoned vehicles that impact the PROW and potentially expose residents to hazardous materials. This proposal requests a one-time allocation with a maximum compensation not to exceed \$250,000 to fund extra personnel costs of existing and trained abandoned auto unit personnel to remove the backlog of abandoned vehicles, including protective safety equipment for personnel. The proposal also calls for \$190,490 for unfreezing a Parking Management Analyst for the 2024-2025 year. The allocations will fund the administrative efforts to swiftly process the increase of towed vehicles, minimizing the risk of delays in filings and other administrative duties related to towed vehicles.

This one-time allocation shall fund Parking Control Technician (PCT) personnel operating in zone-based sweeps, targeting geographically identified areas heavily impacted by abandoned autos, which create health risks to residents and interfere with the PROW's functionality. By targeting predetermined zones, The City can deploy personnel and equipment to areas with the greatest threat to the PROW. Moreover, The City can recover vehicles before the interference to the PROW worsens, including the vehicle's state, which could impact its value and lower the fees that The City recovers.

This legislation will support personnel within the City of Oakland, including by unfreezing a position within The City's Department of Transportation, funding the hours needed (e.g., overtime) for our Parking Control Technicians to do focused work removing abandoned vehicles from hard-hit areas, and ensuring support for our workforce.

Under OMC section 2.41.050, the City Administrator has complete authority to lease real property up to \$100,000 over the lease term. The Council supports and encourages City Administration to work with CalTrans and asks and encourages CalTrans to work with the City to identify for use as City tow yards CalTrans property that is otherwise underutilized, abandoned, or blighted space. Should any lease exceed \$100,000, the City Administrator or their designee may return to the City Council with a separate item once a negotiated price has been agreed.

Available land owned by Caltrans, such as vacant lots beneath freeway overpasses, presents a solution to The City's plight of abandoned vehicles. For example, vacant lots are viable spaces for additional tow yards. Vacant lots are often used to abandon vehicles and other illicit activities. By leasing available vacant lots and repurposing these spaces into tow yards, The City can effectively manage areas burdened by abandoned vehicles. Furthermore, vacant lots are often subject to arson and other illegal fire activities. The City can mitigate areas prone to fire-related issues by repurposing these lots into city-controlled tow yards.

BACKGROUND / LEGISLATIVE HISTORY

The City's Abandoned Auto Unit, part of Oakland Department of Transportation (OakDOT), removes 10-25 vehicles daily and is working to increase capacity. Removal requests have increased over the years, with an estimated 3,000 towable vehicles on Oakland's streets and public spaces. The City receives 20,000 abandoned vehicle service requests annually and tows 2,500 of them, and some neighborhoods consider this the second most pressing issue after violent crime.

Effective February 13, 2023, OakDOT is responsible for enforcing OMC 10.64. This responsibility is limited to the PROW and City-owned property. The Oakland Police Department (OPD) continues to be responsible for abating abandoned vehicles from private property.

Abandoned vehicles on the PROW cause safety issues for the public and reduce its functionality. They also create scenes of blight and dismay and are often abandoned in some of the city's most

underserved areas. The growing number of abandoned vehicles in these areas exacerbates poor road conditions and can negatively impact residents' health. Exploring and implementing new methods is necessary to enhance the efficiency and effectiveness of OakDOT's abandoned vehicle unit.

If approved, this agreement will mark the first partnership between Autura and The City. Autura's cloud-based software can be adopted without the City's IT department needing to adopt new technology or modify the existing IT infrastructure. Additionally, there is no need to purchase any new technology hardware. As a nationwide leader in the industry, Autura has a proven track record of successful implementation with municipalities. The City of San Francisco is among the municipalities that have an existing contract with Autura. The City of San Francisco's experience and success story with Autura's software were used as a case study for The City's proposal to adopt Autura's software.

ANALYSIS AND POLICY ALTERNATIVES

Autura maintains a proprietary, cloud-based software platform built by an in-house development team. Autura operates an in-house dispatch command center 24 hours a day, 365 days a year, managing the entire life cycle of all tow requests. Autura has a track record of unparalleled success in the field, including managing over 4 million tow requests using independent towing subcontractors.

Various departments within The City, including the City Administrator's office and OakDOT, have examined how cities face similar issues related to abandoned vehicles. City Staff has determined that pursuing this contract would be an excellent addition to the current policy addressing abandoned vehicles.

FISCAL IMPACT

This package of actions to remedy the problem of abandoned autos impeding our public rights of way will be funded by using available Measure BB funds, utilizing a small fraction of available funds, after which millions of available fund dollars will remain available for other projects. Measure BB, passed in 2014 by the voters of Alameda County, increased and extended the local transportation sales tax. Within Measure BB, the City of Oakland (and other cities) receives a formula allocation of funding for maintaining and upkeeping our Local Streets and Roads, which in Oakland is held in Fund 2218. In the January 2024 Quarterly Revenue and Expenditure Report, the City of Oakland's Finance Department identified the available ending fund balance of Measure BB, the Local Streets and Road, fund 2218, as \$7,100,000.

The proposed terms would utilize an allocation of \$200,000 per year for two years from fund 2218, which is intended to fund the improvement of local streets and roads. The speedy and efficient removal of abandoned autos from public streets will significantly improve the state and the enjoyment of public roads.

There is also a need to mobilize existing personnel to help remove and clear the backlog of abandoned vehicles. Thus, we propose to authorize an allocation to fund personnel hours to provide for expanded vehicle removal operations and be able to serve hard-hit areas effectively. A one-time allocation of \$250,000 to fund personnel to execute “sweeps,” an aggressive, direct removal of abandoned vehicles. As well as a one-time allocation of \$190,490 to unfreeze a PMD Analyst role for 2024-2025.

The total appropriation is \$840,490 for these efforts. Utilizing a mere fraction of the available fund balance in fund 2218 will improve abandoned auto towing and clear the PROW of abandoned vehicles' blight and hazards to enable the safe travel of vehicles, bicycles, pedestrians, wheelchairs, strollers, and more, and will unfreeze a vital Analyst position.

FUND	FY 2022-23 Audited Beginning Balance	FY 2022-23 Revenue Year-End Actuals	FY 2022-23 Expenditure Year-End Actuals	FY 2022-23 to FY 2023-24 Carryforwards	FY 2022-23 to FY 2023-24 Budgeted Use of Fund Balance	FY 2022-23 Estimated Ending Available Fund Balance
Measure BB and Measure F Funds (2215, 2216, 2217, 2218, 2219, 2220)	43.46	37.88	26.95	1.28	35.70	51.41

PUBLIC OUTREACH/INTEREST

This proposal was based on extensive public commentary and concern that has been expressed about the problem of abandoned vehicles, and the harms that they cause.

COORDINATION

This legislation was crafted with the Office of the City Attorney, the City Administrator's Office, OakDOT, The At-Large office and District offices 6 and 2. Additionally, staff from the Department of Finance have reviewed the legislation.

SUSTAINABLE OPPORTUNITIES

Economic: Fund 2218, sourced from Measure BB funds, is for the purpose of maintaining local streets and roads and ensuring usability of the public rights of way. Utilizing Measure BB funds to address these issues commonly cited by residents as a detriment to the well-being of the City, and impeding use of the public right of way for pedestrians, vehicles, bicycles and more, will improve the quality and maintenance of our transportation corridors. In addition, timely removal

of abandoned vehicles will allow the City to recover fees and fines outstanding, will reduce the costs and harms from the blight and crime that often takes place with abandoned vehicles, and will make space available for customers, workers and residents, and enhance economic opportunity. This allocation of a small portion of the available Measure BB funds will not exhaust the available fund balance of Measure BB, and millions of fund dollars will still exist for other needs.

Environmental: The fast and effective removal of abandoned vehicles from the PROW benefits the environment in many ways. For example, vehicles often left in irreparable condition expose the public and environment to hazardous material. The fast and effective removal of these vehicles reduces the exposure to hazardous materials. Furthermore, the city can manage and maintain areas commonly used to abandon vehicles by repurposing vacant spaces, such as the land owned by Caltrans underneath freeway overpasses, into additional tow yards.

Social Equity: Abandoned vehicles on the PROW often impact The City's most underserved communities. This proposal will help address the blight created by abandoned automobiles in some of the city's most underserved areas. Fast and efficient removal of abandoned vehicles will allow residents to utilize the PROW and increase the beauty of the PROW scenery.

ACTION REQUESTED OF THE CITY COUNCIL

Councilmembers Kaplan and Jenkins and Council President Fortunato Bas recommend that the City Council adopt

RESOLUTION APPROPRIATING A TOTAL AMOUNT NOT TO EXCEED EIGHT HUNDRED FORTY THOUSAND FOUR HUNDRED NINETY DOLLARS (\$840,490) FROM MEASURE BB FUNDS TO IMPROVE ABANDONED AUTO TOWING AND CLEAR THE PUBLIC RIGHT OF WAY OF THE BLIGHT AND HAZARD OF ABANDONED VEHICLES AND AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO:

(1) NEGOTIATE AND EXECUTE AN AGREEMENT WITH AUTURA FOR SYSTEMS TO IMPROVE THE REMOVAL OF ABANDONED VEHICLES AND INCREASE THE EFFICIENCY AND TRACKING OF VEHICLE TOWING FOR THE CITY OF OAKLAND INCLUDING THE PURCHASE OF TOW MANAGEMENT SOFTWARE AND ASSOCIATED PROFESSIONAL SERVICES, WITH AN INITIAL TWO YEAR TERM, AT A COST NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000) PER YEAR;

(2) ALLOCATE AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO COVER EXTRA PERSONNEL COSTS TO REMOVE THE BACKLOG OF ABANDONED VEHICLES;

(3) ALLOCATE AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY THOUSAND FOUR HUNDRED NINETY DOLLARS (\$190,490) TO UNFREEZE A PARKING AND MOBILITY MANAGEMENT DIVISION PROGRAM ANALYST FOR THE 2024-2025 YEAR;

(4) NEGOTIATE AND ENTER INTO ADDITIONAL CONTRACTS FOR TOWING SERVICES WITH NO NET COST TO THE CITY; AND

(5) WAIVE THE MULTI-STEP COMPETITIVE PROPOSAL SOLICITATION PROCESS AND LOCAL/SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) PROGRAM REQUIREMENTS

For questions regarding this report, please contact Michael Alvarenga, Legislative Analyst, at malvarenga@oaklandca.gov

Respectfully submitted,

Councilmember Kaplan
At-Large District

Prepared by:
Michael Alvarenga, Legislative Analyst
Office of Councilmember Rebecca Kaplan

Reviewed by:
Kimberly Jones, Chief of Staff
Office of Councilmember Rebecca Kaplan

Attachment A – Atura Sole Source Letter
Attachment B -- Sole-Source Justification
Attachment C -- Budget Allocation to Improve the
Removal of Abandoned Autos Spreadsheet

Attachment A

DocuSign Envelope ID: 06E3422F-4248-41A4-85A9-5A6D83117974




Vice Mayor Rebecca Kaplan
City of Oakland
1 Frank H. Ogawa Plaza
Oakland, CA 94612

This letter is to confirm that Autura's ARIES dispatch solution is a sole source product, manufactured, sold, and distributed exclusively by Autura. No other company makes a similar or competing product specifically for State and Local municipalities that combines automated closest too, rotational dispatching, real time GPS tracking, Technician/Officer request functionality, and a citizen facing find your vehicle portal.

ARIES proprietary solution was developed "in-house" by Autura, built, and hosted on AWS Gov-Cloud; all maintenance, new releases and applicable support for the platform is provided by Autura. Autura does not grant any third party or any Autura affiliate the right to distribute ARIES dispatch.

Sincerely,

DocuSigned by:

31F9D41736D945C...
Nina Carazas
Chief Operation Officer | 339-203-5923
ncarazas@autura.com

Attachment B

Information on Autura and Sole Source Procurement for City of Oakland:

Autura is the national leader in towing and impound management logistics services for State and Local government agencies. Since 2002, Autura has served customers across the country and internationally to address the challenges in the municipal towing and impound industry. Autura brings operational expertise, industry-leading technology solutions, and 24x365 service to our municipal, county, and state partners. In our 20 years of service, we have been honored to have a 100% renewal rate with our customers. We continue to grow our footprint both nationally and globally keeping our streets, local officers/technicians, and communities safer.

Other Jurisdictions Procuring Autura via Sole Source:

City of Oakland is requesting authorization to procure Autura via a sole source agreement. Autura has significant experience with sole source procurements with public sector customers nationwide. While each jurisdiction has unique rules and practices for sole source procurements, there are many commonalities between the justifications for sole source used in different places. These three procurements each provide insight for why a sole source procurement makes sense for the City of Oakland:

City of San Diego: In 2015, the City of San Diego awarded Autura a sole source contract of 5 years for a total of \$539,880 per year. The City's procurement officers chose this path in accordance with SDMC 22.3016, which permits municipalities in California to award a sole source contract if a competitive process would be unavailing or would not produce an advantage, and when soliciting bids of proposals would therefore be undesirable, impractical or impossible.

Anne Arundel County, MD: In 2022, Anne Arundel County awarded Autura a contract without an RFP process because of state law 8-2-107 that allows public entities to procure software without an RFP if there is only one source for the goods and services.

City of Newark, NJ: Autura's sole source proposal in Newark, NJ, was approved by the City's legal department under a provision of New Jersey law that allows municipalities to forgo an RFP process for, "The provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software."

Other characteristics that make Autura the unique and sole provider of comprehensive tow management software services:

- Maintains a proprietary, cloud-based software platform built by an in-house development team
- Operates an in-house dispatch command center 24-hours a day, 365-days a year ("24x365") that manages the full life cycle of all tow requests
- Operates multiple 24x365, in-house customer service call centers
- Eliminates tow distribution conflicts of interest by not owning any tow trucks or vehicle dismantling operations, or interests in companies that do
- Has a track record of unparalleled success in the field, including managing over 4 million tow requests using independent towing subcontractors

- Ability for multiple points of tow request entry
- Amazon AWS Gov Cloud Hosting
- Has successfully been integrated with various municipal systems including police CAD and MCT systems, citation management systems, state DOJ systems, systems for accessing DMV data, and municipal websites.
- Project management and system integration capability that ensures clients transition successfully from the status quo to a new and improved model
- Management of towing network partners ensuring compliance with all program goals and regulations
- Proven record of dramatically improving response times, and therefore wait times, putting officers back on the street sooner, increasing public safety
- History of providing local tow companies with free tools (e.g., mobile apps, cloud-based systems, training, feedback) to perform at high service levels allowing the agency to monitor results
- Proven experience supporting the full towing and storage lifecycle to provide consistent, high-quality service to all stakeholders, with metrics to provide transparency throughout the towing, storage, vehicle return and disposal lifecycle
- Provides a robust collection of real-time reporting capabilities that ensure the absolute transparency of the towing and impound operations. Must generate and deliver electronically over 100 reports on a daily, weekly, monthly, or quarterly basis. Any specific reports that are unique to the agency can be developed quickly, leveraging existing reports. Automated reports can be delivered via secure FTP file sharing websites (FTP over SSL), secure web pages (HTTPS), collaborative file sharing tools (MS SharePoint), email (including secure email), or automated fax.

**BUDGET ALLOCATION TO IMPROVE THE REMOVAL OF ABANDONED VEHICLES
FY 2023-25 2218 MEASURE BB FUND**

REVENUE ADDITIONS (POSITIVE #) & REDUCTIONS (NEGATIVE #)

Item #	Fund	Dept.	Description	FY 2023-24 Ongoing	FY 2023-24 One-Time	FY 2023-24 Total	FY 2024-25 Ongoing	FY 2024-25 One-Time	FY 2024-25 Total	Notes
1	2218	Oakland Department of Transportation ('OakDOT')	From the Available Funds in the Measure BB Fund - 2218 - Local Streets and Roads Funds		\$ 840,490.00	\$ 840,490.00				Appropriate a total of \$840,490 from the available fund balance in fund 2218 to improve abandoned auto towing and clear the public right of way from the blight and hazard of abandoned vehicles to enable the safe travel of vehicles, bicycles, and pedestrians.
Subtotal Revenue Adjustments				\$ -	\$ 840,490.00	\$ 840,490.00	\$ -	\$ -	\$ -	

EXPENDITURE REDUCTIONS (NEGATIVE #)

Item #	Fund	Dept.	Description (include job class and FTE)	FY 2023-24 Ongoing	FY 2023-24 One-Time	FY 2023-24 Total	FY 2024-25 Ongoing	FY 2024-25 One-Time	FY 2024-25 Total	Notes
Subtotal of Expenditure Reductions										

	FY 2023-24 Ongoing	FY 2023-24 One-Time	FY 2023-24 Total	FY 2024-25 Ongoing	FY 2024-25 One-Time	FY 2024-25 Total	Notes
FUNDS AVAILABLE FOR PROGRAMMING		\$ 840,490.00	\$ 840,490.00				

EXPENDITURE ADDITIONS (POSITIVE #)

Item #	Fund	Dept.	Description (Include job class and FTE)	FY 2023-24 Ongoing	FY 2023-24 One-Time	FY 2023-24 Total	FY 2024-25 Ongoing	FY 2024-25 One-Time	FY 2024-25 Total	Notes
2	2218	OakDOT	Autura System		\$ 200,000.00	\$ 200,000.00		\$ 200,000.00	\$ 200,000.00	Funding for a system to improve efficiency and tracking of vehicle towing for the Oakland Department of Transportation, including tow management software and associated professional services, with an initial two-year term, at a cost not to exceed \$200,000 per year.
3	2218	OakDOT	Unfreeze a Full-Time Employee (FTE) Program Analyst within the Parking Mobility Division of OakDOT				\$ 190,490.00		\$ 190,490.00	Allocate \$190,490 to unfreeze an FTE Program Analyst within the Parking and Mobility Program Division of OakDOT that helps with the Abandoned Auto Program for the 2024-2025 YEAR.
4	2218	OakDOT	Surge of OakDOT overtime personnel		\$ 250,000.00	\$ 250,000.00				A one-time allocation in an amount not to exceed \$250,000 to fund a surge of personnel to address the current backlog of abandoned cars.
Subtotal of Expenditure Additions				\$ -	\$ 450,000.00	\$ 450,000.00	\$ 190,490.00	\$ 200,000.00	\$ 390,490.00	

	FY 2023-24 Ongoing	FY 2023-24 One-Time	FY 2023-24 Total	FY 2024-25 Ongoing	FY 2024-25 One-Time	FY 2024-25 Total	Notes
SURPLUS / (DEFICIT)	\$ -	\$ 390,490.00	\$ 390,490.00	\$ (190,490.00)	\$ (200,000.00)	\$ (390,490.00)	

TWO YEAR SURPLUS / (DEFICIT)	0						
-------------------------------------	---	--	--	--	--	--	--