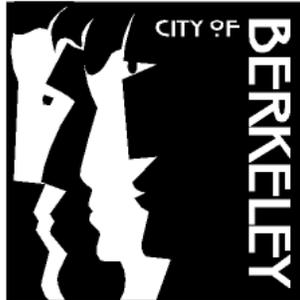


City of Berkeley



Audit of Parking Enforcement Operations

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I. OBJECTIVE OF THE AUDIT

The objective of this performance audit was to review the operational and policy issues related to the City's parking enforcement operations. The scope of the audit was expanded to include a walkthrough of cash handling of meter coin revenue.

This audit was scheduled to be performed as part of the City Auditor's fiscal year 2005 audit plan. The audit plan was presented to City Council on June 22, 2004. In the plan, this audit was identified as a Survey of Parking Enforcement.

II. SCOPE AND METHODOLOGY

This audit focused on:

- Determining whether there was a decline in revenues generated by Parking Enforcement Officers (PEO) and in PEO productivity.
- Reviewing the amount of PEO lost time (sick leave, workers compensation leave, etc.), its effect on performance, and results of actions taken by the Police Department to address lost time issues and employee safety concerns.
- Identifying factors outside of the Police Department's control that may negatively impact parking enforcement operations.
- Evaluating the cash handling of meter coin revenue in the Office of Transportation.

The information used to complete this audit was obtained primarily through:

- Discussion with staff and management in the Parking Enforcement Unit, Office of Transportation, and Finance Department.
- Review of written policies and procedures.
- Review of data and records pertaining to parking enforcement operations.
- Review of prior period audit reports.
- Use of Audit Command Language (ACL) to perform analysis of the hours worked by PEOs.
- A survey of the PEOs on May 20, 2004. The survey was followed by a focus group discussion with the PEOs on June 7, 2004.

The period under review was fiscal years 2002 through 2004. The last day of fieldwork was October 21, 2004. Audit work was performed in accordance with Generally Accepted Government Auditing Standards and was limited to those areas specified in the scope and methodology section of this report.

III. BACKGROUND

The purpose of a parking enforcement function is not only to generate revenue; according to Transportation staff, parking control is crucial to vehicular traffic planning. Its enforcement is essential to the transportation goals of the City because parking enforcement has an immediate and strong effect on the way that traffic flows. Parking control can be used to manage the number of vehicles in an area and to encourage mass transit use. Parking control can also be used to deal with quality of life issues. For example, parking control can ensure that an area is used for its intended purpose; by using residential zones, cities discourage long-term parking in residential areas. Parking control supports economic vitality by promoting car turnover, which is necessary in some areas for the benefit of businesses.

PEOs are part of the Police Department's Traffic Bureau. The Traffic Bureau is composed of the following staff:

- 23 Parking Enforcement Officers,
- 2 Parking Enforcement Supervisors,
- 6 Traffic Officers,
- 1 Traffic Sergeant,
- 1 Office Specialist II
- 1 Lieutenant in charge of the Traffic Bureau.

PEOs are primarily in charge of the enforcement of parking laws in the City of Berkeley. The parking enforcement function has been in the Police Department since 1990, when enforcement staff were transferred from the Finance Department. During FY04 the PEOs wrote more than 95% of all vehicle-related citations issued in the City, with Police Officers issuing just under 5%.

PEOs are assigned to various geographical beats. The number of beats fluctuates between 8 and 19 depending on the day of the week. The Parking Enforcement Supervisors have established a beat rotation schedule so that every two weeks each PEO rotates to a different beat. The intent of the rotation is to move the PEOs through the beats, alternating between those requiring substantial tire chalking (Restricted Parking Permit (RPP) areas, broken parking meters, etc.) and those with a lower number of expected citations. Through the rotation, the workload and risk of exposure to injury are evenly distributed among all PEOs. Risk of injury appears to be greater in areas requiring tire chalking, as opposed to meter reading.

Every morning the PEOs meet to discuss the issues of the day. Although it is ultimately at the discretion of each PEO how best to enforce the beat, one of the primary purposes of the briefing is to make PEOs aware of community concerns that need attention. This includes issues referred by members of the community as well as issues generated from the Police beat patrols.

During FY04, oversight for collection of meter funds, maintenance of meters, curb painting and signage was consolidated under the Office of Transportation. Previously, the meter funds collection function was located in Finance, while meter maintenance, curb painting and signage was in Public Works. As part of this audit we conducted an internal controls review of the cash handling of meter funds in Transportation. The results of this review are included at the end of this report.

There is a separate fund dedicated exclusively to parking enforcement operation expenses. Meter collection money supports all parking enforcement operations. The General Fund supplements this funding. All parking citation revenue is credited to the General Fund.

IV. RESULTS OF AUDIT

The audit identified the following concerns:

1. Number of citations issued per PEO decreased.
2. Monthly Reports on PEO activity and results were not verified or reconciled to the available data and appeared insufficient for decision-making purposes.
3. The methodology for allocation of revenues and expenses to the Parking Fund resulted in deficits.
4. Parking enforcement goals for the City appear inconsistent.
5. Parking enforcement beats are not reassigned when staff shortages occur.
6. PEOs report general work dissatisfaction.
7. PEOs report feeling unsafe while performing their public duties.
8. PEOs are having problems enforcing parking laws due to circumstances beyond their control.

We also found that the internal control structure over the cash handling of coins from meters by the Office of Transportation could be strengthened.

Finally, we would like to congratulate the Police Department and PEOs on what appears to have been a marked improvement in the overall PEOs' lost time between calendar year 2003 and 2004. Lost time can be seen as an impediment to performance, and also as an indicator of the state of employee morale. Evaluating the amount of PEO lost time (sick leave, workers compensation leave, etc.), its effect on performance, and results of actions taken by the Police Department to address lost time issues and employee safety concerns was an important objective of the audit. In addition it appears that steps were taken to identify and correct safety concerns at the PEOs' work site.

V. FINDINGS AND RECOMMENDATIONS

Finding 1: Number Of Citations Per PEO Decreased

The total number of citations issued by PEOs decreased from 231,168 in FY03 to 230,695⁽¹⁾ in FY04, according to information available on August 6, 2004. At the same time the number of working hours increased from 33,432 in FY03 to 35,456 in FY04. We converted these working hours to FTEs by dividing them by yearly work hours (2080, or 40 hours * 52 weeks). This method eliminated employee absences from the calculation, so that only hours actually worked were used. We found that the number of citations issued per PEO in FY04 was approximately 6% lower than in FY03. In FY03 that number was 14,632 and in FY04 that number dropped to 13,746. During that same period an additional FTE was added to the

(1) Citation data obtained from the PTS 960 report provided by Finance

division.

In contrast, we found that the parking citation revenue as a result of PEO citations significantly increased from FY03 to FY04. The City received approximately \$6.7 million in FY03 and \$8.3 million⁽²⁾ in FY04. The most significant factor for this revenue increase was the increase in the price of citations effective in FY04. For example, citations for expired meters went from \$23 to \$30. This is a 30% increase in the face value of the tickets. In order to rule out variance caused by changes in type of citation issued, we reviewed the mix of citations issued to determine whether there was a bias toward more costly tickets. We found that there did not appear to be a pattern of issuing those citations, which would also result in higher fines more frequently in FY04 than in FY03.

Table One-Summary of PEO Productivity

| <u>Fiscal Year (June-July)</u> | <u>Total Hours Worked (Includes overtime)</u> | <u>Hours Not Worked*</u> | <u>Budgeted FTE</u> | <u>Available FTE (employed) (includes lost time due to sick leave etc)**</u> | <u>Actual FTE***</u> | <u>Citations Issued****</u> | <u>Cit. per Actual FTE</u> |
|------------------------------------|---|----------------------------------|-------------------------|--|--------------------------|---------------------------------|------------------------------------|
| FY03 | 33,432 | 12,695 | 23.00 | 22.18 | 16.07 | 231,168 | 14,385 |
| FY04 | 35,456 | 13,186 | 23.00 | 23.39 | 17.05 | 230,695 | 13,530 |

* Hours not worked includes absence due to vacation, holidays, illness, worker’s compensation injuries, military leave, and leave without pay, among other categories

** Available FTE is the addition of total hours worked and hours not worked divided by 2080 (40 hours times 52 weeks) total work hours in a year. This gives us an idea of the number of FTEs the Police Department had available to them and the vacancy rate for the year.

*** Actual FTE is the number of hours worked represented as FTEs. This is the result of the Total Hours Worked (column 2) divided by the total work hours in a year (2080).

**** Citations issued identified in PTS 960 report provided to us by the Finance Department.

This report discusses a number of factors that may be affecting the total number of citations issued per PEO (see Finding 8). However, the auditors were unable to clearly identify the relative importance of individual factors, due to a lack of readily available documentation. We are suggesting the Police Department modify its performance measurement tracking systems to assist management in prioritizing actions to be taken, as well as analyzing the fully burdened cost of the parking enforcement function and the marginal cost of adding new staff. A 1994 report from the Police Executive Research Forum (p.162) notes that, at that time, the division commander was preparing information on planned and actual citations as well as other enforcement activities. It appears that, using modern technologies, a more sophisticated management system could be designed and implemented, which would serve the purposes of the existing Monthly Traffic Report as well as assist in developing information needed for management and budgetary purposes.

(2) Revenue figures obtained from the PTS 030 report provided by Finance. FY02 revenue could not be reasonably determined during the audit because data on paid citations was not maintained beyond 36 months.

Recommendation for the City Manager and Police Department:

- 1.1 We recommend that Police management, on a consistent schedule, provide the City Manager with a detailed report that identifies beat productivity, both planned and actual.
- 1.2 We recommend that Police management establish a system to regularly document the problems and complaints identified by the PEOs, to include the number of meters broken, number of curbs not painted, episodes of street sweepers not showing up, and signage problems. This report should also include information about actions management has taken to address the problems, and results should be reported regularly to appropriate Police staff and the City Manager.
- 1.3 We recommend that the Budget Office and the Police Department use estimates of revenue generated from citation information to examine the cost vs. benefit of hiring additional PEOs or supervisors to manage and report on PEO activities, either on a permanent or temporary basis. The non-financial benefits of the parking enforcement function should also be addressed. Even though the number of citations issued per PEO declined, it appears that the revenue generated may exceed the cost of the additional hire, depending on the non-personnel cost (marginal direct and indirect costs) involved in supporting the function.

City Manager's Response

Agree with the finding and recommendations.

- 1.1 The Police Department plans to develop enhanced management reports from the Enforcement Technology AutoCITE system. The new reports are expected to be useful management tools, which will examine overall productivity and individual employee performance. This information will be made available to the City Manager on a quarterly basis beginning April 29, 2005.*
- 1.2 The Police Department will continue to meet with the PEOs and will establish a system to regularly document the problems and complaints identified by the PEOs, including the number of vandalized meters, number of curbs not painted, episodes of street sweepers not showing up, and signage problems. This report will include information about actions management has taken to address the problems, and the results will be reported no less than quarterly to Police staff and the City Manager. Date of implementation will be identified in the July 19, 2005 Council report on the Parking Enforcement Audit.*
- 1.3 Completed. After collaborating with Finance staff and the Budget Office to project costs, revenue, and productivity, the Police Department has recommended to the City Manager that 1 supervisor and 3 PEOs be added to Parking Enforcement.*

Finding 2: Monthly Reports on PEO activity and results were not verified or reconciled to the available data and appeared insufficient for decision-making purposes

Monthly management reports provided to the Chief of Police, Police Review Commission and City Manager contained inaccurate information. During our review we noted a significant discrepancy between the revenue numbers sent to the Chief of Police by the Police Department Traffic Bureau and the numbers provided by Finance for the same period. In calendar year 2001, for example, the revenue figures varied by more than two million dollars.

Table Two

| Calendar Year (Jan-Dec) | PEO Citation Numbers Per Police | Citation Numbers per Finance* | Parking Enforcement Revenue Numbers per Police | Revenue Numbers per Finance** | Difference in millions |
|-------------------------|---------------------------------|-------------------------------|--|-------------------------------|------------------------|
| 2001 | 212,138 | 222,586 | \$9.3 million | \$7.2 million | \$2.1 |
| 2002 | 233,554 | 245,687 | \$8.0 million | \$7.4 million | \$0.6 |
| 2003 | 226,129 | 237,971 | \$7.0 million | \$8.5 million | (\$1.5) |

* Includes citations issued by PEOs and Police Officers.

**Includes additional revenue of fines from previous years collected during the calendar year (H108/d).

More significantly, the Police report indicated an increase from 212,138 citations issued in calendar year 2001 to 233,554 citations issued in calendar year 2002. This is an increase of 21,416 citations. Yet the revenue **decreased** by more than a million dollars. This is a red flag that should have triggered a review of the numbers to find an explanation for the discrepancy, yet no action was taken. In addition, even though there was a significant increase of citation price in July 2003, the police report indicated that revenue decreased from calendar year 2002 to 2003.

(In contrast, between calendar year 2002 and calendar year 2003 the number of citations reported by Finance decreased from 245,687 to 237,971 (a decrease of 7,716), yet the revenues increased by \$1.1 million. This is a reasonable result given the increase in citation prices in July 2003.)

When the auditor contacted Police and Finance Department staff they were unaware of the discrepancy between 2001 and 2002. Neither department could provide an explanation for the difference. We asked representatives from the Police Department to meet with the auditor and staff from Finance to determine the reason for this discrepancy.

In response to the auditor’s finding, Police contacted the software vendor and asked for clarification of the data. The vendor informed the Police Department that Police staff was picking up information from the wrong column. The following is the correct information, according to the vendor.

Table Three

| Calendar Year | Revenue Numbers per Finance | Parking Enforcement Revenue Numbers per Police (Revised per vendor) | Difference in millions |
|----------------------|------------------------------------|--|-------------------------------|
| 2001 | \$7.2 million | \$6.4 million | (\$0.8) |
| 2002 | \$7.4 million | \$8.5 million | \$1.1 |
| 2003 | \$8.5 million | \$8.2 million | (\$0.3) |

We compared the vendor’s information to the information provided by the Finance Department. After adjusting the numbers, discrepancies remained. For example, according to Finance, the 2002 Police revenue figures should not be greater than Finance’s figures, because Finance’s numbers include additional late fees when the citations are not paid on time, yet the Police’s figures were higher by \$1.1 million.

The Police Chief stated that this information reported in the Monthly Traffic Report is “primarily an informational report, which captures comparative year-to-year- statistics, highlights of the month, equipment issues, etc. It also provides the framework for the annual reports too.” At the exit conference he stated that the information is not relied upon and is only used internally as a barometer of how things are going. He subsequently stated, “The revenue information is already provided by the Finance Department and the Budget Unit, and routinely discussed with the City Manager and appropriate staff.” It is our opinion that this incident speaks to the need for financially knowledgeable staff handling financial and accounting information in the Police Department.

Information provided by the vendor and Finance should be independently verified and analyzed by budget staff in the Police department. Any discrepancies should be resolved such that all parties deem the final report reliable and useful. One important reason for documenting and analyzing planned and actual revenue collected, and matching this information to citations issued, is to safeguard against possible errors as well as fraud.

While the Monthly Traffic Report and End of the Year Summary report accomplishes some management objectives for the Police department, it would be a more useful document if Police Department staff provided an analysis of planned as well as actual revenue generated and collected, reconciled the dollars to numbers provided by the vendor and the City’s financial systems, and matched to dollars collected to the citations issued over time. (See Finding 1).

Two previous audits, the Departmental Budget Monitoring Audit, and the Police Staffing Audit, have addressed the issue of monitoring budget information. The Budget Monitoring Audit found, on a citywide basis, that overall control would be improved if department managers reported on budget variances and plans for corrective action each quarter (to the City Manager). The audit also recommended actions that could be taken to improve the capacity of City staff to perform these functions.

In the Police Staffing Report, issued to Council on April 30, 2002, we spoke about the need for qualified individuals to deal with financial information as part of our analysis of the Bureau of Inspection and Control Lieutenant position. We also recommended that the City establish a Business Manager classification for use in the Police Department.

Recommendation for the City Manager, Police Department, and Budget Office:

- 2.1 The Police department should regularly reconcile and analyze the planned and actual citation numbers with the planned and actual revenue numbers. This analysis should be documented, and summary information should be provided to the Budget Manager as part of the Police Department's oversight of parking enforcement funds.

Alternatively, the Finance Department or the Budget Office could establish a performance measurement system that will recognize the expected revenue from the tickets so that the Police Department or Finance Department could monitor on a consistent basis whether the actual revenue generated by citations is within the revenue expectations. Police could then use this information to determine whether there are problems in particular beats and the reasons for these problems such as broken meters, curb painting, or construction projects.

- 2.2 The Police Department should complete the implementation of our 2002 Police Staffing Audit recommendation. As recommended, the City has established a Public Safety Business Manager classification. This position could be the point person in coordinating all analysis of financial information related to the Police Department and coordinating all analysis of performance measures in addition to taking care of duties that do not need primary attention by uniformed personnel. The Senior Budget Specialist could provide assistance to the Business Manager by analyzing the financial information of the Department. The Police Department could also choose to have the Senior Budget Specialist perform all these tasks.

Hiring a Public Safety Business Manager could help the Police Department to assign and train appropriate staff to give financial and accounting issues the proper review and also provide for adequate budgetary and performance measure reporting.

City Manager's Response

Agree with the finding and the recommendations.

- 2.1 In order to monitor parking citation revenue on a consistent basis, the Finance Department will meet at least monthly with the Police Department and provide parking citation revenue reports of actual revenue received to date. After joint reconciliation of any data disparities relative to citations issued, the Police Department will use this data to track the projected versus actual revenue, and make management or system adjustments, as needed. This information will be included in the quarterly reports provided to the City Manager on a quarterly basis beginning April 29, 2005.*

2.2 *The Police Department will consider the Business Manager position during staffing transitions in future budgets. This decision will be made no later than June 2006.*

Finding 3: Allocation Of Revenues And Expenses To The Parking Fund Resulted In Deficits

PEOs are paid from a fund that is supported by coin revenue from the parking meters instead of revenue generated through citations issued by PEOs. Revenue generated from citations issued by PEOs goes directly to the General Fund. The General Fund, in turn, supports the Parking Meter Fund. This accounting practice does not provide a true corresponding relationship between the cost and benefit of work performed by the Parking Enforcement Unit. In fact it places the parking enforcement operations in a deficit and makes it appear not to be self-sustaining. Revenue generated by the PEOs in FY04 was almost triple (\$8.3 million) the cost of parking enforcement operations. (See Finding 1) In an October 12, 2004 report to Council, the Citizen's Budget Review Commission noted the discrepancies in presentation, and recommended that Council direct staff to "update allocation of revenues and expenses to the Parking Meter Fund."

Table Four

| Fund 840 | Debt Service | Transfer | Transportation | Finance | Public Works | Police | Total |
|-------------------|--------------|----------|----------------|---------|--------------|-----------|-------------|
| FY02 Revenue | | 18,533 | | | | 2,101,378 | 2,124,228 |
| FY02 Expenditures | 374,818 | 250,000 | | 386,323 | 300,129 | 1,849,780 | 3,161,050 |
| Deficit | | | | | | | (1,036,822) |
| | | | | | | | |
| FY03 Revenue | | | | | | 1,873,906 | 1,873,906 |
| FY03 Expenditures | 374,818 | | 11,602 | 400,102 | 287,255 | 1,927,789 | 3,001,565 |
| Deficit | | | | | | | (1,127,660) |
| | | | | | | | |
| FY04 Revenue | | 325,000 | | | | 2,190,939 | 2,515,939 |
| FY04 Expenditures | 56,250 | | 866,384 | 62,769 | 4,840 | 1,859,853 | 2,850,096 |
| Deficit | | | | | | | (334,157) |

In March 2003, the previous Budget Manager recommended that expenditures for the operating departments be properly budgeted between Fund 840 and the General Fund. He stated that City departments' budgets must be allocated in line with estimated revenue collections. The Citizen's Budget Review Commission (CBRC) recommended in a report to Council on October 12, 2004, that revenues and expenses of the PMF (Parking Meter Fund) be re-allocated to reflect a more accurate methodology for determining the true financial picture of the fund.

According to the current Budget Manager, restricting General Fund revenue to expenditures for one purpose (parking operation expenses) would not be best for the City. It would restrict even further use of the already limited resources available in the General Fund. The Budget Office recommends the existing accounting treatment, whereby shortfalls in the parking funds are subsidized by the General Fund. According to the Budget Manager, this allows the City the flexibility to use its money where it is most needed.

Recommendation for the City Manager and Budget Office:

- 3.1 We recommend that the City Manager reconsider realigning the revenues generated by the PEOs and the Police with the expenses incurred by the parking enforcement unit so that there is a true corresponding relationship between the cost and benefit of work performed by parking enforcement operations. This change could increase the transparency of the costs and revenues related to the parking enforcement function.

City Manager's Response

Agree with the finding and recommendation

- 3.1 *The Budget Office agrees with the finding and recommendation. The Budget Office understands the auditors' position and will reconsider realigning the revenues generated by the PEOs and the Police with the expenses incurred by the Parking Enforcement Unit and will report back to Council in its response to the Citizen's Budget Review Commission before May 31, 2005.*

Finding 4: Parking Enforcement Goals Of The City Appear Inconsistent

There appears to be a general perception among City staff of lack of clear and consistent direction from Council. These policies have affected the ability of PEOs to consistently cite drivers. For example, in September 1999 Council enacted an enforcement policy that included requiring parking enforcement officers to negate a parking ticket if the driver being ticketed appeared while the ticket was being written.

According to Police the PEOs were also asked:

- To not cite vehicles occupied or waiting in bus zones while drivers or occupants used bank ATMs; reinstated citing violators in late 2003.
- To cite only vehicles preceding the sweeper vehicles during morning and afternoon sweeper zones and take back citations if citizens were prepared to move their cars.

- To reduce the number of citations issued in one day (for the same vehicle) from 4 to 1; then modified to 2 per day.
- To not cite motorcycles parked within an occupied “T” space.
- To ease off on RPP cites on football Saturdays (advised by the City Manager).

In addition, the citation issuance estimates for PEOs were reduced from 1,500 citations a month to 1,200 following complaints from the community that the PEOs were overzealous. Then, in April 2002, Council enacted a policy requiring PEOs to issue more than one parking ticket to cars that overstayed the allotted time at broken and vandalized meters and in July 2003 Council increased parking fines.

The general lack of consistency resulted in a lack of clear goals for the PEOs. We surveyed nineteen (90%) of the twenty-one PEOs on the force. In our survey, 72% of the PEO respondents disagreed with the statement “The City Manager has clearly defined what the parking enforcement goals should be and coordinates with the Police Department so that those enforcement goals are attained.” Forty five percent of the respondents disagreed with the statement “As an organization, the Police Department knows what our parking enforcement goals are and how to achieve them.” Supervisors agreed with the staff. According to one supervisor, if there are long terms plans for parking enforcement the supervisors are unaware of them.

It appears that Council has not yet explicitly, publicly, and clearly stated to parking enforcement operations the parking enforcement goals and the best way to achieve the City’s overall parking enforcement goals. Transportation staff has defined a number of overall goals for parking enforcement, as stated in the introduction to this report. Yet, the parking enforcement goals have not been clearly defined or prioritized by Council and management in such a way as to give clearer guidance to enforcement staff.

Recommendation for the City Manager:

- 4.1 We recommend that the City Manager draft and submit to Council for approval a mission statement and policy direction regarding parking enforcement. While alluded to in the General Plan, the main goals of parking enforcement are not explicitly, publicly, and clearly stated. By stating the reasons for enforcement, goals can be established and the department’s performance in reaching those goals can be measured using appropriate performance measures. This policy should clearly define to the Police Department and the Office of Transportation, as well as to residents, the City’s goals and objectives for parking enforcement and how to meet them.

City Manager’s Response

Agree with the finding and recommendation

- 4.1 *Both the Police Department and the Office of Transportation agree with the finding and recommendation. A mission statement and policy direction regarding parking enforcement will be drafted and submitted to Council for approval by June 30, 2005.*

Finding 5: Parking Enforcement Beats Are Not Reassigned When Staff Are Absent

In terms of goals and priorities, Police management asks the PEOs to enforce all the laws of the City. One result of this policy decision is that parking enforcement beats are not reassigned in accordance with specific priorities, whether of traffic circulation or of maximization of revenue, when an employee is absent. According to a Supervising Parking Enforcement Officer, if there is an absence due to sickness, vacation, or worker's compensation, the beats are not changed, so the beat assigned to the absent employee does not get covered. As a result, the Department's parking enforcement of the beats that generate the most revenue or those that suffer the greatest negative impact when parking laws are not enforced, is dependent on staff availability. According to the Police Department there has been no clear directive to make maximizing revenue a priority. The policy in place is that all beats are of equal importance.

The impact on revenue or on parking turnover caused by an employee's absence may be very different from one week to the next depending on the beat assigned. The result of these absences varies in terms of citations and revenues since the expected citation volume for each beat is different. For example, a beat that has many parking meters is expected to gather more citation revenue than one that does not.

The Police Department is proposing to hire hourly staff to cover the beat of any absent employee. Police management is discussing this proposal with the City Manager and Human Resources.

Recommendation for the City Manager and Police Department:

- 5.1 We recommend that the Police Department consider the possibility of reassigning beats in case of absences, taking into account traffic enforcement needs, revenue generation, and employee safety and injury prevention concerns. Note: This analysis can be based on data prepared in order to implement recommendation 1, that the City Manager and the Police Department examine the cost vs. benefit of hiring additional PEOs and/or supervisors so management of traffic circulation and parking as well as revenue generation are maximized.

City Manager's Response

Agree with finding and recommendation.

- 5.1 *Police staff is re-examining this process with an eye toward overall increased productivity. Hiring additional staff would also improve the ability to staff beats, and provide the opportunity to test walking beats in high-density areas. Further study is needed to determine whether to make adjustments, and what the impact would be on repetitive stress injuries. An analysis will be completed by the Police Department and presented to the City Manager by July 19, 2005.*

Finding 6: PEOs Report General Work Dissatisfaction

We surveyed nineteen (90%) of the twenty-one PEOs in the force. Of the nineteen respondents, 73% disagreed with the statement “The Department appreciates a job well done” and agreed with the statement “I often wonder if this job is worth all the hassles and the problems.” Twenty-six percent of the respondents disagreed with the statement “I would recommend this kind of work to others.” Twenty-six percent of the respondents surveyed also strongly disagreed with the statement “I intend to stay here for the foreseeable future.” Finally, more than three quarters of respondents disagreed with the statements “My salary is fair for my responsibilities” and “The City appreciates a job well done.” We are concerned that what appears to be low morale may be negatively impacting work performed. (See Finding 1)

Table Five

| <u>Questionnaire Statement</u> | <u>Disagreed</u> | <u>Neutral</u> | <u>Agreed</u> |
|---|------------------|----------------|---------------|
| I intend to stay for the foreseeable future | 26% | 26% | 48% |
| I would recommend this kind of work to others | 26% | 53% | 21% |
| My salary is fair for my responsibilities | 79% | 16% | 5% |
| The City appreciates a job well done | 84% | 5% | 11% |
| The Department appreciates a job well done | 73% | 11% | 16% |
| I often wonder if this job is worth all the hassles and the problems | 5% | 21% | 74% |
| I give eight hours of productive work every day to the City of Berkeley | 0% | 31% | 69% |
| My job is important to me | 0% | 15% | 85% |
| My job is important to the City of Berkeley | 21% | 12% | 67% |

*Strongly disagreed and disagreed are added together in all the other responses for brevity. So is strongly agreed and agreed.

The nineteen PEOs also included information in response to the questions “If you could change one thing about your job, what would it be?” and “What are the three most important things the City could do to help you do your job better?” When the two questions are combined, the answers “fix the meters” and “raise my salary” appear with much greater frequency than any other answers.

It appears that dissatisfaction with salary is a major issue with the PEOs. According to Human Resources, the PEO salary is fairly typical, when compared with other jurisdictions. It is also possible that the level of dissatisfaction with salary is linked to more specific difficulties on the job.

In addition to surveying the PEOs, the auditor interviewed supervisors and managers. Police management indicated that the issue of salary could be negatively impacting the results of the rest of the survey. Police management stated that it has made labor-management improvements including establishing a new job classification title, new badges designed by employees and private vehicle parking for PEOs. In addition there will be facility improvements incorporated into the new site lease.

According to the Human Resources Department, the average turnover rate for PEOs has been 4.8%, which is lower than the City's overall average turnover rate of 6%. While we cannot predict whether the dissatisfaction with work will directly result in higher staff turnover, we note that any increase in the low turnover rate of PEOs will result in lost revenue for the City, as well as decreased enforcement of the parking laws.

Recommendation for the City Manager and Police Department:

6.1 While there have been several meetings over the years to engage both the PEOs and Police management, we recommend that the Police Department and the City continue to meet with the PEOs to discuss ways to improve their working environment, and take reasonable action shortly thereafter to address some of the concerns. As noted in recommendation 1.2, PEOs concerns and suggestions should be routinely documented and analyzed. To the extent that some PEO roadblocks are the responsibility of other departments, the management report information should be shared with them and collaborative action taken.

City Manager's Response

Agree with finding and recommendation

6.1 *The Police Department agrees with the finding and recommendation. The Police Department and the City will continue to meet with the PEOs to discuss ways to improve their work environment. The working environment will be improved in 2005 through expansion of locker rooms, painting, new carpeting, revised lobby, expanded fleet parking, and façade improvements as part of the new lease. Efforts to increase the PEOs' general work satisfaction will be included in the report that will be provided to the City Manager, no less than quarterly, beginning April 29, 2005 (see City Manager's response 1.1).*

Finding 7: PEOs Report Feeling Unsafe While Performing Their Public Duties

It appears that the PEOs are concerned about their safety. Fifty-eight percent of the respondents disagreed with the statement: "I feel safe while performing my job duties" and 53% agreed with the statement: "Drivers threaten me frequently (at least once a week) because of the tickets that I issue." The Police Chief recognizes that the parking enforcement job is a "negative service" in general because no one wants to receive a ticket from the PEOs. According to Police staff, feeling unsafe is inherent in the job.

Concerns over the safety of PEOs are not new. On November 13, 1990, the City Council received a report from the Government Operations Subcommittee on hearings it had conducted regarding abuse of staff. One of the hearings dealt with the problems of traffic enforcement personnel. One of the issues discussed during the hearings was the experience of PEOs who have been threatened with physical assault or worse. The report goes on to mention that the PEOs were verbally abused and in some instances followed and threatened with death and violence.

More recently it is a concern that the policy to encourage PEOs to tear up tickets may have had unintended consequences of having citizens argue with PEOs, decreasing the PEOs' perceived level of safety.

The Police Chief stated that daily briefings are held with PEO supervisors. In addition, weekly meetings are held with the Field Support Captain and the Traffic and the Parking Enforcement Lieutenant to discuss such issues. There are also procedures in place for reporting any public abuse and field security issues. The PEOs are taught to use their radio to immediately report any problems in the field. Just like in the procedures used by officers, the radio provides the swiftest response to problematic citizens or situations encountered in the field. According to Police Management, PEOs call for backup about twice a month.

Since the number of times that PEOs report feeling unsafe is greater than the number of times calls for assistance are made, it appears that Police management may need to sustain or increase efforts to communicate more fully about safety issues, and to take such visible actions as possible to improve safety.

The Police Department is trying to find ways to make its employees feel safer. For example, the Police Captain has already discussed with the City's Safety Officer the feasibility of PEOs carrying Pepper Spray. The Safety Officer believed that by approving the use of Pepper Spray, the City would be giving an implied consent about its use by PEOs. He did not believe that this was a reasonable solution.

Recommendation for Council and the City Manager

- 7.1 We recommend that Council and the City Manager consider ways to influence the behavior of Berkeley residents towards parking enforcement staff, by sending a strong message to citizens that abuse of City staff is not acceptable and will not be tolerated.

Recommendation for the Police Department:

- 7.2 We recommend that Police management consult with the PEOs to identify additional ways in which to address the PEO's security and public abuse concerns. The Department should include in the discussion strategies to make the employees feel safe and how to deal with driver threats. We recommend that the Police establish a system for PEOs to report all abusive behavior directed toward them by drivers. Police should use this information to work with PEOs to develop strategies to help PEOs defuse the encounters and find ways to deal with abusive behavior by a repeat offender.

City Manager's Response

Agree with the finding and recommendations.

7.1 The City Manager will present to Council ways to influence the behavior of Berkeley residents towards parking enforcement staff, by sending a strong message to residents that abuse of City staff is not acceptable and will not be tolerated. The Police Department agrees with the recommendation, and recommends that it be included in the July 19, 2005 Council Follow-Up Report regarding the Parking Enforcement Audit.

7.2 The Police Department will continue to consult with the PEOs to identify additional ways in which to address the PEO's security and public abuse concerns. A system for PEOs to report all abusive behavior directed toward them by drivers will be established by April 29, 2005.

Finding 8: The PEOs Are Having Some Problems Enforcing Parking Laws

Some working conditions are having a negative effect on the productivity of the PEOs. For example, broken meters require more patrol time because the PEO has to go through the area twice before issuing a ticket. As a result, the number of citations issued in a given timeframe may be lower. In addition, the backlog in maintenance for curbs is also affecting the ability of PEOs to issue citations.

a. Broken Meters

- i. Meter malfunctions are very common in the City of Berkeley. A representative in the Office of Transportation told us that on any given day there might be 400 (14%) of 2,900 meters not working.

According to the Office of Transportation, many meters are past their useful life. The meters can malfunction at any point. This means that at some point or another a meter may start to register time when money is inserted and then suddenly malfunction. In addition, according to Transportation staff, there is no replacement budget for these meters.

- ii. Nine of the nineteen PEO survey respondents indicated that the City could help them do their job better by fixing or improving the quality of meters. A Parking Enforcement Supervisor told the auditor that PEOs do not utilize the meters to manage parking enforcement. Instead they choose to chalk the vehicles.

- iii. The total number of citations for expired meters only has increased in the last three fiscal years. In FY02, FY03, and the first 10 months of FY04, the numbers were 48,010, 48,313 and 53,628. The number of total citations per PEO has gone down. As noted previously, broken parking meters could be one reason, given the time spent monitoring parking meters. In addition, broken meters should be seen as one reason that parking enforcement officers report an increase in verbal abuse by drivers, who maybe angered when they realize that they were incorrect in assuming that they may park for an unlimited time at a space with a broken meter.
 - iv. Reporting of meter malfunctions was a responsibility assigned to PEOs. Parking Enforcement Supervisors were aware of the fact that, contrary to this directive, some of the PEOs were not reporting broken meters. This was further supported by the results of the survey. For example, 22% of PEOs disagreed with the statement “It is part of my job to report broken meters to the appropriate City of Berkeley department.” In addition, 28% disagreed with the statement “If a meter is broken I know what to do to start the process to fix the meter.” However, this has now become moot. On October 13, 2004, Transportation asked the Police to instruct the PEO’s to no longer report broken meters unless there is visible vandalism, such as spray painting or foreign objects visibly protruding from the meters. According to the Office of Transportation, Parking Maintenance staff has handheld systems to scan the meters and identify problems.
- b. Curb Painting and Signage
- i. According to the PEOs, in some cases the color on the curbs and street signage is not always clear. Infractions such as red zone, blue zone or any other infraction dealing with the color on the curbs can only be enforced if the color on the curb is clear to the driver. In addition, it also appears to be difficult to enforce parking laws when the signage is not clear or tree branches are obstructing the clear view of the signage. If the color is not clear or if the signage is obstructed, the PEO may elect not to give a ticket because the driver could successfully appeal the ticket. Alternatively, this may increase driver’s anger and abusive behavior towards staff.

The Police Chief noted that Parking Enforcement staff said they have seen an improvement in curb painting since Transportation took over this responsibility. Nevertheless, Transportation staff concurs with the PEOs that a great deal of curb maintenance work remains to be done. Transportation staff stated that it might be two years before routine maintenance is under control and the City is back to a basic level of marking. Although the City is making considerable effort to address these problems, the problems will continue to affect the work of the PEOs until they are fully resolved.

It is important to note that the issue of broken meters, as well as (to a lesser extent) curb painting, signage, and tree trimming, were reported in the PEO survey as significant barriers to performance and job satisfaction. For this reason our recommendation 1.2 suggests that such problems should be documented and follow-up action reported to the City Manager.

Recommendations for the City Manager, Office of Transportation, and Budget Office:

8.1 We recommend that the City continue with its plans to update or replace the meters as soon as possible. We further recommend that the City Manager consider reallocating resources to accelerate routine parking enforcement maintenance such as curb painting to return the City back to a basic level of marking.

City Manager's Response

Agree with the finding and recommendations.

8.1 The Office of Transportation will perform an analysis of the cost benefit of reallocating resources to accelerate routine parking enforcement maintenance and present it to the City Manager by July 31, 2005.

Finding 9: Written Procedures Needed to Address Handling of Coins at the Bottom of the Meter Head

Written policies and procedures are incomplete and insufficiently detailed. While the Office of Transportation has written policies and procedures dealing with some critical aspects of their operations, some aspects remain undocumented. For example, at the time of the walk-through, a policy concerning what to do with the coins that end up at the bottom of the meter head had not been documented. This is a concern because of the possibility of theft. Transportation staff indicated that they are writing procedures to cover the stated policy of requiring the parking meter mechanics to insert the coins found at the bottom of the meter in the meter sealed cup containers.

Recommendation for the Office of Transportation:

9.1 We recommend that the Office of Transportation write, distribute, and adopt more complete policies and procedures for their operations.

City Manager's Response

Agree with the finding and recommendation.

9.1 The Office of Transportation agrees with the finding and recommendation. Written policies and procedures were developed, approved, and distributed to staff. Recommendation was fully implemented on November 16, 2004.

Finding 10: Written Procedures Needed for Authorized Access to the Safe

There is no written policy addressing who has authorized access to the safe that contains the keys to the meter heads. At the time of our examination, all traffic maintenance workers, who collect the coins, had access to the safe. This is a concern because of the possibility that assets could be damaged or misappropriated without discovery or with an unduly large possible pool of responsible parties after discovery. In response to our audit, Transportation Staff is reviewing the written procedures covering the policy regarding access to the safe and has already made changes to the procedures. For example, as of October 14, 2004, each vault key was assigned a number. Access to the vault key by an employee is now restricted to the set specifically assigned to that person. The key set is now checked out and checked back in each day, with tracking and control over the keys.

Recommendation for the Office of Transportation:

10.1 We recommend that the Office of Transportation write, distribute, and adopt policies and procedures addressing who has authorized access to the safe.

City Manager's Response

Agree with the finding and recommendation.

10.1 The Office of Transportation agrees with the finding and recommendation. Written policies and procedures were developed, approved, and distributed to staff. Recommendation was fully implemented on November 16, 2004.

Finding 11: Lack of Accountability Over the Canisters Containing the Meter Coins

There appears to be a lack of accountability over the canisters containing the meter coins. The canisters are not identified so that responsibility can be assigned to an individual maintenance worker. As a result, management cannot determine who is responsible if errors and/or irregularities occur. Given the current system of accounting for the coins, if there were missing canisters or less money in the canister than there should be (according to the handheld computers used to record money in the meters), there would be no way to track down who was responsible.

If there were a discrepancy between the two numbers, the reconciliation would identify problems with the amount of money deposited. But the reconciliation could not identify which canister was missing money or who was in charge of the canister where money was missing. The City becomes particularly vulnerable when reconciliations are not performed timely. In addition, no one would be able to figure out if a canister was missing since the canisters are not tracked.

As a practical matter, it should be noted that the possibility of loss is mitigated by the difficulty that anyone would face in trying to steal a significant amount of money by stealing coins. According to Transportation staff, one canister with twenty nine hundred dollars weighs close to two hundred pounds. On average, a canister with coins for a route weighs between eighty and one hundred and twenty pounds.

In response to our concern, Transportation is in the process of moving the collection operation to the Corporation Yard. In addition, they intend to implement various tracking procedures to track the collection boxes. We encourage the staff to continue to make the necessary changes to increase safety.

There is a lack of segregation of duties. A Supervisor is authorized to input into an Excel spreadsheet and to reconcile the amount that the vendor has received from the City to the amount of money collected by the maintenance workers. This Supervisor has custody of the money during the week while he waits for the vendor to pick up the canisters. While the vendor is the only one that has keys to the canisters, the vendor cannot determine if a canister is missing. The fact that the Supervisor reconciles the revenue information from the vendor to the reported amount of money collected by the maintenance workers and also has access to the canisters, establishes a situation where there is a lack of segregation of duties with no independent review. This is a concern because specific responsibility for missing money cannot be determined, increasing the risk of loss.

Recommendations for the Office of Transportation:

- 11.1 We recommend that the Office of Transportation develop and document procedures to track the collection boxes.
- 11.2 We recommend that the Office of Transportation consider moving the collection operation to the Corporation Yard.
- 11.3 We recommend that the Office of Transportation consider requesting Finance to develop a tailor made cash handling training appropriate for Transportation staff. We also recommend that Transportation staff attend a PowerPoint presentation on Internal Controls and Fraud Prevention offered by the City Auditor.

City Manager's Response

Agree with the finding and recommendation.

11.1 Office of Transportation will develop procedures to track the collection boxes by March 1, 2005.

11.2 The collection operation will be moved to the Corporation Yard by the end of the Summer 2005 (tied to the scheduled completion of the Corporation Yard remodeling).

11.3 The Office of Transportation will consider requesting Finance to develop a tailor made cash handling training appropriate for Transportation staff. Transportation staff attended the PowerPoint presentation on Internal Controls and Fraud Prevention on February 1, 2005.

Finding 12: Limited Supervisory Oversight Over Coin Collectors

There appears to be insufficient supervisory oversight in the sense of observation. While the Supervisor is at the Corporation Yard most of the day, the maintenance workers are either on the beats collecting money or in the Center Street offices. This lack of supervisory oversight could have negative consequences. For example, in the area of safety, Meter Workers sometimes lift the heavy canisters of coins onto the scale or Brink's pallet without assistance, increasing their risk of injury. While there are written procedures specifically stating that at 11:45 a.m. one additional maintenance worker will assist the assigned Brink's pickup maintenance worker with the lifting of carts, this policy may not have been followed at all times. More direct oversight would help Transportation make sure that policy is followed.

Recommendation for the Office of Transportation:

12.1 We recommend that the Office of Transportation consider moving its coin collection operations to the Corporation Yard so there is better oversight of the staff during working hours. (See recommendation 11.2)

City Manager's Response

Agree with the finding and recommendation.

12.1 The Office of Transportation agrees with the finding and recommendation and will consider moving operations to the Corporation Yard by the end of the Summer 2005 (tied to the scheduled completion of the Corporation Yard remodeling).

Finding 13: Physical Safeguarding of Assets is Not Adequate

Physical safeguarding of assets is not adequate. At the time of the walk-through, the safe that contains the keys to every meter lock in the City was left unlocked all day to allow meter maintenance workers to retrieve keys to the beats. If someone had broken into the room and stolen a set of keys (or made unauthorized copies), the Office of Transportation might have had to replace the locks in all the meter heads. In addition, if someone were to discover the location of the canisters and enter the office before the vendor picks-up the canister, it would be possible to pick up all of the canisters, since the room's alarm is on only at night.

Recommendation for the Office of Transportation:

- 13.1 We recommend that the Office of Transportation ensure that physical security over assets is improved.
- 13.2 We recommend that the Office of Transportation consider moving the collections operation to the Corporation Yard.

City Manager's Response

Agree with the finding and recommendations.

13.1 The Office of Transportation moved the safe to the Corporation Yard on October 9th.

13.2 The Office of Transportation agrees with the recommendation and will consider moving operations to the Corporation Yard by the end of the Summer 2005 (tied to the scheduled completion of the Corporation Yard remodeling).

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| <p style="text-align: center;">VI. NOTEWORTHY ACCOMPLISHMENT</p> |
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Marked Improvement In PEOs' Lost Time

During FY04, there was marked improvement in the lost time for PEOs. Lost time is time which is budgeted, but is not worked by the employee, primarily due to absences related to use of sick leave and workers' compensation leave, but also including military leave, unpaid family leave, etc. The improvement in the number of hours worked could be an indicator of improved injury and illness prevention, and could also be an indicator of improved morale. In calendar year 2003, while the average lost time for the City was 7.5%, the percentage of lost time for PEOs was 15.2%. As of August 31, 2004, the lost time average for the rest of the City was 6.9%, and the PEOs lost time had been reduced to 6.8%.

One possible reason for this change includes the focused efforts by the Police Department and Human Resources to decrease the number of work place injuries. In calendar year 2003 the PEOs had 13 work related injuries that resulted in 256 days away from work. In the first five months of FY04 there was only one injury. This injury resulted in 4 days away from work.

Workplace Safety

It should be noted that the City's Safety Officer commended the work of the Police Department on the safety issues associated with PEO operations. He believed that even though not all the items were cleared in 30 days, a substantial plan was in place to identify and correct hazardous conditions.

We commend the Police Department and the PEOs on their successful efforts to reduce worker injuries and we encourage them to continue their joint efforts with Human Resources to further improve worker health and safety and decrease these injuries.

VII. CONCLUSION

The effective management of the parking enforcement function depends on the availability and evidence of clear parking enforcement goals and objectives. The parking enforcement policies, objectives, and strategies for the City of Berkeley must be clarified, made public and incorporated into the PEO procedures. The City must align the monitoring and performance measurement systems in parking enforcement with the overall objectives of the program. The current identified goal of the parking enforcement officers is simply to enforce all parking laws within the beat assigned. If this does not fully reflect the goals and objectives of the City's parking enforcement policy as it relates to these employees, then we suggest that refinement of these goals be clearly communicated to the Police Department. In addition, we suggest that departments involved in the activities related to parking enforcement, such as meter maintenance and collection, also be involved in the operational discussion of how to best achieve the goals of the City. Finally, we believe that strengthening of skills and systems in the area of monitoring internal controls over protection of assets and reporting and forecasting program and financial performance is needed in order to ensure better performance.

The auditors recommend that the City Manager make the following improvements to parking enforcement policies and programs.

- Police management, on a consistent schedule, but no less than quarterly, should provide the City Manager with a detailed report that identifies beat productivity, both planned and actual. (Recommendation 1.1)
- Police management should establish a system to regularly document the problems and complaints identified by the PEOs. (Recommendation 1.2)

- The Budget Office and the Police Department should use estimates of revenue generated from citation information to examine the cost vs. benefit of hiring additional PEOs or supervisors to manage and report on PEO activities, either on a permanent or temporary basis. The non-financial benefits of the parking enforcement function should also be addressed. (Recommendation 1.3)
- The Police Department should regularly reconcile and analyze planned and actual citation numbers with planned and actual revenues. (Recommendation 2.1)
- The Police Department should complete the implementation of our 2002 Police Staffing Audit recommendation and consider hiring a Public Safety Business Manager. (Recommendation 2.2)
- The Budget Office should consider realigning the revenue generated by the PEOs and the Police with the expenses incurred by the parking enforcement unit so that there is a true corresponding relationship between the cost and benefit of work performed. (Recommendation 3.1)
- Submit to Council for approval a mission statement and policy direction for parking enforcement with goals that are clearly and explicitly stated. (Recommendation 4.1)
- Consider the possibility of reassigning beats in case of absences, taking into account traffic enforcement needs, revenue generation and employee safety and injury prevention. (Recommendation 5.1)
- Discuss with Police ways to improve the working environment for PEOs and take reasonable action shortly thereafter to document and address these concerns. (Recommendation 6.1)
- Consider ways to communicate to Berkeley residents that abuse of City Staff is not acceptable and will not be tolerated. (Recommendation 7.1)
- Ask the Police to establish a system for PEOs to report all abusive behavior directed at them by drivers. Police should use this information to work with PEOs to develop strategies to help PEOs defuse the encounter and find ways to deal with abusive behavior by a repeat offender. (Recommendation 7.2)
- Consider reallocating resources to accelerate routine maintenance of City markings, curb painting, and signage. (Recommendation 8.1)
- Consider moving all of the Office of Transportation operations to the Corporation Yard. (Recommendation 12.1 and 13.2)

We would like to commend the Police Department for the marked improvement achieved in reducing lost time. We would like to commend the Office of Transportation for promptly implementing many of our recommendations.

We would also like to express our appreciation to the Berkeley Police Department, the Office of Transportation, and the Finance Department for the cooperation and assistance provided to the auditor during this audit. We appreciate the fact that many steps to improve operations were taken before the issuance of this report.