



Office of the City Manager

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 1

Meeting Date: May 23, 2023

Item Number: 17

Item Description: Piggyback Contract – Data Ticket for Administrative Citation Processing

Submitted by: David Sprague, Fire Chief
Peter Radu, Assistant to the City Manager

The original report titled “Piggyback Contract – Data Ticket for Administrative Citation Processing” contains, in the Fiscal Impacts section, a statement that erroneously identifies revenues received from collections as a part of the funding for this contract. Any revenues received through code enforcement collections (citations or property liens) are general fund revenues and not tied to a particular contract. The supplemental revised report corrects this error.

CONSENT CALENDAR
May 23, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: David Sprague, Interim Fire Chief
Peter Radu, Assistant to the City Manager
Subject: Piggyback Contract – Data Ticket for Administrative Citation Processing

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract and any amendments which align with the City of Downey's existing contract and any amendments, with Data Ticket to provide Administrative Citation Processing from May 1, 2023 until September 21, 2025 in an amount not to exceed \$100,000 with an option to extend for an additional three (3), one (1) year terms in alignment with the City of Downey contract for a total contract value not to exceed \$300,000 (May 2023 through September 2028).

FISCAL IMPACTS OF RECOMMENDATION

This contract will start in FY2023 by the Fire Department and Neighborhood Services. All funds required to pay for this contract are in the respective Department's' baseline operating budgets ~~or will be offset by the revenue received from the collections~~. Funding sources include but are not limited to; Measure FF, UC Settlement, and the General Fund.

CURRENT SITUATION AND ITS EFFECTS

The Fire Department and Neighborhood Services Code Enforcement currently rely on a paper-based citation system for the issuance of any administrative citations related to their work. The staff time associated with processing one citation is so great that the programs are effectively not used when necessary after education efforts are not successful in mitigating violations. While issuing citations are a last-resort of an enforcement process, they are sometimes necessary as a tool to gain compliance with applicable codes and help ensure the safety of residents. Examples of applicable processes are:

- Fire Department, Annual Wildland Urban Interface (Fire Zone 2 & 3) Defensible Space Inspections
- Fire Department, Annual Fire Prevention Inspections for Multi-Family Residential and Business occupancies

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- Neighborhood Services Code Enforcement: Blight, Illegal dumping, graffiti, sidewalk violations and other quality of life issues; coordination of enforcement for complex cases with multiple violations involving several city departments.

A 2018 City Auditor's report¹ found that the City's Code Enforcement Unit is understaffed for its workload, resulting in inefficient customer service to the Berkeley community. Since that time, the City has been unable to fund additional Code Enforcement staff due to numerous competing priorities, but workload—especially during the pandemic, with the advent of COVID-related violations—has only grown. This contract will provide administrative efficiency and support for some components of Code Enforcement (namely, violation and citations processing) which will free existing staff time up to focus on aspects of the job that require trained expertise.

BACKGROUND

The City of Downey, a similarly sized City [to Berkeley] in Southern California, conducted a competitive Request for Proposal (RFP) process that solicited bids for a vendor to provide "Parking and Administrative Citation Processing and Collection Services", (Attachment 1), which opened on April 21, 2020 and closed on May 20, 2020. Data Ticket, Inc. was selected as the most responsive vendor and was awarded a base contract period that runs from September 22, 2020 through September 21, 2025 with three (3), one (1) year options to extend (Attachment 2). The Fire Department and Neighborhood Services Code Enforcement are requesting to piggyback off the City of Downey Contract for the same services.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

This program will allow the transition from paper based administrative citation systems to digital. Transitioning from a paper-based administrative citation system to a digital system can have a positive impact on environmental sustainability. It can reduce paper usage and waste, as well as decrease the need for transportation and storage of paper documents. Additionally, digital systems can often be more efficient and streamlined, reducing the overall environmental impact of administrative processes.

Removing hazardous vegetation in the Very High Fire Danger Severity Zone can also have a positive impact on environmental sustainability and help mitigate the effects of climate change. Wildfires can release large amounts of carbon into the atmosphere, contributing to the overall increase in greenhouse gas emissions. By reducing the probability of ignition during a wildfire, the program can help reduce the frequency and severity of wildfires, ultimately helping to mitigate the effects of climate change.

RATIONALE FOR RECOMMENDATION

¹ Audit Report: Code Enforcement Resources Significantly Constrained and Improvements Needed in Case Management and Oversight: https://berkeleyca.gov/sites/default/files/2022-01/Code%20Enforcement%20Resources%20Significantly%20Constrained_Fiscal%20Year%202018.pdf

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Staff are responsible for the inspection and enforcement of a variety of codes. Staff take an educate first approach in most situations, however, the issuance of citation is required to gain compliance in some situations. Staff currently rely on a decades old, paper-based citation process which requires an inordinate amount of staff time to complete. This can result in delays in issuing citations and gaining compliance, ultimately impacting the safety and well-being of the community. Because of this, the current system is ineffective in ensuring compliance with the Municipal Code.

The transition to a digital system will also help improve the overall effectiveness of the inspection and enforcement process. By reducing the administrative burden of issuing citations, staff can focus on education and outreach, promoting compliance through understanding.

ALTERNATIVE ACTIONS CONSIDERED

Continue with paper-based citation processes.

CONTACT PERSON

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Peter Radu, Assistant to the City Manager, (510) 981-7045

Attachments:

- 1: Resolution
- 2: Downey RFP - Citation Processing Final
- 3: Downey Contract Signed 092220

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RESOLUTION NO. ##,###-N.S.

PIGGYBACK CONTRACT – DATA TICKET FOR ADMINISTRATIVE CITATION
PROCESSING

WHEREAS, the Fire Department and Neighborhood Services Code Enforcement currently rely on a paper-based citation system for the issuance of any administrative citations related to their work, and

WHEREAS, the staff time associated with processing one citation is so great that the programs are effectively not used when necessary after education efforts are not successful in mitigating violations, and

WHEREAS, while issuing citations are a last-resort of an enforcement process, they are sometimes necessary as a tool to gain compliance with applicable codes and help ensure the safety of residents, and

WHEREAS, the City of Downy, a similarly sized City [to Berkeley] in Southern California, conducted a competitive Request for Proposal (RFP) process that solicited bids for a vendor to provide “Parking and Administrative Citation Processing and Collection Services”, (attached), which opened on April 21, 2020 and closed on May 20, 2020. Data Ticket, Inc. was selected as the most responsive vendor and was awarded a base contract period that runs from September 22, 2020 through September 21, 2025 with three (3), one (1) year options to extend, and

WHEREAS, the Fire Department and Neighborhood Services Code Enforcement are requesting to piggyback off the City of Downey Contract for the same services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments which align with the City of Downey’s existing contract and any amendments, with Data Ticket to provide Administrative Citation Processing from May 1, 2023 until September 21, 2025 in an amount not to exceed \$100,000 with an option to extend for an additional three (3), one (1) year terms in alignment with the City of Downey contract for a total contract value not to exceed \$300,000 (May 2023 through September 2028).