

From: bgurzi@charter.net [mailto:bgurzi@charter.net]
Sent: Wednesday, March 18, 2020 9:27 AM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Funding for soccer field improvements

-EXTERNAL-

Unneeded and extravagant. Fix potholes instead.

--

Sent from myMail for Android

From: Maria Arriola [<mailto:mariaarriola4@gmail.com>]
Sent: Monday, March 16, 2020 8:07 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: No on soccer field.

-EXTERNAL-

Please do not vote yes on a soccer bill at this time when we don't what will come next with corona virus.

Sincerely
Maria Arriola

From: jill brennan [<mailto:jillbrennan2014@gmail.com>]

Sent: Monday, March 16, 2020 5:56 PM

To: CityClerk <CityClerk@longbeach.gov>; City Manager <CityManager@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>

Subject: Vote NO on \$1.5million dollar unsafe, unsustainable, water wasting, manpower intensive maintenance plastic soccer field

-EXTERNAL-

Many of the brightest and informed citizens and scientists have already commented on the scientific reasons for a NO vote on a plastic soccer field.

Other reasons:

Shameful waste of public resources when so many true public health and safety issues persist throughout Long Beach.

Loss of space for the very popular free, public summer Concerts in the Park in El Dorado Park West. Our Parks are for public use, not for a select few spoiled soccer players to be gifted with public property. Loss of use of this space for free play, family picnics, reading a book, practicing a variety of exercise opportunities, relaxing in lovely green space.

Increased traffic, noise, pollution for neighbors. Loss of parking for other park activities.

Loss of habitat for bees, birds, and other pollinators critical to our food supply.

Plastic soccer fields extremely unhygienic, corona virus would live on it for days! Frequent abrasions from plastic fields are a petri dish for all kinds of viruses, MRSA, etc.

Kids hate it: hot, slippery, increased abrasions, inhaling plastic fibers into their blood stream and brains.

Short life span, see pictures of soccer field in Hawaiian Gardens after only 6 years.

Please, decision makers, use COMMON SENSE.

Vote NO, spend this money where it truly is needed. In this current pandemic, use it to help our City employees, our working folk, our Seniors, and our unhoused brothers and sisters.

Respectfully submitted,

Jill Brennan

Long time Healthy Parks and Sustainability Advocate

Long time Parks habitat steward/volunteer

-----Original Message-----

From: Jan Burke [<mailto:imhavingagreattime@gmail.com>]

Sent: Monday, March 16, 2020 10:14 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Objection to Soccer field plan agenda item #22

-EXTERNAL-

I am strongly opposed to the location chosen for the planned installation of synthetic turf and lighting at El Dorado Park, on the northeast corner of Studebaker and Willow. There are many reasons why this is a bad idea including the changes synthetic turf will bring to the area, such as reduced soil percolation and other negative impacts. While a seeded and mown grass area may not seem natural it is far more natural than plastic rugs covering up soil, which is essentially what artificial turf is.

The dangers of playing on artificial surfaces have been well documented. Over the years I have watched this park become less and less of a natural space, and while I think it is great that there are recreational uses of this space, if we can have recreation in a more natural space let's keep it so. The last thing we need is more plastic surface covering the ground there.

It's also a terrible idea to do anything to plan for playing field lights in that location. Not only will it be a nuisance to the near homes but it will disturb the birds and other wildlife in the park. Please don't destroy this park piece by piece.

I am a Long Beach resident of many years, the last 30+ spent in the 5th district. We chose our home because we love the park. Please help preserve its natural state as much as possible.

Jan Burke

From: anngadfly@aol.com [<mailto:anngadfly@aol.com>]

Sent: Tuesday, March 17, 2020 1:54 PM

To: Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Monique DeLaGarza <Monique.DeLaGarza@longbeach.gov>; Tom Modica <Tom.Modica@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>; Stephen Scott <Stephen.Scott@longbeach.gov>; Craig Beck <Craig.Beck@longbeach.gov>; Eric Lopez <Eric.Lopez@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>

Subject: March 17 council meeting

-EXTERNAL-

Dear Decision Makers:

The City has shut down schools, restaurants, bars, the Aquarium, libraries, park buildings and City Hall, EXCEPT for tonight's council meeting. The council members will be meeting by telephone, but the public is free to attend the meeting in person! This will require public safety officers and I assume the city clerks to be possibly exposed to the corona virus.

My doctor has told me to isolate myself. I cannot even see my family, much less go to City Hall tonight.

If you insist on holding this meeting, please have the clerk read aloud the following comment on Item 22:

"According to the Staff Report, there is \$4,297,438 in unallocated Measure A surplus funds at FY 19 year-end. I have no objections to 5 of the projects. However, I find item 134, which increases appropriation in Public Works by \$1.5 million for funding for the El Dorado Artificial Turf soccer field, an unconscionable misuse of funds during this time of epidemic and economic uncertainty. Even in good times, there are many reasons to oppose plastic sports fields:

Replacing biological organisms with plastic in our environment is aesthetically, ecologically, and morally disturbing in an array of ways

Plastic leaches toxins in landfills

Plastics contain toxins

Plastic turf adds to urban heat island effect

Plastic turf is NOT permeable nor does it retain water on site

Plastic turf needs to be watered to cool it down

Plastic turf is more harmful to players

Plastic ends up in the ocean even when we don't intend it to

Plastic turf creates no habitat and provides no ecosystem services

Links:

[Artificial Turf: What It Is, Its Harmful Impacts, And The Watershed Approach](#)

[Why Artificial Turf is Not the Answer](#)

[Why Artificial Turf is Not Rebated in Santa Monica](#)

[Microplastics in the Marine Environment](#)

This section of El Dorado Park uses reclaimed water which cannot be used to clean or cool the plastic field. Is the cost of redoing the water system with potable water included in the \$1.5 million? What are the maintenance costs for the existing 4 fields? Is maintenance included in the 1.5 million?

Players do not like plastic fields; park users do like plastic fields; neighbors do not like plastic fields; wildlife do not like plastic fields. Why is the City even considering spending 1.5 million on this environmental disaster? Please vote no on this section of Item 134.

Ann Cantrell

Friends of El Dorado Park East

From: Melinda Cotton [<mailto:mbcotton@hotmail.com>]

Sent: Tuesday, March 17, 2020 11:32 AM

To: CityClerk <CityClerk@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>

Subject: Vote NO Agenda #22 Item 136 \$1.5 Million Funding for Artificial Turf Soccer Field in El Dorado Park

-EXTERNAL-

I support the Eastside Voice President and Friends of El Dorado Park East member Corliss in opposing the expenditure of \$1.5 Million to pay for an Artificial Turf Soccer Field in El Dorado Park. Natural grass is safer, cooling and helpful to the environment as we deal with Global Warming and Climate Change, and doubtless cheaper in the long run. Ms. Lee's reasoning is excellent:

"There are many reasons not to fund this line item,

- 1) First and foremost, we are in a nationwide medical crisis that is anticipated to have dire consequences in our economy. This is not the time for extravagant purchases. We should be protecting our spending power.
- 2) \$1.5 Million will put the field in, but there is no funding for maintenance. Replacement will be required in 6 or 7 years. *Maintenance costs should be a known part of the funding package.*
- 3) The kids complain there are more injuries with artificial turf because the field is slippery; in the summer, the field is hot, and they complain that they can feel it through their shoes.
- 4) Currently, reclaimed water is used to water the park. Potable water will have to be substituted. *This cost is another unknown and not included in the \$1.5M*
- 5) 6 years ago the neighborhood made such a fuss about artificial turf, the project was dropped. No outreach has been done this time around. Residents were excluded from this decision.

6) Those that benefit from this expenditure are

- the AYSO contractor that can rent out the field year round;
- the manufacturer of the artificial turf;
- the contractor that puts in the field;
- and the 5th district council member that can expect generous campaign contributions from the aforementioned.

7) This expenditure is not a benefit to:

- the environment. The Surfrider Foundation put out an article: "Biodegradable Plastics? Welcome to Oxyoronville."
- wildlife.
- the kids that play soccer (more risk of injury, too hot for play)
- the neighbors that will have to endure noise late into the night along with parking problems;
- residents that will eventually have to endure bright lights;
- park patrons that come for concerts in the park and use the field for family fun;
- those park patrons that prefer open space to organized sports.

8) This expenditure, even if you are in favor of it, is a "nice to have" - not a necessity. We have far more pressing needs for this money, even within El Dorado Park."

Please oppose Artificial at Eldorado Park.

Sincerely, Melinda Cotton

From: Jose De Los Santos [<mailto:monchits@gmail.com>]

Sent: Monday, March 16, 2020 8:49 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Ref: item 22 20-0236 on the 3/17/20 agenda "Approval Fiscal Year 2020 budget"

-EXTERNAL-

Hi.

I just want to let my opinion and comments known and be read into the records about the “Soccer Field Agenda” (item #: 134). I find it absurd that the people’s money will be allocated and spent on something that is not necessary to improve and better the lives of Long Beach citizens. The homelessness problems, drug addiction and other much important issues are something that the city should be concentrating on instead of a plastic, fake grass playing field. Add the current pandemic of Covid-19 to the more pressing matters that the city should be focusing on. It absolutely makes no sense to worry about installing plastic grass for a soccer field that will benefit so few.

Open your eyes, ears and heart and listen to your constituents. Be fair, remember your morals, have common sense and decency. The majority, if not all, of the people of Long Beach will not take kindly to their hard earned money spent and wasted on useless, idiotic, and unnecessary things like a plastic soccer field.

Thanks.

Jose De Los Santos

From: cdoslan yoga [<mailto:cdoslan@yahoo.com>]

Sent: Tuesday, March 17, 2020 9:37 AM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Item 22 20-0236 on 03/17/2020 agenda "Approval Fiscal Year 2020 Budget #134

-EXTERNAL-

I am Christine Dosland and live at [REDACTED]. I respectfully request that the city does not go forward with spending any funds for the instalation of a Astro-Turf (Plastic)

From: cdoslan yoga [<mailto:cdoslan@yahoo.com>]

Sent: Tuesday, March 17, 2020 10:30 AM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Fw: Astro-Turf in El Dorado Park: Item 22 20-0236 on 03/17/2020 agenda "Approval Fiscal Year 2020 Budget #134

-EXTERNAL-

Please read my comments into the record: Christine Dosland

The city council will vote tonight to spend 1.5 million dollars' of our sales taxes for Astro-Turf to be installed in El Dorado Park.

The time is not appropriate to spend such a large sum on Astro-Turf when we have the Corona Virus looming over the City. Our Schools are closed due to the virus and our homeless population is in jeopardy which includes many homeless students. We do not know the future effects of this virus either immediate or long term. The money from Measure A should be used for emergency services as was told to us through the mayors flyers in the last election cycle.

Other concerns of installing Astro-Turf which is usually installed in stadiums comes with a limited life, has cleaning requirements, and contains toxic chemicals. Astro-Turf also has increased health and safety concerns which include friction injuries which can cause abrasions or burns more serious than natural grass.

Environmental concerns include the rubber granules which can be washed into the environment as micro plastic pollution in both the marine and soil environments. I strongly feel we should not install any Astro-Turf in City parks or City property. We have very limited services to the homeless population and these should be increased instead of Astro-Turf which has nothing to do with emergency services. Thank you for your attention.

From: Grace [<mailto:ge720@aol.com>]

Sent: Tuesday, March 17, 2020 1:54 PM

To: CityClerk <CityClerk@longbeach.gov>; City Manager <CityManager@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Mayor <Mayor@longbeach.gov>

Cc: anngadfly@aol.com; Jillbrennan2014@gmail.com; corlisslee@aol.com; renee.belville2@gmail.com

Subject: 3-17-20 Council Meeting - Agenda Item 22 20-0236 - #134 - El Dorado Park West Soccer Field for \$1.5 million

-EXTERNAL-

Dear Mayor and Council members -

First of all thank you for eliminating plastic straws from Long Beach, as well as all the other ordinances you are making to help the city be aware how bad plastic is for our environment.

So my question is why are you all wanting to install a plastic field in El Dorado Park West as a replacement for the grass field that has been used by Long Beach kids for over 30 years?

It sure appears to residents that a flim-flam came into the city with all his plastic and you got off track and got swayed. This might be a good time while we all have slowed down to really look into what is being proposed. It would help too if you looked at the other side as well . . . you know, like the scientists and environmentalists . . . even the ones here in Long Beach . . . Charles Moore and his Algalita group and CSULB for starters.

Please vote no on the \$1.5 million dollar unsafe, unsustainable, water wasting, manpower intensive maintenance plastic soccer field.

Thank you,
Grace Earl

El Dorado Park South Neighborhood

From the City's Website - part of the multiple posts regarding plastic

-

Protecting our Environment from **Plastics**

- [News](#)
Protecting our Environment from **Plastics** This week the City took another huge step forward to protect ... few years we have been transitioning away from **plastic** bags in supermarkets and polysterene food containers
<URL/mayor/news/ProtectingourEnvironmentfromPlastics/>
- [Business Signage EPS Ordinance Document](#)
Business Signage_EPS Ordinance ... icechests **Straws** and utensils available only upon request for take-out orders. (styrofoam, **plastic** #6)
URL/globalassets/long-beach-recycles/media-library/documents/waste-reduction/business-signage_eps-ordinance
- [Bring Your Own City Web Pages](#)
go, single-use disposables in the form of cups, **straws**, bags and to-go containers are there. They're quick ... disposables. By bringing your own to-go containers, cups, **straws** and tote bags, we can all take small steps—and
<URL/lbrecycles/waste-reduction/reduce-waste-at-home/bring-your-own/>
- [Resources for Businesses City Web Pages](#)
bean bags, and crafts; includes that utensils and **straws** are given only upon request for take away items ... suggestions include: aluminum, paper, or recyclable **plastics** labeled #1, #2, or #5. View our Compliant Product
<URL/lbrecycles/waste-reduction/foam-free-lb/resources-for-businesses/>
- [Report Storm Drain Dumping City Web Pages](#)
REPORT STORM DRAIN DUMPING When rain or water from garden hoses and sprinklers flows over our ... butts, foamed **plastic** pieces, paper pieces, food bags, **plastic** caps/lids, glass pieces, **straws**, beverage
<URL/pw/services/report-storm-drain-dumping/>
- [ORD-20-0009 Document](#)
DISTRIBUTION, AND THE DISTRIBUTION OF **PLASTIC** OR BIO-**PLASTIC STRAWS** The City Council of the City of Long ... or group, however organized. N. "**Plastic** or Bio-Piastic **straw**" means a tube made ARW:bg A19-03097
<URL/globalassets/city-clerk/media-library/documents/public-notice/ordinances/ord-20-0009>

Here's some info on Long Beach's Captain Moore and his Algalita Group - [Charles J. Moore - Wikipedia](#)

[en.wikipedia.org > wiki > charles j. moore](http://en.wikipedia.org/wiki/charles_j_moore)

Charles J. Moore is an oceanographer and boat captain known for articles that recently brought ... On the way, they gave valuable water supplies to Ocean rower Roz Savage, also on an **environmental** awareness voyage. The construction of ...

[Great Pacific Garbage Patch](#) · [Algalita Marine Research ...](#)

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... trash – our innovative work is aimed at mending a broken system by shifting the way humans think about their **environmental** impact. ... Captain **Charles Moore** ...

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Captain Charles Moore - Earth Island Institute

[www.earthisland.org](#) › [journal](#) › [index.php](#) › [magazine](#) › [entry](#) › [charle...](#)

The only place where you can get away and be in an unspoiled **environment**, at least formerly, before the plastic plague hit the ocean, was the sea. It has a kind of ..

And here's what we are seeing from scientists,

Grace Earl

March 15 at 2:20 PM ·

This story is so similar to Long Beach's El Dorado Park West soccer field -

Safe Healthy Playing Fields

March 15 at 12:17 PM ·

“Most importantly, we should seriously consider the ramifications to future generations of the environmental degradation caused by synthetic fields shedding pla...[See More](#)

About this website

SEACOASTONLINE.COM

Guest View: Time to revisit the decision on synthetic fields

With the election of Portsmouth’s new City Council and the hiring of a new city manager, we were confident that that our brand-new city government



Grace Earl

Yesterday at 9:26 AM ·

More info from experts ~

Non Toxic Portsmouth NH Like Page

Yesterday at 7:10 AM ·

This letter was sent to Oceanside, California city council and staff on 12 Mar 2020 by Oceanographer Dr. Sarah-Jeanne Royer: I oppose the over-use and over-cons...[See More](#)

From: jade lanverton [<mailto:iluvslayer@yahoo.com>]
Sent: Monday, March 16, 2020 9:40 AM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Agenda #22

-EXTERNAL-

We want the installation of synthetic turf and lighting provisions eliminated.

Jade lanverton

From: corlisslee@aol.com [<mailto:corlisslee@aol.com>]
Sent: Monday, March 16, 2020 10:17 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Agenda Item 22 20-0236 3/17/20 Approval Fiscal Year 2020 Budget

-EXTERNAL-

Please read my comments into the records.

Item 136 of the staff report is the artificial turf soccer field in El Dorado Park.

There are many reasons not to fund this line item,

- 1) First and foremost, we are in a nationwide medical crisis that is anticipated to have dire consequences in our economy. This is not the time for extravagant purchases. We should be protecting our spending power.
- 2) \$1.5 Million will put the field in, but there is no funding for maintenance. Replacement will be required in 6 or 7 years. *Maintenance costs should be a known part of the funding package.*
- 3) The kids complain there are more injuries with artificial turf because the field is slippery; in the summer, the field is hot, and they complain that they can feel it through their shoes.
- 4) Currently, reclaimed water is used to water the park. Potable water will have to be substituted. *This cost is another unknown and not included in the \$1.5M*
- 5) 6 years ago the neighborhood made such a fuss about artificial turf, the project was dropped. No outreach has been done this time around. Residents were excluded from this decision.
- 6) **Those that benefit from this expenditure are**
 - the AYSO contractor that can rent out the field year round;
 - the manufacturer of the artificial turf;
 - the contractor that puts in the field;
 - and the 5th district council member that can expect generous campaign contributions from the aforementioned.

7) **This expenditure is not a benefit to:**

- the environment. The Surfrider Foundation put out an article: "Biodegradable Plastics? Welcome to Oxnardville."
- wildlife.
- the kids that play soccer (more risk of injury, too hot for play)
- the neighbors that will have to endure noise late into the night along with parking problems;
- residents that will eventually have to endure bright lights;
- park patrons that come for concerts in the park and use the field for family fun;
- those park patrons that prefer open space to organized sports.

8) This expenditure, even if you are in favor of it, is a "nice to have" - not a necessity. We have far more pressing needs for this money, even within El Dorado Park.

Regards,
Corliss Lee
President, Eastside Voice
Member, Friends of El Dorado Park East

-----Original Message-----

From: Jerome Moreno [<mailto:jerrymoreno1966@gmail.com>]

Sent: Sunday, March 15, 2020 12:48 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Agenda item #22 objection to synthetic turf & lighting

-EXTERNAL-

Sent from my iPhone

From: John Murray [<mailto:murray562@charter.net>]
Sent: Saturday, March 14, 2020 10:20 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Agenda Item #22

-EXTERNAL-

Please note this family's objection to Synthetic Turf and Lighting Installation at El Dorado Park.
Thank you.

John Murray

From: Arcelia Pina [<mailto:edpina1@verizon.net>]
Sent: Sunday, March 15, 2020 7:48 PM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Council District 5 <District5@longbeach.gov>
Subject: Agenda Item #22 Synthetic Turf & Lighting Installation at El Dorado Park

-EXTERNAL-

To LB City Council,

I am writing in response to Agenda Item #22 Synthetic Turf & Lighting Installation at El Dorado Park. My wife and I have lived here for over 36 years, 25 years on Studebaker Road, a stones throw away from the proposed field. Along with many of our neighbors we are against moving forward with this project. I believe this is the third time in about five years that the city council has attempted to shove this down the throats of the El Dorado community, much like the force feeding of a goose in order to produce foie gras. The last time the idea of an expanded soccer field was discussed, an eventual compromise was established: a grass field that would be installed east of the Studebaker/Willow intersection paralleling Willow and WITHOUT any lights whatsoever.

The addition of lighting to this project is not acceptable since it would penetrate the neighborhood and disturb the unique natural light balance of the park. As it is, the lights from the baseball fields, which are even further away, still shine brightly until the night softball games have ended. Placing lighting even closer to the neighborhood is simply not the answer. Having lights at this field would mean more adult soccer games, noise, screeching cars, impacted parking, increased potential for alcohol consumption, public urination for lack of adequate park bathrooms, more trash and a police presence well beyond the supposed 10pm time limit.

With regard to the use of synthetic turf, some research has found that slightly more ankle ligament injuries occurred on artificial turf as compared to natural grass. The increased friction between shoes and synthetic turf surfaces is higher versus grass surfaces, therefore, can affect rates of ankle and knee injuries. Some studies show that "grass may cause more common injuries such as ankle sprains and muscle strains, but turf fields seem more likely to cause more serious injuries like ACL and MCL tears". Ergonomically, playing on turf puts excessive pressure on your lower limb joints. "Studies show that chances of suffering an ACL injury in turf increases by 45% ... Not only in soccer, but in American football, players were also 67% more likely to suffer from ACL injuries on turf fields. The Phoenix Cardinals don't use artificial turf, they have a natural grass field that is pulled out of the indoor stadium on rollers and care for in a normal manner and rolled back in for their games. A more important problem is with the actual components of synthetic turf. A 2017 abstract from the peer review journal Sports Med states the following: "Recently, the crumbs [rubber] have been implicated in causing cancer in adolescents and young adults who use the fields, particularly lymphoma and primarily in soccer goalkeepers. This concern has led to the initiation of large-scale studies by local and federal governments that are expected to take years to complete".

We also need to know why we haven't heard more about this resurrected project until recently - again, was the council trying pass this thing under the radar? Furthermore, why haven't we had any 5th district townhall meetings about the synthetic field and lights installation; and as in the past, has there been an environmental impact study been performed?

Finally, a new soccer field should be built but without lights or synthetic turf. Thank you.

Dr. Edward Pina

-----Original Message-----

From: Pozsgai [<mailto:pozsgai@verizon.net>]

Sent: Sunday, March 15, 2020 1:53 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: March 17th Council Meeting - Agenda Item 22 Synthetic Turf and Lighting

-EXTERNAL-

I am a concerned resident in surrounding neighborhood living on Petaluma and Barrios.

We currently have issues with parking in our neighborhood and accessing our driveways on the narrow streets and encroachments . The potential use of lighting and increased time usage of the soccer field will exacerbate this issue. I personally have had to have cars towed that blocked my ability to exit and enter my driveway.

In addition to adverse health effects of artificial turf. We residents will no longer enjoy the intermittent reprieve when the field is closed to allow for the grass to replenish.

The field is not used by our local residents for this purpose. A better use of these funds would be to support local firehouses like the one on Palo Verde and Wardlow.

We object to the use of funds for this purpose.

Laszlo and Rebecca Pozsgai

From: Anne Proffit [<mailto:anne.proffit@gmail.com>]

Sent: Saturday, March 14, 2020 8:43 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Agenda Item #22 Objections to synthetic turf and lighting installation at El Dorado Park

-EXTERNAL-

Decision makers:

I applaud your use of “excess” Measure A funds for true infrastructure needs, but this is not the right way to go about it.

Synthetic turf is neither ecological nor maintenance-friendly, requiring fresh water and a synthetic biocide cleaner, where the natural turf field currently in use is maintained using reclaimed water.

Synthetic turf exacerbates athletic injuries, particularly with younger participants. It’s been widely shown that health risks like MRSA, microscopic carbon particles that break off from synthetic materials can become part of the air surrounding both athletes and fans, causing disease.

The added usage of this area, enabled by your planned wiring of underground lighting, will impact the neighborhood. Lighting can be used until 10PM on each night of use - you’re planning too short a setback and this will cause great harm to the neighborhood.

While I realize you’re not listening to anything that stakeholders have to say and will do whatever your developer buddies want, please remember that your decisions will reverberate for years. In a city that seems to name buildings without discrimination, your antics will likely impact your ability to be fondly recalled by future generations.

Use this “excess” money properly. Improve the existing natural turf, give it improved drainage, a sprinkler system, new goals for this soccer field and keep boundaries where they are with protective rocks and be ecologically sound.

Don’t just talk and talk; walk the walk.

Thank you -
Anne Proffit
DTLB East Village

improve the existing natural grass field, with improved drainage, sprinkler system, sod, protective rocks, and new goals

From: entirelyirish [<mailto:entirelyirish@aol.com>]

Sent: Saturday, March 14, 2020 7:07 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Turf and lights, El Dorado Park

-EXTERNAL-

I have just heard about plans to remove the grass and replace with artificial turf at El Dorado Park, and the addition of lights for longer usage, where soccer is played. Please don't do this. We have enough flooding in that area. Take away the natural ability of the water to percolate into the ground and we will be under water, all across Studebaker. Also the unsafe fumes that come from the artificial material will impact our neighborhood and the health of our neighbors.

This change will also bring many more people to watch and play soccer, which will bring many more cars into the neighborhood and along Studebaker. Where will all the spectators sit? Will the city put up bleachers and block our view of our beautiful park?

The lights would impact the neighborhood in a way that I never thought would happen. I didn't buy a home across from Millikan's football field, for a reason. I don't want noise, crowds and lights shining in our windows, which will affect the value of our homes. Our homes will be harder to sell and our values to plummet, due to crowds, noise and field lights.

If these things were here when we moved in 20 yrs ago, we'd have nothing to complain about. But we bought where we did because we loved the neighborhood the way it was and expected it to stay that way. Don't ruin our neighborhood!!

It seems sneaky to have a meeting about this on St Patrick's Day evening. Is the plan to have fewer concerned people attend, so this will pass easily?

Trish Reilly

From: William Reynolds [<mailto:wrreyno@pacbell.net>]

Sent: Monday, March 16, 2020 8:16 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Agenda item 22-20-0236

-EXTERNAL-

Right now I think there could be better things to spend our tax dollars on than a soccer field. How about we save that money until we see exactly where this current health crisis winds up.

William Reynolds
Long Beach

-----Original Message-----

From: Robert V [<mailto:bronze40@gmail.com>]

Sent: Monday, March 16, 2020 6:56 AM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Fwd: Agenda #22 objection to synthetic turf and lighting install et El Dorado Park

-EXTERNAL-

Sent from my iPhone

Begin forwarded message:

To whom it may concern,

I am a long time resident in the area and live across from this area of the park. I am 100% oppose to this unwanted project of changing the natural grass to synthetic turf as well as installing electrical for future lighting improvement for this area. As a resident that will be directly impacted by this project this will be a great waste of the city's financial resources that should be redirect to projects that will help the homeless living under freeway bridges and and on ramps.

Sent from my iPhone

-----Original Message-----

From: L Scholl [<mailto:lscholl2011@gmail.com>]

Sent: Monday, March 16, 2020 11:28 PM

To: CityClerk <CityClerk@longbeach.gov>

Cc: lscholl2011@gmail.com

Subject: Agenda Item 22 20-0236 3/17/20 Approval Fiscal Year 2020 Budget

-EXTERNAL-

Dear City Clerk:

Please read my comments into the record:

These are the reasons NOT to fund this line item:

We should protect our spending power and keep our city green- not plasticized. We are in a nationwide medical crisis that is anticipated to have major financial consequences for the City. This is not the time for such an extravagant purchase of \$1.5 M cost for plastic grass; plus it is an unrealistic cost since it overlooks maintenance and replacement fees.

- A. Maintenance costs should be a known part of any funding package.
- B. Potable water will have to be substituted for the reclaimed water p currently used to water the park. This cost is another unknown and not included in the \$1.5M.
- C. Replacement costs will be required in 6 or 7 years. This cost should be included also.

2. Plasticizing the field disregards the injuries and unhealthy air from hot plastic in the hot summer sun that causes discomfort to those children forced to play sports on it rather than on grass. The kids complain there are more injuries with artificial turf because the field is slippery; in the summer, the field is hot, and they complain that they can feel it through their shoes.

3. The Neighborhood does not want plastic grass. Park patrons come for concerts in the park and use the field for family fun; those park patrons prefer grassy open space rather than unbiodegradable plastic.

Six years ago the neighborhood made a big complaint about artificial turf, and the project was dropped. NO outreach with residents been done this time around.

4. This does not benefit the community. Those that benefit from this expenditure are:

- the AYSO contractor that can rent out the field year round;
- the manufacturer of the artificial turf;
- the contractor that puts in the field.

Respectfully,

Linda Scholl
Long Beach, California

From: Paul Smouse [<mailto:paulsmouse@yahoo.com>]

Sent: Sunday, March 15, 2020 12:23 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: agenda item 22

-EXTERNAL-

I STRONGLY object to the installation of synthetic turf and lighting installation at El Dorado Park!

This is not needed and will adversely affect the privacy and property values of the surrounding residences, as well as create greatly increased safety risks due to traffic congestion at this location in the NE corner of Studebaker and Willow.

From: Paul Smouse [<mailto:paulsmouse@yahoo.com>]
Sent: Sunday, March 15, 2020 1:02 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Agenda Item #22

-EXTERNAL-

As a 40 year resident of the Long Beach area potentially impacted by this poorly thought out project I must STRONGLY OBJECT AND PROTEST it's implementation. Traffic will be negatively impacted as well as the privacy of the neighborhood, to say nothing of the safety issues caused by the traffic congestion on our kids.

An artificial playing surface is not cheaper to install or maintain; water pooling and increased flood risk are also at issue. The increased lighting at night cheapens the neighborhood without providing any benefits safety or otherwise. Since the natural grass is watered by reclaimed water there will be increased stress on the new water supply which will be needed along with poisonous cleaning agents to clean the phony grass.

Parking becomes even more of an issue than it is now: I live across the street from the park and many weekends I have no available street parking for friends and/or guests because of all the park parking. This will make that situation even worse than it is now. Especially to the present bike corridor.

The argument that artificial surfaces are cheaper to maintain has been largely disproved, as maintenance costs are similar.

One can't help but wonder who exactly would benefit from this proposal. The neighborhood? Hardly. The soccer players? Possibly. The makers and suppliers of the turf? Most definitely. And of course those council members who have undoubtedly received campaign contributions for their support of this massive boondoggle.

It's time for the council to represent the people of Long Beach and not some special interest corporate group.

Paul Smouse

From: Pilar [<mailto:pilarandjoe@gmail.com>]

Sent: Monday, March 16, 2020 8:49 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Item 22 20-0236 on 3/17/2020 Agenda "Approval Fiscal Year 2020

-EXTERNAL-

Hello, my name is Pilar Strom, a concerned resident of Long Beach, CA, letting you know my thoughts on the proposed new plastic soccer field that will cost \$1.5M. This hardly seems fiscally wise, especially considering the current pandemic crisis we are all experiencing. Even without the COVID-19, I'd be hard-pressed to be supportive of this plastic soccer field, which doesn't sound 100% safe by the description of it. \$1.5M is a lot of money, we taxpayers making that happen for our city. It would be nice to see that money benefiting the needy residents of this great city of ours, and who knows, after the coronavirus plays out we may all be considered in need of extra assistance.

I respectfully request that my comments in this email be read into the record.

Thank you,

Pilar Strom

From: Janet West [<mailto:jayjay76511@gmail.com>]
Sent: Tuesday, March 17, 2020 12:43 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: Agenda Item #22

-EXTERNAL-

Please read during the comment section for Agenda Item #22 of tonight's City Council Meeting, March 17, 2020.

I request all non essential expenditures be put on hold due to the current unknown financial implications of the current coronavirus outbreak which will decrease revenues from the harbor, cruise ships, and hospitality industries to a yet unknown amount. Non essential expenditures include the Measure A funds slated to be used for the El Dorado Field Turf conversion project (Staff Memo Page 24 Item #134).

Janet West
District 4

From: Raman Vasishth [<mailto:RamanV@Charter.net>]
Sent: Monday, March 16, 2020 4:08 PM
To: 'Renee Belville' <renee.belville2@gmail.com>
Cc: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>
Subject: RE: Public Request to Postpone all LBC Council & Committee meetings for next 8 weeks, based on safety concerns associated with the CDC recommendations

-EXTERNAL-

From: Renee Belville [<mailto:renee.belville2@gmail.com>]
Sent: Monday, March 16, 2020 3:30 PM
To: Raman Vasishth
Cc: Tom Modica; Council District 5; Mayor; Council District 1; Council District 2; Council District 3; Council District 4; Council District 6; Council District 7; Council District 9; Stacy Mungo; Valerie Davis; Cityclerk@longbeach.gov; charles.Parkin@longbeach.gov
Subject: Re: Public Request to Postpone all LBC Council & Committee meetings for next 8 weeks, based on safety concerns associated with the CDC recommendations

Ramen,

It seems like providing a conference call # and /or video teleconference number for ALL participants may be a good solution for the all future Council Meetings.

These are routinely used by businesses and large organizations.

The current pandemic may be going on for quite a while and we may need to use these readily available technology tools to better work together.

I ask that council members consider this for all future meetings.

I ask that the council postpone Agenda item #22 regarding the installation of synthetic turf soccer field at ElDorado Park to a later date which will allow proper public input.

Best Regards,
Renee Belville

Sent from my iPhone

On Mar 16, 2020, at 2:29 PM, Raman Vasishth <RamanV@charter.net> wrote:

Dear City Members

As a leader of residents and graduate of the Neighbor leadership Program Class of 2019 , I wish to advise you that I and other residents are formally requesting that the City POSTPONE all scheduled City Council Meetings, Committee Meetings and City Council Meeting with residents for the next 8 Weeks to May 1 as currently recommended by the CDC. There does appear to be a violation of the Brown act. I have

checked with the governor's office and spoke to Justin who was not aware of any exemption to the Brown act. I have checked the documents website and cannot find it either. If the city has something that allows for that exemption, I would appreciate you forwarding that to me. Here is a news link: <https://www.businessinsider.com/cdc-guidelines-cancel-events-50-people-over-due-to-coronavirus-2020-3> .

The last minute changes the city has made and recommendation of the CDC has the public utterly confused as to what is healthy and if the city is indeed putting them in harm's way. The concern is that residents know they have the right to speak directly, face to face, with the Council Members without having them make excuses sequester themselves and hide from the same dangers they are being forced to face in coming to the Council Meetings. If the Council chamber is safe, then for what reason would there be for elected officials to be so scared to come themselves?

Most, if not all the current agenda items don't seem to have any urgency to them and appear they can wait. It does not appear the city has taking the time to consider that. One item is literally approximately 6 years old and absolutely has no urgency. It also does not seem to make sense at this juncture to treat Council meetings March 24th and after any differently than tomorrow's scheduled Council Meeting based on the CDC's current recommendation. What do you think is going to change between now and then? Why do East Side residents have to drive clear across town when their Councilmembers don't and are too scared to do so. An additional concern is the City is telling Seniors that coming to the Council Chambers is safe when they themselves are too afraid to show up?

Just as you elected officials, we as residents, don't want to subject ourselves and families to further risk and don't understand if there is no risk to the public, why the elected officials themselves so afraid to subject themselves to the same exact conditions they are subjecting their constituents public to. In this unique situation, residents don't seem to know who to trust. When the city Council streamlined procedures against residents objections, the public was told they would get an opportunity to confront their city councilmembers directly (face to face) even though the length of time was reduced to 90 seconds from 3 minutes. This is not the case. Since you clearly are not treating everyone equally and some with what appears special privileges, we ask that until you can treat everyone equally, that this meeting be postponed as recommended by the CDC. I called the Gov. Office and have not seen a directive they have provided the public there is an exemption from the brown act. I have contacted the LBC Dept of Health and Human Services and spoke to a supervisor Gina who is not aware of anything either. The public has a RIGHT to engage our elected officials face to face directly and not when they are hiding in their fox holes. We know very few Councilmembers bother to read the comments. Many Councilmembers have stated so publically. I'm not sure how those running for office expect to get re-elected if they refuse to show up for their primary responsibility.

Warmest Regards,

Raman Vasishth
Neighborhood Leadership Program, Class of 2019
Member of Cliff May Ranchos Neighborhood Committee
El Dorado West Parks Ambassador
District 5

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 7:14 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: RE: Agenda Item 22 - Raman against artificial turf as well as nearly all the district.

-EXTERNAL-

If I was not clear, I and roughly the entire district are against artificial turf in El Dorado Park. Stacy has literally 3 months of calls and e-mails logged into her office-by that I mean so much her office could do no other word per her own word.

Warmest Regards,

Raman

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 6:03 PM

To: 'Tom Modica'; 'Council District 5'; 'Mayor'; 'Council District 1'; 'Council District 2'; 'Council District 3'; 'Council District 4'; 'Council District 6'; 'Council District 7'; 'Council District 9'; 'Stacy Mungo'; 'Valerie Davis'; 'Cityclerk@longbeach.gov'; charles.Parkin@longbeach.gov

Subject: RE: Agenda Item 22 - Raman's attachment L and M

Attachment L shows the city's own audit of job contracts and problems associated with accountability which illustrates the same concerns residents have with the process involving artificial turf, and transparency.

Attachment M shows a city Parks audit that exemplifies rationale with the public's frustration in the accountability of the Parks department and inability to see a transparent, fair and reasonable process.

Warmest Regards,

Raman Vasishth
Neighborhood Leadership Program, Class of 2019
Member of Cliff May Ranchos Neighborhood Committee
El Dorado West Parks Ambassador
District 5

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 5:57 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>
Subject: Item 22, Raman's attachment K

-EXTERNAL-

Attached is attachment K. It's not my intention to disparage anyone, but the information in this article has residents concern. We have a director that appears to be a Satanist and not allowing the public to attend a meeting regarding the soccer field he's having with special interest that has already been given, so it seems, preferential treatment. I'm not saying he's necessarily done anything wrong, but in light of all the unethical history, it just adds more concern to the process the city has in place in light of the lack of transparency.

Warmest Regards,

Raman

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 5:49 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Item 22, Raman's attachment J, Request for Information relating to Measure A

-EXTERNAL-

Attached is attachment J that shows the public was never informed that measure A was going to be used for artificial turn. Residents have a concern that the money designated for streets and sidewalks police are being used instead for additional unnecessary projects they never supported. Please add to the agenda docket and for Councilmembers to review/examine.

From: Desiree Gutierrez [<mailto:Desiree.Gutierrez@longbeach.gov>]

Sent: Monday, April 15, 2019 3:04 PM

To: Raman Vasishth

Subject: RE: Request for Information relating to Measure A

Hello Raman,

Thank you for your call this afternoon, per our discussion, the City does not fund Measure A projects based on neighborhood. Rather, as Assistant City Manager Modica mentioned, funding is based on need and an assessment of the infrastructure. The documents that were sent to you earlier included all funded sites and budgets, to date. And as a reminder, all content that I have detailed below can be found, here: <http://www.longbeach.gov/MeasureA>

As a courtesy to you (there is no existing neighborhood report), I've plugged the street names you indicated into Google Maps to have a better understanding of the geographic area you are referencing. As you have provided pin points rather than defined boundary areas, I've made the following boundary assumption in reviewing the area that you are interested in:

- Carson St. is the North border
- The 605 Freeway to the East border
- Spring St. to the South border
- Clark Ave. is the West border

Within these boundaries, the following projects have been funded between FY 17-FY 19 with Measure A:

- El Dorado Golden Ground Playground - \$400,000
- El Dorado Golden Ground Event Area - \$500,000
- El Dorado Park Restrooms (No. 40 and No. 41) – \$360,000
- Dozens of street segments were rehabilitated

Just outside of the boundaries, Measure A has funded:

- El Dorado Library - \$1,374,000
- El Dorado Duck Pond - \$1,754,000
- El Dorado Tennis Courts - \$100,000
- Animal Care Facilities Improvements (FY 17 & FY 19) - \$450,000
- Four storm water pumps repairs/upgrades – A portion of \$1,550,000

I believe this answers your questions.

Best,
Desiree

From: Raman Vasishth [<mailto:ramanv@charter.net>]

Sent: Monday, April 15, 2019 11:33 AM

To: Desiree Gutierrez <Desiree.Gutierrez@longbeach.gov>

Subject: RE: Request for Information relating to Measure A

Per our telecom.

From: Raman Vasishth [<mailto:ramanv@charter.net>]

Sent: Monday, April 15, 2019 11:23 AM

To: 'Margaret Madden'; 'Francisco Rodriguez'; 'Reyna Ochoa'; district1@longbeach.gov; district2@longbeach.gov; District3@longbeach.gov; District4@longbeach.gov; district5@longbeach.gov; District6@longbeach.gov; District7@longbeach.gov; District8@longbeach.gov; District9@LongBeach.gov;

charles.Parkin@longBeach.gov; Patrick.West@LongBeach.gov; Mayor@longbeach.gov;
John.Gross@LongBeach.gov; Tom.Modica@LongBeach.Gov; cityclerk@longbeach.gov;
craig.beck@longBeach.gov

Subject: RE: Request for Information relating to Measure A

Hello Margaret, Councilwoman and Craig,

I forgot to add Craig to my request and apologize for having to recopy everyone again. There seems to be a communication problem on what specifically I'm asking. So I wanted to amend my original request to the following shown below to ensure I'm crystal clear as I know you have already provided this information to other neighborhood residents and leaders. I am looking to receive the money is dedicated to the following neighborhood as it relates to Proposition A.

1. Total funding for the following neighborhoods in CD5.
 - a. The Plaza – boundaries are Spring/Studebaker & Wardlow/Palo Verde
 - b. The Cliff May Ranchos – Boundaries are Spring/Studebaker & Wardlow/Stevely It is the neighborhood North of the El Dorado Park Library.
 - c. The Carson Park Long Beach – Boundaries are Wardlow/ Studebaker Parkcrest/Stevely – It's the neighborhood directly South of Mc Bride High School
2. I would appreciate your help in also providing me money allocated to CD5. I am aware that you personally have provided specific neighborhood and district information to other residents and neighborhood leaders.
3. If the city has already allocated funding for any of these neighborhoods, I would appreciate you help in letting me know how much and for what.
4. Given the city has never had any legal policy or procedure in place for outreach, I would like to know how the city intends to engage residents in its outreach for CD5.

To save to energy and time, I'm NOT interested in ANY information other than the information I requested above. If my request is unclear or you wish further clarification, you are welcome to contact me at the phone number below. It's my hope the city will treat me with exactly the same respect efficiency with respect to time fences it has done for other requests from other residents that requested the same neighborhood information for their respective neighborhood in this fine, fabulous and wonderful city that all of you helped create with your hard work, passion and love. For that I honor you all. Have a wonderful and blessed day!

Warmest Regards,

Raman Vasishth

From: Raman Vasishth [<mailto:ramanv@charter.net>]

Sent: Monday, April 15, 2019 12:27 AM

To: 'Margaret Madden'; 'Francisco Rodriguez'; 'Reyna Ochoa'; district1@longbeach.gov;
district2@longbeach.gov; District3@longbeach.gov; District4@longbeach.gov; district5@longbeach.gov;
District6@longbeach.gov; District7@longbeach.gov; District8@longBeach.gov; District9@LongBeach.gov;
charles.Parkin@longBeach.gov; Patrick.West@LongBeach.gov; Mayor@longbeach.gov;
John.Gross@LongBeach.gov; Tom.Modica@LongBeach.Gov; cityclerk@longbeach.gov

Subject: Request for Information relating to Measure A

Hello Margaret,

It was indeed a pleasure in meeting you over last weekend and sharing information.

I added the city clerk to this e-mail that I accidentally missed my previous e-mail a few seconds ago. Please disregard my previous e-mail. I am a community leader in CD5 that has a vested interest in knowing how much money is designated regarding measure A for Neighborhoods named: The Plaza, The Cliff May Ranchos, Carson Park Long Beach (just south of Mc Bride High School). I am also aware there is no current legal city outreach procedure in place and wondering how the city is intending to perform an outreach to the CD5 community so they can participate in how the Measure A funding is spent. If any funding for these neighborhoods has been spent, I would also appreciate your help in identifying who, from the city and the department, authorized any of those funds being released without notifying the CD5 Community.

Warmest Regards,

Raman Vasishth
CD5 Resident
Neighborhood Leadership program, 2019

-----Original Message-----

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 5:43 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Item 22, Attachment I please add to today's city council meeting

-EXTERNAL-

Please add this attachment to the docket and for elected officials to read / Examine. Attached is a new paper article by Kevin Lee being quoted regarding the LUE Density.

This reflects the greater need for open park space.

Warmest Regards,

Raman Vasishth

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 5:36 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4

<District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Agenda Item 22 Raman's attachment H

-EXTERNAL-

Hello Staff and Elected officials,

Here is attachment F, please add to the docket have elected officials read and examine. This attachment shows LBC is aware and knows that it is cluttering its parks and has fallen behind in adding park space to many of its districts for decades. We are way behind other cities of similar sizes in this parks per acre category. Think about it! LBC is recognized for having extremely low park space per acre. Trees are dying and you are trying to pave over the very space you know residents need to use and are fighting to keep. Residents are trying to keep the city from encroaching and cluttering our parks. The city has provided no reason why it wants to spend Measure A money on artificial turf and the only rationale residents received was deemed irrelevant by our own Councilwoman. Attachments See attachments A & B. That's that only info residents received. It was so bad many people were let go because of it, even city employees called it fraudulent and the city was caught with its hands in the cookie jar for trying the same thing the first time.

Warmest Regards,

Raman Vasishth
Neighborhood Leadership Program, Class of 2019
Member of Cliff May Ranchos Neighborhood Committee
El Dorado West Parks Ambassador
District 5

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 5:17 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Item 22, Raman's attachment Attachment G for adding to city docket and for elected officials to read and review

-EXTERNAL-

Hello Staff and elected officials;

Attachment G here is e-mail from the LBUSD Executive Facilities Development and planning. I have been working with non-profits soccer leagues to have the LBUSD open up their artificial turf soccer fields for them. As you can see, the communication is always extremely positive and the LBUSD Superintendent is completely plugged in. We have has numerous meetings with them and they opened up Emerson School auditorium to talk to us all. They have already added additional supply of artificial turf fields 1- 3.0 miles away. The district will massively increase capacity. One of the artificial turf fields in actually right next to Councilwoman Mungo's house, right in her exclusive neighborhood. Nobody in the district understands why you want to clutter the parks and spend money for streets and sidewalks for artificial turf at El Dorado.

Here's the state law that directs the schools to comply in helping non-profit soccer organizations:
<https://www.cde.ca.gov/ls/fa/sf/ccaregulations.asp>

So while the primary user AYSO 177 is subcontracting out soccer fields to other leagues in other cities which other LBC have been directed not to do by City Council and Parks Directors, in addition to increased supply by so many schools coming on line, AYSO 177 has lost literally 1/3 of its membership over a 5 year period. Not only is the center field being used for out of city leagues, but the very field you are trying to put artificial turf field in has players that are technically not part of the AYSO 177 region. Those players are already on Soccer teams and many play for leagues outside the AYSO 177 region, which I understand they are not allowed to do by AYSO bylaws. City has been made aware and has the CD5 Councilwoman and district office. Nobody else is doing this except AYSO 177.

We have a glut of supply and no scarcity of soccer fields and that will keep growing even if El Dorado Park does nothing. BTW AYSO 177 is expected to lose more members over the next few years as well.

We have increasing supply and decreasing demand for that area.

Warmest Regards,

Raman Vasishth

From: ALAN REISING [<mailto:AREising@lbschools.net>]

Sent: Tuesday, January 8, 2019 8:51 AM

To: Raman Vasishth; Christopher Steinhauser

Cc: Leticia Rodriguez; Maria Ruiz

Subject: RE: 2nd request - Questions about LBUSD permitting of Community Use of School Property - Artificial Turf Soccer Fields

Mr. Vasishth,

Thank you for reaching out and working for the students of the District.

The District maintains a Community Use program that provides fair and equal access of our school sites to any outside user group. We also maintain a Joint Use agreement with the City of Long Beach allow increased access to our sites.

We would embrace youth groups use of our facilities through these existing programs.

Thanks,

Alan Reising - Executive Director, Facilities Development & Planning

Long Beach Unified School District

2425 Webster Ave.

Long Beach, CA 90810

562-997-7550

areising@lbschools.net

"A school building is more than a physical structure providing housing, light, heat, and shelter from the elements; it is the one expression of the community's commitment to education."

Donald Leu - 1965

From: Raman Vasishth <ramanv@charter.net>

Sent: Monday, January 7, 2019 10:13 PM

To: ALAN REISING <AREising@lbschools.net>; Christopher Steinhauser <CSteinhauser@lbschools.net>

Cc: Leticia Rodriguez <LRodriguez@lbschools.net>; Maria Ruiz <MLRuiz@lbschools.net>

Subject: RE: 2nd request - Questions about LBUSD permitting of Community Use of School Property - Artificial Turf Soccer Fields

Hello Chris and Diana Craighead,

I would appreciate your help in giving this e-mail to Diana Craighead as well.

I have been trying to get a commitment from the school district that the LBUSD will be looking into using the artificial turf fields for non-profit youth groups that it will be looking into the possibility of considering them and making rules, policies and procedures. I am aware of the state law addressing non-profit youth groups.

I have included an e-mail I sent in early November that went unanswered.

From: Raman Vasishth [<mailto:ramanv@charter.net>]

Sent: Friday, November 2, 2018 10:28 AM

To: 'AREising@lbschools.net'; csteinhauser@lbschools.net

Cc: 'Leticia Rodriguez'; 'Maria Ruiz'

Subject: Questions about LBUSD permitting of Community Use of School Property - Artificial Turf Soccer Fields

Hello Alan and Chris,

I have noticed that the number of soccer fields the LBUSD is permitting for use appears to be shrinking in number. Is it the intent of the school district to create policies & procedures that will allow permitting for non-profit youth groups to use the increasing number of its artificial turf fields that are replacing its natural grass fields like Rogers?

Warmest Regards,

Raman Vasishth

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 4:52 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Attachment F for item 22, LBUSD Artificial turf is allowable for non-profits

-EXTERNAL-

Hello Staff and elected officials;

Attached is Attachment F, it shows the LBUSD was in the process of making procedures to use synthetic turf for the non-profits to play on artificial turf and there's no limit to what they can rent. Please understand that all LBUSD schools will be adding artificial likely with lights in the city. To date, AYSO 177 has never requested to permit any of the local artificial turf fields already built because parents prefer playing on grass turf at El Dorado Park. I have another from the maintenance executive saying that he intends to follow the state law that allows non-profits to use the artificial turf field. I believe the Superintendent is copied.

Warmest Regards,

Raman Vasishth

On Tuesday, October 2, 2018, 1:20 PM, CommunityUse <CommunityUse@lbschools.net> wrote:

Raman

There is no limit to the number of schools one group could rent.

Due to the number of fields requested for youth soccer in the fall the District tries to make sure each youth soccer group has at least one field (or one school site) permitted for fall. If any other fields are available after the fall permits are submitted it is up to each group to contact an alternate school for availability for a 2nd or 3rd school site.

The synthetic fields are not rentable at this time. The District Board Policy needs to be updated with new rules and regulations before the District will be able to permit the fields. We will let you know when the rules and regulations have been updated.

Let us know if you have any other questions.

Thank you,

LBUSD Office of Community Use of School Facilities

Email: CommunityUse@LBSchools.net

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 4:37 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Raman's attachment E item 22 for todays City Council meeting

-EXTERNAL-

Here's an e-mail showing the intention Councilwoman Mungo was giving residents in her residents town halls for 5 years up until today. Please add this to the city council docket.

From: StacyMungo.com [<mailto:stacy@stacymungo.com>]

Sent: Tuesday, April 19, 2016 9:41 PM

To: Raman Vasishth

Cc: District5@LongBeach.gov; Christine Schachter

Subject: Re: Just letting you know

Last I looked all originally scheduled artificial turf plans in the 5th are in natural grass maintenance and repair status. Why would we invest all this money in getting the grass back to reasonable status then yank it out? Does that sound logical to you Raman?

Good thing no one speaks for me, but me :)

-Stacy

On Apr 20, 2016, at 12:38 AM, Raman Vasishth <RamanV@Charter.net> wrote:

[Councilwoman Mungo has committed to vote for Artificial Turf for El Dorado Park. Just now](#)

[Raman Vasishth](#) from The Plaza

Per Councilman Robert Uranga in tonights meeting, "Councilwoman Mungo will vote for Artificial Turf in her parks."

Sincerely,

Raman Vasishth

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 4:15 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: Agenda Item 22 - Please add the following documents for today's city Council meeting. I would like my documents read if allowed

-EXTERNAL-

Hello City Clerk and elected officials,

I spoke to the City Clerks' office and let them know I had a number of attachments coming for agenda item 22. I have a main document that's 13 pages and attachments A through M. As requested/agreed previously by the City Clerk's office, I will send the main word document with attachments A, B & C and the other separately because they are mainly e-mails sent by the city, many for clarification. I was told there would be no problem in adding each attachment for the agenda meeting and having them added. With the new procedures instituted via the city council meeting, I don't know if anyone will pick this up as they always have in the past and hoping to get this on the record. I would like my documents read as well as the attached city documents if that is allowed. I will follow with single attachments so there will not be any confusion. I'm sorry in advance for any typos or grammatical mistakes.

This e-mail will contain the The Main Word Document and attachments A, B & C.

Warmest Regards,

Raman Vasishth

Neighborhood Leadership Program, Class of 2019

Member of Cliff May Ranchos Neighborhood Committee

El Dorado West Parks Ambassador

District 5

Objections to Artificial turf soccer fields.

I and nearly all residents including the parents of the AYSO 177, that are the primary users of the El Dorado park soccer fields are against spending money building artificial turf soccer fields. Councilmember Mungo is completely aware that nearly all residents in CD5 are against creating artificial turf soccer fields in El Dorado Park. She knows the city has no rationale for putting soccer fields in El Dorado Park and the city has performed no legal financial justifications to install the artificial turf fields in the current location. She has also embarked on a 3 year strategy to circumvent public opinion and has refused to honor promises to make to the public to maintain and fix Natural grass.

The main objections to having artificial turf in El Dorado Park are as follows:

- a) There is 1/3 less demand for soccer fields for El Dorado Parks than there was 5 years ago primary user AYSO 177 than when the project was first conceived. In each year, there has been decreasing membership B) There has been a massive increase in supply for artificial turf fields by the LBUUSD that is only 1-3miles away. C) There is a state law that mandates the district must allow non-profits access to those fields. D) On 11/15/15, the city unanimously approved an agenda item demanding the parks director to provide other park uses that could be developed in lieu of an artificial turf project and when it would be feasible to bid and such in lieu projects. Residents have always been told they would have a say in natural turf fields (see attachment C). e) The city council approved an agenda item on 8/22/17 for the public to have outreaches prior to the artificial soccer field project e) The city failed to take corrective action to fix the process after separating the City Manager, 2 parks directors a deputy City attorney involved with collusion. f) people and positions involved with the initial coverup and trying to push artificial turf were involved with the same project this time around as well. g) PRAs by residents show the city has no documentation to support the artificial turf location and financial analysis is in the best interest of the city and park as required by public law. H) so many key figures and high ranking employees have been let go, having no fair and reasonable analysis after virtually no promises made by Councilwoman to residents via e-mail, public meetings phone calls were kept for transparency, corrective action. I) The city never research any alternatives to artificial turf including its current natural turf for soccer fields in El Dorado Park. J) The only information the public has received regarding analysis and financials on the project has been fraudulent to date See Attachment A&B). k) Ethical Concerns in the AYSO 177 being treated with preferential treatment over others soccer leagues playing in city parks.L) Nearby residents didn't receive a flyer at any time by the city letting them know such a project that would be impacting them was pending. This was added because the previous Parks Director George said it was required and not done. m) Concerns that a member that is involved in limiting outreach is satanic as information recovered by the Press Telegram via a PRA. N) possible administrative issues associated with changing time fences regarding general funding going back in time and changing the funding mechanism to Measure A funding for with Artificial turf was never advertised.

History and Specific Details: Attachment A-G to follow.

- 1) Residents in CD5 have consistently demonstrated they prefer open space over artificial turf, do not want fencing or lighting or stands that clutter the park. Since the cities tried placing a sports complex in El Dorado Parks, the CD5 residents has consistently demonstrated this in city council meeting, community meetings held jointly the District 5 Councilwoman and Parks Director & outreach polling the city itself conducted as well as direct meetings with the CD5 Councilwoman and staff. This has been openly admitted to by Councilwoman Stacy Mungo and her former Chief of staff, during numerous public meetings and in writing. Protests against the artificial turf soccer field were so massive that Councilwoman Mungo personally called me up saying she got it and calls were coming in so great that for 3 months she couldn't do anything but answer calls from angry residents that were demanding natural grass and anything artificial be moved out of the district.

- 2) Residents have lost trust in the Parks and city Council in their push for installing artificial turf in El Dorado Park and throughout the city. They caught the city trying to rig outreaches by deliberately providing fabricated data to support its installation. As a consequence per Stacy Mungo and her former Chief of Staff; the prior Parks Director, Public Works Director and Deputy Attorney were subsequently separated (were Fired)from the city. See attachments A & B. They have lost trust in Councilwoman Mungo and her deliberate mistruths to mislead them when insuring them the residents would have the opportunity to decide on the fate of the field only wanted what the residents wanted. She told residents she wanted to ensure the public that she was personally seeing to it that corrective action to the process that led to the artificial turf being installed would be taken. More than just the removal of employees at the highest levels that were also working with the City Manager.
- 3) In addition to the firing, residents discovered the very employees responsible for being watchdogs in ensuring all supporting documentation to justify the need and financial justification for artificial turf were also city employees (still working for the city in their exact same capacities) that provided false narratives, provide false information and in the end claimed they inexplicitly lost all back up data that was required by law.
- 4) These same people were also on the Park Commission. In other words, the same people that were responsible for ensuring the data integrity that the information given to the public was accurate with legal documentation to back up their conclusions were also involved with falsifying and losing of "losing" paperwork/files that were required by law and were able to get away with it because they were also the same people responsible for ensuring accountability. The public discovered this and the issue became a bombshell.
- 5) Although the city has forced out the Public Works & Parks Directors and the Deputy City Attorney, for their involvement with falsifying, losing data and colluding, employees that were carrying out the same, whose names are on the sign documents when there unscathed and received to reprimand or admonishment. Former and current commission members admitted to everything that occurred and this effort was pushed at the highest levels.
- 6) At least, 2 City Employees that were involved with this are still on the same Parks Commission: Steve Scott and Hurley Owens. Since both these employees are still with the city and directly involved with the original cover up, residents believe both should have been excluded from voting as a clear conflict of interest concern. Additionally since the former Parks director was also forced out for his illegal actions a few days after his vote as well as the City Manager who was colluding with him, residents are seeing the identical agenda pushed by the exact same people in the exact same manner.
- 7) While residents were assured the city would take additional corrective actions to improve the process, insure this would not happen again and the fields would remain natural grass, the city has taken no action to safeguard the same employees involved with the original process were removed as a conflict of interest.
- 8) At this time, it should be noted the public is aware that the current City Manager is Tom Modica that replaced the previous one that was forced out in colluding with the Parks director, is currently a soccer coach for the same organization that the city earlier said they were building the soccer fields for. This is a clear conflict of interest as it was he who was involved with

deciding a public outreach that was promised to CD5 residents would not occur. Residents feel Modica is a key actor that also has a conflict of interest and pushing and colluding in the same way the former City Manager Pat West did. Residents don't feel removing a few people responsible for conspiring to install artificial turf in El Dorado Park was enough, because there was not a full investigation done to determine a root cause:

Namely clear justification to why the city keeps trying to add artificial turf to El Dorado Park when it cannot provide any clear justification to why keeps trying to install it over what they have already seen is clear and overwhelming resident objections to do so.

- 9) From the time 3 city departments Director level employees from the city's largest department are separated from the city for conspiring to create and review and creating the documents to support false narratives they know are against the public will, and the process has not changed, residents feel the process are still ripe for abuse. To date there are still no checks and balances and many of the same City employees and positions are still responsible for creating a rationale for providing the need for the artificial turf is there, ensuring financial reasonability are still also playing the same key roles in voting and moving the artificial turf into El Dorado Park. Residents in the city are concerned the city has no accountability from their actions on this project.
- 10) PRA request have been made to the city in which the city has admitted it has no legal justification to why it chose El Dorado Park as a location for artificial turf soccer fields, has no legal financial justification and does NOT have a record of how much it costs to maintain artificial turf soccer fields. The city has produced to financial justification to confirm that artificial turf provides any benefit over natural grass.
- 11) In the first effort in which the city failed in passing artificial turf, they were caught colluding and falsifying data. In this round, the same positions did the same thing without building and data. It should be noted that the financial justification for installing artificial turf in El Dorado Park is higher than in other areas of the city because the water cost ½ due to reclaimed water it uses and also the field is regarded as still playable.
- 12) In other words the same departments are involved in doing the same thing, but this time openly telling the public in PRA request, that they this time are providing no legal justification to why they want to put artificial turf in El Dorado Park or legal justification that shows that it's financially beneficial to the city. Additionally the City manager, Tom Modica after City Council member Stacy Mungo promised a public outreach to the public if the city would again try to put artificial turf in El Dorado Park, has stated the district has already had enough outreach and would not provide it. He knows none of the information provided to the public to date regarding financial reasonability, required by law, were fraudulent and untrue.

13) Concerns about current leadership:

The current Public Works Director, Craig Beck, and involved with this project has been the subject of concern for many years. As his name keeps cropping up in city scandals: In 2009, he was demoted with a 20% salary cut and for illegally taking gifts when going on junkets with lobbyists while working as a director of Development Services. During that time a PRA check was done on him which uncovered an e-mail stating "I feel you have my back and hope you

know I have yours," I do have a soul that needs feeding and I prefer devil's food!"

<https://www.latimes.com/archives/la-xpm-2009-dec-19-la-me-long-beach19-2009dec19-story.html> . Residents are still concerned about what appears to be satanic ties. Beck has held meeting with the AYSO 177 and excluded any other members of the public. Councilwoman Mungo has made many phone calls asking for him to work with Beck to install artificial turf. This was exactly the same thing that occurred previously and what the Councilwoman and city staff and parks management promised residents the city would not do.

Ethical Concerns:

Residents feel they were illegally left out of the meeting because the city only met with a small special interest group without any parks ambassadors or residents. This was a meeting that was facilitated by Councilwoman Stacy Mungo who made personal calls to the AYSO 177 presidents. Residents claim this is not something a Councilperson is allowed to do.

The AYSO 177 appears to be getting opportunities that the City does not offer other leagues: 1) The ability to act as a subcontractor for getting permits for out of city leagues to play on. 2) Not following best practices in asking the soccer leagues to first look for other sources to support their needs like they have for the AYSO 114. 3) Allowing them to be the only party providing input to the project without allowing the public at the same time as was done with Heatwell park a few years ago.

- 14) Other Councilmembers told the public they were approached by staff that they were offered artificial turf in their districts and they refused the offer telling them they wanted artificial turf in El Dorado Park but needed turf in other districts to justify artificial turf in El Dorado Park.
- 15) Public protest against artificial turf was so strong by CD5 residents, the CD5 Councilwoman personally called me and asked me to stop the pressure regarding the parks because her office was receiving so many phone calls and e-mails her office could not conduct any work. She admitted that the city had had meetings and they had broken the law and promised me the public would decide they would have an outreach and would provide natural turf now that she knew the publics position.
- 16) The parks then scheduled natural turf to be built in El Dorado Park. A date was given and was continually repeated by Meredith Reynolds and the Parks director in and after Parks Commission meetings and included e-mails to me regarding that the status.
- 17) On 11/17/2015, when the city delayed refurbishing the natural turf soccer fields, residents again protested in such strong numbers saying the city was again trying to rig El Dorado towards artificial turf, in order to pacify residents, the CD5 Councilwoman issued an agenda item that was approved by the city council members (See attachment C). The demand included the parks director to provide other park uses that could be developed in lieu of an artificial turf project and when it would be feasible to bid and such in lieu projects. Residents have always been told they would have a say in natural turf fields. To date the Parks/ City still have refused to respond to this request by the city council pushed by CD5 residents and feel cheated and deliberately

mislead. When our elected officials tell residents they are trying to be transparent in what they and the city does and put items on the docket simply to buy time while they try to push through the very items the residents don't want, there are clear ethical issues that need to be dealt with before anything should move forward, especially under the previous cloud the city and Councilmember were involved with.

- 18) A concern residents have that conflicts with the city process is a On 8/22/17, the city Council agenda item #7 that passed unanimously by the city council.
<https://longbeach.legistar.com/MeetingDetail.aspx?ID=561339&GUID=207E8A22-35E0-47EE-9A50-B98A2342CBD2&Options=info&Search=> It approved an outreach procedure to deal with public outreaches in a transparent fashion where city officials and particularly the parks could not rig out reaches and would involve the public in outreaches for anticipated projects with changes to their parks. This stemmed from residents anger in catching additional corruption at Parks and City rigging of additional outreaches after involving the Parks having no back up to support their false narratives to support the decisions made for Heartwell Park, Library renaming . Validation can be shown in City Council e-mail attachment D dated 2/21/18. Intention is shown for public outreach.
This was precipitated by the residents finding additional rigging of outreaching involving the Parks for Heartwell & library renaming. These still stand as examples of Parks corruption.
- 19) City Council rationale of grass turf being better than artificial was made public by Stacy Mungo (See attachment E dated 4/19/2016 for entire rationale). "Last I looked all originally scheduled artificial turf plans in the 5th are in natural grass maintenance and repair status. Why would we invest all this money in getting the grass back to reasonable status then yank it out? Does that sound logical to you Raman?" The Condition of the El Dorado playing fields are deemed Playable and is excellent shape by the parks own records.
- 20) The Council woman did not let the public know that she changed the motion from grass repair to artificial turf installation during budget meeting or provide an outreach as she promised or received park feedback as mentioned in item 9. Still to this day, residents have not been provided a legal narrative to why they keep trying to install artificial turf in El Dorado Park. She did exactly opposite of what she promised the public she would do during their massive outcry.
- 21) The city conducted an outreach for installation of artificial turf in one location of El Dorado Park that had a different design. During that time the rationale for implementation was proven to be false. During that time and still to this day, residents have asked the city and parks to provide rationale for their pushing of artificial turf and to date has never received any explanation. The narrative that water doesn't matter was expounded for city council members in numerous community meeting, e-mails and City Council meeting.
- 22) Nearby residents were told they were supposed to receive flyers if artificial turf was going to be installed by their house by the parks director. That is was required by the city, but that never occurred.
- 23) Design: In looking at the artists concepts drawing I see there are no specifics that are defined. There is no design. The public knows all previous turf projects have had fences and lights. Engineers) have told residents in previous meetings that fencing around ALL artificial turf fields are necessary that because there is no turf that allows drinks and dog or animal feces on the

field. Although the parks and city tell residents that residents will decide if lights get installed, something they know all residents are against, the city has included them in their design and will put all the structure in place to put lights up against what they have already acknowledged is against the public will. Keep in mind nearly all residents don't want artificial turf at all, this includes parents in the AYSO 177.

- 24) Additionally, residents have told the city in the brief look they were given that the design doesn't include fresh water lines that's required to clean the turf. In other words although the city has already built other artificial turf fields, it forgot to include fresh water pipelines in its design. This is a cause for concern for residents given they were the ones that caught it given they had only a day or so to review the design. Instead of at least sending it back for review and updating, the Commission approved it anyways even after admitting it had no legal justification for putting artificial turf in El Dorado Park, no know costs for maintaining the artificial turf soccer fields vs natural turf or financial justification for installing it.
- 25) Residents are aware that that past AYSO 177 President Brent Mintor worked with the city and has told the city he wanted lights in El Dorado Park and he said he would pay for the lights. While the city denied this, residents learned this through Mintor himself and other city employees involved with the project from the beginning. The then city Manager said in order to that, they would have to install artificial turf. The AYSO 177 did not need artificial turf, but at that time an agreement was struck between the city and the AYSO 177.
- 26) So currently, while the parks say the lights are not in the current plan to pacify already angry residents, the city design plan for the soccer field included a structure to include electricity for lights. This is a serious cause for concern in the manner city leadership is handling this issue as the residents have, as the city has acknowledged that it is the lighting that residents primarily object to. They do not want the light pollution, parking problems and noise that CD5 office 5 has already brought to residents surround Hartwell Park that the city has been unable to resolve for years.
- 27) **Other Councilmembers** told the public they were approached by staff that they were offered artificial turf in their districts and they refused the offer telling them they wanted artificial turf in El Dorado Park. But in order to install artificial turf in El Dorado Park, they also needed to offer it in other districts to make it appear that El Dorado Park wasn't being singled out. El Dorado Park was the "Crown Jewel."
- 28) **Financing Concerns:**
Financing for the soccer fields is now coming from Measure A. This is an entire different funding vehicle that was used for Admiral Kidd and Seaside park that are included in the same project. Residents were told by Councilmember Mungo that is the original general fund money was not used in 2 years, because it was one time funding, the money would have to be returned to the general fund and use for its original purpose to which residents agree. The Councilwoman then told residents after 2 years there would need to be a new project with a new funding mechanism to replace it and if that were to happen, it would occur during an outreach to the community.

Measure A funding as residents were told, never included the use of artificial turf and if it was, I'm certain it would not have passed. Instead, in an effort to pacify residents, Councilmember Mungo told residents she would mandate that she would create a commission that would prevent things like that from occurring. By that she meant, anything the city did not say was included with what the city provided residents previously in writing. It should be noted Artificial turf in El Dorado Park was NEVER Advertised to be part of Measure A to the public. The commission purpose was, according to Mungo to keep the city from stealing measure A funding for more park and pet projects. Residents concern is that she broke that agreement herself and residents are continually concerned CD5 Councilwoman seems intent on continually resurrecting the same project over and over again regardless of what nearly all the residents say.

It should be noted, Measure A is same funding vehicle residents were told would be used for CD5 Roads, Sidewalks and increased police. The original general fund money given back was supposed to be for the same. But residents have not seen much of a change in their streets and sidewalks. In fact road improvements and sidewalks are still years behind promised dates that Prop A was suppose fund and the original General fund money was supposed to help. The number of police officers has declined that are supporting parks and the city.

29) Massive Decreasing Soccer membership (demand) Primary user has lost 1/3 of its membership over 5 years.

Since the initial effort to put artificial turf in El Dorado Park, many factors have changed and more information from coaches and parents of AYSO 177 players have come out. The AYSO Presidents also agrees with this.

The primary user of the 3 El Dorado soccer fields is the AYSO 177 who have experienced a roughly 1/3 loss in their membership. Additionally the group, in order to keep control off the soccer fields and not allow residents to request they be either removed for open space or to be used for refreshing the other soccer fields, has subcontracted the middle soccer field to an out of city leagues (AYSO Los Alamitos). This comes at a time when the city has strongly told other soccer groups that's not allowed and they could lose all privileges in playing if they did. This has been reinforced by CD5 Councilwoman Mungo to the AYSO 114. Additionally the AYSO 177 has reserved a 3 field to for players not in their region to play. These 2 actions prevent residents from enjoying open space and from having the fields refresh.

Residents are concerned that one league (AYSO 177) instead of getting the issue of acting as a proxy resolved, is instead getting favorable treatment over all other soccer leagues that are playing by the rules.

Greater Supply of Artificial turf Fields and more coming by the LBUSD that will be accessible to AYSO 177 as mandated by State law. Greater Supply and less demand with fewer AYSO 177 Members:

30) Since the artificial turf idea was floated by the Parks, the LBUSD has greatly increased Artificial Turf soccer capacity for the city: within 1.5 miles and intends to continue to add more of them

throughout the city. So more far more artificial turf fields will on line throughout the future. Per state law, the LBUSD is required of offer use of its facilities to non-profit groups like the AYSO 177. Here is a link to the CA State Law: California State Civic center act Title 5 regulations implementing Education Code Section 38134

<https://www.cde.ca.gov/ls/fa/sf/ccaregulations.asp>) to accommodate them. The LBUSD Superintendent has stated they have more soccer space than LBC and have sent written confirmation they are willing to entertain accommodating them, but have not been approached by the city or AYSO 177 For verification the LBUSD will agree to assist the AYSO 177 find artificial turf soccer field and help them use ones they wish for their declining membership, please see LBUSD e-mails dated 10/2/18 & 1/8/2019 (See Attachments F & G respectively).

- 31) A survey approved by the AYSO 177 top management Michael Twitchell showed ALL parents of AYSO 177 children paying on all 3 fields, that included coaches and referees said they preferred natural grass over artificial turf for 5 main reasons: 1) They felt that there were more injuries on artificial turf, 2) They didn't like the liquid and food restriction they don't have to deal with on parks natural turf. 3) They didn't like the fencing which prevented them from sitting next to the field in their own chairs. 4) They also said because they play only 1 day a week, they see no need for lights. 5) The natural turf was just fine.
- 32) Because of CD5 resident concerns that the city was putting in nearly all soccer fields in CD5, residents forced the city to perform a study on equity in city parks regarding the huge proliferation of soccer on open space and the environment. The results of the study showed the city had put an inordinate amount of sports leagues in CD5 to the point where the district had more than all other districts combined. This clearly showed there was a greater need for artificial turf in other districts that were not being addressed than CD5. At that time, residents began requested the city provide equity and put more soccer fields in other districts, outside CD5 and to move CD5 soccer leagues to other districts. Residents discovered CD5 parks was being used as a dumping ground for all city sports.
- 33) With a tremendous amount of additional artificial turf soccer fields now online from the LBUSD within a 1-3 miles and all schools expecting to bring all schools throughout the city coming on line in the next few years, it is clear the district and city will be flooded with a massive influx of not only soccer fields available to non-profits, but also artificial turf. Given there is a state law mandating availability of the LBUSD artificial turf fields to non-profits, even if the ASYO 177 had a need and had the ability increase its membership, which it does not currently have, the capacity is already there and in place.

34) Safety Concerns –Pedestrian Killed by Car:

The location of the Soccer Field is in roughly the same location that a LBC resident was killed when he was hit by a car not so long ago. Residents have consistently said they want the soccer fields and all athletic activity played on the east side of the park where the noise, light pollution and safety for residents cause the least disturbance.

- 35) **Additional Security Concerns:** The vast majority of residents is keenly aware of the fewer police offices available in CD5 and view natural grass and natural light as a natural barrier against crime and people congregating, parking issues regarding litter, including dippers left on their property

and in the park. For these reason residents what to have the sports fields located at the center and East most regions of the park and not near the street or their residences. They don't want to have it on top of where they live for obvious reasons.

- 36) As previously stated an overwhelming number CD5 residents don't want lights or fencing in their parks. In speaking to parks project managers, they have told residents that they cannot build artificial turf fields fencing because artificial turf fields cannot have ordinary drinks spill on them, dog or animal feces and they need to be cleaned regularly to prevent bacteria from getting into burn wounds of players that play on them.

37) Best Practices:

Although residents have not been told why the city wants to have the artificial turf fields installed, they assume it was the same reason as early when the city fired employees for colluding and having no basis to support their narrative. That said, best practices show that non-profit soccer groups look for non-city property to invest more soccer fields in. This is the same thing the city asked AYSO 114 to do, which they did. The AYSO 114 is paying for the upkeep of private schools they play natural turf on. Largely because of their increased membership AYSO 114 has developed many fields outside city property, while the AYSO 177 with a diminishing membership base has not and are asking the city and area residents for additional handouts. Residents feel the city also needs to take this into consideration when bending over backwards to allow a special interest group domination over its parks. Residents already concerned that their parks are being subcontracted out to other league are wondering why the AYSO 177 is not using private schools for the little park space the require. The capacity within their region appears there. That would open up more park space for residents.

- 38) The bases of money used for this artificial field comes from streets and sidewalks. It was passed during an in under the cloak of darkness during a budget meeting which they knew public attendance would be at their lowest. Residents are extremely concerned about their streets and sidewalks and when asked if they were given a choice between artificial turf and fixing their streets even if they would not get all the money back, they chose streets during community meetings. The need for maintaining streets and sidewalks far outweigh the need for a few people special interest needs.
- 39) The AYSO 177 president, Michael Twitchell, has admitted to me that current space in the Park is sufficient to suit their organizations needs for the next 10 years at least. The city has also verified the number of soccer fields they have for the AYSO 177 will not change. And for an organization with declining membership that should be more than sufficient to suite his needs.
- 40) It should be noted that different AYSO organizations appear to be run far more efficiently than AYSO 177. There is an AYSO organization that is growing and is very efficiently run in that they have also worked with the LBUSD & Private Schools to help pay to upgrade their turf upgrade and school uniforms and have found many areas. Those fields are in pristine condition. They chose to take that route because direction they received from the parks, council office told them they wanted the group to not allow players from others cities and to give priority to LBC players and players in their own districts first. This does not seem to be a city priority with El Dorado Park.

- 41) In speaking with adult men's soccer groups, they have voiced that they don't care what surface they play on and satisfied with the current field they play on.
- 42) Conflict of interest: Residents see a variety of conflicts of interest within the city they are deeply concerned about that were involved in the original outreach:
 - 1) Tom Modica – Interim city manager and current AYSO coach
 - 2) Steve Scott- Signatory on the original research narrative the was supposed to fact check data used and has a Child playing for the AYSO
 - 3) Hurley Owens - Signatory on the original research narrative the was supposed to fact check data (See attachments A & B).

Residents have been requesting a public outreach since the initial effort to push for artificial to avoid these issues from happening and which the city and parks are already well aware of their opinion. Residents have led to believe the soccer fields would be natural grass turf in El Dorado would be refurbished. They were told this by the Parks Commission, staff and City Council Parks Director and Planner and they are seeing the same city positions pushing for artificial turf behind their backs and against their wishes.
- 43) Residents have been told artificial turf added to Admiral Kidd, did not result in increased use of soccer fields.
- 44) They city previously stated that the state grants for artificial turf would always be replenished when a new turf fields need to be replaced. That may not be true and is a gamble to assume that. Things are always subject to change. Residents do know the President has published tweets that he will limit Federal funds going to California. With California State being a sanctuary State, refusing to clear forests and having wasted funding on a train, the President of the US has said he will withhold funding for the state. This may mean the city will not have funding to replace the artificial turf when replacement of the turf is ready.
- 45) The original Price Justification that was approved by the city for Seaside and Admiral Kidd was included was not legal in that it included the cost of upgrading the natural turf soccer field to pristine levels as presented by Marie Knight to the City Council. That cost is not allowed because the players were playing on the fields' full time and they were being used without any recorded injury. Additionally no such price analysis was done up front for El Dorado Park soccer fields.
- 46) Parks Ambassadors for El Dorado West were told by Councilwoman Stack Mungo that was enough money to refurbish all 3 natural turf soccer fields with \$800K. We asked for that analysis at the time and never received it.
- 47) The value of the park project is roughly \$4.1M with a parks El Dorado Park estimate of \$1.45M. For such extremely high value El Dorado Parks Project of this magnitude, residents should have an outreach with correct information given to them. This especially the case if residents were led to believe natural turf was the plan and a new outreach policy and procedure was going to be put in place years ago to avoid this fiasco currently taking place.

Summary: **As a Parks Ambassador for El Dorado West appointed by the Councilwoman and 2019 graduate of the Long Beach Neighborhood Leadership Program** endorsed by the Honorable Mayor Garcia I took an oath to help find the best solution for our parks, work with the community. I have

taken an oath to work with resident and the city to keep things transparent and advocate peacefully for my community and develop process that is best for everyone or as best as possible. That means I represent Soccer, Residents, Community and Govt interest. And I advocate for process improvement and transparency. Unfortunately I don't see it here.

We have gone down a dark road before where, the city was caught by residents giving false narratives in trying to push through artificial turf fields. The key public officials that were supposed to ensure all information was correct in having fair and reasonable data, did not perform their duties and collaborated together to push the exact same agenda. They had no back up data to support themselves and refused to provide any data to explain their actions to the public. Some Key people involved and have since separated from the City are City Manager, Chief Staff for the Mayor, Director of Parks, Director of Public Works and the Deputy Attorney. Now it appears to be the same City positions, but different names. We are also seeing the same people that have not separated and were involved from the first Parks Commission push and were supposed to check for accuracy of information also involved with this go around again. Many have special interests and appear compromised.

Since the first go around, many things have changed, but the Parks director and Commission to push through artificial turf without giving a time or outreach for the majority of the public to attend such an important issue to the CD5 community.

Since then, CD5 residents have seen an approximately 1/3 lesser membership of the primary user, AYSO 177, of all 3 fields used at El Dorado Park. Residents have also seen an enormous increase in the number of artificial turf fields and know that number will significantly increase further in the near future from LBUSD which has more land for than the city. LBUSD will not only expand the number of Artificial Turf fields in CD5, but throughout the city. El Dorado Park is seeing a lesser demand for soccer and a far greater supply of artificial turf fields currently in place and coming on line in the near future. The Parks and City has impacted CD 5 with an inordinate amount of soccer fields and leagues in its district without provide equity in other districts where leagues can play.

Nearly all the soccer activity occurs in CD5 and the city seems insistent on putting artificial turf against what it knows is against nearly all residents wishes. Residents have been pushing back on the city and elected officials to provide equity and put more soccer fields in other districts and tired of seeing their parks cluttered with sports fields. El Dorado Park is seeing a lesser demand for soccer and a far greater supply of artificial turf fields currently in place and coming on line in the near future. The Parks and City has impacted CD 5 with an inordinate amount of soccer fields and leagues in its district without provide equity in other districts where leagues can play.

Documents has been presented that clearly show the public was led to believe and were told in numerous community meetings jointly held with Councilwoman Stacy Mungo, her former and current Chief of staff and the Parks director that the city would always install natural turf. There are far more documents available that cannot at this time be presented for lack of time in putting a complete reply together.

At no time has the Parks or city provided a logical and truthful narrative to justify why it has been trying to work around what it knows nearly all residents in CD5 desires against artificial turf. Prior outreaches the city provided residents was based on fake information the highest level city employees manufactured and falsified out of whole cloth. Those outreaches were meaningless without the public having honest and reliable information given to them.

If the commission wants to prove it has turned a new leaf and is now going to operate honestly regarding El Dorado Park, it should embrace transparency by actually conducting a formal outreach to residents just as it did with the prior location, but with accurate and honest information; allow the public to provide intelligent feedback, and invite all residents, AYSO, city planners and parties that use the parks and fields to participate along with all the directors and staff involved as residents have been promised and led to believe all along.

We are seeing quite clearly the same city positions advocating for artificial and some of which are the same exactly people that were responsible for providing a legal justification for their reasoning and did now involve with this exact same action. They had no documents to back up anything they did work worked closely with those that left the city shortly after. They had a goal never thought the public would check their work. Although the city's highest level manager and employees have separated from the city that were involved and hold fiduciary responsibilities, the very people that replaced them are trying to do the same things.

Requests:

Considering the history, dollar value of the project, number of people this project will impact, the previous corruption that was found and promises documented to residents, I ask for the city delay making a decision on artificial turf and schedule a later evening meeting to enable more members of the public to attend an outreach for such an important subject dear to their hearts

I also ask that the Commission and Parks director also recommend holding an outreach to receive residents input on this very important topic. **They city after 5 years has produced literally no legal justification that Municipalities are obligated to do to prove what they are intending to spend money on is fair and reasonable and in the best interest of the public.**

Conclusion:

The city needs to provide a legal and complete justification to why El Dorado Park needs an artificial turf soccer field in the location the city is insisting to put it as well as a financial analysis that shows there is a better payback than grass. El Dorado Park is different than other soccer fields the city has installed because it has far less maintenance costs because it uses reclaimed water that costs 50% less and its current soccer fields are already in excellent condition. Once the information is compiled, residents ask the city to honor the agenda item in which all city councilmembers voted to approve the measure to provide residents with alternatives to artificial turf.

I also ask that since the Parks/City never held an outreach in which they gave the public correct information, that they consider there was real legal outreach at all. It this time there is not enough demand for artificial turf and there is ample supply of artificial turf available now and there will be more in the foreseeable future. There is so little demand for soccer in El Dorado Park, that the city could close down the middle fields and it would not be noticed. The City of Long Beach is not responsible to supporting Los Alamitos. No other soccer league is allowed to bring in leagues from others cities. Residents feel favoritism of one league over another also needs to be reviewed before proceeding further.

Warmest Regards,

Raman Vasishth

Eldorado West Parks Ambassador

Neighborhood Leader Program (NLP) Class of 2019

Rancho Neighborhood Member

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Tuesday, March 17, 2020 4:30 PM

To: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk

<CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: FW: Outreach procedure Status - Raman's Attachment D Item 22 for today's City Council Meeting

-EXTERNAL-

Here is attachment D. It shows that Councilwoman Mungo made a promise to residents to get an outreach procedure in place to ensure the grass turf soccer fields would allow residents to provide input so artificial turf would never come back. She claimed she wanted to get it right, but didn't follow up. This was an agenda item that passed in 2017.

<https://longbeach.legistar.com/MeetingDetail.aspx?ID=561339&GUID=207E8A22-35E0-47EE-9A50-B98A2342CBD2&Options=info&Search> Residents were supposed to provide input to this and there was supposed to be a public outreach prior agenzizing this item. It came after we caught the city rigging outreaches for this same thing, Heartwell Park and the Library renaming. The city did not take corrective action to prevent it from occurring again and used the exact same process.

From: Stacy Mungo [<mailto:Stacy.Mungo@longbeach.gov>]

Sent: Wednesday, February 21, 2018 9:41 PM

To: Raman Vasishth

Cc: Steve Napolitano

Subject: Re: Outreach procedure Status

That's exactly what we are working toward. TFF, is an acronym for a draft memo.

-Stacy

On Feb 21, 2018, at 2:27 PM, Raman Vasishth <ramanv@charter.net> wrote:

Sorry I'm not strong on city acronyms. Would you please provide me the meaning off TFF? One thing the city has done in the past is to wait long enough for residents to forget and then try to quickly get changes made to bend it towards total City Manager control of the process and away from the residents. We are aware that the city has used the outreaches and Committees as weapons against residents to force their agenda through. We would like to see an outreach done for every change made to the outreach after the outreach is in place. Roles and responsibilities, routing instructions etc. complete transparency even if incomplete all documents direct and indirect must be retained. So there will need to be a stronger retention policy or a website. We don't want rigged outreaches. There will need to be a process to prevent it.

From: Stacy Mungo [<mailto:Stacy.Mungo@longbeach.gov>]

Sent: Wednesday, February 21, 2018 8:09 AM

To: Raman Vasishth

Cc: Steve Napolitano

Subject: Re: Outreach procedure Status

He provided a TFF update and we are in discussions about options and improvements, I'm committed to getting it right.

-Stacy

On Feb 20, 2018, at 11:02 AM, Raman Vasishth <ramanv@charter.net> wrote:

Hello Councilwoman,

Do you intend on asking the city manager status on the outreach procedure now that it has gone beyond twice as long as the City Manager projected. The procedure was due in 90 days, when was 11/21/17, it is now 4 months after that. Literally 7 months after the City Council item hit. How long do you think is reasonable? What do you think is taking so long?

Warmest Regards,
Raman Vasishth

From: Raman Vasishth [<mailto:RamanV@Charter.net>]

Sent: Monday, March 16, 2020 4:08 PM

To: 'Renee Belville' <renee.belville2@gmail.com>

Cc: Tom Modica <Tom.Modica@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 9 <District9@longbeach.gov>; Stacy Mungo <Stacy.Mungo@longbeach.gov>; Valerie Davis <Valerie.Davis@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>

Subject: RE: Public Request to Postpone all LBC Council & Committee meetings for next 8 weeks, based on safety concerns associated with the CDC recommendations

-EXTERNAL-

From: Renee Belville [<mailto:renee.belville2@gmail.com>]

Sent: Monday, March 16, 2020 3:30 PM

To: Raman Vasishth

Cc: Tom Modica; Council District 5; Mayor; Council District 1; Council District 2; Council District 3; Council District 4; Council District 6; Council District 7; Council District 9; Stacy Mungo; Valerie Davis; Cityclerk@longbeach.gov; charles.Parkin@longbeach.gov

Subject: Re: Public Request to Postpone all LBC Council & Committee meetings for next 8 weeks, based on safety concerns associated with the CDC recommendations

Ramen,

It seems like providing a conference call # and /or video teleconference number for ALL participants may be a good solution for the all future Council Meetings.

These are routinely used by businesses and large organizations.

The current pandemic may be going on for quite a while and we may need to use these readily available technology tools to better work together.

I ask that council members consider this for all future meetings.

I ask that the council postpone Agenda item #22 regarding the installation of synthetic turf soccer field at Eldorado Park to a later date which will allow proper public input.

Best Regards,
Renee Belville

Sent from my iPhone

On Mar 16, 2020, at 2:29 PM, Raman Vasishth <RamanV@charter.net> wrote:

Dear City Members

As a leader of residents and graduate of the Neighbor leadership Program Class of 2019 , I wish to advise you that I and other residents are formally requesting that the City POSTPONE all scheduled City Council Meetings, Committee Meetings and City Council Meeting with residents for the next 8 Weeks to May 1 as currently recommended by the CDC. There does appear to be a violation of the Brown act. I have checked with the governor's office and spoke to Justin who was not aware of any exemption to the Brown act. I have checked the documents website and cannot find it either. If the city has something that allows for that exemption, I would appreciate you forwarding that to me. Here is a news link: <https://www.businessinsider.com/cdc-guidelines-cancel-events-50-people-over-due-to-coronavirus-2020-3> .

The last minute changes the city has made and recommendation of the CDC has the public utterly confused as to what is healthy and if the city is indeed putting them in harm's way. The concern is that residents know they have the right to speak directly, face to face, with the Council Members without having them make excuses sequester themselves and hide from the same dangers they are being forced to face in coming to the Council Meetings. If the Council chamber is safe, then for what reason would there be for elected officials to be so scared to come themselves?

Most, if not all the current agenda items don't seem to have any urgency to them and appear they can wait. It does not appear the city has taking the time to consider that. One item is literally approximately 6 years old and absolutely has no urgency. It also does not seem to make sense at this juncture to treat Council meetings March 24th and after any differently than tomorrow's scheduled Council Meeting based on the CDC's current recommendation. What do you think is going to change between now and then? Why do East Side residents have to drive clear across town when their Councilmembers don't and are too scared to do so. An additional concern is the City is telling Seniors that coming to the Council Chambers is safe when they themselves are too afraid to show up?

Just as you elected officials, we as residents, don't want to subject ourselves and families to further risk and don't understand if there is no risk to the public, why the elected officials themselves so afraid to subject themselves to the same exact conditions they are subjecting their constituents public to. In this unique situation, residents don't seem to know who to trust. When the city Council streamlined procedures against residents objections, the public was told they would get an opportunity to confront their city councilmembers directly (face to face) even though the length of time was reduced to 90 seconds from 3 minutes. This is not the case. Since you clearly are not treating everyone equally and some with what appears special privileges, we ask that until you can treat everyone equally, that this meeting be postponed as recommended by the CDC. I called the Gov. Office and have not seen a directive they have provided the public there is an exemption from the brown act. I have contacted the LBC Dept of Health and Human Services and spoke to a supervisor Gina who is not aware of anything

either. The public has a RIGHT to engage our elected officials face to face directly and not when they are hiding in their fox holes. We know very few Councilmembers bother to read the comments. Many Councilmembers have stated so publically. I'm not sure how those running for office expect to get re-elected if they refuse to show up for their primary responsibility.

Warmest Regards,

Raman Vasishth
Neighborhood Leadership Program, Class of 2019
Member of Cliff May Ranchos Neighborhood Committee
El Dorado West Parks Ambassador
District 5

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Long Beach development chief demoted after trips with lobbyist

DECEMBER 18, 2009 | 4:58 PM

The top development official for the city of Long Beach has been demoted after coming under scrutiny for going on junkets with a lobbyist with business before his office, officials announced this afternoon.

Director of Development Services Craig Beck has been reassigned to a new post as a manager of the Oil and Gas Department's Business Operations Bureau. He will start the new position Monday, earning a salary of \$140,000 a year — a 20% pay cut — said Debbie Mills, the city's acting human resources director.

City Manager Pat West placed Beck on [paid administrative leave](#) last Friday while the city attorney investigated trips he had taken with lobbyist Mike Murchison, including a discounted stay last month at a Napa hotel, saying that and other trips raised a "public trust issue."

"This has been a very difficult decision that I do not take lightly," West said today in a written statement. "This action is the right decision for the Long Beach community and the city organization and allows us to get back to the business of making Long Beach a great city."

West did not respond to phone calls seeking comment this afternoon. The office of City Atty. Bob Shannon declined comment, saying it was a confidential personnel matter.

In a written statement, Long Beach Mayor Bob Foster said "clearly, this was a difficult and painful decision for the city manager, but ultimately a very prudent one that moves toward restoring public confidence and staff morale."

Beck, a 21-year city employee who spent just more than a year and a half as the head of redevelopment, could not be reached for comment, but has told the Press-Telegram that he unknowingly received a discounted room from LodgeWorks and that he repaid the full amount when he returned home.

Murchison is a lobbyist for LodgeWorks, which owns the AVIA Napa Hotel and has been seeking approval through the city's redevelopment office for a 125-room hotel in downtown Long Beach.

The disclosure that the city's top gatekeeper for development had taken trips with a well-known City Hall lobbyist turned into a minor scandal over the last month in Los Angeles County's second largest city.

Local media heavily scrutinized Beck's relationship with Murchison, publishing e-mails between the two in which they discussed "comped" hotel rooms, drinking scotch, taking a limo to wineries and going to Angels games together.

"I feel you have my back and hope you know I have yours," Beck wrote in a Nov. 19 e-mail to Murchison published in the *Press-Telegram*. "I do have a soul that needs feeding and I prefer devil's food!"

Mills, the acting human resources head, would not comment on the reasons for Beck's demotion or whether he will face any disciplinary actions, saying it is a confidential personnel matter.

"It is a reassignment to a different position in a different department," Mills said.

Reginald Harrison, a deputy city manager, was named interim director of the Development Services Department while the city manager searches for a permanent replacement.

--Tony Barboza



Date: May 20, 2014
To: Patrick H. West, City Manager
From: George Chapjian, Director of Parks, Recreation and Marine
For: Mayor and Members of the City Council
Subject: One-Time Funding for Artificial Turf Fields

As a part of the FY14 Adopted Capital Improvement Project budget, the City Council allocated \$2,320,000 for the installation of artificial turf fields at the following sites:

- El Dorado Park (full-size field)
- Seaside Park (youth field)
- Admiral Kidd Park (full-size field)
- Veterans Park (full-size field)

Veterans Park was added for consideration, if funding was available to complete a fourth field.

The Department of Public Works has completed a feasibility study and cost estimates for the four sites. Unfortunately, costs for conversion to synthetic turf is expensive. The preliminary costs are as follows:

Location	Preliminary Cost
El Dorado Park	\$1,747,000
Seaside Park	\$833,000
Admiral Kidd Park	\$1,100,000
Veterans Park	\$1,679,000

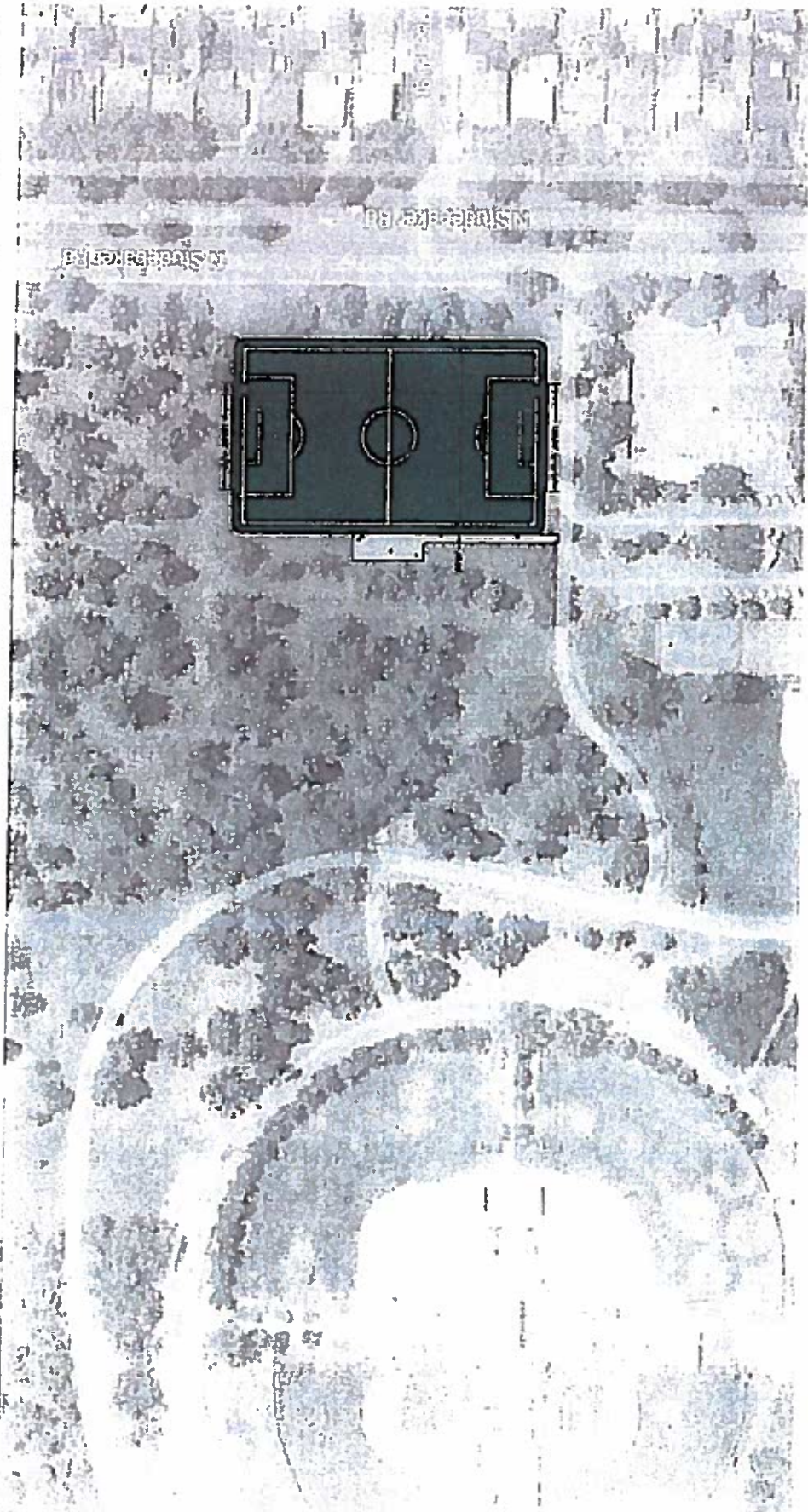
Based on the proposed costs, the \$2,320,000 in allocated funding, along with the \$350,000 in grant money allocated for Seaside Park turf renovation, is sufficient for the design and construction of Seaside Park and one full-size field. At this time, staff proposes to proceed with the design and construction of an artificial turf field at Seaside Park and one at El Dorado Community Park (see attached plans).

For additional information, please contact me at (562) 570-3170.

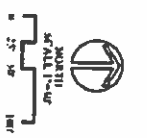
PHW:GC:amm/vhd

Attachment

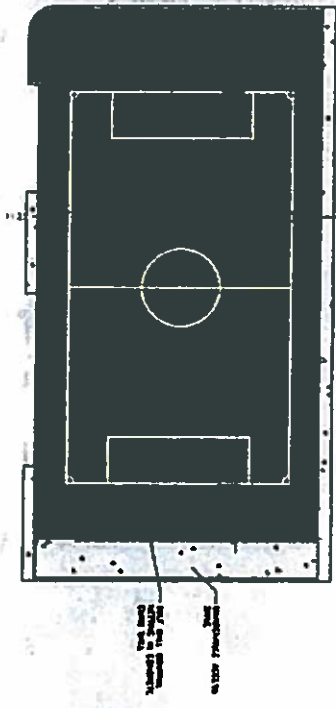
cc: Ara Maloyan, Director of Public Works



EL DORADO PARK
SITE PLAN
PREPARED FOR: CITY OF LONG BEACH PARKS
APRIL 2014



SEASIDE PARK
SITE PLAN
PREPARED FOR: CITY OF LONG BEACH PARKS
MARCH 2019





CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

1



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June 15, 2015

MEMBERS OF THE PARKS AND RECREATION COMMISSION
City of Long Beach
California

RECOMMENDATION:

Recommend to the City Manager the use of coated crumb rubber as the standard infill material for all future synthetic field projects in City of Long Beach Parks. (Citywide)

DISCUSSION

As part of the Fiscal Year 14 (FY14) Budget, the City Council approved \$2.32 million, and as part of Fiscal Year 15 (FY15) Budget, the City Council approved \$1.27 million in one-time funding for turf conversion projects (Turf Project) and identified soccer fields at three park locations for synthetic turf installation. The three parks identified were Admiral Kidd Park, located at 2125 Santa Fe Avenue, El Dorado Park West, located at Studebaker Road immediately south of the Parks, Recreation and Marine Administration building at 2760 Studebaker Road and Seaside Park, located at Chestnut Avenue and W. 14th Street. Community meetings were held on January 26 and February 23, 2015 to provide an overview of the City's synthetic turf projects and solicit community feedback.

A consultant was retained by the Department of Public Works to provide information on the various synthetic turf materials available in the market (Attachment 1). Synthetic turf is commonly used in playgrounds, soccer fields and running tracks, making up the majority of fields installed each year at schools, universities, and professional league stadiums. Replacing natural grass turf with synthetic turf on athletic fields has several benefits. Synthetic turf can:

- Reduce water use, helping to meet the State's water reduction mandate;
- Manage stormwater runoff through subsurface drainage systems;
- Provide a durable, consistent, and safe playing surface that addresses field safety issues and meets the demand for use;

MEMBERS OF THE PARKS AND RECREATION COMMISSION

June 15, 2015

Page 2

- Increase playable hours, without the need to close fields for sod replacement or following rain events; and
- Lower maintenance costs and provide a longer lifespan than grass fields.

The most common infill material for synthetic turf fields is crumb rubber, which is made of recycled tire material, and some concern has been raised regarding its impact on player health. The consultant was asked to provide information on turf infill alternatives to address concerns related to health effects of turf infill material. Alternative turf infill materials were identified and information such as reduction in water use, safety, playable hours, material availability, field temperature and installation and maintenance costs were reviewed to determine a suitable material that could be used to standardize all turf conversions across the City (Attachment 2). These alternatives also generally meet the intent of State Senate Bill 47, which would have prohibited a public or private school or local government from installing a field or playground surface made from synthetic turf until January 1, 2018, unless specified conditions were met. However, SB 47 will not be voted on in this year's legislative session.

Based on the turf infill alternatives identified, the use of coated crumb rubber was selected by the Department of Parks, Recreation and Marine (Department) as an infill material superior to crumb rubber, due to its ability to coat the material and further protect against potential health impacts. Coated crumb rubber, which has an acrylic coating applied to the exterior of each granulate, that encapsulates the rubber particles to mitigate any potential health impacts, was selected as best achieving the benefits of turf infill material for the following reasons:

- Minimal water is used for cooling and cleaning, helping to meet the State's water reduction mandate;
- Subsurface drainage system manages water runoff;
- Playable hours on a durable, safe playing surface are maximized to meet the demand for use;
- Seven to 10-year lifespan for turf infill will reduce maintenance costs by not needing to close fields for sod replacement;
- Available in colors other than black, such as green or tan, reducing the field temperature by five to ten percent; and
- Compared to the current crumb rubber standard, coated crumb rubber is the lowest cost alternative.

Additionally, the conversion of grass fields to synthetic turf fields ensures the City can provide athletic fields amidst drought conditions. Currently, when the City takes down an athletic field for repair, the field needs to be watered several times a day for six to eight weeks. Given the drought conditions, the City will not be able to do this moving forward, thus grass fields will not get the water necessary for field refurbishment. This will result in more grass fields being unavailable for play due to safety and field conditions: having available synthetic turf fields can offset this impact.

MEMBERS OF THE PARKS AND RECREATION COMMISSION

June 15, 2015

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The average annual maintenance cost of a 72,660 square-foot natural grass soccer field is approximately \$11,000, which does not include field repair or replacement costs or the cost for the 900,000 to 1,200,000 gallons of water needed annually for upkeep. The average annual maintenance cost of a 72,660 synthetic turf field is approximately \$9,000, which does not include repair or replacement costs or the water needed for a cooling system. Should the City elect to include a cooling system, this would require up to ten percent of the water used on a grass field, or approximately 90,000 to 120,000 gallons a year. Therefore, every converted field would save \$2,000 annually on maintenance costs plus the cost savings associated with less water use.

Long Beach Municipal Code Section 2.54.005 B states that the Parks and Recreation Commission (Commission) shall recommend to the City Manager plans for development, beautification and maintenance of public park and recreational areas, including parks, recreation centers, playgrounds, beaches, parkways, and the City cemetery. It is therefore appropriate for the Commission to make a recommendation to the City Manager supporting the Department's recommendation to use coated crumb rubber as the standard turf infill material for turf conversions for athletic fields across the City.

Should the Commission support the recommendation to use coated crumb rubber as the standard turf infill material for turf conversions for athletic fields, construction plans will be finalized and put out to competitive bid. Once a contractor is selected, the Turf Project's plans, specifications, and construction contract will be submitted to the City Council for approval as part of the standard contract and purchasing approval procedure.

This matter was reviewed by Deputy City Attorney Kendra L. Carney on June 10, 2015.

FISCAL IMPACT

Synthetic turf fields can provide financial savings through reduced water use, reduced maintenance and longer field lifespans, thus saving long-term infrastructure investments. The City Council approved \$3.5 million in one-time funding for the Turf Project in FY14 and FY15. Maintenance of synthetic turf fields will be budgeted each year as a part of existing field maintenance operations.

SUGGESTED ACTION:

Approve recommendation.

MEMBERS OF THE PARKS AND RECREATION COMMISSION

June 15, 2015

Page 4

Respectfully Submitted,



STEPHEN P. SCOTT
MANAGER
BUSINESS OPERATIONS BUREAU

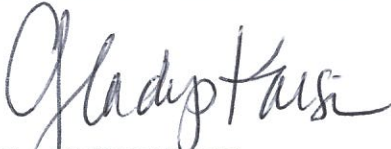
APPROVED:



GEORGE CHAPJIAN
DIRECTOR



HURLEY OWENS
ACTING MANAGER
MAINTENANCE & DEVELOPMENT BUREAU



GLADYS KAISER
MANAGER
RECREATION SERVICES BUREAU

GC:HO:GK:SS:MR

Attachments: Attachment 1: D.A. Hogan & Associates, Inc. Memo
Attachment 2: Turf Infill Alternatives



City of Long Beach
Working Together to Serve

Date: November 17, 2015

To: Honorable Mayor Garcia and Members of the City Council

From: Stacy Mungo, Councilwoman, Fifth District *SM*
Lena Gonzalez, Councilwoman, First District *LG*
Roberto Uranga, Councilmember, Seventh District *(R)*

Subject: **Agenda Item: Previously Approved and Funded Turf Conversion Project**

RECOMMENDATION

Recommendation to request City Manager to direct the Parks, Recreation and Marine Department in coordination with the Public Works Department to provide an update on and current cost estimate for previously approved soccer field turf conversion projects at three parks - Admiral Kidd, El Dorado and Seaside - and request further report on what other appropriate park uses could be developed at El Dorado Park in lieu of an artificial turf project and also report on when it would be feasible to bid on any such in lieu projects.

BACKGROUND

As part of the Fiscal Year 2014 Budget process, the City Council unanimously approved the Budget Oversight Committee recommendations of September 3, 2013 to provide for one-time funding, totaling \$2.32 million, for soccer field renovations and synthetic turf conversion at three parks - Admiral Kidd, El Dorado and Seaside - and as part of the Fiscal Year 2015 Budget process, the City Council allocated an additional \$1.27 million for the turf installation/conversion projects.

Any design, plans and specifications to be finalized and put out for competitive bid, based on the aforementioned, could yield proposals that exceed current funding allocations, which is why an update on current cost estimates is requested. Furthermore, based on community meetings held on January 26 and February 23, 2015 to gain public feedback on the proposed field conversion projects, several new options and alternatives have emerged for improving our parks and sports fields in need of repair, maintenance and improvements that warrant greater consideration by the current City Council.

FISCAL IMPACT

There is no fiscal impact.



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: November 13, 2015
To: Maria de la Luz Garcia, City Clerk
From: Councilwoman Stacy Mungo, Fifth District
Subject: Request to Add Agenda Item to Council Agenda of **November 17, 2015**

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

AGENDA ITEM: PREVIOUSLY APPROVED AND FUNDED TURF CONVERSION PROJECT

Recommendation to request City Manager to direct the Parks, Recreation and Marine Department in coordination with the Public Works Department to provide an update on and current cost estimate for previously approved soccer field turf conversion projects at three parks - Admiral Kidd, El Dorado and Seaside - and request further report on what other appropriate park uses could be developed at El Dorado Park in lieu of an artificial turf project and also report on when it would be feasible to bid on any such in lieu projects.

Council District	Authorizing Councilmember	Signed by
5	Stacy Mungo	Stacy Mungo
7	Roberto Urango	Roberto Urango
1	Lena Gonzalez	Lena Gonzalez

cc: Office of the Mayor

Los Angeles Times 02/13/2001

Takeover of Long Beach Park Space Stirs Debate

By DAN WEIKEL

FEB. 13, 2001

12 AM

TIMES STAFF WRITER

In 1889, two public parks that formed a mile-long promenade of flower beds, eucalyptus and Moreton Bay fig trees on the coastal bluffs of downtown Long Beach were dedicated in perpetuity for recreation. Today, Santa Cruz and Victory parks along Ocean Boulevard don't seem so public anymore.

Modern office buildings, high-rise condos, walls, steps and driveways encroach on much of the land. Giant slabs of modern sculpture and 18 commercial real estate signs also intrude, most of them without permission.

Passersby who venture onto some of the remaining parcels risk being shooed away by security guards.

Over the decades, downtown development decisions by City Hall have transformed Victory and Santa Cruz into little more than landscaping for private property. Such cannibalizing of parkland for uses other than public recreation has been a regular occurrence in Long Beach, already affecting or threatening an estimated 20 sites.

Now, a public outcry is growing over those losses and ongoing attempts by local government to take recreational areas for other uses. Consequently, elected officials are beginning to rethink guidelines for the city's 70 parks.

Last week, a City Council committee embarked on a plan to inventory recreational land, identify new park sites and give citizens more of a say in how their parks will be used. The panel also held the first in a series of public hearings on the issue.

“A lot of people have been waiting a long time for this,” said City Councilman Ray Grabinski, who proposed the park meeting. “We need to make sure that no short-term gain takes away from the long-term gain of saving what we have and acquiring more land for parks and open space.”

Long Beach, which is the state’s fifth-largest city, has about 2,500 acres of parkland, including beaches, municipal golf courses and public school playgrounds. The parks vary in size from so-called pocket parks of less than half an acre to massive El Dorado Park with 650 acres.

The National Recreation and Parks Assn. recommend that cities have a minimum of 10 acres of parks per 1,000 residents. But Long Beach has about six acres per 1,000, less than many major metropolitan areas, including New York City.

More Space in Affluent Areas

Most of the recreational land is concentrated on the city’s affluent east side. The 3rd and 5th council districts, for example, have four acres and 18 acres of parks per 1,000 residents, respectively. The 1st Council District in downtown, among the poorest, has less than half an acre per 1,000 residents.

Preservationists say that demand for parks is growing with the population and that Long Beach should end its long history of trying to put private and non-recreational facilities on public parkland.

Much of Lincoln Park, the city’s first and perhaps most famous, was taken in the 1970s for a massive expansion of the main library and construction of a concrete plaza in front of the new City Hall.

A temporary police station sits in Scherer Park. Heartwell Park contains a large day-care center. Fire stations, government buildings, freeways and redevelopment projects now sit on what was once other parkland or public beaches.

Still other recreational lands have been lost due to subsidence from oil drilling, changes in the city master plan, and expansion of the Port of Long Beach, one of the busiest harbors in the nation.

Victory and Santa Cruz parks, which run from Golden Shore to Alamitos Boulevard, have practically been erased by commercial development approved by the city over the last three decades.

“It’s been a giveaway and the slow privatization of public land,” said Lester Denevan, a former city planner, whose complaints about illegal real estate signs in both parks are being reviewed by Long Beach park officials.

Preservationists and city officials partly blame the situation on a lack of clear guidelines designating what can be built on parkland. Long Beach, they say, has never formally differentiated its parks from other city property.

“We need direction for the future,” said city Parks Director Phil Hester. “There needs to be a balance between open space, natural areas, recreational facilities and government uses.”

Under current zoning, day-care centers, preschools, communication towers, parking lots, certain private clubs, community service organizations and school playgrounds, as well as government buildings, can be located in parks.

The ordinance is “too broad,” said Pat Garrow, a Long Beach city planner. “There should be open space and recreational uses. As far as other structures [are concerned], I would like to see us draw a line somewhere.”

But park advocates and neighborhood leaders contend that vague laws aren’t the only culprits. In some cases, they say, city officials have viewed building in parks as a way to hold down the cost of municipal projects and prevent private property from being removed from the tax rolls.

“Parks should not be looked upon as building pads,” said David A. Sundstrom, a member of an environmental task force that helped develop the city’s strategic plan. “We can’t afford to burn park space whenever someone’s pet project comes up.”

Sundstrom and others, including some city officials, say using parkland for other projects is shortsighted, considering the high cost of acquiring urban parkland. The property for 12-acre Cesar Chavez Park, the city’s newest, cost about \$1 million an acre.

To open-space advocates and city officials, the park meeting represents an important juncture after seven years of almost uninterrupted controversy.

In 1994, a battle over El Dorado Park in eastern Long Beach erupted when the city advanced a 10-year-old proposal to build a private recreational complex for adults on 41 acres in the northwest corner of the park. An Arizona-based developer would have operated the center and charged admission.

Court Challenge to Environmental Report

Plans called for softball fields, soccer fields, volleyball courts, basketball courts, picnic areas and 650 parking spaces. Beer and wine would have been sold.

Supporters said the center was needed to handle recreational demands by adult groups and free up other fields for youth sports.

Opponents argued that the project would ruin wildlife habitat and the area's tranquility. They also did not like the project's commercial nature and the adults-only connotation.

Groups such as Save the Park mounted a successful court challenge to the project's environmental impact report. During one meeting a crowd of almost 1,700 jeered city officials and booed Mayor Beverly O'Neill.

City Council members decided in late 1996 to put the sports complex on an old dump site owned by the city. It has yet to be built.

About a year later, another dispute developed over 25-acre Stearns Champions Park, where plans called for a 911 center.

City officials said there was no alternative and accused the opposition of jeopardizing the safety of the community. Residents fought back, saying they had been denied adequate public notice and that tax dollars were being spent without City Council approval.

“Everything was pretty much done in the dark,” said Traci Wilson-Kleekamp, president of the Stearns Park Neighborhood Assn. “The blueprints were done, the consultants were hired, and the work started before any hearings.”

In December 1999, city officials abandoned the site.

Today, the battles continue over a proposal to turn a portion of Cesar Chavez Park in downtown into a school playground and whether the city should build a permanent police station for 200 officers on three acres of Scherer Park to the north.

Local environmentalists also say the city is trying to use part of Shoreline Park for a major waterfront development in violation of federal law and state coastal planning requirements. City officials have denied any impropriety.

At last week’s hearing at City Hall, citizens called for a moratorium on park use decisions until the new guidelines are adopted.

Vanishing Parks

Victory and Santa Cruz parks have existed in Long Beach for more than 100 years. Today, they are hard to find. High-rises, apartments, driveways to garages and real estate signs encroach on much of the land. Over decades, the city has abandoned some of the ground, sold it off for redevelopment, or transferred maintenance to private property owners. Here are the original boundaries of the parks:

the end of the year.

According to Mungo's Chief of Staff, Christine Schacter, the plan is not to just recommend condos, but also retail, though there is the expectation of less retail based on trend indicating fewer shopping centers, a result of increased on-line retail.

The recommendation after this process "could be anything," said Lee. "We're going to hear the public, their needs and wants. I think in general, there is positive reaction, some people have expressed the need for more housing, and affordable housing as well."

Lee described a new state law on accessory housing, allowing property owners to legally build another unit on their property. "They cannot build whatever they want. Building and planning will be strict. It's not like they can just go and do it." Already



LAURA DOUD

Job Order Contract Audit Report

May 25, 2016

Laura L. Doud

City Auditor

Deborah K. Ellis

Assistant City Auditor

Terra Van Andel

Deputy City Auditor

Jennifer Rethwisch

Senior Performance Auditor

Cristi Cao

Performance Auditor

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EXECUTIVE SUMMARY

INTRODUCTION

The Long Beach City Auditor's Office recently completed an audit of internal controls surrounding the Job Order Contracting (JOC) program within the Department of Public Works (Department). Since 2003, the Department has utilized JOC to complete \$68 million in infrastructure needs, such as repair or renovations of parks, libraries, and City buildings.

Approximately \$68 million in capital improvement projects have been completed through the JOC program since its inception in 2003.

JOC is used by government agencies as an alternative to traditional procurement methods to move projects along quickly yet retain competitive pricing. JOC uses a pre-priced catalog of thousands of items needed to complete construction projects, such as labor, material and services. The City requests contractors to bid on the contractors' ability to perform work as a percentage of the prices listed in the catalog. For example, contractors who bid .90 are obligated to perform the work at 90% of the prices listed in the catalog. The selected contractors remain "on-call" to perform small-scoped construction projects as needed.

If properly administered, a JOC program offers the City a mechanism to complete projects quickly with quality and at a competitive price. Unfortunately, due to the inability to effectively manage the JOC program, the City is not receiving competitively priced projects. We found a significant systemic lack of controls over all key areas of the process, creating an environment that is highly vulnerable to fraud. Too much emphasis is placed on completing projects quickly instead of ensuring projects are properly defined and competitively priced. This results in projects not having competitive bidding and being priced higher than the City is contractually obligated to pay.

RISK ENVIRONMENT

When operations, such as the JOC program, have a significant systemic lack of controls, an audit will assess the risk of fraud, waste or abuse occurring and whether the behavior can be detected. The Fraud Triangle is a model used in the audit industry to gauge the risk based on whether three primary components exist – financial pressure, opportunity, and justification of the act.¹ With the JOC program, the City has created an environment with all three of the components present, creating the perfect environment for fraud or waste to occur.

The JOC program is operating in an environment highly vulnerable to fraud.

For this reason, we have engaged the services of an independent firm that specializes in forensic accounting and fraud investigations, which includes the services of a construction expert, to perform further review of certain JOC projects. The results of their work will be issued in a separate report at a later date.

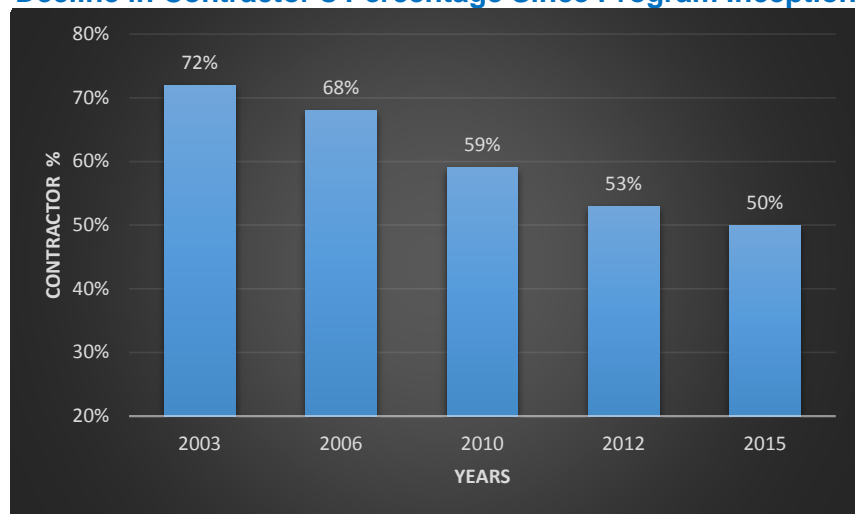
¹ The Fraud Triangle is a model used by the Association of Certified Fraud Examiners. See Appendix A for additional details.

Component #1 - Pressure to Inflate Costs

Contractor's percentage has declined 31% since program inception, significantly decreasing the likelihood contractors are able to make a profit.

The first component of the triangle is the financial pressure, or need, that motivates someone to commit fraud. The pressure within this JOC program starts with the City accepting bids from the JOC general contractors that are too low and unrealistic. The current JOC contractor percentages range from .50 to .71, meaning the contractor is contractually obligated to perform work at 50-71% of catalog pricing. Under a normal JOC program, it is highly unlikely contractors could earn a profit using these low percentages. The percentages bid by the contractors have declined 31% since the program started in 2003 as shown in Chart 1 below.

Chart 1
Decline in Contractor's Percentage Since Program Inception



In December 2014, the vendor that owns and manages the pre-priced catalog for JOC programs warned the City the percentages bid by the general contractors were too low, and the JOC program could not operate as intended using percentages below 80%. Ignoring this warning, the City elected to continue with the JOC contracts as bid, creating a financial pressure for the contractors to continue to seek out alternative ways to increase project costs in order to make a profit. Two ways to manipulate pricing are to use items outside of the catalog, which are charged at 110% instead of the lower bid percentage, and to increase labor and materials beyond what is needed. The excessive use of non-catalog items and inflated cost proposals are discussed further under the next component.

Component #2 - Opportunity without Detection

The second component of the triangle is the perceived opportunity that there is a way to commit fraud and not get caught. The City's lack of structure and oversight in the JOC program creates multiple opportunities for program manipulation to occur.

Change orders and cost overruns were present in 91% of the projects reviewed during the audit period.

Vague Project Requirements

Beginning with the project proposals, we found scopes of work (SOW) that were vague and lacked sufficient detail to determine if contractor pricing was appropriate. When the detailed work to be performed is not clear, it is difficult for the City to identify when costs have been inflated or are unrealistic. In other JOC programs, proposals are reviewed and priced by an independent source aside from the project manager and contractor, creating a mechanism to gauge whether the contractors' proposals are reasonable. The City has not established such a control. The poorly designed SOWs have resulted in numerous change orders and cost overruns, occurring in 91% of the projects we reviewed during our 17-month audit period. Table 1 displays change orders of projects sampled over \$100,000.

Table 1
Change Orders for Sampled Projects Over \$100,000
October 2013 – February 2015

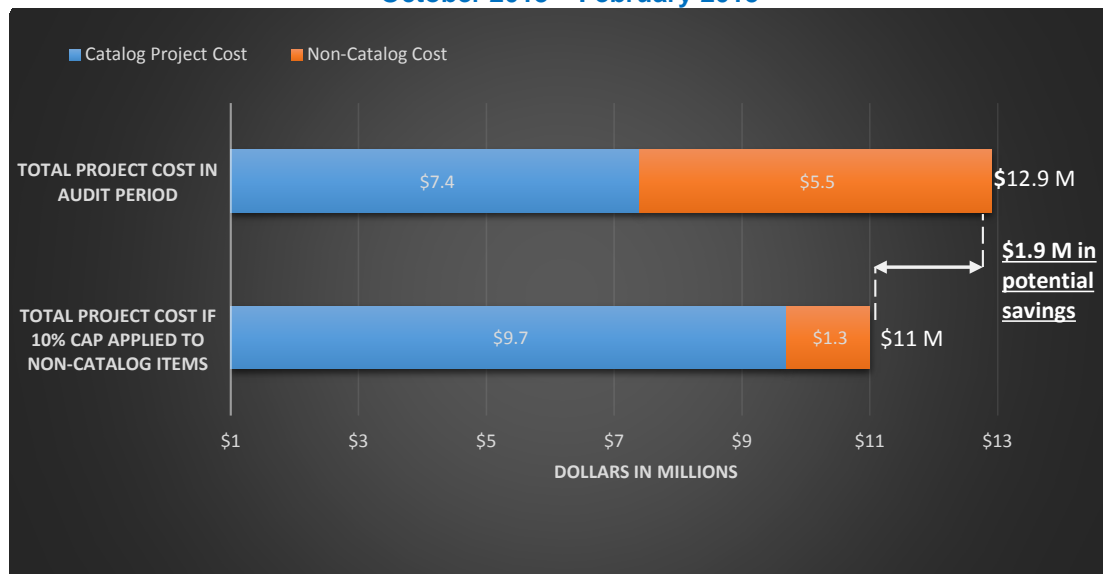
Project	Total Cost (\$)	Cost of Change Orders (\$)	% Increase due to Change Orders
Traffic Management Center	\$ 482,300	\$ 158,400	49%
Whaley Park Baseball Field Fence Replacement	\$ 240,500	\$ 74,100	45%
Nature Center Chain Link Fence	\$ 138,700	\$ 30,700	28%
Queensway Bay Restroom	\$ 645,400	\$ 96,300	18%
Belmont Pier Restroom Replacement	\$ 154,700	\$ 19,400	14%
Re-roofing of Bayshore Library & Alamitos Library	\$ 167,400	\$ 11,200	7%
Re-roofing at El Dorado & Ruth Bach Library	\$ 199,700	\$ 7,900	4%
Re-roofing of West Health Facility	\$ 166,100	\$ 2,200	1%
Total	\$ 2,194,800	\$ 400,200	22%

Excessive use of non-catalog items

Approximately \$1.9 million in savings possible if limits had been placed on use of non-catalog items.

Most JOC programs cap the amount of non-catalog items that can be used in a project. This is because non-catalog items are priced at 110% versus catalog items priced using the JOC contractors' lower bid percentages (50% - 71%). Long Beach does not have a cap on how much non-catalog items can be used as a percentage of project cost. As a result, 42% of total project costs identified during our audit period were non-catalog items priced at 110%. As shown in Chart 2, if a 10% cap on these non-catalog items had been in place, the City could have potentially saved \$1.9 million, or 15% of overall costs. Based on the average JOC project price, that savings equates to 19 additional projects that could have been completed.

Chart 2
Project Cost Comparison with Reduced Non-Catalog Items
October 2013 – February 2015



67% of non-catalog items were not competitively priced.

When using non-catalog items, the JOC contractor is supposed to obtain three quotes for the City’s review to ensure the items chosen are competitively priced. For the projects we sampled, 67% of the non-catalog items did not have independent quotes, and there was no justification provided in the City project files as to why the quotes were not obtained. The substantial use of non-catalog items by the JOC contractors combined with the inconsistency in obtaining valid price comparisons result in the City having very little control over project costs.

Inflated cost proposals

In April 2013, a former City project manager issued a letter to a JOC contractor alleging the contractor was padding proposals by manipulating the catalog to inflate pricing. Although this letter was distributed to staff managing the JOC program, the City continued to award \$3.8 million of work to this contractor after the letter was written. During our audit, we heard a recurrent theme among project managers that JOC contractors regularly inflate proposals due to the inability to make a profit from the low bid percentages. This results in the City negotiating pricing outside of the catalog and different from what is contractually obligated by the contractor.

Limited City involvement

Oversight by City employees is limited.

Project managers are responsible for all aspects of a project, including approval of work performed and payments to all parties. Due to staffing shortages caused by budget cuts, the Department relies heavily on consultants to fill the role of project manager. Of the projects reviewed during the audit, 64% of the project managers were consultants, which is higher than other JOC programs we surveyed. In addition, some of the contracts for which the consultants are working under allow for the firm to provide a variety of services, creating potential conflicts of interest. For example, nothing prevents the City from using the same firm to provide both design and project manager services

on a project. This allows the consultant acting as the project manager to approve his own firm's invoices for the design services.

Overall, oversight by City employees is limited. There are no formal policies, procedures or guidelines over the program, creating inconsistencies in project management and documentation. During our audit, we found no required or comprehensive reporting of key project information to the JOC program supervisor or other Department management. As a result, the City has very little oversight or control over JOC project costs or the quality of work.

Component #3 - Justification for Quick Project Completion

The third component of the triangle is rationalizing or justifying the activity taking place. The City has placed a significant emphasis on the need to complete projects quickly, providing justification for how the program operates and the associated risks. While one benefit of the program is the ability to start projects faster than more traditional procurement methods, speed has unfortunately become the focal point of the program.

JOC is designed for routine and minor construction tasks and not large, complex projects that require extensive design or are likely to encounter changes and revisions during construction. Projects should not exceed \$500,000 and currently average \$100,000. Due to limited program oversight and without a defined process for prioritizing projects, the City reacts more than plans how projects should be completed. As a result, we found projects processed through JOC that did not appear to be best suited or within current understandings of JOC project types but were placed there based on the need for quick implementation. These include the demolition of the Belmont Pool at \$2.6 million and the Harbor Department remodel of new administrative offices at the airport totaling \$14 million. We also found projects already in progress that were moved into the JOC program after problems with the projects occurred. This allowed the projects to move along faster without having to address problems with the original contractors.

Two JOC projects, totaling more than \$16.6 million did not meet usual JOC project type requirements.

Examples:

- *The Traffic Management Center Project encompassed a complete relocation of the existing Traffic Management Center, along with new hardware, software, and operation and conference room. This large, complex project would not usually be best suited for a JOC program. Very little information is available in the project file, but we can identify at least four different JOC contractors who worked on the project along with 21 subcontractors. The project spanned five years with total project costs reaching at least \$482,300 including \$158,400 in change orders, of which 84% fell within the audit period. Per project files, one JOC contractor was used as a way to provide architectural services for the project by allowing an architectural firm to work as a subcontractor to a JOC contractor. JOC contracts are solely for construction services and should not encompass architectural or design services as these type of services have different procurement procedures.*

- *The Queensway Bay Restroom project was originally one of four restrooms included in a direct procurement contract for the vendor to complete remodeling of all sites. After the contract was awarded, scope of work changes occurred on all four restrooms, and the City was unable to reach an agreement with the contractor on revised pricing for the Queensway Bay Restroom site. Further negotiations with the vendor were terminated and instead of rebidding the project, the remodel for this site was moved to the JOC program for completion. Total construction costs were \$645,400, with over \$96,000 in change orders.*

With quick implementation as the focus of project assignment, the capacity of the JOC program is not considered, and establishment of adequate controls has not occurred. Management and project managers involvement in the program is insufficient to effectively manage the workload, and many of the project managers have not received adequate training or been provided policies on program standards. Instead, the primary emphasis communicated to all parties is to get the project completed as quickly as possible.

One major benefit of using a JOC program is that it decreases the time to initiate a project. This is because the traditional procurement method is replaced with bids based on a pre-priced catalog. However, we found the time required to move City JOC projects through the design and proposal phase is significantly longer than the industry standard. The vendor overseeing the pre-priced catalog for JOC programs reports the average industry time to complete project initiation and start a JOC project is 25 days without design and 55 days with design. While it is unclear how many projects during our audit period included design, to be conservative we measured all projects against the 55 day benchmark. Projects costing \$4.4 million (34% of total project costs) did not fall within the 55 day timeframe. As illustrated in Table 2, seven projects consisting of \$3.3 million in costs took more than 90 days to initiate. Due to inadequate project file documentation, it was impossible to determine why the City's projects took longer. However, project manager workload and negotiating pricing outside the catalog are two potential reasons for some of the delays.

\$4.4 million of City JOC projects take longer than the industry average to initiate work.

Table 2
Projects Taking Over 90 days to Initiate
October 2013 – February 2015

#	Project Name	Days to	
		Initiate	Project Costs
1	Electrical Upgrades to Various Branch Libraries	178	\$ 145,600
2	Water Leak Detection Panel Upgrade of Halon System Panels	177	\$ 27,100
3	PD Academy - Perimeter Enhancement Project	148	\$ 185,700
4	Somerset Park Restroom & Center Improvements	115	\$ 77,500
5	Painting of Community Rooms at Various Branch Libraries	95	\$ 27,300
6	Belmont Pool Demolition	92	\$ 2,596,700
7	Water Line Service Repair at Temple and Willow Facility	91	\$ 282,400
Total			\$ 3,342,300

SUMMARY

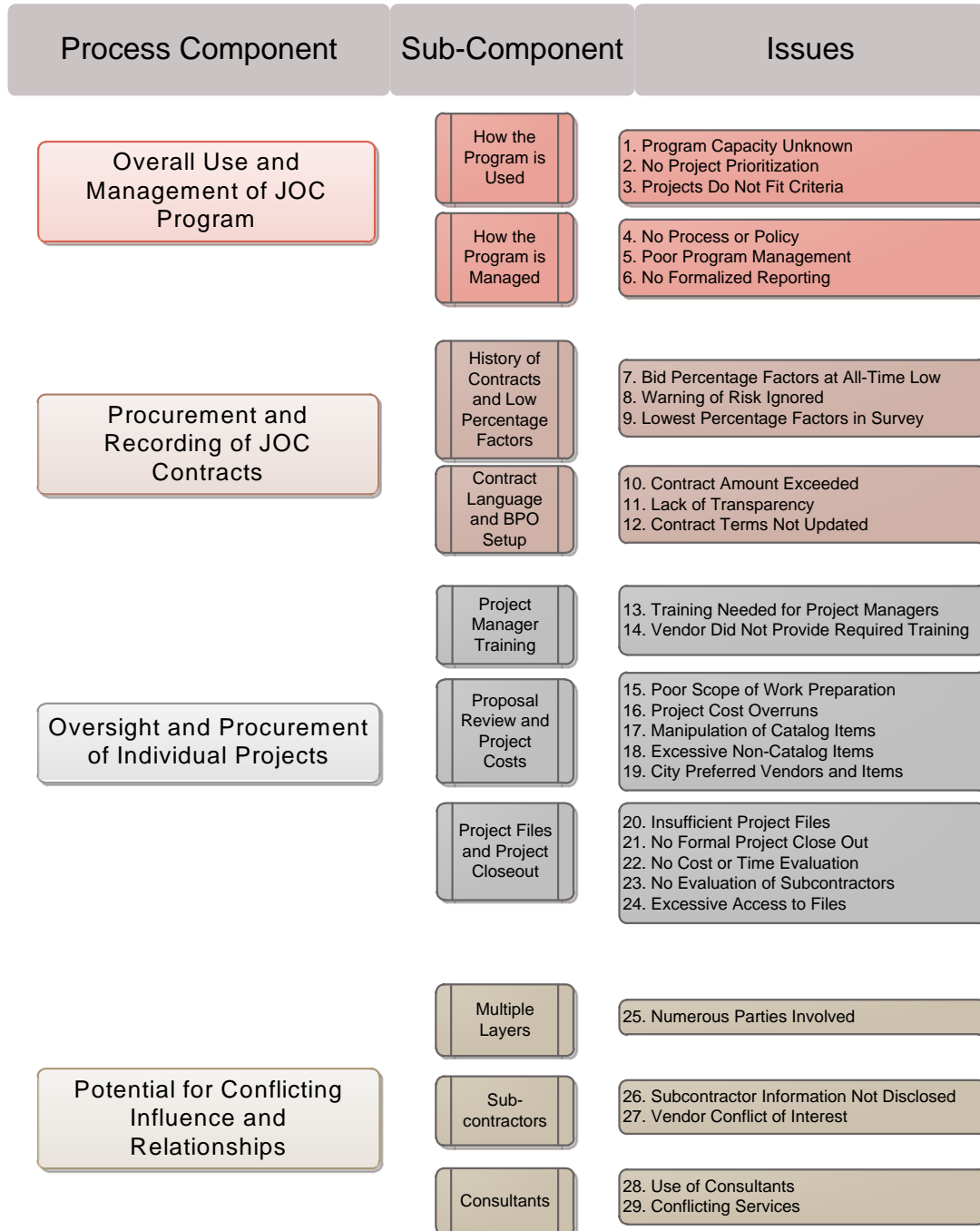
This Office spent close to a year reviewing the JOC program, which resulted in numerous serious and significant findings that are detailed in the Results section of this report. Although we did not audit every project currently active in the JOC program, our review was extensive and clearly supports the evidence of a systemic lack of controls and insufficient oversight at all levels of the program. This has resulted in the City not receiving competitively priced proposals and ultimately paying more than contractually obligated for JOC projects. We encourage the City to address the systemic issues by implementing the recommendations in this report and not focus on individual project discrepancies.

We want to thank the Department's staff for their assistance, patience and cooperation during this lengthy audit. The City has acknowledged the severity of the issues surrounding the program and have begun to take steps to implement improvements. In addition, legislation recommended by this office was adopted by the City Council on May 24, 2016 that places key controls around program processes, similar to other agencies using JOC programs.

RESULTS

The Executive Summary section of this report discusses the current environment of the City’s Job Order Contract (JOC) program and the systemic lack of controls over all key areas of the process. The lack of controls results in the JOC program being highly vulnerable to fraud and waste. This section of the report details the individual audit findings. Due to the number of issues identified, they have been grouped into four main program components as highlighted in the following chart:

Chart 3
Job Order Contract Program Component Issues



I. OVERALL USE AND MANAGEMENT OF JOC PROGRAM

JOC programs are designed to handle smaller-scoped construction projects by using an alternative procurement method, allowing the project to move forward quickly yet maintain competitive pricing. Unfortunately, the City has placed a disproportionate emphasis on the need to complete projects quickly without sufficient consideration for program capacity and overall management. The focus on speed of project completion has forced the City to use the JOC program for projects that would not normally be processed through this type of program, such as large and complex projects or those previously procured through other methods but transferred to JOC when problems occurred.

The lack of formality over processes and procedures, the extensive use of outside consultants for project management, and relatively no internal program reporting, all contribute to creating the high risk environment. Until an effective management oversight structure is established and the program is used as intended, the City is at risk of paying more than contractually obligated for JOC projects.

A. How the Program is Used

Issue #1. Program Capacity Unknown

There does not appear to be any analysis on the number and type of projects the JOC staff can handle at any one time to ensure projects are managed timely and appropriately. The pressure to complete projects quickly has resulted in project cost and adequate oversight being of lesser importance. We heard a consistent concern from the project managers that there is pressure to get projects done quickly, reducing the time to deal with JOC contractors during proposal review.

Issue #2. No Project Prioritization

A list of all pending infrastructure needs or a formalized process for prioritizing the pending projects does not exist. This results in the Department of Public Works (Department) reacting versus strategically planning which projects should be completed next. Political pressures involving the City Council's annual discretionary funding allocations contribute to the poor planning. These monies are required to be spent within the fiscal year, giving priority primarily based on funding and not necessarily need.

Issue #3. Projects Do Not Fit Criteria

Industry best practices indicate JOC should be used for routine and minor construction tasks and not large, complex projects that require extensive design or are likely to encounter changes and revisions during construction, such as the Queensway Bay Restroom as illustrated in Appendix B. The City's JOC program is being used to bypass the lengthy traditional procurement process so that projects can be pushed along quickly, regardless of size or type, and without considering if JOC is the best option. Although quick completion of a project is a benefit of JOC, it should not be the only factor taken into consideration. Cost and timing should also be considered to determine if using the JOC program is better than traditional procurement methods for that particular project.

- **Issue #3a Large and Complex Projects**

JOC projects should not exceed \$500,000, and currently average \$100,000. However, we found examples of projects processed through JOC that exceeded \$500,000, some with substantial change orders. Examples include the Belmont Pool Demolition valued at \$2.6 million, the Harbor Department's remodel of new administrative offices totaling \$14 million, and the Traffic Management Center relocation costing close to \$500,000. These projects appear to be assigned to JOC solely to ensure quicker implementation.

Example:

- *The Traffic Management Center Project encompassed a complete relocation of the existing Traffic Management Center, along with new hardware, software, and operation and conference room. Very little information is available in the project file, but we can identify at least four different JOC contractors who worked on the project along with 21 subcontractors. The project spanned five years with total construction costs reaching at least \$482,300 including \$158,400 in change orders, of which 84% fell within the audit period. Per project files, one JOC contractor was used as a way to provide architectural services for the project by allowing an architectural firm to work as a subcontractor to a JOC contractor. JOC contracts are solely for construction services and should not encompass architectural or design services as these type of services have different procurement procedures.*
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- **Issue #3b "Saving" Projects**

The program is being used to "save" projects that initially started outside the JOC program but then developed issues. Instead of ensuring proper oversight and problem resolution with the original contractor, the project is moved into the JOC program so it can be pushed quickly along without adhering to usual City procurement or contract amendment policies.

Example:

- *The Queensway Bay Restroom project was originally one of four restrooms included in a direct procurement contract for the vendor to complete remodeling of all sites. After the contract was awarded, scope of work changes occurred on all four restrooms, and the City was unable to reach an agreement with the contractor on revised pricing for the Queensway Bay Restroom site. Further negotiations with the vendor were terminated and instead of rebidding the project, the remodel for this site was moved to the JOC program for completion. Total construction costs were \$645,400, with over \$96,000 in change orders.*
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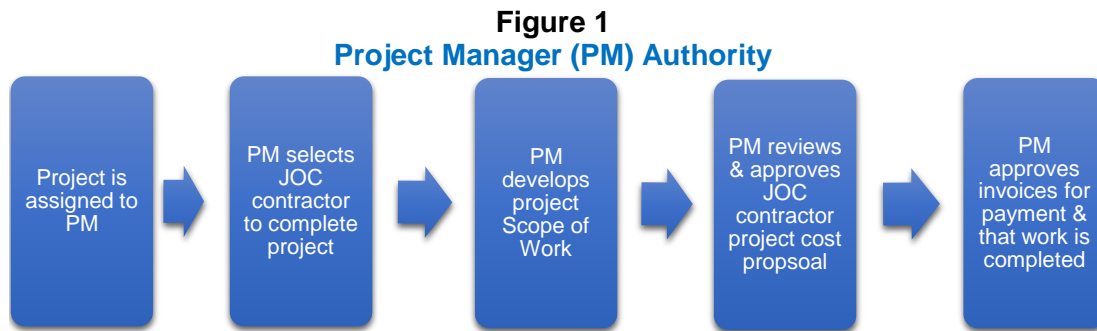
B. How the Program is Managed

Issue #4. No Process or Policy

Even though the JOC program has been in place for 13 years, formal policies, procedures, or guidelines have not been established. Without formal policies and procedures, staff who managed or operated within the program did not have guidance on their roles or responsibilities, resulting in inconsistent handling of projects and incomplete documentation.

Issue #5. Poor Program Management

Oversight and management of the JOC program by City employees is limited. The City relies on outside consultants to fill many of the project manager positions, but provides little direct oversight to their activities. This is particularly risky given project managers are responsible for all aspects of the project, from selecting the contractor to approving payments, with little accountability as shown in Figure 1 below. As such, the City would not know if the consultant was personally benefitting or if inappropriate activities were taking place.



Issue #6. No Formalized Reporting

Comprehensive reporting of key project information, such as status, budget/costs, milestone dates, or outstanding issues from the project managers to JOC program management or other Department management did not exist during our audit. This results in very few individuals within the Department being aware of how the program is operating and any potential problems. For example, the supervisor over the JOC program retired at the beginning of our audit and no one else in the Department was adequately knowledgeable of how the program operated.

II. PROCUREMENT AND RECORDING OF JOC CONTRACTS

Contractors seeking to obtain a JOC contract with the City must competitively bid a percentage factor which is applied to the cost of items in a pre-priced catalog. The factor should include the contractor's profit and overhead. Contracts are awarded to the five contractors with the lowest bid percentages. The current contractors' bid percentages are extremely low making it highly unlikely the contractors could make a profit. With the primary emphasis on keeping projects moving along quickly, the City has not evaluated the reasonableness of the contractor's percentage factors and the risks associated with them. Allowing JOC contracts with extremely low percentage factors has created a financial pressure for the contractors to find alternative ways to make a profit.

We also found issues with the administration of the contracts. Purchase order errors allowed over spending, communication of the JOC contracts in City Council agenda reports was not clear, and

JOC contract terms were conflicting. These issues contributed to a lack of program transparency and inconsistencies in contract administration.

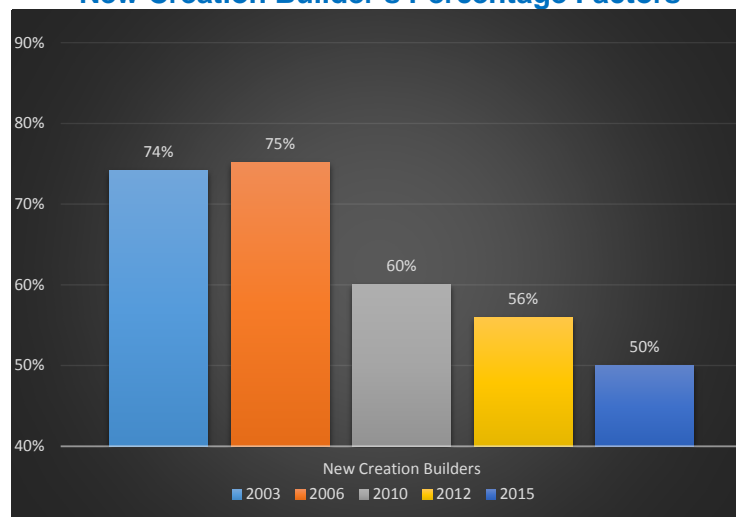
A. History of Contracts and Low Bid Percentage Factors

Issue #7. Bid Percentage Factors at All-Time Low

Since the inception of the JOC program in 2003, contractor's bid percentage factors have declined 31%. The current JOC bid percentage factors range from .50 to .71, meaning they are contractually obligated to perform work at 50-71% of the catalog price. It is highly unlikely contractors can earn a profit using these low percentages. Many of the contractors have held JOC contracts since 2003. Their long-term relationship with the City and experience with the JOC program likely influenced the decline in bid percentage factors.

In January 2015, the City awarded a JOC contract with an all-time low percentage factor of .50 (50%) to a contractor who has held a JOC contract since 2003 (Chart 4). Ideally, a low percentage factor would result in a lower project cost, however factors this low are not realistic and will cause the contractor to find other methods to cover costs and earn a profit.

Chart 4
New Creation Builder's Percentage Factors



As shown in Table 3, a percentage factor of 1.10 would mean that the contractor will complete a project for 110% of the catalog price, while a factor of .50 means the contractor will complete it at a 50% discount. The deep discount of 50% means the contractors are paying for a portion of the project out of their own pocket. Contractors bid these extremely low percentage factors to win the contract; however, as it is impossible to make money using these low percentage factors, it creates a pressure, or need, to find other ways to increase project costs.

Table 3
JOC Percentage Factor Comparison

Contractor	Project Cost per Catalog (Materials, Labor & Equipment)	Percentage Factor	Total Project Cost	Contractor's Profit or (Loss)
A	\$20,000	1.1 (110%)	\$ 22,000	\$ 2,000
B	\$20,000	.5 (50%)	\$ 10,000	\$ (10,000)

Issue #8. Warning of Risk Ignored

In December 2014 (just before the last JOC contracts were approved), the JOC program manager received a letter from The Gordian Group (Gordian Group)², warning the City to reject all bids because the factors bid by the contractors were too low for the program to operate as intended. An excerpt from the Gordian Group letter is shown in Figure 2.

Figure 2
The Gordian Group Letter of Concern Excerpt

“It’s not possible to be successful under a JOC contract with a bid below 80% (.8) unless the owner (City) performs an adequate review of the proposals. When poor proposal review occurs, the contract morphs into a negotiated contract instead of firm fixed price contract. In practice, when bids are this low, the contractor and client (project manager) negotiate the value for the projects, and the contractor fabricates a proposal to match that value that is later approved by the Client. The proposal is approved despite flagrant violations of the terms of the contract, including notes in the Construction Task Catalog.”

The JOC program manager proceeded with accepting the low factors despite the warning from Gordian Group. As a result, five JOC contracts were approved at extremely low bid percentage factors and given a cumulative authorized spending amount of \$17.5 million. When asked why the contracts were approved despite receiving Gordian Group’s letter, the Department stated they were following the City’s purchasing guidelines. Although the City is required per the City Charter to award contracts based on lowest bids, the provision also allows the City to reject all bids and re-advertise them if it is deemed in the best interest of the City. The City did this in 2006 when it rejected JOC contract bids up for renewal. Given the option to re-advertise the bids, we are unclear on why the City chose to award the current contracts at the low bid percentage factors and assume the related risk.

Issue #9. Lowest Percentage Factors in Survey

We surveyed five agencies in Southern California that also use a JOC program and found the City’s current bid percentage factors are the lowest among the agencies surveyed. While the other agencies also have concerns over low factors (in addition to non-catalog items and proposal review), they are more pro-active finding solutions to mitigate or lower the risks. This is different from the City, which appeared to be unaware of the significance of the problems and was not looking to change the risky situation.

² The Gordian Group is a firm that provides the City with JOC consulting services and has been providing JOC consulting services to public and private agencies since 1990. Services provided to the City include development of the catalog as well as access to eGordian software used to manage projects.

B. Contract Language and BPO Setup

Issue #10. Contract Amount Exceeded

The JOC contractors are awarded a spending authority limit, which is then established in blanket purchase orders (BPOs) so payments can be processed. During the audit, we found that the BPO amounts exceeded the spending authority by \$13.6 million. A separate BPO for \$13.6 million was established by the Harbor Department (Harbor) when it received approval to use the JOC program for improvements for the interim Port headquarters building; however, the City erroneously added the same \$13.6 million to the non-Harbor BPO, thereby doubling the authority amount granted to the contractors. With this additional authority, the City paid a JOC contractor approximately \$1 million more than the approved JOC contract amount. Further review found that the \$1 million was charged to the JOC program, although costs did not actually relate to JOC projects. The payments were for costs associated with another separate contract the JOC contractor had with the City and should not have been paid through the JOC BPO. This situation is an example of the City's poor contract administration and lack of adequate program reporting that should have captured this error.

Issue #11. Lack of Transparency

Communication to Council regarding contract terms and contract extensions has not always been clear and transparent. For example, the former JOC program manager chose to renew the contracts early, before his retirement, even though there was still \$3.9 million of spending authority remaining on the current contracts. The early renewal awarded the JOC contracts an additional \$17.5 million in spending authority and created an overlap in terms causing some contractors to have two contracts in place at one time. It is unclear if Council understood they were creating an overlap in contract terms and spending authority, because this issue was not adequately discussed in staff report to the City Council.

Issue #12. Contract Terms Not Updated

We found conflicting language within the contract and bid specifications. The audit clause language within the JOC contract documents is inconsistent and outdated, as shown below in Table 4. The audit language in the bid specifications is similar to the standard audit clause language used in current contracts. However, the audit clause in the contract is restricting and states the City only has the right to audit if the contract is funded with federal, state or county funds. We expressed our concern over the conflicting language, however, the City stated the terms were not conflicting and there was not a problem. Not only does the conflicting language create confusion but could be problematic if the right to audit were challenged.

Table 4
Conflicting Terms - Audit Clause

JOC Contract	JOC Bid Specifications (included as part of contract documents)
If payment of any part is made with federal, state or county funds and use of those funds requires that the City render an accounting or account for funds, the City has the right to audit.	The Contractor shall maintain all data and records pertinent to each Work Order and make available all data and records until the expiration of seven years after the date of final payment. Authorized representative of the City shall have access to all data and records for the time period to inspect, audit and make copies normal business hours. Contractor must require all subcontractors to comply in a similar aspect.

Also, with the most recent JOC contracts, the City made a change to the way the non-catalog fee is calculated. However, the language included in the contract was incorrect based on what was intended by management and had been communicated to prospective bidders. The former JOC program manager stated the Department was aware of the discrepancy, but did not intend to correct the contract language even knowing the calculation being used was in conflict with the contract. Conflicting and outdated contract terms or actions that disagree with the contract language create a risk to the City and make it difficult for the City to enforce the contract, should problems or disputes arise.

III. OVERSIGHT AND PROCUREMENT OF INDIVIDUAL PROJECTS

The City has created an environment where the acceptance of contractors' low percentage factors, a systemic lack of controls over the program, and an emphasis on speed of project completion has resulted in projects no longer being competitively priced. With little guidance or training, project managers are expected to establish reasonable project pricing through negotiations instead of using the pre-priced catalog as designed. JOC contractors are aware the project managers are under pressure to move projects along quickly, and there is not always time to develop detailed scopes of works and pricing proposals. This allows the JOC contractors to manipulate cost proposals by not using the pre-priced catalog correctly and increasing the use of non-catalog items to boost project costs. In addition, the City has placed little emphasis on ensuring sufficient and consistent project documentation is retained and that project efficiencies are evaluated after completion. The manner in which the JOC program is operated creates an environment for contractors to charge more for projects than they are contractually allowed and has moved project costs from firm fixed/bid price to a negotiated price.

A. Project Manager Training

Issue #13. Training Needed for Project Managers

The JOC program does not provide training for project managers to ensure they maintain sufficient controls necessary for the program to operate as designed. This includes the critical function of properly reviewing contractor proposals to ensure the City is paying a fair price for projects. As mentioned in the warning letter from Gordian Group (Figure 2), when poor proposal review occurs, the JOC contract morphs into a negotiated contract instead of firm fixed pricing. Agencies we surveyed recognize the importance of the project manager role and

have developed specific training academies or programs providing skills needed specifically for managing JOC projects.

Issue #14. Vendor Did Not Provide Required Training

Services included in the City's contract with Gordian Group require the vendor to provide the City with ongoing training regarding JOC program management. However, training was not provided even though Gordian Group account manager during the audit period was aware of the program issues and the challenges faced by the project managers.

B. Proposal Review and Project Costs

Issue #15. Poor Scope of Work Preparation

The City prepares a project's detailed scope of work (SOW), which should serve as the roadmap for the JOC contractor to build an accurate and thorough cost proposal that meets the City's needs. Based on projects we reviewed, the SOW did not always contain comprehensive information of project requirements. We saw instances where the SOW had only a general description and did not detail the necessary components of the project. Vague SOWs create an opportunity for the contractor to manipulate project costs to their advantage as the City appears not to have clarity of project requirements or expectations.

Example:

- *The SOW for the Re-Carpeting of Various Library Reading Rooms project contained guidelines for the project but lacked detail. For example one task was listed as "floor preparation" with no specifics on what that entailed. Also the SOW did not provide square footage of the rooms to be re-carpeted. Without these details it is unclear what exact quantities, services and labor should be used when the contractor is building their proposal. It also makes it nearly impossible to determine if the proposal is reasonable or accurate.*

Issue #16. Project Cost Overruns

Inadequate project planning and poorly designed SOWs led to numerous change orders and cost overruns. Table 5 illustrates the significance of change orders in a sample of projects over \$100,000.

Table 5
Change Orders for Projects Sampled Over \$100,000
October 2013 – February 2015

Project	Total Cost (\$)	Cost of Change Orders (\$)	% Increase due to Change Orders
Traffic Management Center	\$ 482,300	\$ 158,400	49%
Whaley Park Baseball Field Fence Replacement	\$ 240,500	\$ 74,100	45%
Nature Center Chain Link Fence	\$ 138,700	\$ 30,700	28%
Queensway Bay Restroom	\$ 645,400	\$ 96,300	18%
Belmont Pier Restroom Replacement	\$ 154,700	\$ 19,400	14%
Re-roofing of Bayshore Library & Alamos Library	\$ 167,400	\$ 11,200	7%
Re-roofing at El Dorado & Ruth Bach Library	\$ 199,700	\$ 7,900	4%
Re-roofing of West Health Facility	\$ 166,100	\$ 2,200	1%
Total	\$ 2,194,800	\$ 400,200	22%

An example of inadequate planning occurred in the Whaley Park field renovations project. The project had seven change orders that totaled 45% more than the original project cost. Many of the changes to the project could have been included in the original SOW if proper planning had occurred, such as those illustrated in Table 6.

Table 6
Whaley Park Change Order Examples

Whaley Change Order Tasks	Added Cost
Additional fencing in the outfield, dugout windscreens & athletic equipment	\$ 17,600
Changes to the position of the fence, relocation of conduit & repair of irrigation line	\$ 7,000
Installation of poles at the baseline, additional gate at 3rd base, & replace concrete pads	\$ 20,300

Issue #17. Manipulation of Catalog Items

During the audit, we heard a recurrent concern from project managers that JOC contractors regularly inflate proposals, since it is impossible for them to make a profit with the low bid percentage factors. This requires the project managers to spend additional time negotiating with the JOC contractors to arrive at a reasonable price agreed to by both parties. However, there is no guarantee the negotiated prices accurately reflect the catalog items or quantities needed to perform the work. Ultimately, this means the project costs are no longer competitively bid, and the City is paying more than contractually obligated.

In April 2013, a former City project manager issued a letter to a JOC contractor, New Creation Builders. The letter alleged New Creation Builders was padding proposals by manipulating the catalog and quantities to inflate proposal costs. An excerpt from the letter is illustrated in Figure 3. The JOC program manager at the time was copied on the letter; however, the City, through other project managers, continued to give \$3.8 million in work to the contractor, with \$15.7 million paid to them since inception of the program in 2003. The City accepted New Creation Builders' bid percentage factor of .50, which was the lowest contractor bid in January 2015.

Figure 3
Project Manager Letter of Concern Excerpt

- *“Prior to submission of this proposal, your staff were repeatedly cautioned to ensure that the proposal was accurately prepared and not to include excessive charges.”*
- *“It is the opinion of the undersigned that the above errors are beyond unintentional mistakes or minor irregularities and constitute a knowing and reckless disregard for accuracy which, if accepted by the City, would have resulted in a misuse of public funds.”*
- *“...I will not invite New Creation Builders to participate in any of my future projects in the JOC program until it has been demonstrated that these problems have been corrected.”*

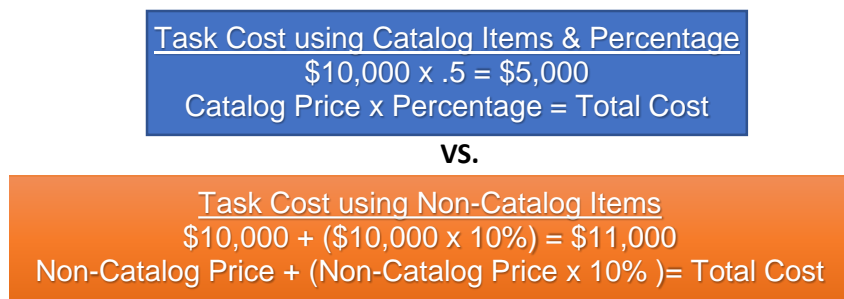
- **Issue 17a. Better use of Catalog Pricing**

The catalog was originally developed specifically for the City using local market pricing and contains over 100,000 task items. Given the volume of the catalog, it requires someone with a level of expertise within the construction industry to properly break down projects to a level of detail where the catalog can be used appropriately. Some agencies we surveyed tend to “bundle” items that are used together frequently to make it easier to use the catalog. However, the City does not currently bundle catalog items, making it very time consuming to use the catalog correctly. Because there is a strong emphasis on quick project implementation, the extra time needed to price items correctly is a deterrent for all parties.

Issue #18. Excessive Non-Catalog Items

At times there may be certain tasks or specialized materials that are not included in the pre-priced catalog but are necessary and within the scope of a project. The bid percentage factor does not apply to these items. Instead, all non-catalog items are priced at 100% of cost plus a 10% fee. Figure 4 shows how a catalog item is priced in comparison to a non-catalog item. As illustrated, a \$10,000 item priced through the catalog at a factor of .50 would cost \$5,000 in comparison to \$11,000 when classified as a non-catalog item.

Figure 4
Pricing Comparison – Non-catalog vs catalog



Other JOC programs we surveyed institute a cap or maximum of non-catalog items that can be used in any project. However, the City places no cap on the quantity or frequency of use of non-catalog items. During our audit period, non-catalog items were used excessively, undermining the intent of the program and causing the pre-priced catalog and bid percentage factors to become irrelevant. As shown in Table 7, 32 (or 25%) of the projects during our audit period consisted of 100% of non-catalog items. Examples of these projects are listed in Table

8. More than \$5.5 million in project costs during our audit period, or 42%, were made up of non-catalog items. This resulted in the City paying an additional \$500,000 for the 10% non-catalog fee on top of premium and non-discounted project costs.

Table 7
Non-Catalog Project Costs
October 2013 – February 2015

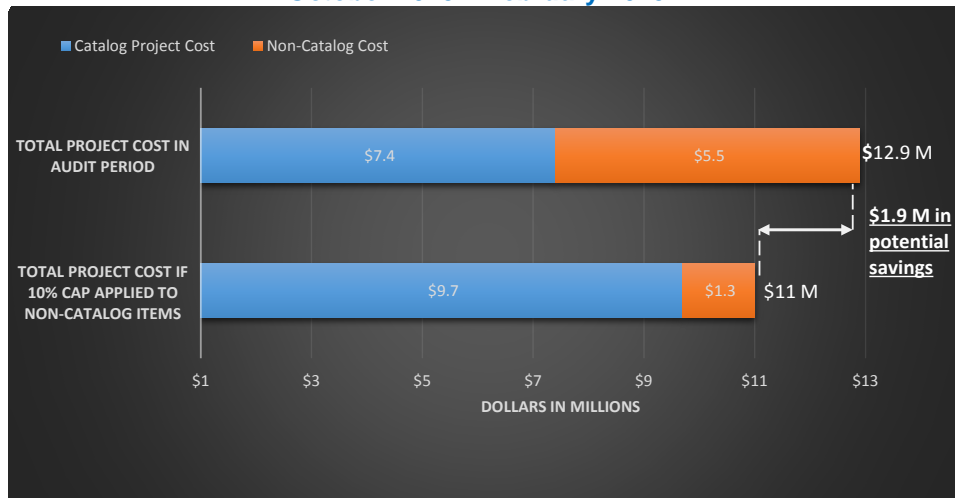
% Of Total Non-Catalog Project Cost	# of Projects	Non-Catalog Cost (\$ in Millions)	Total Project Cost (\$ in Millions)
100%	32	\$ 1,200,000	\$ 1,200,000
75-99%	15	\$ 1,900,000	\$ 2,000,000
50-74%	13	\$ 1,000,000	\$ 1,600,000
25-49%	10	\$ 700,000	\$ 1,700,000
<25%	58	\$ 700,000	\$ 6,400,000
Total	128	\$ 5,500,000	\$ 12,900,000

Table 8
Examples of Projects Consisting of 100% Non-Catalog Costs
October 2013 – February 2015

Project Title	Total Non-Catalog & Project Cost (\$)
Re-roof at Bixby Park	\$ 229,600
Somerset Park Playground Replacement	\$ 216,400
ECOC Gate Repair Project	\$ 86,500
Silverado Park Sports Courts Re-surfacing	\$ 33,800
Re-carpet Community Rooms at Various Branch Libraries	\$ 27,200
Total	\$ 593,500

If a cap of 10% on the use of non-catalog items had been in place, the City could have potentially saved \$1.9 million, or 15% of overall costs. Based on the average JOC project price, the savings would equate to 19 additional projects that could have been completed.

Chart 5
Project Cost Comparison with Reduced Non-Catalog Items
October 2013 – February 2015



- Issue #18a. No Independent Quotes**
 In order to control the use of non-catalog items, three independent quotes are required for submittal by the contractor for City review. In projects sampled, 67% of non-catalog items did not have independent quotes, and there was no documentation or written justifications retained explaining why quotes were not obtained.
- Issue # 18b. Vague Product Descriptions**
 The use of non-catalog items is not only excessive but is also unnecessary. Per Gordian Group, most of the non-catalog items in our project sample could have been priced through the catalog. In some instances, product descriptions were so vague that it was difficult to determine specific items that required use of non-catalog pricing. Table 9 illustrates examples of vague non-catalog item descriptions:

Table 9
Examples of Vague Non-Catalog Item Descriptions
October 2013 – February 2015

Non Catalog Item Description	Cost
Baseball athletic equipment	\$ 7,400
Architectural Revisions	\$ 1,200
Furniture Purchase	\$ 4,700
Beach Restroom	\$ 499,200

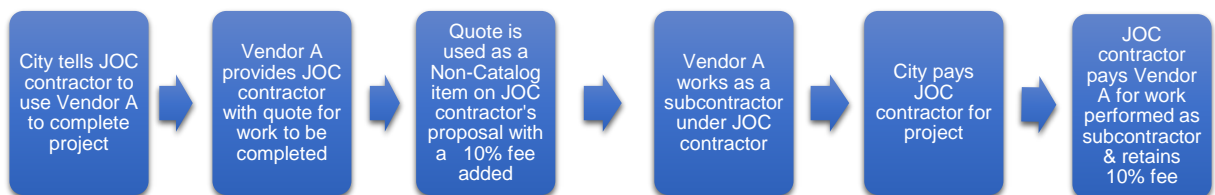
- Issue #18c. Poor Management of Catalog**
 Per their contract, Gordian Group is to “conduct research to identify recurring use of non-catalog tasks” and “develop new catalog tasks for recurring non-catalog tasks”. Considering the excessive use of non-catalog items, this did not occur. When we asked the former Gordian Group account manager why the non-catalog items weren’t being added to the catalog, he indicated the project managers didn’t reach out to him for assistance. However, Gordian Group’s fees are based on 1.95% of total project costs. Therefore, they directly benefit by using products outside the catalog that contribute to higher project costs.

Issue #19. City Preferred Vendors and Items

City departments may have preferred products or materials they want used in their projects. The City does not have an official pricing list of preferred products and materials. Instead, the City treats preferred products and materials as non-catalog items, priced at 100% plus the 10% fee.

When preferred vendors are used, the JOC contractor acts as a middleman as shown in Figure 5 below.

Figure 5
Use of Preferred Vendor



Using the JOC program for projects with preferred vendors allows the City to forego traditional procurement that would produce competitive bidding or provide justification for sole source procurement. During our audit, we found examples of preferred vendors performing nearly 100% of the project.

Example:

- *During the audit period, 12 roof projects costing almost \$1 million were completed through the JOC program. The City uses Tremco roofing materials on all roofs in order to maintain a consistent appearance. In order for the City to receive warranties on Tremco installed roofing materials, a Tremco certified contractor must complete the work. Project Managers decide which Tremco certified contractor will perform the work at the lowest cost and tells the JOC contractor to use them as a subcontractor to perform the roofing work. This results in the JOC contractor acting as a pass-through to allow the Tremco certified contractor to be paid without having a contract. The work is listed as a non-catalog item on the proposal with the JOC contractor charging (and retaining) the 10% non-catalog fee.*

If the City had an official preferred product list, then Gordian Group and the City could obtain competitive pricing and include the items in the catalog. A preferred product list would also provide justification for items left out of the catalog. For example, if the roofing materials had been added to the catalog and a 10% cap applied to non-catalog items, the City could have saved over \$270,000 in roofing costs, or 27% of total roofing project repair costs during our audit, as illustrated below in Table 10.

Table 10
Potential Savings of Roofing Projects
October 1, 2013 – February 28, 2015

#	Project	Total Project Cost	Revised Total Project Cost	Potential Savings	% Potential Savings
1	West Health Facility Re-Roofing	\$ 166,100	\$ 93,300	\$ 72,800	44%
2	Bayshore Library and Alamos Library Re-Roofing	\$ 167,400	\$ 96,200	\$ 71,200	43%
3	El Dorado & Ruth Bach Library Re-Roofing	\$ 199,700	\$ 139,500	\$ 60,200	30%
4	Deforest Handball Court Re-Roofing	\$ 266,900	\$ 250,600	\$ 16,300	6%
5	North Health Facility Roof Parapet Siding Replacement	\$ 54,100	\$ 54,100	\$ -	0%*
6	Main Library Roof Leak Investigation	\$ 3,200	\$ 1,800	\$ 1,400	44%
7	El Dorado Library Entry Structure Roof Repair	\$ 18,200	\$ 18,200	\$ -	0%*
8	Silverado Center Gym Repair of Roof Light	\$ 7,500	\$ 4,800	\$ 2,700	36%
9	Pan American Park Replacement of Lower Roof	\$ 74,600	\$ 43,400	\$ 31,200	42%
10	College Estates Roof Replacement	\$ 32,900	\$ 21,300	\$ 11,600	35%
11	Burnett Branch Library Repair Roof Leak	\$ 6,200	\$ 3,500	\$ 2,700	44%
12	Bret Harte Branch Library Repair Roof Leak	\$ 2,700	\$ 1,500	\$ 1,200	44%
Total		\$ 999,500	\$ 728,200	\$ 271,300	27%

* Projects had non-catalog costs below 10% and therefore do not show a potential savings

C. Project Files and Project Close Out

Issue #20. Insufficient Project Files

The Department does not specify what documentation or information should be retained in the project files, leaving it solely up to the project manager. We found inconsistent and often insufficient documentation within project files. One project file consisted solely of emails and another project file was entirely missing. Without proper documentation, it was extremely difficult to obtain a thorough history of the project to understand why problems may have occurred or the reasons behind specific decisions.

Issue #21. No Formal Project Close Out

A formal close out process helps to ensure that project quality meets City standards and appropriate close-out documentation is performed, such as a Notice of Completion. Unfortunately, a formal and consistent close-out process did not occur for JOC projects during our audit period. The City defers to the project manager to decide what is appropriate for each project, which results in significant inconsistencies in handling project close outs. At a minimum, the Department should utilize a standard checklist to ensure all critical documents have been obtained and filed and a certification that the final product meets the City's expectations.

Issue #22. No Cost or Time Evaluation

A post-project evaluation of costs and time would assist project managers with improving efficiency and cost effectiveness of future projects. However, this type of analysis did not occur with projects we sampled. For example, one major benefit of operating a JOC program is a reduction in the time needed to initiate a project. Gordian Group has stated that the average industry time it takes to initiate and begin a project using JOC is 25 days without design and 55 days with design. This is considerably shorter than the average 255 days required of a traditional procurement. If we measured all projects against the 55 day benchmark to be conservative, there were \$4.4 million in projects (34% of total project costs) that did not fall within this timeframe. As illustrated in Table 11, seven projects consisting of \$3.3 million took more than 90 days to initiate. Due to inadequate project file documentation, it was impossible

to determine why the City's projects took longer. However, project manager workload and negotiating price outside the catalog are two potential reasons for some of the delays.

Table 11
Projects Taking Over 90 days to Initiate
October 2013 – February 2015

#	Project Name	Days to Initiate	Project Costs
1	Electrical Upgrades to Various Branch Libraries	178	\$ 145,600
2	Water Leak Detection Panel Upgrade of Halon System Panels	177	\$ 27,100
3	PD Academy - Perimeter Enhancement Project	148	\$ 185,700
4	Somerset Park Restroom & Center Improvements	115	\$ 77,500
5	Painting of Community Rooms at Various Branch Libraries	95	\$ 27,300
6	Belmont Pool Demolition	92	\$ 2,596,700
7	Water Line Service Repair at Temple and Willow Facility	91	\$ 282,400
Total			\$ 3,342,300

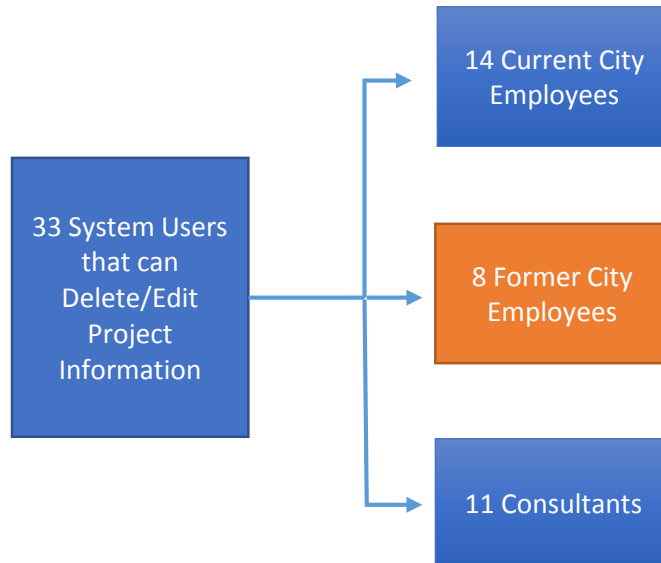
Issue #23. No Evaluation of Subcontractors

Subcontractors perform the majority of the work on JOC projects. However, the City currently does not perform a post-project evaluation of subcontractor performance to ensure work was done with quality and to the City's satisfaction. Instead of just assessing how quickly work was performed, an effective evaluation or scoring of subcontractors would include multiple areas, such as communication, responsiveness, and quality of work. This information shared with other project managers would ensure that poorly performing subcontractors are not allowed on further projects. For example, a project manager expressed to us concerns regarding the inexperience of an "on-call" engineer who was used on a JOC project. While the engineer was no longer used on that particular project, the City continued to give the engineering firm over \$1.2 million of work.

Issue #24. Excessive Access to Files

A web-based software, eGordian (formally ProGen), is used by project managers to access the catalog and develop project SOWs. The data in eGordian serves as the City's official list of JOC projects. During our audit, 33 individuals had access to delete and edit data within the system (see Figure 6). However, eight of these individuals are no longer City employees, including one who left the City over 5 years ago. It is apparent that the Department is not monitoring access levels or assessing whether it is appropriate for the user to have access at all.

Figure 6
eGordian User Access



With the lack of controls around the project data in eGordian, there is little assurance that the project data is accurate and complete. It is not possible to know if all projects are in the system because project numbers are entered manually and not in sequential order. We noted one project during our audit that was completely missing from eGordian even though we found documentation showing the project existed in eGordian at one time. Neither the project manager nor Gordian Group could explain why the project was no longer in the system.

IV. POTENTIAL FOR CONFLICTING INFLUENCE AND RELATIONSHIPS

Poor oversight and few program controls combined with a substantial use of consultants, contractors and subcontractors creates an environment where the potential for conflicting interests is highly probable and nearly impossible to detect. The City is relying on consultants at almost every level of the program with minimal oversight. This allows the possibility of conflicting relationships between all parties to occur, and there is no audit trail or controls to identify when it exists.

A. Multiple Layers

Issue #25. Numerous Parties Involved

It is common practice for JOC projects to have several parties involved in the project, including numerous layers of subcontractors. However, as illustrated in Appendix B, the Queensway Bay project consisted of an excessive number of layers - nine, including 23 subcontractors. In another instance, a project was completed using four different JOC contractors, 21 subcontractors, and four other consultants used for design or engineering services. Not only is this costly and inefficient, but it allows numerous parties to have influence over the project's cost and outcome. With no mechanism to detect potential excessive costs or inappropriate relationships between the parties, the risk of fraud is very high.

B. Subcontractors

Issue #26. Subcontractor Information Not Disclosed

The contracts require the JOC contractor to perform at least 20% of the maximum contract amount, including all work in the contractor's designated trade. JOC contractors essentially function as job brokers performing a small percentage of the actual work. Instead, they use subcontractors to complete the majority of the projects. For projects we reviewed and where information was available, subcontractors performed a significant portion of the project, as shown in Table 12 below. As required by the California Public Contract Code (PCC) and the JOC contracts, the contractor is required to provide a subcontractor list for each project that includes the percentage of work for each subcontractor and their license number. None of the project files we reviewed contained a complete set of this required information. Not only is this a violation of the PCC and JOC contract, but given the extent of the use of subcontractors, the City is unaware of who is completing the majority of the work, whether they are appropriately licensed, or whether an inappropriate or conflicting relationship exists between parties.

Table 12
Examples of Work Performed by Subcontractors

Project Title	# of Subs	Work Performed by Subs (\$)	Work Performed by JOC (\$)	Total Project Cost (\$)	% of Work Completed by Subs
Whaley Park Baseball Field	11	\$ 240,500	\$ -	\$ 240,500	100%
El Dorado & Ruth Bach Library Re-Roofing	5	\$ 181,100	\$ 18,600	\$ 199,700	91%
Queensway Bay Restroom	19	\$ 579,800	\$ 65,600	\$ 645,400	90%
Bayshore & Alamos Library Re-Roofing	3	\$ 141,600	\$ 25,800	\$ 167,400	85%
Loma Vista Tot Lot	10	\$ 79,200	\$ 18,400	\$ 97,600	81%
Total	48	\$ 1,222,200	\$ 128,400	\$ 1,350,600	90%

Issue #27. Vendor Conflict of Interest

During the audit, the City's Gordian Group account manager held a contractor's license which was being used by a local construction company. This information was held in secrecy and was not disclosed by the account manager to the City or to his employer. Given the lack of information and documentation held by the City on subcontractors, it is unknown if this company was functioning as a subcontractor within the JOC program. If this was the case, there would have been the potential for this person to personally benefit from increased project costs.

C. Consultants

Issue #28. Use of Consultants

Project managers are responsible for all aspects of a project, including approval of work performed and payments to all parties working on the project. Due to budget cuts, the Department has turned to the use of consultants as project managers. The City maintains a number of "as-needed" contracts for consultant services. The use of consultants in the City's program was higher than that of other agencies surveyed, which ranged from 25%-50%. Of the projects we reviewed, 64% of project managers were consultants, many of them former City employees.

- **Issue #28a. Consultants Reporting to Consultants**

While use of consultants may be necessary, there are risks associated with allowing consultants to have total control over a project with little to no City oversight. We noted a project where the consultant acting as project manager reported directly to another consultant instead of reporting directly to the JOC program manager, as shown in Appendix B.

- **Issue #28b. Consultant Role Not Defined**

The project manager has a high level of authority over the decisions and management of the project. However, that role has not been sufficiently defined; therefore, there are varying degrees of management styles. For example, we found a project manager consultant that had developed an Excel “invoice template” for the JOC contractors to use as the project invoice instead of the JOC contractor submitting their own company’s invoice. Behavior such as this creates a gray line between the roles of the project manager and the contractor. With no program guidelines or adequate City oversight, concerns are raised whether there is independence by the project managers to ensure project costs are appropriate and within the contract terms.

Issue #29. Conflicting Services

There are a wide range of consulting services that can be provided via the City’s “as-needed” contracts and used on JOC projects, such as project management, design, inspection, engineering services and construction management. There are no JOC program controls to monitor or prevent multiple consultants from one consulting firm working in different capacities on the same project. Allowing this to occur could create a potential conflict of interest, as illustrated in Appendix B. While we understand the need to occasionally supplement City staff, allowing consultants from the same firm to function in different roles on a single job creates the opportunity for the firm to have multiple ways to benefit from increased project costs.

RECOMMENDATIONS

Due to the extensive issues found during our audit, the number of audit recommendations is substantial. Recommendations are grouped into four categories:

- Overall Program Need – Addresses management of audit recommendations.
- New Legislation – Language to be inserted into the City’s Municipal Code to provide base controls surrounding the JOC program.
- Internal Processes – Changes recommended for JOC program processes.
- Catalog Vendor – Changes recommended for use of the vendor pre-priced catalog.

Overall Program Need:

The JOC program is a critical tool for processing infrastructure projects in the City. Given the Department’s minimal staffing expertise over this program, the best solution to implementing all changes in a timely manner is to obtain outside assistance.

1. Retain an independent expert to assist the department in developing JOC program processes and structure in response to the audit recommendations. This independent expert should be familiar with how a JOC program functions, be independent from the City, the department, its employees, consultants and JOC contractors, and not gain financially from any changes made to the JOC program.

New Legislation

All JOC programs surveyed during this audit had corresponding legislation that provided basic program requirements to ensure controls were maintained over the life of the program. We are recommending the City adopt similar legislation that covers the following issues, at a minimum:

2. Prequalify potential JOC contractors. Prequalification should consider past performance working with the City, experience, as well as being licensed and registered.
3. Projects within JOC should be limited to \$500,000.
4. During the selection of JOC contractors through a RFQ (Request for Qualifications) process, the City should establish an evaluation committee to evaluate qualifications based only on criteria specified in the RFQ and assign a qualifications score to each contractor.
 - a. The City should develop written policies and procedures to prevent conflicts of interest for evaluation committee members.
5. All prequalified contractors invited to bid should submit sealed bids based on one or more adjustment factors to the unit prices listed in the catalog based on technical specifications. The City may reject all bids and begin the process again when in the best interest of the City.
6. Contract terms for prequalified contractors would not exceed 12 months, with option of extending or renewing for two more 12-month periods.
7. Require JOCs to perform a minimum of 20% of the work themselves. This clause should also be included within the JOC contracts. This requirement mitigates some of the risk associated with using numerous subcontractors on a project.
8. The City should establish a process to prequalify all subcontractors, requiring them at a minimum to be licensed, insured and have sufficient relevant experience. All subcontractors used by the primary contractor must be prequalified and approved by the City.

9. Consulting firms hired by the City as project managers should not be affiliated with any entity holding a contract with the City for conflicting services, such as engineering, design or engineering services. And, the City should establish a process to ensure project managers are independent.
10. When JOC contractors bid on a JOC project, the City should utilize a set of documents including a unit price catalog and pre-established unit prices, JOC technical specifications, and any other information necessary to describe the City's needs. Any architect, engineer or consultant retained by the City for this service should not be eligible to participate in the bid.
11. The City should obtain an independent estimate for each JOC project and compare that to the Contractor's to ensure proposed prices are not unreasonable or undesirable.
12. Before initiating a project through the JOC program, the City should determine if it will result in savings over traditional procurement methods.
13. No JOC project should be for new construction.
14. Non-catalog items should not exceed 10% of the total project cost estimate. The contractor is required to provide three written quotes for all non-catalog items, with the lowest bidder selected.
15. The City should certify a project is completed to the City's expectations.

Internal Processes:

In addition to enacting new legislation covering critical JOC program controls, the City must also ensure there are adequate processes within the program to support the objective of completing projects that are competitively priced and of sufficient, verifiable quality.

16. Terminate the current JOC contracts and spending authority and rebid them based on the best interest of the City.
17. The Council Letter, bid specifications, contracts and BPOs should always be consistent, particularly with regards to:
 - a. Contract amount and authorized spending amounts.
 - b. Terms, option years, and notification documentation.
 - c. Contract language terms and conditions, including a sufficient audit clause. Language should be current and reflective of City requirements.
 - d. Format of project bids, including at a minimum costing of non-catalog items and bid percentage factors.
18. Stop the approval of JOC contract extensions that cause an overlapping of terms and spending authority. Limit contract extensions to situations when original term has lapsed or the authorized amount has been fully depleted.
19. Develop a training program for project managers (both employees and consultants) on managing projects, preparing SOWs, reviewing proposals, appropriate use of the eGordian catalog, JOC program controls and processes, and requirements under the *California Public Construction Code*.
20. Identify required qualifications/certifications for all project managers (current and future) to participate in the JOC program. Develop a policy to ensure project manager credentials are current.
21. Establish clear and defined policy regarding conflict of interest (in fact and appearance) for all parties participating in the JOC program. Project managers should be required to sign a statement of independence attesting they do not have a conflict of interest with any of the parties participating in the JOC program.
22. All project managers, including consultants should report directly to the manager of the JOC program and never directly to another consultant.

23. Establish a process to evaluate, report and maintain information on contractor performance. Ensure there are consistent discipline mechanisms and processes in place for those contractors with poor performance, such as probation or disqualification from future work.
24. Develop protocols around expectations for project files that are based on best practices in project administration. These protocols should be the same for both consultants and employees. When projects are completed, all documentation attributed to the completion of the project should reside in the City's possession.
25. The project scope of work should be completely developed by the project manager and be specific in detailing project requirements and expectations.
26. Develop list of preferred City vendors and products and include them in the catalog. Use of preferred vendors and products should not be used outside the catalog without proper justification. Projects that have the majority of costs based on preferred vendors or products outside the catalog should not be processed through the JOC program.
27. Develop project close-out procedures to ensure all project managers are closing out and evaluating projects in a consistent and thorough manner.
28. Develop a tool for project managers to evaluate their experience with the contractor. This information should be considered when assessing whether the contractor should be prequalified to continue working with the City.
29. Develop policy and procedural guidance around the program that includes all areas discussed in this report.
30. Insure the JOC program has a sufficient and experienced manager dedicated to ensuring controls are functioning as designed. The JOC program manager should not be serving in any other capacity, such as a project manager, within the program.
31. Develop a formalized reporting process (project status, timeline, budgets, issues, etc.) that will provide JOC program management and above with a critical status of program operations. This includes proper reporting controls to monitor spending authority. This will create a level of oversight and accountability in all levels of the program.
32. Develop a prioritization system for JOC projects to help mitigate the "reactionary mode" the program managers are operating in today. This system would be continuously updated as new or more urgent projects arise. However, whenever projects are started out of priority order, there should be a reasonable justification.
33. Identify the JOC program's capacity levels. There should be perimeters on the number and complexity of projects assigned to each project manager at any given time. When determining capacity levels, consider capping the number of consultants used as project managers.

Catalog Vendor

34. Update and maintain access rights in the eGordian system
35. Work with Gordian Group to have eGordian system automatically generate sequential project numbers and eliminate manually assigned project numbers.
36. Gordian Group's contract fee currently includes services the City is not utilizing, such as providing training and assisting with updating catalog items. The City should work with Gordian Group to begin providing these much-needed services.
37. Establish guidelines and work with Gordian Group to be more proactive with entering City preferred products and non-catalog items into the catalog.
38. Develop a conflict of interest statement for Gordian Group account managers that requires them to disclose any and all relationships that may pose a potential conflict.

39. For project types that are consistent, consider working with Gordian Group to bundle materials/items within the catalog to make it more efficient for JOC contractors to submit proposals.
40. Work with Gordian Group to develop an edit/audit report within the eGordian system where the JOC manager or system administrator has the ability to see project changes that have occurred within the system to ensure the changes were necessary and appropriate.
41. If Gordian Group is utilized as an expert to assist the department in developing the JOC program, as stated in Recommendation 1, change Gordian Group's fee structure to a flat rate, rather than a percentage of each JOC project.

BACKGROUND

\$68 million in projects have been completed through the City's JOC program.

The City of Long Beach Public Works Department's (Department) mission is to enhance the City's infrastructure and environment for the benefit of the public. In fiscal year (FY) 2015, the Department constructed \$86 million in capital improvement projects that covered parks, recreation buildings, and libraries. One way the Department completes these infrastructure projects is through a Job Order Contracting (JOC) program. The City initiated the JOC program in 2003, which has been a vehicle to complete approximately \$68 million in projects.

JOC is a way of getting small routine construction projects completed quickly through use of "as-needed" contractors.

JOC is used as an alternative to traditional procurement methods and is typically used for routine maintenance, repair, or minor construction. Under JOC the City contracts a general contractor (contractor) for a specified amount of time to be "on-call" to complete various construction projects. With contractors being "on-call", JOC allows the City to fast-track construction projects as it permits a large number of projects to be completed under a single, competitively awarded contract, rather than going through the procurement process for each individual project. This can be a major benefit of JOC as it saves time and money in the procurement stage of the project.

The City awards JOC contracts based on lowest bid adjustment factors.

In order to establish a JOC contract the City issues a request for bid which includes a construction task catalog (catalog) that contains individual tasks for completing various construction projects. Each task has a description and a corresponding price, which includes local costs for materials, equipment and labor. Instead of bidding a single price for the entire contract, typically in construction contracts, the contractor bids a construction task catalog percentage. This percentage is then applied to the price of each task in the catalog to create a total cost for the project as shown below in Table 13. The catalog and percentage are used to ensure the City is receiving a competitive price for each individual project under the contract.

JOC projects are competitively priced through use of pre-established catalog.

Table 13
Construction Catalog & Percentage

Catalog Description	Quantity	Unit Price	Contractor's Percentage		Cost
			Factors		
Paint Exterior Surfaces, One Coat Primer	870 square feet	X \$0.81	X	1.5	\$1,057.05
Paint Exterior Surfaces, Two Coats Paint	870 square feet	X \$1.66	X	1.5	\$2,166.30
Total Cost					\$3,223.35

Contractors bidding the lowest percentages are awarded the JOC contracts. Contracts initiated in January 2015 were awarded five contractors with the five lowest percentages. Contracts were awarded for a three year period with a not to exceed amount of \$3.5 million each.

Since the inception of the program the City has contracted with The Gordian Group (Gordian Group) to provide JOC consulting services. Gordian Group develops the City's catalog, which is tailored to local prices, and currently

Gordian Group provides JOC consulting services which have cost \$1.3 million since the start of the JOC program.

has over 100,000 individual tasks. In addition, Gordian Group provides the City with access rights to their eGordian software, which aids in administering the JOC program. The City pays a license fee to Gordian Group in the amount of 1.95% of the cost of each JOC project, and has paid them approximately \$1.3 million since the inception of the program.

OBJECTIVE, SCOPE & METHODOLOGY

This audit assesses whether the Department employed sound controls to properly administer the JOC program.

The objectives for this audit were to evaluate the adequacy of internal controls surrounding the Department of Public Work's (Department) Job Order Contract (JOC) program, including oversight, awarding of work, and performance monitoring. The audit scope was from October 2013 through February 2015.

While the Harbor Department used the City's JOC contracts to perform tenant improvements at their interim headquarters, we did not audit their use of the program.

During our audit we performed the following procedures:

- ❖ Reviewed JOC contracts and terms within the audit period, as well as from a historical perspective to gain an understanding of the program;
- ❖ Identified total payments made to JOC contractors within the audit period, as well as from a historical perspective.
- ❖ Interviewed Department management, project managers, consultants and JOC contractors to gain an understanding of the JOC processes and internal controls related to our audit objective;
- ❖ Reviewed applicable regulations governing the program including the City of Long Beach (City) Municipal Code & Charter, and California Public Contract Code.
- ❖ Obtained an understanding of the eGordian system used to administer the JOC program and reviewed system access.
- ❖ Selected a sample of projects within the audit period and reviewed project files, including contractor proposals and supporting documentation, to determine if the Department is properly administering the program.
- ❖ Surveyed agencies that also operated a JOC program in order to identify program challenges and best practices.

Based on result of the test work we performed that indicated a high risk of fraud or abuse occurring within the program, we have contracted with an outside firm to perform an additional review. Also, due to the subject matter of the audit centering around construction this firm has specific expertise within the construction field. A second report will be issued with the results from the outside firm's review at a later date.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards (GAGAS), which require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

APPENDIX A – The Fraud Triangle

About the Association of Certified Fraud Examiners (ACFE)

The ACFE is the world's largest anti-fraud organization and premier provider of anti-fraud training and education. The ACFE's mission is to reduce the incidence of fraud and white-collar crime and to assist the membership in fraud detection and deterrence. ¹

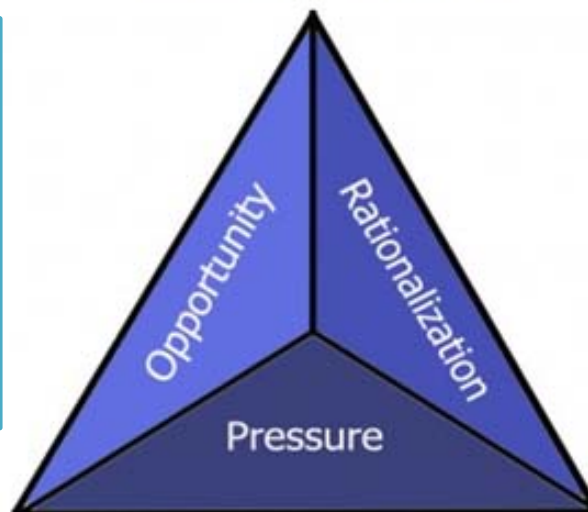
The Fraud Triangle

The ACFE defines the Fraud Triangle as a model for explaining the factors that cause someone to commit occupational fraud. It consists of three components which, together, can lead to fraudulent behavior²:

1. Perceived unshareable financial need
2. Perceived opportunity
3. Rationalization

The Fraud Triangle

Opportunity defines the method by which the crime can be committed. The person must see some way to use their position of trust to solve their financial problem with a low perceived risk of getting caught.



Rationalization is when the person must justify the crime to themselves in a way that makes it an acceptable or justifiable act. Common examples include: "I was underpaid." or "I was entitled to the money."

Pressure is what motivates the crime in the first place. The person has some financial problem they are unable to solve through legitimate means. Examples include: need to meet earnings quota or need to meet productivity targets.

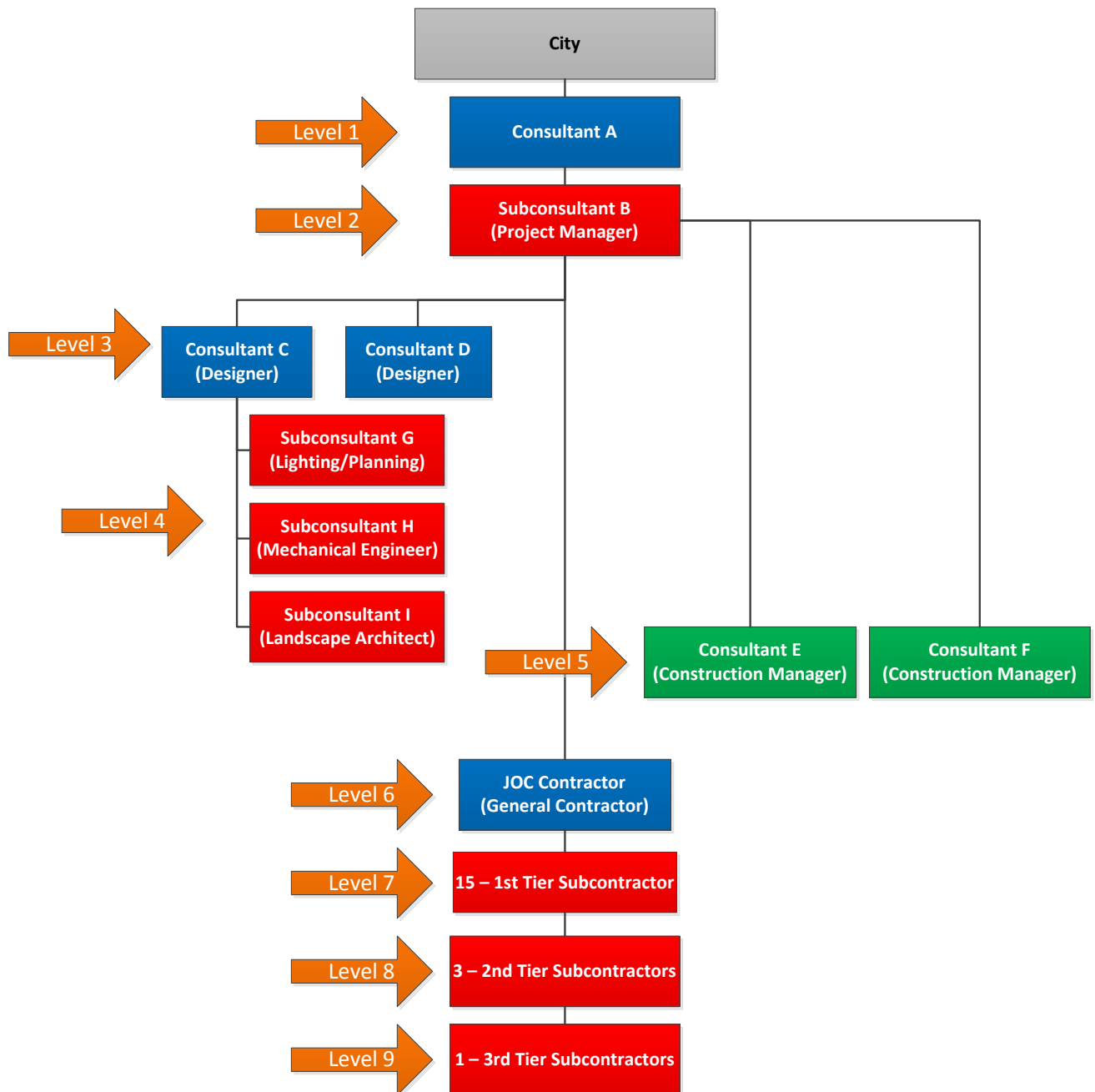
Source: Wells, J.T., 2015. Principles of fraud examination. Hoboken, New York: John Wiley and Sons

¹ www.acfe.com/who-we-are.aspx

² www.acfe.com/fraud-triangle.aspx

APPENDIX B – Queensway Bay Restroom Project

The Queensway Bay Restroom project consisted of replacing the existing bathroom which was in dilapidated condition. As seen below, the project was complex and encompassed various services such as project management (Consultant A & Subconsultant B), design services including mechanical engineering & landscape architecture (Consultant C, D, and Subconsultants G, H & I), construction management (Consultant E & F), and construction which was completed by a JOC contractor and three tiers of subcontractors. These services created nine levels of consultants or contractors and resulted in 23 various types of subcontractors. Industry best practices indicate that JOC should not be used for large complex projects that require extensive design such as this project. In addition, the multiple layers in the project allows numerous parties to have influence over the project's cost and outcome with little City involvement.



Management Comments

Management's response begins on the following page.



City of Long Beach

Working Together to Serve

Memorandum

Date: May 17, 2016

To: Patrick H. West, City Manager *PH West*

From: *CB* Craig A. Beck, Director of Public Works

For: Laura L. Doud, City Auditor

Subject: **Job Order Contract Audit**

Thank you for the opportunity to comment on the draft the Job Order Contract Audit.

Public Works management agrees with the audit's recommendations with few exceptions. The instances where management's response indicates "disagree", is in the context of proposing a more feasible alternative to satisfy the intent of the particular recommendation, or there is a conflict in the Public Contract Code or Municipal Code.

All of management's responses are within the backdrop of providing appropriate controls balanced within available operational resources.

Public Works management appreciates the City Auditor's level of due diligence reflected in the Job Order Contract Audit, and appreciates the opportunity to comment. The Public Works Department will work expeditiously to implement actions in response to the audit. We have a brand new team in place since the audit (Director, Deputy Director/City Engineer, Public Services Manager, and Executive Assistant), and we will spend whatever time necessary to make the changes recommended by the audit.

ATTACHMENT: MANAGEMENT RESPONSE AND ACTION PLAN

CC: TOM MODICA, ASSISTANT CITY MANAGER
ARTURO SANCHEZ, DEPUTY CITY MANAGER

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
1	Retain an independent expert to assist the department in developing JOC program processes and structure in response to the audit recommendations. This independent expert should be familiar with how a JOC program functions, be independent from the City, the department, its employees, consultants and JOC contractors, and not gain financially from any changes made to the JOC program.	H	27	Agree	Deputy Director of Public Works (DDPW)/ Project Management Division Officer (PMO)	A consultant with expertise in Job Ordering Contracting will be engaged to help develop policies, controls and procedures.	August 31, 2016
Result 2-15 are related to the City adopting legislation pertaining to the JOC program.							
2	Prequalify potential JOC contractors. Prequalification should consider past performance working with the City, experience, as well as being licensed and registered.	H	27	Agree	PMO/ Project Managers (PM)	JOC contractors will be required to meet pre-qualification requirements, and only those that demonstrate competent experience, knowledge and successful project delivery, will be allowed to provide JOC services to the City. Project manager will file a performance evaluation form after each City project so that information can be taken into account for future job orders with that contractor.	Re-bid of JOC program
3	Projects within JOC should be limited to \$500,000.	H	27	Agree	PMO/PM	The \$500,000 limitation is identified in the ordinance.	Re-bid of JOC program
4	During the selection of JOC contractors through a RFQ (Request for Qualifications) process, the City should establish an evaluation committee to evaluate qualifications based only on criteria specified in the RFQ and assign a qualifications score to each contractor.	H	27	Agree	PMO/PM	An evaluation committee will be established to determine the pre-qualifying requirements. Only contractors that meet the qualification requirements will be invited to submit bids.	Re-bid of JOC program
4a	The City should develop written policies and procedures to prevent conflicts of interest for evaluation committee members.	H	27	Agree	DDPW/PMO	A conflict of interest section will be included in the policies and procedures.	August 31, 2016
5	All prequalified contractors invited to bid should submit sealed bids based on one or more adjustment factors to the unit prices listed in the catalog based on technical specifications. The City may reject all bids and begin the process again when in the best interest of the City.	H	27	Agree	PMO/PM	Sealed bids are a requirement of the Public Contract Code (PCC) and included in the specifications.	Re-bid of JOC program
6	Contract terms for prequalified contractors would not exceed 12 months, with option of extending or renewing for two more 12-month periods.	H	27	Agree	PMO	This will be the standard, unless longer periods are approved by the City Council.	Re-bid of JOC program

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
7	Require JOCs to perform a minimum of 20% of the work themselves. This clause should also be included within the JOC contracts. This requirement mitigates some of the risk associated with using numerous subcontractors on a project.	H	27	Agree	PMO/PM	The 20% limitation is identified in the ordinance.	Contract execution
8	The City should establish a process to prequalify all subcontractors, requiring them at a minimum to be licensed, insured and have sufficient relevant experience. All subcontractors used by the primary contractor must be prequalified and approved by the City.	H	27	Agree	PMO	This requirement is identified in the ordinance	August 31, 2016
9	Consulting firms hired by the City as project managers should not be affiliated with any entity holding a contract with the City for conflicting services, such as engineering, design or engineering services. And, the City should establish a process to ensure project managers are independent.	H	28	Agree	PMO/PM	Project Manager consulting firms will not have conflicting services.	Contract execution
10	When JOC contractors bid on a JOC project, the City should utilize a set of documents including a unit price catalog and pre-established unit prices, JOC technical specifications, and any other information necessary to describe the City's needs. Any architect, engineer or consultant retained by the City for this service should not be eligible to participate in the bid.	H	28	Agree	PMO/PM	Program specifications, which are incorporated in the contract, will include this prohibition.	Contract execution
11	The City should obtain an independent estimate for each JOC project and compare that to the Contractor's to ensure proposed prices are not unreasonable or undesirable.	H	28	Agree	PMO/PM	Particular focus will be given to any non-pre-priced items. Additionally, any Construction Task Catalog (CTC) values will be evaluated for appropriateness by City staff and/or independent consultant reviewer.	Contract execution
12	Before initiating a project through the JOC program, the City should determine if it will result in savings over traditional procurement methods.	H	28	Disagree	PMO/PM	The City will determine which method will provide best value, as stated in the ordinance.	Prior to issuing a notice to proceed
13	No JOC project should be for new construction.	H	28	Disagree	PMO/PM	The scope of work is more material than defining maintenance or new construction. The ordinance will provide the level of new construction.	
14	Non-catalog items should not exceed 10% of the total project cost estimate. The contractor is required to provide three written quotes for all non-catalog items, with the lowest bidder selected.	H	28	Agree	PMO/PM	Per the ordinance, project staff are prohibited from exceeding 10%. the City Manager or designee may approve non-catalog items in excess of 10%, if justified by exception.	Contract execution
15	The City should certify a project is completed to the City's expectations.	H	28	Agree	PMO/PM	JOC policies and procedures will include a requirement that a notice of completion will be filled for every work order.	Project Completion

Results 16-33 are related to Internal Processes

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
16	Terminate the current JOC contracts and spending authority and rebid them based on the best interest of the City.	H	28	Agree	DDPW/PMO	When the policies and procedures are in place, the JOC contracts will be re-bid.	When currently authorized projects are completed
17	The Council Letter, bid specifications, contracts and BPOs should always be consistent, particularly with regards to: a. Contract amount and authorized spending amounts. b. Terms, option years, and notification documentation. c. Contract language terms and conditions, including a sufficient audit clause. Language should be current and reflective of City requirements. d. Format of project bids, including at a minimum costing of non-catalog items and bid percentage factors.	H	28	Agree	Budget Services Officer (BSO)/PMO	Current contract management and document control practices address this.	September 30, 2016
18	Stop the approval of JOC contract extensions that cause an overlapping of terms and spending authority. Limit contract extensions to situations when original term has lapsed or the authorized amount has been fully depleted.	M	28	Agree	BSO/PMO	This was a one time anomaly and will be included in the policies and procedures.	Contract execution
19	Develop a training program for project managers (both employees and consultants) on managing projects, preparing SOWs, reviewing proposals, appropriate use of the ProGen catalog, JOC program controls and processes, and requirements under the <i>California Public Construction Code</i> .	H	28	Agree	PMO/PM	This will be addressed in the training section of the policies and procedures. Note: ProGen is now called E-Gordian.	September 30, 2016
20	Identify required qualifications/certifications for all project managers (current and future) to participate in the JOC program. Develop a policy to ensure project manager credentials are current.	H	28	Agree	PMO/PM	This will be addressed in the training section of the policies and procedures.	December 31, 2016
21	Establish clear and defined policy regarding conflict of interest (in fact and appearance) for all parties participating in the JOC program. Project managers should be required to sign a statement of independence attesting they do not have a conflict of interest with any of the parties participating in the JOC program.	H	28	Agree	PMO/PM	This will be addressed in the training section of the policies and procedures. A city employee will have final responsibility for a consultant.	August 31, 2016
22	All project managers, including consultants should report directly to the manager of the JOC program and never directly to another consultant.	H	28	Agree	PMO/PM	All project managers will report to City project manager.	Project Development

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
23	Establish a process to evaluate, report and maintain information on contractor performance. Ensure there are consistent discipline mechanisms and processes in place for those contractors with poor performance, such as probation or disqualification from future work.	M	29	Agree	PMO/PM	This will be addressed in the policies and procedures. Any contractor with documented poor performance will receive no further work under that contract.	September 30, 2016
24	Develop protocols around expectations for project files that are based on best practices in project administration. These protocols should be the same for both consultants and employees. When projects are completed, all documentation attributed to the completion of the project should reside in the City's possession.	M	29	Agree	PMO/PM	This will be addressed in the written policy and procedures. This is also covered in the document retention policy.	September 30, 2016
25	The project scope of work should be completely developed by the project manager and be specific in detailing project requirements and expectations.	H	29	Agree	PMO/PM	This will be done in consultation with subject matter experts, which will not include JOC contractors.	Project Development
26	Develop list of preferred City vendors and products and include them in the catalog. Use of preferred vendors and products should not be used outside the catalog without proper justification. Projects that have the majority of costs based on preferred vendors or products outside the catalog should not be processed through the JOC program.	H	29	Disagree		The Public Contract Code prohibits naming a firm or product, or requiring use of a particular product in construction unless a process for approving an equal is provided. All department procurements are conducted in coordination with Purchasing, ensuring all requirements are followed.	
27	Develop project close-out procedures to ensure all project managers are closing out and evaluating projects in a consistent and thorough manner.	M	29	Agree	PMO/PM	Close-out procedures will be addressed in the policies and procedures.	September 30, 2016
28	Develop a tool for project managers to evaluate their experience with the contractor. This information should be considered when assessing whether the contractor should be prequalified to continue working with the City.	M	29	Agree	PMO/PM	Please reference response to #23.	September 30, 2016
29	Develop policy and procedural guidance around the program that includes all areas discussed in this report.	H	29	Agree	DDPW/PMO	Please reference response to #1.	August 31, 2016
30	Insure the JOC program has a sufficient and experienced manager dedicated to ensuring controls are functioning as designed. The JOC program manager should not be serving in any other capacity, such as a project manager, within the program.	H	29	Agree	PMO/PM	This will be handled with the new Project Management Division Officer.	When PMO is finalized

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
31	Develop a formalized reporting process (project status, timeline, budgets, issues, etc.) that will provide JOC program management and above with a critical status of program operations. This includes proper reporting controls to monitor spending authority. This will create a level of oversight and accountability in all levels of the program.	H	29	Agree	BSO/PMO	The formalized reporting process will be addressed in the written policies and procedures. To monitor spending controls, Public Works will work with Gordian to include it in the E-Gordian system.	August 31, 2016
32	Develop a prioritization system for JOC projects to help mitigate the "reactionary mode" the program managers are operating in today. This system would be continuously updated as new or more urgent projects arise. However, whenever projects are started out of priority order, there should be a reasonable justification.	H	29	Agree	PMO	This will be addressed in the written policies and procedures. Management is actively involved in identifying and monitoring project requests and available resources.	August 31, 2016
33	Identify the JOC program's capacity levels. There should be parameters on the number and complexity of projects assigned to each project manager at any given time. When determining capacity levels, consider capping the number of consultants used as project managers.	H	29	Disagree	PMO	Projects are assigned based on the size, complexity and specific PM experience. Workloads will fluctuate depending on several factors that may include grant funding, legal implications, priorities, and staffing levels.	
Recommendations 34-41 are related to the Catalog Vendor, Gordian Group							
34	Update and maintain access rights in the ProGen system	M	29	Agree	BSO/PMO	Public Works will actively manage access to E-Gordian.	Upon execution of new Gordian Contract
35	Work with Gordian Group to have ProGen system automatically generate sequential project numbers and eliminate manually assigned project numbers.	M	29	Agree	BSO/PMO	Public Works will discuss with Gordian.	Upon execution of new Gordian Contract
36	Gordian Group's contract fee currently includes services the City is not utilizing, such as providing training and assisting with updating catalog items. The City should work with Gordian Group to begin providing these much-needed services.	M	29	Agree	BSO/PMO	Public Works will utilize these services.	Upon execution of new Gordian Contract
37	Establish guidelines and work with Gordian Group to be more proactive with entering City preferred products and non-catalog items into the catalog.	H	29	Agree	PMO/PM	Public Works will work with Gordian.	Upon execution of new Gordian Contract
38	Develop a conflict of interest statement for Gordian Group account managers that requires them to disclose any and all relationships that may pose a potential conflict.	H	29	Agree	BSO/PMO	This will be addressed in the written JOC policy and procedures.	Upon execution of new Gordian Contract
39	For project types that are consistent, consider working with Gordian Group to bundle materials/items within the catalog to make it more efficient for JOC contractors to submit proposals.	M	30	Agree	PMO	Public Works will discuss with Gordian, but not sure if this approach will provide additional value to the process.	Upon execution of new Gordian Contract

MANAGEMENT RESPONSE AND ACTION PLAN

Public Works

Job Order Contract Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
40	Work with Gordian Group to develop an edit/audit report within the ProGen system where the JOC manager or system administrator has the ability to see project changes that have occurred within the system to ensure the changes were necessary and appropriate.	M	30	Agree	PMO	Public Works will discuss with Gordian.	If feasible, upon execution of new Gordian Contract
41	If Gordian Group is utilized as an expert to assist the department in developing the JOC program, as stated in Recommendation 1, change Gordian Group's fee structure to a flat rate, rather than a percentage of each JOC project.	M	30	Agree	PMO	Staff is currently negotiating with Gordian Group for new contract terms. Gordian is currently un-willing to change their pricing structure as a percentage of the project cost as this is what they have for their 300+ clients. Staff is reviewing alternatives to Gordian as an Independent Expert for cost analysis.	Upon execution of new Gordian Contract

Priority

H – High Priority - The recommendation pertains to a serious or materially significant audit finding or control weakness. Due to the seriousness or significance of the matter, immediate management attention and appropriate corrective action is warranted.

M – Medium Priority - The recommendation pertains to a moderately significant or potentially serious audit finding or control weakness. Reasonably prompt corrective action should be taken by management to address the matter. Recommendation should be implemented no later than six months.

L – Low Priority - The recommendation pertains to an audit finding or control weakness of relatively minor significance or concern. The timing of any corrective action is left to management's discretion.

Yellow areas - to be completed by the department



Independence you can rely on

LAURA DOUD



Park Maintenance Audit Report

June 2016

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Executive Summary

The City is expanding park land and adding trees while conditions decline.

Recognizing the essential role of parks and trees in creating and sustaining healthy and livable communities in Long Beach, the City Auditor's Office completed an audit of park tree and landscape maintenance covering activities from FY 2013 through FY 2015. The City outsources to private contractors to maintain over 29,500 trees and nearly 2,000 acres of grounds in City parks, facilities and street medians. The Parks, Recreation and Marine Department (PRM or Department) is charged with overseeing these contractors and approving payments of over \$3.1 million annually to them.

We found that the condition of the City's parks and park trees will continue to worsen unless the City changes its approach to managing these assets. The City has been shortsighted in its approach to maintaining its parks and trees, focusing on park expansion without increasing the funding necessary to provide adequate ongoing maintenance for these new areas. Coupled with external factors, particularly the Governor's mandates on water reduction that have had a major impact on tree and landscape conditions, the City's current management approach exacerbates declining conditions.

Tree and landscape maintenance activities are necessary to the viability and longevity of the City's parks and trees. Adequate maintenance levels can save the City money in the long run, as deferred maintenance can lead to costly repairs in the future. As the City adds more parks and trees, these maintenance efforts become increasingly more important.

DECLINING CONDITIONS

1 in 4 park trees are dead or in poor or critical condition.

The current condition of parks and park trees is declining. A recent inventory study estimated the cumulative value of the City's park trees at over \$112 million, but found that 27% of park trees are dead, or in poor or critical condition. During our audit timeframe, we found that trash and weeds were consistent problems at the City's parks. Athletic fields with uneven terrain often created poor playing conditions. The antiquated irrigation system within many of our parks regularly failed, and contributed to inconsistent irrigation of turf and grounds, as well as standing water.

Weeds, trash and irrigation failures are repetitive problems.

LESS AND LESS MAINTENANCE

There is an estimated \$1 million shortfall for park and tree maintenance.

By adding more areas to be maintained without increasing funding, the City has been tasking landscape maintenance contractors with maintaining more with the same amount of resources. Furthermore, funding for tree maintenance has historically been limited to an emergency, as-needed basis, short of the needed level of tree trimming every four to five years. Since the awarding of the landscape maintenance contracts in 2013, the City added 11 medians, 7 facilities, and 16 parks and park improvements without any additional increases to maintenance contract funding. We estimated that the

the funding shortfall for landscape maintenance and park tree trimming was approximately \$1,013,000 per year. This amount does not include irrigation needs or park amenities and facilities.

The total cost of the irrigation system renovation is estimated at \$113 million.

The City Manager's Office recently estimated that the renovation of the deteriorating park irrigation system would cost \$113 million and projected a budgetary shortfall of \$20 million annually for ongoing maintenance of park grounds and park facilities, which encompass other aging park assets that were outside the scope of this audit, including playgrounds, walkways and other paved surfaces, fountains, community centers, fencing, benches, and tables, among other items.

CHANGES UNDERWAY

PRM has recently made strides in improving contract oversight of grounds maintenance work, and in securing additional funding to maintain added sites.

Towards the end of audit fieldwork, we communicated our findings to PRM management, which later informed us that the Department would begin to address the landscape maintenance shortfall. In April 2016, PRM requested Council to increase the aggregate amount of the two landscape maintenance contracts by \$359,000 annually to service the parks, medians and other facilities that were added to the City's inventory since 2013. Another \$351,000 was requested as a contingency for the maintenance of future parks and facilities. Based on our estimate of funding needs for the current service locations, there potentially remains a yearly shortfall of at least \$503,000 for landscape maintenance and \$151,000 for tree trimming.

In addition to these funding issues, we addressed other areas of concern, including the lack of measurable performance metrics related to park conditions and maintenance, the need to improve day-to-day contract performance monitoring, and the lack of adequate internal controls over contract management. During audit fieldwork, new PRM maintenance management began improving the monitoring of contract activities, including standardizing the evaluation of the contractors' work, streamlining PRM communication with contractors, and exploring the use of new technologies. Since these changes were implemented after the audit period, we did not audit and assess them in detail. Furthermore, PRM management has indicated that it will be developing a new strategic plan that will include discussion of the long-term maintenance needs of parks and trees.

CONCLUSION

A more long-term and concerted strategic approach to maintaining and protecting the City's parks and trees is necessary.

We thank the Department's staff for their assistance, patience and cooperation during this audit. We also commend PRM for making progress in responding to these issues, and hope that this effort will be sustained for the long-term. Our trees and parks play a critical role in creating and sustaining healthy, livable communities in Long Beach. Therefore, decisions on investment in our park system and urban forest by the Department, City Management and City Council should not be made without serious consideration of their long-term financial and operational implications.

I. Current Condition of Park Trees and Landscape

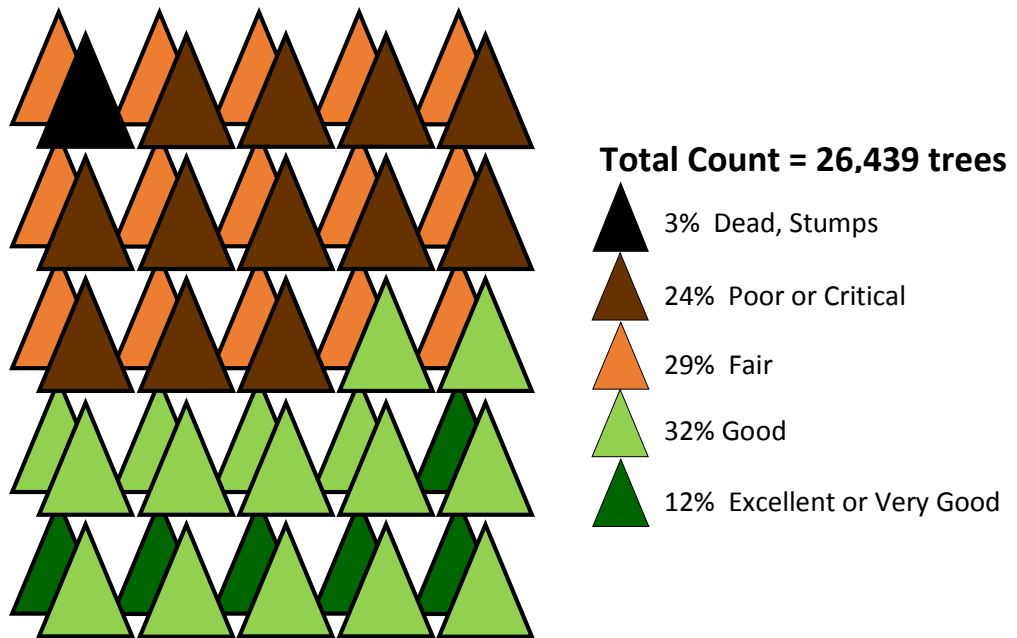
The current condition of the City’s park landscape and trees is declining. There are widespread health issues with the City’s park trees. Park landscape conditions are also lagging, with various stakeholders acknowledging system-wide issues, such as weeds and trash, poor sports turf, and inconsistent irrigation.

TREES

One in four park trees are in poor or critical condition.

A park tree inventory study was conducted in 2015 by a contractor for the first time on trees in the City’s parks.¹ The results of the study were alarming. **Of the approximately 26,000 park trees in the inventory, 7,100 trees (or 27%) are dead or in poor or critical condition, as shown in Figure 1 below. Another 7,700 park trees (29%) are in fair condition.** This means that less than one-half of park trees (44%) are in good, very good or excellent condition. The study also identified 2,000 trees recommended for removal.

**Figure 1.
Park Tree Conditions**



The drought has played a role in the conditions identified in the inventory study. The lack of appropriate amounts of water has put further strain on the health of the trees, increasing their susceptibility to pests and diseases, and making them more vulnerable to the weather, particularly high winds that can bring down trees and large branches.

¹ Conducted by West Coast Arborist in 2015, the tree inventory was performed for parks in the Uplands area, which is the entire City except for the Tidelands area, which includes Rainbow Lagoon, Bixby, Bluff, Marine, Alamitos, and Lincoln Parks. A Tidelands park tree inventory has not been recently conducted.

As part of our audit effort, we sampled 39 parks citywide and documented tree conditions. Our observations confirmed the results of the study, as seen in the photographs below. We found dead/dying trees, tree stumps that had not been removed, and many trees with fallen or broken limbs – some of them significantly large.



Recreation



El Dorado Area 3



Silverado



Somerset

GROUPS AND LANDSCAPE

Stakeholder Views

Landscape conditions do not meet stakeholder expectations.

Weeds, trash and irrigation failures are repetitive problems.

Through interviews or an online survey, many park stakeholders – which include City staff, PRM Commissioners, citizens, park users, and contractors – expressed different levels of dissatisfaction with park landscape conditions. While expectations are not well-defined, the consensus was that improvement is needed to stop the decline in conditions.

- Because the City added more parks and other areas with grounds and landscape to be maintained without corresponding increases to the maintenance contract amounts, PRM staff and contractors stated that the number of contract employees assigned to the City are not enough to perform all contract work to an acceptable level and that some service

frequencies – such as weed abatement and trash pickup – are too low for the needs of various locations. **Documentation maintained by PRM regarding contractor performance repeatedly identified consistent problems regarding weeds, trash and irrigation failures, which accounted for 75% of issues identified from January to June 2015.**

- Local sports groups that frequently use the City’s athletic fields expressed a desire for better park conditions to meet their needs. **Seven out of ten sports groups were dissatisfied with turf conditions, emphasizing that poor turf conditions expose players to injury and require them to supplement with their own maintenance activities.**
 - According to PRM staff and contractors, key turf maintenance activities such as aeration and irrigation audits were bypassed in certain areas during our audit period, likely because contractors had been trying to provide a minimal level of maintenance services across larger acreage.
 - In addition, overuse of athletic fields has caused significant damage to turf. Due to the high demand, there is little down time and longer periods of recovery needed for turf renovation.
- Parks & Recreation Commissioners expressed that park conditions are not ideal, emphasizing poor turf and tree health. They attribute the current state of the City’s parks and trees primarily to budget constraints.

Observations

Our observations at a sample of 39 parks citywide confirmed what other stakeholders had identified as issues with landscape conditions. We found weeds, trash, inconsistent irrigation, including severely water logged turf, and uneven turf. The conditions we observed, when compared to contract specifications, suggest substandard conditions. The pictures below represent only a few of these instances we observed.

- **IRRIGATION:** According to the contract, Section 10.2, irrigation systems shall be adjusted to provide adequate coverage, minimize runoff, limit hazardous conditions, and prevent over irrigating one area. All malfunctions shall be recorded and timely corrective action taken. However, we observed several instances of water-logged turf with standing water, such as the example shown in this photograph of Martin Luther King, Jr. Park.



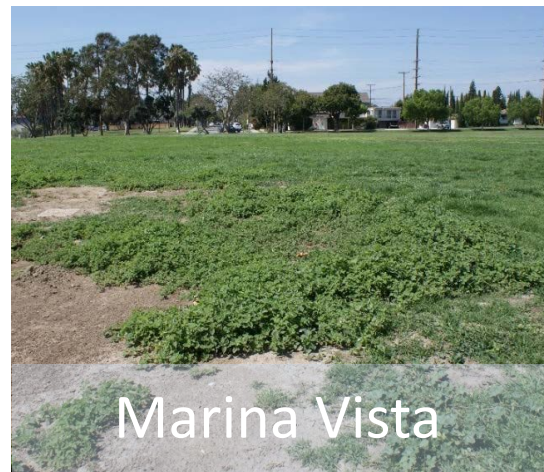
- **TURFGRASS:** According to the contract, Section 10.3.A, turf grass should appear level, having a smooth surface appearance with clean edges, and be at least 90% in health and viability. However, we observed numerous parks with uneven turf, patches of dirt, and extensive weeds. Such conditions can be hazardous to those using the area, as shown here at Cherry Park.



- **LITTER AND DEBRIS/ CLEAN-UP:** Section 10.11 calls for the contractor to provide general clean-up on a daily basis for the purpose of picking up papers, trash, or debris which may accumulate in the landscape areas, lakes, on all sidewalks and other hardscapes within the site. At various locations, we found that trash was left on the ground even when trash cans were emptied. Some parks had medicinal marijuana paraphernalia and broken glass near playgrounds.



- **WEED CONTROL:** Section 10.9.A states that the City expects all areas to be kept weed-free to the greatest extent possible. All weeds should be addressed on a regular basis to make weed control easier, as well as to provide for a clean look throughout the parks and medians. We also found weed problems at various park locations, including sports fields. This photograph shows widespread weeds found at the Marina Vista field.



EFFECT OF THE DROUGHT

The statewide drought has had an impact on tree and landscape conditions. In April 2015, Governor Brown issued an Executive Order implementing water restrictions statewide. Long Beach received a reduction target on potable or drinking water of 16% from the City's 2013 total water usage levels. That Executive Order also specifically prohibited the City from irrigating ornamental turf on public street medians with potable water, which also affects the watering of trees on those street medians. These Executive Orders apply restrictions to the usage of potable water.

As shown in Table 1 below, according to PRM, the City has a total of 1,275 acres of parks and street medians that require irrigation. Currently, of this total, 687 acres (54%) are watered with reclaimed or recycled water, while the remaining 588 acres (46%) are watered with potable water. According to PRM, expanding the use of reclaimed water in the City would require additional infrastructure to accommodate a water reclamation system.

**Table 1.
Irrigated Parks and Medians**

Irrigated Parks and Medians	Acres	% of Total
Total parks and street medians that are irrigated	1,275	100%
<i>Irrigated with reclaimed water</i>	687	54%
<i>Irrigated with potable water</i>	588	46%

Besides eliminating the potable watering of street median grass, the City has been employing other conservation measures, including better maintenance of the irrigation system and implementing a modified watering schedule for most areas. Other initiatives include installing synthetic turf fields and converting grass medians to tolerant landscaping.

In May 2016, Governor Brown issued another Executive Order establishing longer-term conservation measures, including permanent water use reporting and efficiency targets, as well as banning wasteful practices such as hosing sidewalks, driveways, and other hardscapes with potable water. As part of these provisions, new water use targets will be developed, but it is not immediately evident how this will affect Long Beach.

The drought will continue to have a major effect on park and tree conditions. The City's total water usage must remain at reduced levels, while it appears that the City will continue to make park improvements and add new parks, trees, street medians and other grounds that require water and maintenance.

II. Audit Issues

Finding #1. *The City developed new parks, improved existing parks and added new trees, but did not increase funding required to maintain them. Instead, contractors were asked to provide the same level of service over a greater area.*

TREE & LANDSCAPE MAINTENANCE FUNDING

At least another \$1 million annually is needed to provide adequate tree and landscape maintenance.

To appropriately accommodate newly improved parks and added parks, facilities, and street medians, we estimated the minimum funding shortfall for landscape maintenance and park tree trimming at \$1,013,239 per year, as shown in Table 2 below. Operationally speaking, **this annual funding gap is equivalent to a staffing gap of 19.5 FTEs (full-time equivalents) annually, which would mean a need for an additional 20 full-time contract workers to adequately maintain current service areas.** Our estimated maintenance funding gap is comprised of four components:

- 1) Minimum funds to restore 2009 services levels for existing parks and locations, as the current contract resulted in key service reductions.
- 2) Cost of maintaining new parks and other areas added to the City since the execution of the 2013 contract.
- 3) Cost of maintaining locations that are not in the 2013 contract but are being maintained by the contractors.
- 4) Cost of trimming park trees according to a five-year cycle.

**Table 2.
Minimum Estimated Funding Gap
Landscape and Tree Maintenance Contracts**

Component of Park Maintenance	Amount Needed	Contractor Staffing Needed (FTEs)
Grounds/Landscape Maintenance Contract		
1) Restoration of service levels to 2009 contract levels*	\$336,187	7
2) Maintenance of parks and other areas added since execution of 2013 contract**	\$358,674	7
3) Maintenance of locations not in the contract but are being maintained*	\$167,186	3
Subtotal	\$862,047	17
4) Tree Maintenance Contract	\$151,192	3
Total	\$1,013,239	20

*Amount calculated or estimated by City Auditor's Office.

**Amount supplied by PRM, per April 2016 amendment.

With the shortfall in funding, overall service levels have declined. Although PRM indicated that the goal for landscape maintenance activities was to maintain current service levels and park conditions, funding is not adequate to meet this goal. As the City adds to its park system without the additional contract funds to maintain them, park conditions will continue to decline in this current operating environment. Below, we describe each component of the estimated maintenance funding gap.

Grounds/Landscape Maintenance Contracts

1) *Restore 2009 Service Levels*

In the 2013 contracts, changes were made to lower the frequency of weed abatement, trimming, and litter pickup at a group of locations from the 2009 contracts. While this was only part of the reason for the reduced contract costs and while it is unclear whether the 2009 contract service levels were even optimal at that time, PRM staff expressed the need to restore service frequencies to at least the 2009 contract levels because of the adverse effects the service frequency reductions in 2013 have had on overall park landscape conditions. Therefore, to calculate an overall minimum funding gap for maintenance, we included the difference between the aggregate amounts of the 2009 and 2013 contracts.

As shown in Table 3 below, in the 2009 contracts, the City authorized a total of \$3,221,760 annually. **In 2013, although the total number of acres to be maintained declined by 0.2% from the number in the 2009 contracts, the contract amounts were reduced by \$336,187, or 10%, to \$2,885,573. Furthermore, the contracted staffing levels assigned in the current contracts were 23% less than the 2009 contract staffing levels, losing 16 FTEs.**

**Table 3.
Comparison of 2009 and 2013
Grounds/Landscape Maintenance Contracts**

Contract	Acres Maintained	Annual Funding*	Contractor Staffing Assigned (FTEs)
2009 Contract	1,661	\$3,221,760	70
2013 Contract	1,658	\$2,885,573	54
Difference	-3	-\$336,187	-16
% Change	-0.2%	-10%	-23%

**The total funding amounts also include a 15% contingency for supplemental costs, but exclude one-time costs and service options that were not realized.*

2) *New Maintenance Locations*

Since the execution of the contracts in 2013, the City has added new parks and medians as well as made enhancements to existing parks, medians, and City facilities that have increased the amount of maintenance needed. During the reporting process of our audit, PRM requested City Council on April 5, 2016 to authorize additional funds to the contracts for the maintenance of these new locations. In addition, a 10% contingency was requested for expected service changes for future parks and facilities. However, until this recent request, **neither additional funding authority nor amendments had been made to the contract to address the increase in service locations since October 2013.**

PRM estimates that the maintenance of the additional 11 medians, 7 facilities, and 16 parks and park improvements that are not part of the current contracts requires another \$358,674 per year. This amount equates to 14,400 man-hours or 7 FTEs, based on our hourly rate estimate. A few examples of the modifications include:

- \$155,655 per year for the higher level of service needed after the development of Chittick Field.
- \$32,508 per year for the Bixby Expansion and Bixby Annex related to added tasks for trash pickup, weed removal, and mowing.
- An additional \$11,880 per year for enhancements to Jenny Rivera Park for turf maintenance and trash pickup.
- \$14,400 more per year needed for 2nd Street medians that were previously not included in the contract.

3) *Unaccounted-For Maintenance Locations*

We identified another twenty (20) park locations, beyond the known additions and improvements described above, that are not included in the current grounds and landscape maintenance contracts. Although these areas are likely being maintained by the contractors, PRM could not provide information concerning maintenance frequency, scope of work, and/or costs associated with the maintenance of these locations. We estimated that the maintenance cost for these unaccounted-for locations would be \$167,186 per year, equating to 6,700 man-hours or 3 FTEs.

4) Tree Maintenance Contract

Park trees have social, economic and environmental value that is intrinsic to a community's quality of life. The tree inventory study completed in 2015 of nearly 90% of the City's park trees estimated their overall monetary value at over \$112 million. Maintaining these essential, valuable assets is crucial.

Regular tree trimming can improve the overall health of trees, increase safety, and improve the park aesthetics. Studies have shown that it is best practice for trees to be on a trimming cycle of every four or five years, as delaying tree pruning would likely lead to higher costs in the future.²

However, the City's current park tree trimming is not on a trimming cycle and instead is performed on an as-needed and emergency basis. It is focused primarily on trees in high usage areas, such as play areas and picnic tables.

To estimate the cost of moving towards a five-year trimming cycle, we used a total citywide inventory of 29,500 park trees. This estimate is based on two separate counts. First, the recent inventory study counted 26,000 park trees within the City, with the exception of park trees in the Tidelands area, which encompasses land and water areas along the Pacific Ocean coast. Secondly, the recently executed tree trimming contract indicated a total of 3,500 park trees in the Tidelands area.

As a result, to implement a five-year tree trimming cycle for the 29,500 park trees in the entire City, we estimate it would cost at least \$434,588 per year, as shown in Table 4 below.

**Table 4.
Estimated Annual
Tree Trimming Funding Gap
Based on a 5-Year Trimming Cycle**

Service	FY15 Actual Expenses (As-Needed Basis)	Est. Cost (5-Year Cycle Basis)	Amount Needed
Tree Trimming	\$282,396	\$433,588	\$151,192

In FY 2015, the City spent about 65% of the amount that would be required annually to meet this best practice tree trimming cycle. If the City were to continue spending the same amount as it did in FY 2015 for park tree trimming and attempt to adopt a five-year trimming cycle, the tree maintenance funding shortfall would be at least \$151,192 per year.

² Vogt, Jess; Richard J. Hauer and Burnell C. Fischer. 2015. "The Cost of Maintaining and Not Maintaining the Urban Forest: A Review of the Urban Forestry and Arboriculture Literature." *Arboriculture & Urban Forestry Journal* 41(6): 293-323.

IRRIGATION SYSTEM UPGRADES AND OTHER NEEDS

A major portion of the City's park system is plagued by an antiquated irrigation system that impacts maintenance needs and costs, and requires over \$113 million to upgrade.

- In December 2015, the City Manager's Office presented a Study Session to City Council on the City's infrastructure needs and estimated that citywide irrigation system upgrades would cost over \$113 million.
- The City spent an estimated \$262,000 in FY 2015 on unscheduled repairs and maintenance to the deteriorating irrigation system. The problems associated with this irrigation system include constant repairs, broken lines, inconsistent water pressure, flooding, manual controls, and uneven water distribution, which results in wet/dry spots and browning of turf in some areas.

Deferring needed maintenance and repair to parks, trees and infrastructure will degrade the value and quality of life that these assets afford to residents, and can pose significant liability to the City.

In the same December 2015 Study Session presented to Council on City infrastructure needs, the City Manager's Office estimated a budgetary shortfall of \$20 million annually for ongoing maintenance of park grounds and park facilities. The figure likely includes not only grounds and landscape maintenance, but also the maintenance of playgrounds, walkways and other paved surfaces, fountains, community centers, fencing, benches, and picnic tables, as well other park related features. While the City Manager's presentation did not provide details that comprise the estimate, the City acknowledged that more maintenance is needed and additional funding is necessary to improve the conditions of the City parks.

Recommendations:

We recognize that essentially more money is needed to fix this problem, and that resources are scarce. Thus, we recommend that the City explore other approaches to raising additional funds beyond General Fund dollars for grounds/landscape and tree maintenance. These approaches could include:

- 1.1. Reassess all park and recreation related fees to determine whether a higher level of cost recovery can be attained to include the cost of park landscape and tree maintenance.**
 - a. Revisit all adult sports and youth club team fees. The fees for permits to use athletic fields and park facilities could include the cost for ongoing park maintenance.

- b. Revise the Park and Recreation Facilities Fee to include a provision for ongoing maintenance of parklands. Municipal Code Chapter 18.18 imposes a park impact fee on new residential development to fund parkland acquisition and recreation improvements, but restricts the funds from being used for maintenance.

1.2 Consider selling the naming rights for parks, park facilities and other park features. These would include parks, community centers, dog parks, fields, gardens, trees, fountains, and other park features. We believe this presents an opportunity to engage the community and private sector in investing in our local community. Other communities, such as the County of San Diego, have successfully implemented naming rights programs. More information on San Diego's Naming Rights Opportunities Program can be found in Appendix A.

1.3 Develop a funding or financing plan that explores alternative funding sources, such as grants, donor programs and private-public partnerships.

Finding #2.

The City has focused on the expansion of parks, open space, and recreational opportunities, but has not adequately considered how these areas are to be maintained.

STRATEGIC PLANNING

The City continues to expand park lands without a clear funding strategy to maintain them adequately.

The City's strategic documents – such as the General Plan's Open Space and Recreation Element and PRM's Strategic Plan – focus on recreational and open space expansion, with little to no discussion on the long-term costs of maintaining parks and trees, as well as other challenges that the City faces today.

- Adopted in 2002, the General Plan's Open Space and Recreation Element established a recreation open space standard of eight (8) acres per 1,000 Long Beach residents. The City has strived to add parks and open space to meet this target and, based on the City's current population, an additional 660 acres are needed to reach the standard. However, we question whether this goal is attainable, given the current water restrictions and the City's financial constraints.
- Developed in 2003, PRM's Strategic Plan identified increasing the amount of park space and the number of community facilities as its most prominent strategic goals, but did not address the need to provide adequate landscape maintenance as these new park spaces are added.
- In 2008, with the help of an outside consultant, the City started the development of an Urban Forest Master Plan for its tree population but never completed and adopted it. This study effort established urban forest goals, priorities and policies that would have served as the foundation for the Master Plan. The study provided seven primary goals, one of which was to "identify appropriate funding levels, and provide stable, long-term funding sources for urban forest activities and programs." It recommended that one of the policies to achieve this goal is to "provide adequate funding for tree trimming, maintenance, removal and replacement."

Otherwise, there is hardly any mention of park trees in the City's strategic documents, as both the Open Space and Recreation Element and the PRM Strategic Plan did not appear to recognize the significance of the trees to parks and other open spaces. A well-developed and well-thought-out master plan can provide the City with a blueprint for effective urban forest management moving forward.

The more trees and park acreage the City adds, the more it will cost to properly maintain them. Furthermore, the State water mandates restrict the City's current water usage. With a finite water supply, as the City adds more and more park land and trees, each park and each tree will get less and less

water. Even if maintenance levels are enhanced and increased, without adequate water, the condition of the City's trees and parks could further decline.

PERFORMANCE METRICS

The City lacks clear performance metrics on park and tree conditions that can be communicated and understood by City employees, contractors, elected officials, and the general public.

When asked to describe the current conditions of the parks and their trees in relative detail, and the targeted conditions toward which the City strives, stakeholders were not be able to do so in any systematic way. Answers were short and vague, such as "We're not where we want to be," "They should be clean and green," or "We should do better." These statements fall short of providing any meaningful understanding of current conditions and the City's goals with respect to the health and condition of parks and trees.

The City lacks performance measures on park and tree conditions that can be understood by all stakeholders, including City staff, contractors, elected officials and the general public. This lack of clear performance metrics and goals makes it difficult to determine a direction, monitor performance, implement effective planning and determine resource needs.

The Municipal Code and the landscape maintenance contracts contain standards for landscape maintenance. But the horticulture jargon contained in these standards are often difficult to understand. The maintenance contracts include specifications that are generally technical in nature, describing heights and diameters of cuts and growth, as well as pruning and other maintenance techniques. In other areas of the contract, the specifications state that the maintenance activities must be performed according to the American Horticultural Standards, but without describing the specific applicable standards. Some examples of the technical specifications include:

- Turf shall be mowed within 6-12 inches of all appurtenances.
- A minimum of 12" to a maximum 24" or more if root flares are present will have bare soil buffer zone shall be maintained chemically around the circumstance at the base of all trees.
- Shrubs and mounding shall not exceed two feet (2') in height within areas required for vehicular sight distance depending on roadway topography.
- Ground cover height should not exceed 6" with a beveled edge.

While it is important that City staff and contractors are knowledgeable about the contract specifications, we were told that the specifications are rarely referenced on a day-to-day basis to determine how services are to be performed and to assess the performance of these maintenance activities. The specifications are likely good guidelines for best practices, but they are

not practical for everyday usage. The existing specifications cannot communicate the current conditions of the City's parks and trees, and do not allow the City to set maintenance performance goals toward which to strive or to effectively manage stakeholder expectations.

Instead, the City should simplify and develop broad performance measures that can provide not only PRM and the maintenance contractors but also elected officials and the general public with one common set of indicators of park and tree conditions. The maintenance of these parks and trees, as well the monitoring of them, can then all be performed through the lens of these performance metrics. New York City and San Francisco have been successfully using park inspection rating systems that hold city departments and contractors accountable to a specific set of standards focused on cleanliness, safety, and structural conditions. More information on San Francisco's Park Evaluation Program can be found in Appendix B of this report.

Data collected through these regular inspections would be used as a management tool to identify performance trends in specific parks and to distribute resources based on needs. Furthermore, inspection ratings and data should be made available to the general public so that service expectations are equally shared and understood. A common rating system can be based on an A-F letter grade, a number or percentage rating, acceptable or unacceptable rating, or a combination of these.

Recommendations:

2.1 Modify and update existing strategic plan documents for park landscape and park trees to specifically address maintenance requirements, expected funding standards, and criteria for park expansion maintenance.

- a. Gather stakeholder input and regularly communicate these plans to policymakers and the general public.
- b. Ensure ample discussion at staff and City Council levels during the planning of any new park acquisition or renovation projects regarding the ongoing maintenance needs and costs associated with these projects.

2.2 Adopt tree and landscape maintenance performance measures, and develop a park inspection rating program that would allow the City to track how it is meeting established metrics and expectations for park and tree conditions.

- a. Performance measures and expectations for park conditions ought to be realistic and reflective of available funding.

- b. Provide each park a rating for overall condition, safety and cleanliness, which would be comprised of established ratable park features.
- c. Communicate the results of the inspection program on a regular basis to City Council and to the general public.

2.3 Develop and adopt a park tree maintenance plan that is based on a five-year tree trimming frequency schedule. The plan should consider strategies for other maintenance activities that are also critical for the health and longevity of the tree population:

- Watering
- Tree removal
- Mulching
- Pest and disease management
- Soil and nutrient management

Finding #3.

After the City purchased over \$215,000 worth of relatively new vehicles and landscape maintenance equipment from a prior landscape maintenance vendor, the equipment was left unused in the City yard for several years and allowed it to depreciate in value.

The City mismanaged expensive vehicles and equipment, leaving them unused in the City yard for more than two years.

In June 2013, the City contracted with Marina Landscape, Inc. (Marina) to begin park landscape maintenance services. However, in August 2013, the City and Marina mutually agreed that it was no longer viable for the company to continue the contract. As part of the Dissolution Agreement, the City purchased \$215,622 in equipment from Marina, as itemized in Table 5.

**Table 5.
Marina Landscape Settlement
Equipment Purchased**

Equipment	Quantity	Purchase Price
Mowers	10	\$106,015.77
Trucks	3	\$86,869.50
Trailers	3	\$20,058.78
Edgers	4	\$2,678.00
Total		\$215,622.05

According to PRM staff, the equipment pieces were newly purchased by Marina at the time they entered into the contract (June 2013) and were less than six months old when acquired by the City, with the trucks having less than 2,000 miles on each when sold to the City. The Dissolution Agreement called for Marina to deliver to the City the equipment and all parts in good working order, and with all applicable warranties and title documents on or before September 3, 2013. However, the City made payment to Marina for the items prior to obtaining all the necessary documentation. Title documents were not obtained for the trucks and trailers, which the City indicated are necessary to be able to sell them or put them into service.

Nearly 3 years later, the City Auditor’s inquiry into this matter triggered action by the City to secure the necessary title documents for either City use or resale and to determine if there was use for the equipment within a City department. During the reporting process for the audit, PRM stated that the trucks are now in use by the Water Department, and PRM will assess whether to use the mowers and edgers. However, given the long time lapse from the time the vehicles and equipment were purchased, the City wasted resources because it failed to repurpose or sell newly-purchased equipment or auction them in a timely fashion.

Recommendation:

- 3.1 The City should have appropriate processes in place covering acquisition of equipment to ensure the equipment is assigned timely for City use or auctioned off to third parties.**

Finding #4.

The scope of work defined in the City's landscape maintenance contracts had not been representative of the actual work being performed, making it difficult for the City to effectively monitor the contractors' work.

The scope of work in the landscape maintenance contracts are obsolete, making it difficult to enforce contract obligations.

The landscape maintenance contracts that were executed in 2013 had not been reflective of the actual work being performed by the contractors for several reasons:

- The contractors were maintaining new parks, park improvements, medians and city facilities that were added after the current contracts were executed in October 2013, but no amendments or side agreements had been executed to reflect this work until recently. In April 2016, as discussed earlier, PRM requested City Council to authorize additional funds to service these new locations. However, we noted earlier that the funding gap to provide adequate grounds and landscape maintenance is estimated to be substantially larger than the amount PRM recently requested.
- Contractors are requested to perform maintenance activities that are beyond the scope of the contract for as-needed clean-up services for special events for no additional cost.

As a result of these factors, **contractors have been expected to maintain more service area and perform more activities but with less money and fewer assigned personnel. The contractors and resources have been spread thinner throughout the City, and we have seen evidence that the level of service has suffered.** PRM staff and the contractors indicated that a "give-and-take" approach has been used, allowing the contractors to bypass some certain tasks and frequencies, so that a larger area can be serviced.

When the contract no longer reflects the work being performed, it is very difficult to monitor the quality of the service provided or enforce contract requirements. Neither the City nor the contractor have clarity regarding the expected services, thereby making it very difficult to know if the contractor has met contractual obligations.

- Without being able to enforce contract requirements, contractors have not received deductions for poor performance.
- PRM staff indicated that contractors were not performing certain tasks during our audit period, such as dethatching, aeration, mulching, and irrigation audits. According to PRM management, because of the generally poor condition of the park turf, dethatching is not necessary. Furthermore, PRM management indicated it is now scheduling the contractors to perform other important tasks, such as aeration and irrigation audits.

- PRM lacks a system to verify contractors are performing contract services and specifications. Positive confirmation when maintenance tasks are performed is not documented. The only documentation that exists points to problems observed. PRM management indicated that they are working on using an existing work order management system to track landscape maintenance performance.
- There was a lack of consistency in the approaches of the PRM Gardeners who are responsible for monitoring the contractors' work. We noted that one Gardener's expectations with regard to services and expected conditions may be different than those of another Gardener monitoring another service area. According to PRM management, they have been working to standardize the evaluation criteria used by the PRM Gardeners to assess the contractors' work.

Recommendations:

- 4.1 Amend the contract scope of work to reflect realistic service levels and frequencies consistent with desired park conditions and available funding.**
- 4.2 Amend the contract to accurately reflect all service locations.**
- 4.3 Analyze work order and inspection data regularly to react to and rectify problems as quickly as possible, as well as to identify maintenance trends and needs for resource planning.**
- 4.4 Continue to improve contract monitoring and park maintenance, including:**
 - a. Standardizing contract monitoring training on evaluation standards and maintenance priorities.
 - b. Streamlining and standardizing the day-to-day communication between PRM staff and the contractors.
 - c. Exploring and adopting the use of new technologies, such as a work order management system and handheld devices to better document park conditions and collect data, as well as to improve the tracking of the maintenance work performed by the contractors and any work performed by City staff.
 - d. Increasing the role of the PRM Gardeners to perform some maintenance work.
- 4.5 Have City Council or any other department sponsoring events at parks and park facilities pay for the maintenance prepping and clean-up.**

Finding #5.

Lax oversight of invoice documentation resulted in the City paying nearly \$81,000 over 16 months for maintenance service that was never performed.

OPTIONAL SERVICE LOCATIONS

\$80,800 for optional service locations were mistakenly included with regular service charges. The error was not detected for 16 months.

Within a 16-month span, the City paid \$80,800 for service locations at which maintenance was never performed. The landscape maintenance contract with Azteca Landscape includes an option to service two possible locations (called "Bid Options" in the contract agreement): the LA Rio Trail and Sunnyside Cemetery, which would cost an additional \$5,050 per month or \$60,600 per year if the option were to be exercised. The City had anticipated possibly taking ownership of these two sites and having maintenance performed at some point during the contract period.

However, the City never assumed responsibility of these locations, but the maintenance costs for these two locations were mistakenly included in the monthly invoices, combined with regular service charges. The City did not verify the amount being charged against the contract pricing. In total, \$80,800 over a period of 16 months was paid for maintenance that was never performed.

At the time of this report, **PRM is now expending time and resources to correct this situation by working with the City Attorney and the Department of Financial Management to recoup these funds.**

BACK-UP DOCUMENTATION

Payments related to nearly \$300,000 for supplemental work lacked sufficient back-up documentation needed to substantiate actual costs of materials and hours worked.

The landscape agreements include an option to add expenditures up to 15% above the annual contract amount for supplemental work. The components of the supplemental costs, most of which are related to irrigation repairs, are labor hours to perform the repair and material costs for items that were purchased by the contractor. In FY 2015, the City expended \$59,238 on materials and \$235,193 on labor costs for this additional work.

Based on our review of the supplemental invoices paid during our audit period, we observed that payment of supplemental work occurred without back-up documentation for labor hours and for part purchases. There were no receipts or other documentation to verify the costs of material purchases were reasonable. There was also no detail of when supplemental work occurred to verify labor hours.

In addition, the type of information provided on the invoices was inconsistent. Some invoices included description of parts and costs but excluded receipts, while other invoices did not delineate the materials used and only had a lump sum total. Allowing contractors to submit invoices without proper or consistent back-up documentation increases the risk of falsified invoices and payment errors.

CRITERIA FOR SUPPLEMENTAL IRRIGATION WORK

Confusing contract language makes it difficult to determine which irrigation activities are to be considered as part of the general scope of work or be paid out of supplemental funds.

PRM staff and contractors are unclear on the types of service that could be paid from the contracts' supplemental funds. **Language in the contract that discusses supplemental work is scattered throughout the document, and is unclear and contradictory. This makes it difficult to determine how much of the over \$294,431 paid for supplemental work is appropriate.**

Contract Section 4.9 and Section 4.10 provide overarching guidance on the activities that could be paid as additional or supplemental work. These sections state that the City may authorize the contractors to perform additional work, including but not limited to repairs and replacements "when the need for such work arises out of extraordinary incidents such as vandalism, Acts of God, and third party negligence." However, throughout the contract agreement, the City provides more specific definitions of supplemental or additional work activities, some of which could be requested at the City's discretion based on desire or need, rather than on extraordinary circumstances.

The primary confusion with supplemental work arises when the additional task performed involves repairs and/or replacement to the irrigation system. This issue is important to address because 90% of supplemental work expenditures were related to irrigation repairs and replacements.

- Different sections within the contract that attempt to define which irrigation activities should be considered as additional work are conflicting. Section 10.1 and Section 10.2 state that adjustments, repairs, modifications, improvements, and other work to the irrigation system are included in the general maintenance scope of work. This means that such activities would be covered by regular monthly payments.

Section 4.9 states that repairs and replacements of the irrigation system, when the need arises out of an extraordinary incident, or improvements in order to add, modify, or refurbish irrigation systems would be considered as additional, supplemental work. Furthermore, Section 10.18 states that while sprinkler heads at the Civic Center are to be maintained and adjusted regularly, repairs are considered extra work.

The language in these contract sections are contradictory and, thus, do not provide clarity on which activity should be considered as additional work and paid with the contracts' supplemental funds.

Given this lack of clarity and consistency in the contract, it is not surprising that PRM staff and contractors provided various interpretations on the types of activity that is considered as supplemental work, including after-hours work

performed using overtime; size of the irrigation lines needing repair; any changes to the current irrigation system; and work resulting from vandalism. Most of these “qualifying” additional work activities described by PRM staff and contractors are not mentioned in the contracts. Other PRM staff interviewed during this audit simply indicated that they were not sure what constituted supplemental work.

As a result, there is the risk that some service activities paid through supplemental monies should have been covered under the contracted general maintenance services and, therefore, paid in error. Without clear contract language, PRM is unable to accurately and consistently determine if payments were appropriate.

Recommendations:

- 5.1 Recover the \$80,800 paid in error to the contractor, Azteca Landscape, Inc.**
- 5.2 Ensure there are proper processes in place to implement Bid Options (optional services or service areas) in a new landscape maintenance contract, as well as a review process to ensure that invoice amounts reflect contract amounts.**
- 5.3 Require the contractors to provide appropriate backup documentation for supplemental charges, such as description of labor activity, dates and hours, and receipts for material purchases.**
- 5.4 Review what constitutes supplemental work, and clearly define the criteria for maintenance activities to qualify for supplemental work payment.**
 - a. This can be currently accomplished through an amendment to the contract. Providing clarity to the definition of supplemental work could be accomplished sooner rather than later.

Finding #6.

The City is unable to accurately track over \$138,000 of irrigation parts inventory.

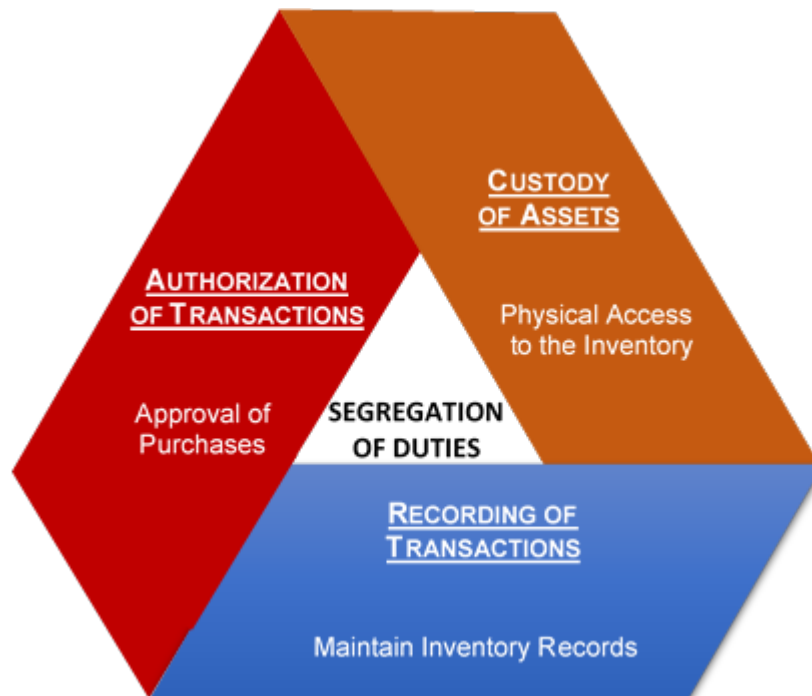
The City lacks effective policies and procedures to manage the irrigation parts inventory.

PRM maintains its own on-hand supply of irrigation parts that can be used by both PRM staff and contractors for irrigation repairs and replacement, which are often required due to the age and condition of the park irrigation system. PRM spent approximately \$138,000 in FY 2015 on irrigation parts, and has stated that annual parts purchases are typically depleted within the year.

LACK OF SEGREGATION OF DUTIES

Segregation of duties in the management of the irrigation parts does not exist. Currently, one staff person has the sole responsibility to order, stock, distribute, and authorize payment for PRM's landscape irrigation parts inventory. Having one person responsible for all aspects of the inventory creates the possibility of theft or misuse occurring undetected. PRM should implement new policies, procedures and controls to ensure that there is segregation among those responsible for duties within these three primary functions, as shown in Figure 2 below: a) Authorization of Transactions; b) Custody of the Assets; and c) Recording of the Transactions.

**Figure 2.
Segregation of Duties Triangle**



LACK OF INVENTORY MANAGEMENT SYSTEM

Currently, PRM lacks a management system, manual or automated, that can accurately track and maintain a running inventory of irrigation parts. Because of the lack of an adequate inventory management system, **PRM cannot accurately reconcile between the irrigation parts that go in and out of the stock room, posing a risk for lost inventory.** During our high level reconciliation, we estimated that PRM could not account for at least 10% of items.

Furthermore, without a viable inventory management system, it is difficult for staff to identify trends in asset purchases and usage and, thus, opportunities for efficiency improvements and/or cost savings. For example, per the contract, the landscape maintenance contractors are allowed to charge a 10% markup for any parts purchased for irrigation repairs to cover their overhead cost and profit. Therefore, it costs the City more when contractors purchase parts independently, instead of using the parts supplied out of the City's inventory.

During our review of supplemental invoices, we identified some irrigation parts consistently purchased by the contractors and used for repairs, such as PVC couplings, male adapters, and red bushings. **The City has potentially unrealized cost savings because it does not attempt to identify commonly used parts to stock its inventory.** In addition, the City could avoid paying the 10% markup to the contractors.

Recommendations:

6.1 Develop and implement best practice inventory management policies and procedures, including:

- a. Ensure segregation of duties surrounding the authorization of transactions, custody of assets, and recording of transactions.
- b. Identify and utilize an existing software within the City to serve as an inventory tracking system.
- c. Conduct regular inventory counts and reconcile with existing records.
- d. Identify part items that are consistently used by contractors that can be added to the inventory.

IV. Background

City Parks and Trees

There are a total of 164 parks and specialty use areas totaling 3,100 acres within the City of Long Beach's 50 square miles. The City possesses a diverse park system, consisting of: a 400-acre Regional Park, Community Parks, Mini Parks, Neighborhood Parks, Beach Parks, Greenway Parks, Nature Centers, Biological Reserves, and Special Use Parks, including Dog Parks, Golf Courses, Swimming Facilities, Marinas and Bike Paths.

Trees are an essential component of the City's parks. There are at least 29,500 park trees in the City. The 2015 inventory study of nearly 90% of these park trees estimated their overall monetary value at over \$112 million. The majority of park trees consists of the following species: Canary Island Pine, California Sycamore, Shamel Ash, Chinese Elm, Glossy Privet, Coast Live Oak, Chinese Flame, Mexican Fan Palm, Jacaranda, and Blue Gum.

Landscape Maintenance Contracts

Under the oversight of the PRM Department, the City contracts with two different vendors – Azteca Landscape, Inc. and Merchants Landscape Services, Inc. – for the majority of the landscape maintenance services of the City's parks, street medians, and facilities. The serviced locations encompass a large majority of the park locations within the City, while the maintenance of other locations are covered under specialty maintenance contracts or leases. In addition to the park areas, grounds maintenance is also provided for various City facilities, such as the libraries, health and police department satellite locations, as well as street medians.

In general, the contractors provide grounds and landscape maintenance services inclusive of, but not limited to,

- Trimming
- Mowing and Edging
- Pruning
- Turf Renovation
- Fertilization
- Aeration
- Irrigation Maintenance
- Weed Control
- Litter Control/Trash Removal
- Pest Control
- Lake Maintenance
- Drainage Cleanup

The City parks included in the contracts are divided into four contract areas. The four contract areas include a total of 325 total locations, consisting of park and specialty use areas, street medians, and City facilities, which cover about 1,660 acres. Currently, Azteca Landscape is contracted to perform work in Contract Areas 1, 2, and 3 and Merchants Landscape Services is contracted to perform work in Contract Area 4. The current contract agreements were made effective on October 1, 2013 and expired on May 31,

2015. The City exercised the first of two one-year contract renewal options, expiring May 31, 2016. At the time of this report, it is likely that the City will exercise the remaining renewal option, extending the contract to May 31, 2017.

The contract scope of work is based on frequencies (how often a task is to be performed) and to what specification it is to be performed for various tasks and locations. Some of the key tasks and frequencies include:

- Weekly mowing and edging,
- Quarterly shrub pruning,
- Monthly spraying for weeds,
- Daily general clean-up of litter and debris, and
- Aeration of sports fields two times per year.

The contracts call for monthly payments for the recurring agreed-upon work for the specified locations. In addition, supplemental funds of 15% of the base contract amount can be used for additional work as needed. Most of the supplemental funds are currently allocated to repairs for the aging irrigation system throughout the parks and medians.

The current contracts executed in October 2013 authorized up to \$2,955,264 per year in expenditures for grounds and landscape maintenance to the two contractors, as shown in Table 6 below.

**Table 6.
Not to Exceed Annual Authorizations
Landscape Maintenance Contracts (October 2013)**

Contract Authorized Amounts	Contractor		Total
	Azteca	Merchant	
Core Services	\$1,869,120	\$640,075	\$2,509,195
15% Supplemental Services	\$280,368	\$96,011	\$376,379
SUBTOTAL	\$2,149,488	\$736,086	\$2,885,574
Optional Service Locations	\$60,600	-	\$60,600
15% Supplemental on Optional Service Locations	\$9,090	-	\$9,090
SUBTOTAL	\$69,690	\$0	\$69,690
TOTAL	\$2,219,178	\$736,086	\$2,955,264

Tree Trimming Contract

The City contracts with a separate contractor for the trimming of park trees. In September 2015, PRM entered into a contract with Great Scott Tree Service, Inc. for as-needed tree trimming services and to respond to emergency tree trimming needs in park, beach, and marina areas. The contract is for an

annual amount not to exceed \$483,000 (including a 15% contingency) for a period of two years.

PRM Oversight

The oversight of the landscape maintenance contracts is split between PRM's Maintenance Operations Bureau and Marine & Beach Maintenance Bureau. The majority of the locations are in the Uplands area of the City and are overseen by the Maintenance Operations Bureau. The Marine & Beach Maintenance has a lesser role since they are monitoring the contract for a smaller number of locations in the Tidelands area.

Between both bureaus, PRM has the following personnel related to oversight of these contracts:

- 5 Gardeners II who perform monitoring duties. There is one for each contract area as well as one for Tidelands locations.
- 3 Park Maintenance Supervisors to cover four contract areas and the Tidelands area.
- 2 Superintendents to oversee the Uplands and Tidelands portions of the contract.
- 2 Bureau Managers of the Maintenance Operations Bureau, one responsible for Facilities and Grounds maintenance operations and the other for Marine and Beach maintenance operations.

The main oversight activity performed is to monitor the contractors' compliance with the contract specifications. In order to do this, the Gardeners are each assigned a section of the City and visit each assigned park at least once per week. During their site visits, the Gardeners are tasked with evaluating the contractor's work in their contract area against specifications and frequencies outlined in the contracts. They document deficiencies with the work of the contractors and hold meetings with them, along with PRM Supervisors and Superintendents, to discuss the issues identified and the action plans to resolve them.

V. Objective, Scope, and Methodology

The objective of this audit was to assess the Parks, Recreation, and Marine Department's approach and strategy for landscape maintenance contract oversight in ensuring cost effectiveness and adequate park and tree conditions. The audit scope covered activities during FY 2013 through FY 2015. To achieve this objective we:

- Reviewed current landscape maintenance contracts and amendments with Azteca and Merchant;
- Interviewed PRM staff, including those performing monitoring and supervising duties;
- Reconciled PRM park inventory reports against contract park locations;
- Analyzed Weekly Agendas with contractors for issues identified while monitoring;
- Interviewed representatives from Azteca and Merchant;
- Conducted site visits and observations of a sample of 39 parks citywide;
- Analyzed controls surrounding irrigation inventory responsibilities, purchases, and record keeping;
- Reviewed contract payments for monthly and supplemental work, as well as payments made for tree trimming; and
- Surveyed user groups and spoke to members of the Parks and Recreation Commission's Maintenance Committee.

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

VI. Appendices

Appendix A. County of San Diego, Parks and Recreation Naming Rights Opportunities Program

Following this page are documents that provide additional information on San Diego County's naming rights program:

- 1) County Board of Supervisors Policy Number F-52: Naming of County Park and Recreation Amenities.
 - 2) Excerpts from the Naming Rights Opportunities Booklet, a promotional material that explains the program's goals and lists the park amenities eligible for naming and their costs.
-

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

Naming of County Park and Recreation Amenities

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Purpose

The intent of this policy is to set forth criteria and parameters to guide naming rights opportunities for amenities within County of San Diego Department of Parks and Recreation (DPR) facilities. This policy provides DPR the authority to consider and approve the naming of park amenities after an organization, business or individual that has provided a financial contribution to support park and recreation capital or major maintenance projects.

Definitions

In the context of this policy, the following definitions apply:

- a) "Amenity" means a smaller support structure or park feature located within a larger County park facility such as, but not limited to, sports fields, conference rooms, playgrounds, pools, decorative or water play fountains, gardens, gazebos, pavilions, tennis courts, basketball courts, volleyball courts, or trails.
- b) "Naming or Naming Rights" refers to the opportunity to name a DPR park amenity.

Policy

1. DPR shall pursue alternative funding to achieve appropriate levels of cost recovery in accordance with County of San Diego Board of Supervisors Policy B-55 and DPR's cost recovery business plan.
2. The naming of DPR facilities will continue to be covered by Board of Supervisors Policy F-46, which states the naming of County buildings and structures shall be done only by the Board of Supervisors, by resolution adopted with a majority vote.
3. This policy shall supersede F-46 and authorize the DPR Director to consider and approve park amenity naming rights that are for a term of 5 years or less or that will result in \$15,000 or less in total revenue for the duration of the naming term.

Guidelines and Criteria

In all cases, DPR will ensure that naming rights will not be in conflict with or run counter to DPR's mission and goals including, but not limited to:

- Promote healthy lifestyles or civic responsibility
- Recreational programs and services that increased physical, intellectual, social and/or emotional abilities
- Promote environmental awareness and responsibility
- Acquire, preserve, or enhance significant natural or historical/cultural resources

COUNTY OF SAN DIEGO, CALIFORNIA
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- Promote resource sustainability
- Increase environmental stewardship
- Educate public about resources, conservation or sustainability
- Support multiple species conservation program
- Improved energy and water efficiency
- Protect tree population
- Promote acquisition, development or maintenance of facilities that support community needs, provided safe and accessible opportunities to gather, promoted park stewardship or celebrated diversity while connecting communities.
- Supports healthy families, sustainable environments or safe communities
- Foster community ownership in the maintenance and security of the County's trail systems
- Supports accessible places for recreation
- Promote government agency partnerships and community involvement
- Promotes volunteerism
- Enhance park safety
- Strengthen connection between people and the outdoors
- Support providing affordable recreation options
- DPR's mission or objectives that are adopted annually by the Board of Supervisors

Naming rights proposals that shall **not** be considered are those which:

- a. Promote practices that, if they took place, would violate U.S. or state law (i.e. - dumping of hazardous waste, exploitation of child labor, etc.), or promote drugs, alcohol, tobacco, gambling or adult entertainment.
- b. Discriminate on the basis of race/ethnicity, color, religion, national origin, sex, disability, medical condition, sexual orientation, marital status, veteran status or age.
- c. Include religious references or political statements.
- d. Endorse products or services that do not comply with DPR policies and procedures, County, State or federal regulations, ordinances, codes, or statutes.
- e. Appear to be in direct competition with DPR services or products.
- f. Endorse products or services that conflict with DPR's mission or Board of Supervisors approved objectives or goals.

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

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All park Amenities eligible for naming rights shall be determined by the DPR Director or designee. If a naming right opportunity includes signage, a detailed proposal of the signage, including design, layout, verbiage and cost will need to be provided, in writing, for review and approval by the DPR Director or designee. DPR can specify sign size, sign, type, and font of any naming rights signage or displays. DPR reserves the right to terminate any naming right agreements not in accordance with this Board Policy.

Sunset Date

This policy will be reviewed for continuance by 12-31-18.

Board Action

01/29/14 (2)

CAO Reference

1. Department of Parks and Recreation

County of San Diego

Parks and Recreation



Support San Diego County Parks with your name!

Parks Make Life Better!

The County of San Diego Parks and Recreation Department seeks to raise \$3,600,000 to extend the excellence that is associated with our parks, open space, trails, facilities, and programs.

Campaign Goal

Our goal is to continue to provide much needed and desired services, programs, and opportunities for County residents at low or no cost. In order to continue to meet public demand for services and facilities, we are seeking like-minded partners to assist DPR in leveraging tax payer dollars.



Why embark? First, to ensure the finest facilities and recreation possible, and to do this at rates that are affordable for local residents. Second, to continue to offer the best quality destination for residents and visitors from across the world.



Lakeside Ballfields

Baseball Fields \$2,000 to \$40,000

By supporting and endorsing one of DPR's many baseball fields, you will be connecting with thousands of visitors that share your love for the sport, while helping your business build brand awareness.

Baseball Field	Ball Field
4S Ranch Sports Park Complex	1, 2, 3, 4, 5
Cactus Park Ballfields	1, 2, 3, 4
Lakeside Ballfields	1, 2, 3, 4
Rios Canyon Ballfields	1, 2, 3, 4
Sweetwater Ballfields	1, 2, 3, 4, 5
Sweetwater Lane Sports Complex	1, 2, 3, 4
Tijuana River Valley	1, 2, 3, 4, 5



Playgrounds \$2,000 to \$40,000

DPR manages a number of playgrounds throughout the County that are frequented by children and families who love to play and enjoy the outdoors.

Playgrounds

Collier Community Park

Dos Picos County Park

Fallbrook Community Center

Felicita County Park

Flinn Springs County Park

Lindo Lake County Park

Nancy Jane County Park

Otay Lakes County Park

Rios Canyon County Park

San Dieguito County Park

Spring Valley County Park

Staging Areas \$6,000 to \$36,000

Let San Diego County Parks take you on a journey through our vast trail system where large staging areas welcome hikers, bikers, and equestrians to experience the wonders of nature.

Put your name on the gateways to our popular trail system and gain thousands of impressions a year where outdoor enthusiasts can enjoy the spectacular views and catch a glimpse of wildlife.



Staging Areas

El Monte County Park

Otay Valley Regional Park

Ramona Grasslands Preserve

Sweetwater Summit Regional Park

Tijuana River Valley Regional Park



Sports Arenas \$10,000 to \$40,000

DPR maintains and/or operates many sports facilities throughout San Diego County, including soccer arenas, and roller hockey rinks.

Sports Courts \$2,500 to \$40,000

Prominently position your name for sports enthusiasts to see at one of our sports courts. Gain access to a target audience with an advertising solution that is sure to see a return on investment.

Sports Arenas

4S Ranch Sports Park Hockey Arena
Collier County Park Soccer Arena

Basketball Courts

4S Ranch Sports Park
Fallbrook Community Center
Spring Valley Gym

Tennis Courts

4S Ranch Sports Park
Fallbrook Community Center
Lindo Lake County Park



Sweetwater Summit Regional Park

Amphitheaters \$5,000 to \$24,000

Amphitheaters allow a large group of people to gather for special events and presentations. These are great venues where businesses can target their brands to specific demographics.

By placing your brand on one of our amphitheaters, you will be connecting with thousands of visitors who will see your loyalty to parks and help build your business.

Amphitheaters
Live Oak County Park
Sweetwater Summit Regional Park

Skateparks \$15,000 to \$100,000

San Diego County Parks is working to expand skateparks in communities where there is a demand. Skateparks are the place for youth and adults that have a passion for skateboarding.

Naming a skatepark is a great way to guarantee instant recognition of your service or products while supporting the community's youth.



Lakeside Skate Park



Hilton Head County Park

Skateparks

Lakeside Skatepark

Splash Parks

Eastview County Park

Hilton Head County Park

Splash Parks \$10,000 to \$40,000

DPR provides community splash parks for a safe, unstructured and low cost, water activity.

With thousands of visitors during the months of May through October, splash parks provide a unique marketing opportunity for those wishing to connect their brand to families with children.



Agua Caliente Regional Park Indoor Therapeutic Spa

Swimming Pools \$5,000 to \$48,000

The Department of Parks and Recreation operates a swimming pool at 4S Ranch Sports Park and a therapeutic spa and two swimming pools at Agua Caliente Regional Park.

Thousands of visitors frequent these aquatic venues each year, providing a unique marketing opportunity for those wishing to spread their brand to aquatic enthusiasts and campers at Agua Caliente.

Swimming Pools and Therapeutic Spas

- 4S Ranch Sports Complex Community Pool
- Agua Caliente Regional Park Children's Pool
- Agua Caliente Regional Park Indoor Therapeutic Spa
- Agua Caliente Regional Park Outdoor Pools

Community Gardens \$2,000 to \$10,000

DPR currently owns and operates three community gardens where residents can have their own space to grow healthy and nutritious food. They also serve as places where community members can share their common love of gardening and discover innovative methods and practices.

Naming a community garden is a great opportunity for any business that wants to market gardening related products or promote sustainable gardening practices.

Community Gardens

Los Peñasquitos Canyon Preserve

Rancho Guajome Adobe

Tijuana River Valley Regional Park



Los Peñasquitos Canyon Preserve



Lakeside Community Center



Spring Valley Teen Center



Lakeside Community Center

Community Center Rooms \$3,000 to \$64,000

The Department of Parks and Recreation operates Community Centers in Fallbrook, Lakeside and Spring Valley.

Placing your brand at one of the multi-use rooms provides a marketing opportunity for those businesses wishing to maximize their exposure with the local neighborhoods these community centers serve.

Community Center Rooms

- Fallbrook Community Center (4 Rooms)
- Lakeside Community Center (2 Rooms)
- Lakeside Teen Center Music Room
- Spring Valley Community Center (1 Room)
- Spring Valley Teen Center Music Room

Trails

\$1,000 to \$200,000

Did you know that San Diego has one of the most diverse public trail systems in the nation?

Whether you're interested in a trail on the coast or you're looking for trails that extend through our preserves, we have a multitude of opportunities to get in touch with nature in San Diego County.

Most trails have been designed to accommodate hikers, bikers and equestrians.



San Elijo Lagoon

Trails

Agua Caliente County Park	Luelf Pond Preserve
Barnett Ranch Preserve	Lusardi Creek Preserve
Cactus Park	Mt. Gower Preserve
Del Dios Highlands	Oak Oasis County Park
El Capitan Preserve	Otay Valley Regional Park
El Monte Regional Park	Potrero County Park
Felicita County Park	Ramona Grasslands
Flinn Springs County Park	San Dieguito County Park
Goodan Ranch/Sycamore Canyon Open Space Preserve	San Elijo Lagoon
Guajome Regional County Park	Santa Margarita Preserve
Hellhole Canyon Preserve	Santa Ysabel East
Holly Oaks County Park	Santa Ysabel West
Lake Morena County Park	Simon Preserve
Lakeside Linkage Preserve	Sweetwater Summit Regional Park
Lindo Lake County Park	Tijuana River Valley Regional Park
Live Oak County Park	Volcan Mountain Preserve
Louis Stelzer County Park	Wilderness Gardens Preserve
Los Peñasquitos Canyon	William Heise County Park

Appendix B. San Francisco's Park Evaluation Program

Following this page are documents that provide additional information on San Francisco's Park Evaluation Program:

- 1) Excerpts from the Evaluation Form used by staff to evaluate the City's parks. The excerpts are specific sections within the Evaluation Form that deal with athletic fields and trees.
 - 2) The Executive Summary of the *Park Maintenance Standards: Fiscal Year 2014-15 Annual Report*, which summarizes the results of the annual evaluation along with recommendations for improvement.
-

**SAN FRANCISCO
PARK EVALUATION PROGRAM**

PES15 EVALUATION FORM



Athletic Fields

Evaluate: All natural or synthetic turf areas used for sports (such as baseball diamonds and soccer pitches) and all structures (backstops, dugouts/team benches, goal posts, lighting systems, spectator stands, etc.) pertinent to playing or observing those sports.

Stairways which are not an intrinsic part of an athletic structure should be evaluated under Hardscape except when they are part of an unpaved trail (in which case they should be evaluated under Greenspace).

If any part of a field is locked, has a sign saying it is "closed", or is marked off with caution tape or cones, do not evaluate it.
Describe the closure here. Continue to evaluate all OPEN areas.

FULLY CLOSED

FULLY CLOSED

Element	Found Issue	Field #1		Field #2	
		Exact Location of found issue	Description of found issue	Exact Location of found issue	Description of found issue
DRAINAGE	1 pool of standing water 5 feet wide <u>and</u> long	<input type="checkbox"/>		<input type="checkbox"/>	
	2 pools of standing water 3 feet wide <u>and</u> long	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Drainage issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	cannot evaluate: irrigation currently running	<input type="checkbox"/>		<input type="checkbox"/>	
EQUIPMENT	home plate is missing	<input type="checkbox"/>		<input type="checkbox"/>	
	pitching rubber is missing	<input type="checkbox"/>		<input type="checkbox"/>	
	1 soccer net has 1 hole or gap 11" wide <u>and</u> long in any location, including a gap between the net and goal caused by a net being inadequately secured	<input type="checkbox"/>		<input type="checkbox"/>	
	1 soccer net is missing from 1 goal	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Equipment issues found	<input type="checkbox"/>		<input type="checkbox"/>	
FENCING <i>Some fences are shared by multiple fields (or Features). Report each found issue once, in only one place. Include backstops as "fences". DO NOT evaluate locked gates. DO NOT evaluate temporary fencing.</i>	chain link bulges 8-1/2" from vertical at 1 location	<input type="checkbox"/>		<input type="checkbox"/>	
	1 gate does not open fully	<input type="checkbox"/>		<input type="checkbox"/>	
	1 gate latch is not operational	<input type="checkbox"/>		<input type="checkbox"/>	
	1 hole or gap 4-1/2 inches wide or larger in any location, including along bottom of fence, along a pole or at a seam	<input type="checkbox"/>		<input type="checkbox"/>	
	1 horizontal bar is unanchored	<input type="checkbox"/>		<input type="checkbox"/>	
	1 section leans 4-1/2" or more from vertical	<input type="checkbox"/>		<input type="checkbox"/>	
	missing fencing or chain link results in an opening 4-1/2 inches wide or larger	<input type="checkbox"/>		<input type="checkbox"/>	
	1 pole is unstable or leans 8-1/2 inches or more from vertical	<input type="checkbox"/>		<input type="checkbox"/>	
	1 protrusion might catch or harm someone	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Fencing issues found	<input type="checkbox"/>		<input type="checkbox"/>	
this field has no fencing	<input type="checkbox"/>		<input type="checkbox"/>		

Athletic Fields

Element	Found Issue	Field #1		Field #2	
		Exact Location of found issue	Description of found issue	Exact Location of found issue	Description of found issue
INFIELD CARE <i>Do not walk on a wet infield – you'll damage the surface & risk injury.</i>	base running path is less than 3 feet wide in any location	<input type="checkbox"/>		<input type="checkbox"/>	
	home plate has a 2 inch deep depression on either side	<input type="checkbox"/>		<input type="checkbox"/>	
	pitching rubber has a 2 inch deep depression on either side	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Infield Care issues found	<input type="checkbox"/>		<input type="checkbox"/>	
LITTER & DEBRIS <i>When counting litter/debris, all pieces must be within 10 feet of a spot where you stand. Pieces outside that zone cannot be included.</i>	1 hypodermic needle , condom, dead animal, feces, feces-filled bag, or broken glass	<input type="checkbox"/>		<input type="checkbox"/>	
	1 large object which would impede play is present (abandoned furniture, luggage, tent, etc.)	<input type="checkbox"/>		<input type="checkbox"/>	
	5 "larger" pieces of litter/debris lie within ten feet of you in any direction (food wrappings, paper, plastic, pieces of clothing, limbs, rocks, etc., which are 1 inch long or longer) <i>DO NOT evaluate leaves.</i>	<input type="checkbox"/>		<input type="checkbox"/>	
	10 "small" pieces of litter lie within ten feet of you in any direction (litter less than 1 inch long, like cigarette butts)	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Litter & Debris issues found	<input type="checkbox"/>		<input type="checkbox"/>	
MOWING	any field turf is more than 4-1/2 inches high at any location, inside or outside of the play area	<input type="checkbox"/>		<input type="checkbox"/>	
	all areas are mowed to 4-1/2 inches or below	<input type="checkbox"/>		<input type="checkbox"/>	
PAINT	1 amenity has multiple colors of paint are on	<input type="checkbox"/>		<input type="checkbox"/>	
	1 amenity is partially painted ; partially unpainted	<input type="checkbox"/>		<input type="checkbox"/>	
	1 amenity has 1 strip of peeling , chipped or missing paint that is 4-1/2" long and 1" wide	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Paint issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	this field has no amenities	<input type="checkbox"/>		<input type="checkbox"/>	
PRUNING & EDGING	1 amenity (bench, building, fence, pole, sign, etc.) has turf around it that is 4-1/2 inches higher than the height of the rest of the field <i>DO NOT evaluate turf height under bushes or around trees.</i>	<input type="checkbox"/>		<input type="checkbox"/>	
	1 curb, pavement or path has field turf growing 4-1/2" or more onto it for a distance of five feet <i>Evaluate edging at roadside curbs and along all other Hardscape.</i>	<input type="checkbox"/>		<input type="checkbox"/>	
	none of above Pruning & Edging issues found	<input type="checkbox"/>		<input type="checkbox"/>	

Athletic Fields

Element	Found Issue	Field #1		Field #2	
		Exact Location of found issue	Description of found issue	Exact Location of found issue	Description of found issue
SEATING	1 seat leg is missing, broken or unanchored	<input type="checkbox"/>		<input type="checkbox"/>	
	1 seat slat is missing, broken or unanchored	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sharp edge , protrusion, rot or splintering	<input type="checkbox"/>		<input type="checkbox"/>	
	1 bench or chair is unstable or insufficiently sturdy	<input type="checkbox"/>		<input type="checkbox"/>	
	other damage to a bench or chair impedes observing the intended sport	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Seating issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	this field has no seating	<input type="checkbox"/>		<input type="checkbox"/>	
SIGNAGE <i>Evaluate only sports signage here.</i> <i>DO NOT evaluate temporary signs.</i>	1 sign is located where it cannot be seen by users who need its information <i>Report a sign obscured by vegetation as a Pruning issue under Greenspace, Ornamental Beds or Trees (depending upon what vegetation needs pruning).</i>	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sign has text that is illegible	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sign is installed upside down	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sign pole is unstable or leaning more than 11" from vertical	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sign is unanchored	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Signage issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	this field has no sports signage	<input type="checkbox"/>		<input type="checkbox"/>	
STAIRWAYS & RAMPS	1 handrail is unusable, unanchored or unstable <i>Report a handrail obscured by vegetation as a Pruning issue under Greenspace, Ornamental Beds or Trees.</i>	<input type="checkbox"/>		<input type="checkbox"/>	
	1 step is broken or unstable	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Signage issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	this field has no sports stairways or ramps	<input type="checkbox"/>		<input type="checkbox"/>	

Athletic Fields

Element	Found Issue	Field #1		Field #2	
		Exact Location of found issue	Description of found issue	Exact Location of found issue	Description of found issue
STRUCTURES <i>Evaluate backstop/fencing under Fencing; bench/bleachers under Seating.</i>	1 sharp edge , protrusion, rot or splintering	<input type="checkbox"/>		<input type="checkbox"/>	
	1 soccer goal frame is cracked or broken	<input type="checkbox"/>		<input type="checkbox"/>	
	1 soccer goal (or more) is unlocked	<input type="checkbox"/>		<input type="checkbox"/>	
	1 structure is unstable or insufficiently sturdy	<input type="checkbox"/>		<input type="checkbox"/>	
	1 wheel is missing from a portable soccer goal	<input type="checkbox"/>		<input type="checkbox"/>	
	other structure damage (to a goal post, lighting system, etc.) impedes playing the intended sport	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Structures issues found	<input type="checkbox"/>		<input type="checkbox"/>	
	this field has no structures	<input type="checkbox"/>		<input type="checkbox"/>	
	How many 24-foot soccer goals are present?				
	How many 18-foot soccer goals are present?				
How many 12-foot soccer goals are present?					
SURFACE QUALITY	1 hole 2" deep <u>and</u> 4-1/2" across, or larger (include holes around low irrigation heads here)	<input type="checkbox"/>		<input type="checkbox"/>	
	1 mound created by a gopher or other animal rises 2 inches above the surrounding turf	<input type="checkbox"/>		<input type="checkbox"/>	
	1 tire rut 4-1/2" deep <u>and</u> 5 feet long, or larger	<input type="checkbox"/>		<input type="checkbox"/>	
	some other field surface issue impedes play	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Surface Quality issues found	<input type="checkbox"/>		<input type="checkbox"/>	
TURF CONDITION <i>A "bare spot" is a turf area with exposed soil and virtually no grass.</i>	1 bare spot 5 feet wide <u>and</u> long, or larger	<input type="checkbox"/>		<input type="checkbox"/>	
	3 bare spots 3 feet wide <u>and</u> long, or larger	<input type="checkbox"/>		<input type="checkbox"/>	
	5 bare spots 2 feet wide <u>and</u> long, or larger	<input type="checkbox"/>		<input type="checkbox"/>	
	1 area where all turf within 10 feet of where you stand is entirely brown	<input type="checkbox"/>		<input type="checkbox"/>	
	2 edges of synthetic turf are frayed or unanchored	<input type="checkbox"/>		<input type="checkbox"/>	
	1 hole or tear in synthetic turf	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Turf Condition issues found	<input type="checkbox"/>		<input type="checkbox"/>	
VANDALISM	chalk graffiti (in any amount)	<input type="checkbox"/>		<input type="checkbox"/>	
	etching or carving (in any amount)	<input type="checkbox"/>		<input type="checkbox"/>	
	1 ink graffiti	<input type="checkbox"/>		<input type="checkbox"/>	
	1 paint graffiti	<input type="checkbox"/>		<input type="checkbox"/>	
	1 sticker	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Vandalism issues found	<input type="checkbox"/>		<input type="checkbox"/>	

Athletic Fields

Element	Found Issue	Field #1		Field #2	
		Exact Location of found issue	Description of found issue	Exact Location of found issue	Description of found issue
WEEDS <i>DO NOT evaluate natural turf.</i>	base running path has an 11-inch long strip of weeds in the middle of it	<input type="checkbox"/>		<input type="checkbox"/>	
	synthetic turf has 1 weed anywhere within it	<input type="checkbox"/>		<input type="checkbox"/>	
	none of the above Weeds issues found	<input type="checkbox"/>		<input type="checkbox"/>	

Additional Comments

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Trees

Evaluate: All sidewalk and park trees, including trees in Community Gardens and those Natural Area trees that are within the 10-foot zone bordering a path or another Feature. When a hole has been cut out of a pavement (such as a sidewalk) for the purpose of planting a single tree, the “tree well” that results is also evaluated here.

Trees in a Natural Area which are outside the 10 foot zone bordering a path or another Feature, should not be evaluated.

Do not evaluate mini lights strung directly on trees.

Signage is not evaluated here. (Evaluate it under Buildings & General Amenities or the Feature appropriate to its subject matter.)

If any treed area within the site has a sign saying it is “closed”, or is marked off with caution tape or cones, do not evaluate it.

Describe the closure here. Continue to evaluate all OPEN areas.

Element	Found Issue	Exact Location of found issue(s)	Description of found issue(s)
LITTER & DEBRIS <i>DO NOT evaluate natural debris here.</i>	2 trees which have a kite, large piece of litter, or other abandoned object in their canopies	<input type="checkbox"/>	
	1 tree well contains a hypodermic needle , condom, feces, feces-filled bag or broken glass	<input type="checkbox"/>	
	5 “ larger ” pieces of litter are in 1 tree well (food wrappings, paper, plastic, pieces of clothing, etc., which are 1 inch long or longer)	<input type="checkbox"/>	
	10 “ small ” pieces of litter are in 1 tree well (litter less than 1 inch long, like cigarette butts)	<input type="checkbox"/>	
	none of the above Litter & Debris issues found	<input type="checkbox"/>	
PRUNING & EDGING	1 living tree or tree well plant impedes use of part of an athletic court, athletic field or CPA	<input type="checkbox"/>	
	1 living tree or tree well plant intrudes upon a path and causes its space to be less than 3 feet wide <u>and</u> head height	<input type="checkbox"/>	
	1 living tree or tree well plant obstructs viewing any sign, statue or art installation	<input type="checkbox"/>	
	1 living tree or tree well plant prevents access to any handrail or amenity	<input type="checkbox"/>	
	none of the above Pruning & Edging issues found	<input type="checkbox"/>	
TREE CONDITION	1 tree is dead A tree trunk with all limbs removed should be considered to be a “dead tree”.	<input type="checkbox"/>	
	1 tree has 3 dead limbs which are 4-1/2” in diameter or larger	<input type="checkbox"/>	
	1 tree has fallen so that it now impedes use of a path, amenity or other Feature	<input type="checkbox"/>	
	1 limb 4-1/2” in diameter or larger is hanging from a tree	<input type="checkbox"/>	
	none of the above Tree Condition issues found	<input type="checkbox"/>	
VANDALISM	chalk graffiti (in any amount)	<input type="checkbox"/>	
	1 printed graffiti is on a tree	<input type="checkbox"/>	
	1 sticker is on a tree	<input type="checkbox"/>	
	none of the above Vandalism issues found	<input type="checkbox"/>	

Trees

Element	Found Issue	Exact Location of found issue(s)	Description of found issue(s)
VINES <i>DO NOT evaluate trees which are in Natural Areas or Community Gardens here.</i>	ivy is growing in the branches of 1 tree (regardless of the height of the tree) <i>DO NOT evaluate dead ivy.</i>	<input type="checkbox"/>	
	ivy is growing 5+ feet up the trunk of 1 tree <i>DO NOT evaluate dead ivy.</i>	<input type="checkbox"/>	
	none of the above Vines issues found	<input type="checkbox"/>	
WEEDS	1 patch of weeds 11 inches wide <u>and</u> long is in 1 tree well	<input type="checkbox"/>	
	the above Weeds issue was not found	<input type="checkbox"/>	
	this site has no tree wells	<input type="checkbox"/>	



Additional Comments

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CITY & COUNTY OF SAN FRANCISCO

Office of the Controller

City Services Auditor, City Performance

PARK MAINTENANCE STANDARDS:

Fiscal Year 2014-15 Annual Report



November 24, 2015



EXECUTIVE SUMMARY

This report contains a summary and analysis of park evaluations performed between July 1, 2014 and June 30, 2015 and recommendations for improving the park evaluation and maintenance program. This is the first year that the Controller's Office and Recreation and Park Department (RPD) staff evaluated parks based on new park standards, which build on the previous standards to provide greater clarity, reduce evaluator interpretation, and allow for deeper analysis of the results.

Highlights

Ten years after the development of the original park maintenance standards, the park evaluation program passed a major milestone in fiscal year 2014-15 with the implementation of revised park evaluation standards. The new standards were the results of two years of concerted intradepartmental effort, involving review and feedback by front-line custodial and gardener staff, as well as manager and administrator input. The new standards provide a greater level of detail about park maintenance which will allow RPD to better understand common successes and challenges in a variety of park features and provide more complete information to the public.

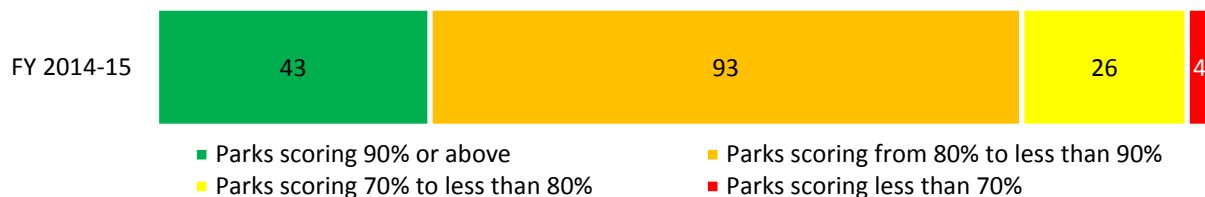


Mountain Lake Park

The citywide average park score for fiscal year 2014-15 was 85.2 percent. While it is not possible to directly compare this citywide average with prior years, both departments expected scores to be lower than in prior years since the new standards are more objective and comprehensive.

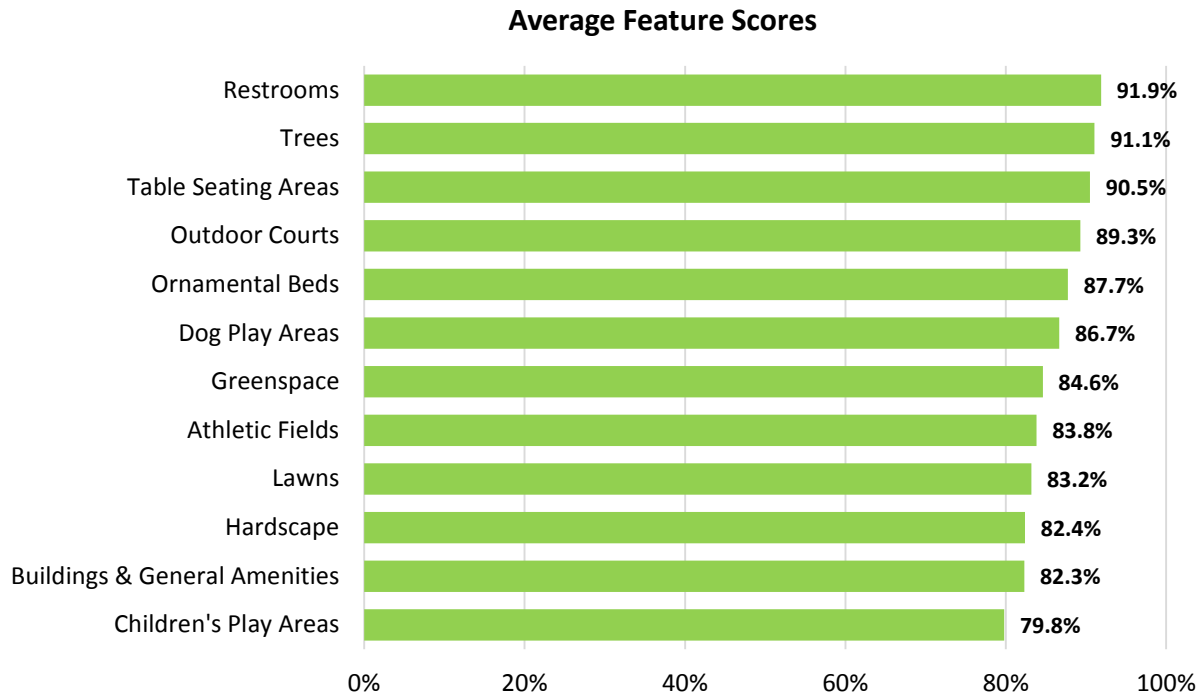
RESULTS

- The citywide annual park evaluation score was 85.2 percent. Most parks scored between 80 and 90 percent with 43 parks scoring above 90 percent and only 4 parks scoring below 70 percent. In general, a score of 85 percent means a park is well maintained and in good condition.



- District 2 (87.5 percent) had the highest average district score, while District 11 (78.1 percent) had the lowest average district score. There is a 9.4 percent spread between the highest and lowest scoring district.
- The highest scoring park was Cabrillo Playground in District 1 and the lowest scoring park was Gilman Playground in District 10. Nine of the ten high scoring parks had recent capital improvements as part of the 2008 and 2012 Clean and Safe Neighborhood Parks Bonds.

- Restrooms (91.9 percent) were the highest scoring feature and Children’s Play Areas (79.8 percent) were the lowest scoring. Children’s Play Areas’ most common issues included concerns such as sand and rubber surfacing not meeting the standards, as well as paint and graffiti issues.



RECOMMENDATIONS

The report includes four recommendations for RPD to improve the park maintenance standards program and park maintenance generally by incorporating evaluation data into its operational planning. Specifically, RPD should:

1. Continuously assess RPD’s use of park evaluation data to improve park maintenance activities and develop new reports based on the implementation of the new standards.
2. Use evaluation data to strategically plan for improvements to consistently low-performing parks, regions, or certain facilities or features. RPD should also review the parks that experience the greatest changes in park scores and identify the maintenance or management approaches that worked to improve scores.
3. Continue to provide quarterly outreach to staff in the form of trainings, newsletters, brown bag sessions, or other means to provide current information, refresh staff understanding of the evaluation guidelines, answer questions about the evaluation process, and provide feedback about the park evaluation program.
4. Dedicate resources to update the maps and features list for each evaluated site. Some maps are more than eight years old.

Appendix C. Management Comments

Following this page are management's comments to the audit findings and recommendations, as well as the City Auditor's Office's clarification and rebuttal to the issues discussed in management's response.



Date: June 17, 2016
To: Patrick H. West, City Manager
From: Marie Knight, Director of Parks, Recreation and Marine
For: Laura L. Doud, City Auditor
Subject: Park Maintenance Audit - Management Action Plan

PH West
Marie Knight

The Department of Parks, Recreation and Marine (Department) would like to thank the City Auditor and staff for their time and effort in reviewing the Department's park grounds maintenance activities. The review was conducted in a professional, productive, and collaborative way.

The Department's management team agrees with the intent of the recommendations to enhance available funding and to improve contract compliance and grounds maintenance practices. We will work diligently to implement the recommendations of the audit where we are in agreement and have the resources. As with all Departments within the City organization, we have limited resources and cannot always provide the overall level of services or management desired. Unfortunately, a number of the recommendations, while excellent for a department with full resources, must be weighed along with our other funding and service challenges.

Our responses are a product of providing the best services feasible under fiscally constrained conditions. Those constraints apply to all areas, including capital, maintenance and administration. As an example, it is estimated that a minimum of \$2.5 million in annual funding would be needed to implement the basic concepts of the recommended park tree maintenance plan, with an additional \$6.2 million in one-time needs to remove trees compromised by the drought or advanced age. That type of funding has not been available.

Once again, the Department appreciates the City Auditor's efforts to help improve our services to the community. The entire Department of Parks, Recreation and Marine team takes great pride in our four-time, nationally recognized "Gold Medal" programs, services, and facilities. With a brand new park maintenance management team now in place, we are confident that many of the audit recommendations will complement the many industry best practice changes already being implemented.

Should you have any questions, please feel free to contact me at 570-3170.

Attachment

cc: Tom Modica, Assistant City Manager
Arturo Sanchez, Deputy City Manager
Debbie Ellis, Assistant City Auditor
Stephen Scott, Business Operations Bureau Manager
Hurley Owens, Maintenance Operations Bureau Manager

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
1.1	Reassess all park and recreation related fees to determine whether a higher level of cost recovery can be attained to include the cost of park landscape and tree maintenance.	H	12	Disagree ¹	Business Operations and Community Recreation Services Bureaus	The Department agrees that all fees should be regularly reviewed to determine the appropriate level of cost recovery. The Department conducts this review regularly culminating in a fee hearing before the Parks and Recreation Commission. It should be noted, however, that the cost recovery analysis may not result in increased fees or full cost recovery. It has been determined that fees for some programs and services should remain free, or at a lower level, to minimize any financial barriers to access.	Existing
	<i>1.1.a - Revisit all adult sports and youth club team fees. The fees for permits to use athletic fields and park facilities could include the cost for ongoing park maintenance.</i>	H	12	Agree	Community Recreation Services Bureau - Field Permits and Adult Sports Offices	The Department agrees with this recommendation and has already begun a review process. This review will assess different field allocation models, field maintenance needs, and corresponding fees. Any revisions to the fee structure would need to be approved via a public hearing of the City's Parks and Recreation Commission and City Council. Any changes to fees impacting youth sports organizations would be implemented in phases with up to one year 's notice so they can budget and market accordingly. The Target Date for Implementation already factors in this phased approach.	10/1/17
	<i>1.1.b - Revise the Park and Recreation Facilities Fee to include a provision for ongoing maintenance of parklands. Municipal Code Chapter 18.18 imposes a park impact fee on new residential development to fund parkland acquisition and recreation improvements, but restricts the funds from being used for maintenance.</i>	H	13	Disagree	City Council ²	While the Department agrees with the intent of this recommendation to generate additional revenue, we disagree with modifying the allowable uses of the Park and Recreation Facilities Fees. These fees are imposed on development for the purpose of ensuring that the impacts of new development are mitigated through the addition of new parkland and amenities. Unfortunately, the fees are one-time in nature and do not provide an ongoing stream of revenue to support day-to-day maintenance operations.	

¹ The City Auditor's Office corrected management response to "Disagree," because the management explanation actually expresses disagreement with the recommendation. The management response describes an existing review process that does not consider maintenance costs in cost recovery, which is suggested by this recommendation.

² The City Auditor's Office corrected the Responsible Party for this recommendation from the "Business Operations Bureau," as provided by PRM, to "City Council" since revising the Park and Recreation Facilities Fee would require City Council action.

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
1.2	Consider selling the naming rights for parks, park facilities and other park features. These would include parks, community centers, dog parks, fields, gardens, trees, fountains, and other park features. We believe this presents an opportunity to engage the community and private sector in investing in our local community. Other communities, such as the County of San Diego, have successfully implemented naming rights programs.	H	13	Disagree	Business Operations Bureau	The Department agrees that naming rights and sponsorships can generate some needed, one-time revenue. The Department already has a City Council-approved Sponsorship Program and actively looks for sponsorship opportunities under the established guidelines. The Department, however, disagrees that this is a viable way to structurally fund day-to-day park maintenance operations as the funds generated from such a program are typically smaller, one-time in nature, and/or for a short period of time.	
1.3	Develop a funding or financing plan that explores alternative funding sources, such as grants, donor programs and private-public partnerships.	H	13	Disagree	Business Operations Bureau	The Department agrees that outside funding from grants, donor programs and public/private partnerships can help provide needed one-time financial resources. The Department currently has an internal Grants Committee tasked with identifying potential funding opportunities. The Department, however, disagrees that this is a viable way to sustain day-to-day park maintenance operations as the funds generated from such a program are typically one-time, or for a short period of time. Park maintenance activities haven't traditionally been attractive funding opportunities to outside funders.	
2.1	Modify and update existing strategic plan documents for park landscape and park trees to specifically address maintenance requirements, expected funding standards, and criteria for park expansion maintenance.	H	16	Disagree	Business Operations and Maintenance Operations Bureaus	<p>The Department agrees the Strategic Plan is due to be updated, and should include statements to ensure any newly developed areas are provided sufficient maintenance budgets consistent with the standards of existing areas. The Department, however, disagrees that this planning document should contain maintenance requirements.</p> <p>These planning efforts are typically a higher level overview of goals and objectives, extensive, lengthy and involve all stakeholders to produce a strategic roadmap for the future. Maintenance activities are not typically included in a strategic planning document. When resources are available to undertake this effort, the plan will contain City Council, City Manager and all stakeholders input.</p>	

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
	<i>2.1.a - Gather stakeholder input and regularly communicate these plans to policy makers and the general public.</i>	H	16	Disagree ³	Business Operations and Maintenance Operations Bureaus	The Department agrees that regular communication with stakeholders is important, and accomplishes this through almost daily interaction with the City Council Offices, formal monthly City Council District Office briefings with Department executive management, monthly Park and Recreation Commission public meetings, Youth Sports League biannual meetings, regular meetings with various neighborhood associations, and outreach at community events and meetings. The Department will continue to look for further opportunities within in its available resources to expand its outreach efforts.	Ongoing
	<i>2.1.b - Ensure ample discussion at staff and Council levels during the planning of any new park acquisition or renovation projects regarding the ongoing maintenance needs and costs associated with these projects.</i>	H	16	Agree	Business Operations and Maintenance Operations Bureaus	The Department agrees. All council actions with recommendations impacting development or improvements to park property have contained on-going maintenance cost information since the fall of 2015. The Department will work to ensure at each step in the development planning process, that potential future costs are discussed, projected and reported.	Ongoing
2.2	Adopt tree and landscape maintenance performance measures, and develop a park inspection rating program that would allow the City to track how it is meeting established metrics and expectations for park and tree conditions.	H	16	Disagree	Maintenance Operations Bureau	The City's expectations for park conditions is consistent with horticultural standards and is included in the grounds landscape maintenance contract specifications. The contract specifications include performance measures. The Department believes the desired park maintenance conditions can be achieved by ensuring contractor compliance with contract specifications and by maximizing its use of the City's current technology resources by further implementing features from the City Works Work Order System. Implementation of this newly developed Contract Evaluation System began in April 2016 and is expected to continue throughout the next year. This system has mobile capabilities, a set of standard contract performance requirements for each maintenance area, collects data, and will be able to provide management with specific, detailed performance information upon completion. The Department does not believe a separate park inspection rating program is necessary.	

³. The City Auditor's Office corrected management response to "Disagree," because this recommendation is directly related to the prior one to modify and update existing strategic plan documents to address park and tree maintenance requirements. This recommendation calls for the communication of these revised strategic documents to City Council and the general public. But, since management disagrees with revising the strategic documents in this manner, it could not agree with this recommendation.

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
	<i>2.2.a - Performance measures and expectations for park conditions ought be realistic and reflective of available funding.</i>	H	16	Agree	Maintenance Operations Bureau	The City's expectations for park conditions is consistent with horticultural standards and is included in the grounds landscape maintenance contract specifications. These specifications have developed over many years of operations, and the scope of work is directly reflective of the City's current operating environment and allocated financial resources. Recently, the funding and purchasing authority of these contracts was adjusted to ensure they are consistent with the areas requiring service. The Contract Evaluation System contains the contract performance standards and will allow the Department to more effectively and efficiently ensure contract compliance.	6/30/17
	<i>2.2.b - Provide each park a rating for overall condition, safety and cleanliness, which would be comprised of established ratable park features.</i>	H	17	Disagree	Maintenance Operations Bureau	Given the City's current environmental and economic condition, the Department is focusing on vendor compliance ratings vs. subjective ratings. There are a great many variables that may influence such ratings that are beyond the control of the Department . These include the continuing drought, tree age and disease, homelessness, vandalism, and the overuse of playing fields and park amenities. The Department is actively working with the City's Purchasing Agent to update the contract specifications and complete a bid process in 2017.	
	<i>2.2.c - Communicate the results of the inspection program on a regular basis to City Council and to the general public.</i>	M	17	Disagree ⁴	Maintenance Operations Bureau	Once fully implemented, reports utilizing the Contract Evaluation System data will be distributed as appropriate .	6/30/17

⁴ The City Auditor's Office corrected management response to "Disagree," because this recommendation is directly related to the prior recommendation to develop a park inspection rating system. This recommendation calls for PRM to regularly communicate the results of the park inspection rating system to City Council and the general public. But, since management disagrees with implementing such a rating system, it could not agree with this recommendation.

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
2.3	<p>Develop and adopt a park tree maintenance plan that is based on a five-year tree trimming frequency schedule. The plan should consider strategies for other maintenance activities that are also critical for the health and longevity of the tree population:</p> <ul style="list-style-type: none"> • Watering • Tree removal • Mulching • Pest and disease management • Soil and nutrient management 	H	17	Disagree	Maintenance Operations Bureau	<p>The Department agrees with the importance of having an Urban Forest Plan addressing all aspects of the system. It also agrees that a five-year tree trimming cycle is desirable. However, the Department does not believe it is feasible for the foreseeable future. To implement a five-year tree trimming cycle, the Department would need an estimated \$532,000 annually (structurally funded). To further implement the recommended park tree maintenance plan, it is estimated that an minimum of an additional \$2 million annually (structurally funded) would be needed for irrigation water for all landscape including trees, and \$6.2 million in one-time resources would be needed to remove trees compromised by the drought and advanced age. Additional resources are also required for soil and nutrient management and pest and disease management.</p> <p>Development of a formal plan can be quite costly and lengthy when resources are limited and immediate action is needed. Balancing the operational needs of the Department with the potential resources available, the Department has developed an operations plan utilizing its new, certified and highly credentialed, management staff focusing on service delivery. The Department will continue to address its urban forest issues through the annual budget development process allowing for citywide needs to be prioritized and funded accordingly.</p>	

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
3.1	The City should have appropriate processes in place covering acquisition of equipment to ensure the equipment is assigned timely for City use or auctioned off to third parties.	H	18	Agree	Department of Financial Management, Fleet Services	While the Department of Financial Management believes the City's equipment and acquisition assignment processes are sufficient, in this case they were not properly applied due to the uniqueness of the transaction with the vendor. We will provide additional training in this area to ensure these assignments are properly completed in the future. As an update, five of the six registered vehicles have been reassigned to other City departments and the sixth vehicle is awaiting final paperwork from the DMV. The equipment items have been offered to several other departments (with no takers) and are awaiting auction. The City's auction contract has expired and has an open RFP that closes on June 22, 2016. An interim auction agreement is in development.	7/31/16
4.1	Amend the contract scope of work to reflect realistic service levels and frequencies consistent with desired park conditions and available funding.	L	20	Agree	Business Operations and Maintenance Operations Bureaus	The grounds landscape maintenance service contracts were amended in April 2016 to ensure the contracts accurately reflected all service areas and had a contingency to allow for new areas and service changes through the end of the contract term. Given that this is the last year of the contract, all available staff resources are now focused on planning efforts to complete a bid process for this large scope of services as efficiently as possible. Department management from both the Maintenance Operations Bureau and the Business Operations Bureau are working with Financial Management's Purchasing Division in a joint effort to ensure as effective a contract as possible is awarded in 2017.	6/30/17
4.2	Amend the contract to accurately reflect all service locations.	H	20	Agree	Maintenance Operations Bureau	See No. 4.1	
4.3	Analyze work order and inspection data regularly to react and rectify problems as quickly as possible, as well as to identify maintenance trends and needs for resource planning.	M	20	Agree	Maintenance Operations Bureau	See No. 2.2. As the Contract Evaluation System is implemented, the recorded data will be available to analyze and generate reports to inform management operational decisions.	6/30/17

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
4.4	Continue to improve contract monitoring and park maintenance, including:	M	20				
	<i>4.4.a - Standardizing contract monitoring training on evaluation standards and maintenance priorities.</i>	M	20	Agree	Maintenance Operations Bureau	See No. 2.2. Appropriate training is being provided as each phase of the Contract Evaluation System is implemented. To date, staff have been trained on completing the standardized, electronic and mobile data sheets to ensure consistent monitoring across all contracted service areas.	6/30/17
	<i>4.4.b - Streamlining and standardizing the day-to-day communication between PRM staff and the contractors.</i>	M	20	Agree	Maintenance Operations Bureau	See No. 2.2. The Contract Evaluation System has built in communication tools to assist electronic communications with staff monitoring the contract and the applicable vendor.	6/30/17
	<i>4.4.c - Exploring the use of new technologies, such as a work order management system and handheld devices to better document park conditions and collect data, as well as to improve the tracking of the maintenance work performed by the contractors and any work performed by City staff.</i>	M	20	Agree	Maintenance Operations Bureau	See No. 2.2.	Complete
	<i>4.4.d - Increasing the role of the PRM Gardeners to perform some maintenance work.</i>	M	20	Disagree	Maintenance Operations Bureau	Gardeners in PRM have always performed maintenance tasks and continue to do so on a regular basis.	
4.5	Have City Council or any other department sponsoring events at parks and park facilities pay for the maintenance prepping and clean-up.	H	20	Disagree	City Council and Parks and Recreation Commission⁵	Although we believe all use fees should be paid by all users, this is a policy decisions and any policy changes regarding fees for use of park facilities is at the discretion of the Parks and Recreation Commission and City Council.	
5.1	Recover the \$80,800 paid in error to the contractor, Azteca Landscape, Inc.	H	23	Agree	Business Operations Bureau	The Department is working with the various stakeholders to resolve.	9/31/16
5.2	Ensure there are proper processes in place to implement Bid Options (optional services or service areas) in a new landscape maintenance contract, as well as a review process to ensure that invoice amounts reflect contract amounts.	H	23	Agree	Maintenance Operations Bureau	See No. 4.1. As a part of the planning process to complete a bid process for the new contracts, appropriate process will be developed to ensure appropriate award and implementation of the contract(s).	6/30/17

⁵ The City Auditor's Office corrected the Responsible Party from the "Business Operations and Community Recreation Services Bureaus" to "City Council and Parks and Recreation Commission," since it is they who can take action on this matter.

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
5.3	Require the contractors to provide appropriate backup documentation for supplemental charges, such as description of labor activity, dates and hours, and receipts for material purchases.	H	23	Agree	Maintenance Operations Bureau	The Department will ensure compliance with contract terms.	7/31/16
5.4	Review what constitutes supplemental work, and clearly define the criteria for maintenance activities to qualify for supplemental work payment.	M	23	Agree	Maintenance Operations Bureau	See No. 4.1. All areas of the contract will be reviewed and updated as appropriate in the new contract bid process.	6/30/17
	<i>5.4.a - This can be currently accomplished through an amendment to the contract. Providing clarity to the definition of supplemental work could be accomplished sooner rather than later.</i>	M	23	Disagree	Maintenance Operations Bureau	See No. 4.1. An amendment to the existing contracts is not necessary. All areas of the contract will be reviewed and updated as appropriate in the contract bid process for the next contract year.	
6.1	Develop and implement best practice inventory management policies and procedures, including:		25				
	<i>6.1.a - Ensure segregation of duties surrounding the authorization of transactions, custody of assets, and recording of transactions.</i>	H	25	Agree	Business Operations and Maintenance Operations Bureaus	The Department will implement appropriate internal controls consistent with its operating environment.	6/30/17
	<i>6.1.b - Identify and utilize an existing software within the City to serve as an inventory tracking system.</i>	L	25	Agree	Maintenance Operations Bureau	The Department agrees that other technology-based solutions may be available to provide for inventory management, but in order to explore, evaluate and implement at this time at least one additional staff member at a fully loaded cost of approximately \$80,000 would be needed. The Department will also explore potential efficiencies created by the Citywide ERP Solution.	9/30/18
	<i>6.1.c - Conduct regular inventory counts and reconcile with existing records.</i>	L	25	Agree	Maintenance Operations Bureau	See No. 6.1.a	6/30/17
	<i>6.1.d - Identify part items that are consistently used by contractors that can be added to the inventory.</i>	L	25	Agree	Maintenance Operations Bureau	The Department will use its available resources to implement effective procurement practices. Once the reporting phase of the Contract Evaluation System is implemented, additional data through the City Works Work Order System may be available to provide further assistance.	6/30/17

Priority

H – High Priority - The recommendation pertains to a serious or materially significant audit finding or control weakness. Due to the seriousness or significance of the matter, immediate management attention and appropriate corrective action is warranted.

MANAGEMENT RESPONSE AND ACTION PLAN

Parks, Recreation and Marine Department

Park Maintenance Audit

No.	Recommendation	Priority	Page #	Agree or Disagree	Responsible Party	Action Plan / Explanation for Disagreement	Target Date for Implementation
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M – Medium Priority - The recommendation pertains to a moderately significant or potentially serious audit finding or control weakness. Reasonably prompt corrective action should be taken by management to address the matter. Recommendation should be implemented no later than six months.

L – Low Priority - The recommendation pertains to an audit finding or control weakness of relatively minor significance or concern. The timing of any corrective action is left to management's discretion.

Yellow areas - to be completed by the department



LAURA DOUD

MEMORANDUM

Date: June 27, 2016
To: Patrick H. West, City Manager
Marie Knight, Director of Parks, Recreation and Marine
CC: Mayor and City Council
From: Laura Doud, City Auditor
Subject: Rebuttal to Management Comments on the Park Maintenance Audit

We recently received the Parks, Recreation and Marine Department's (PRM) management response to our Park Maintenance Audit, and submit this rebuttal to clarify the relevancy of the audit's recommendations. Without offering solutions, management's response suggests that PRM prefers to continue the same shortsighted, business-as-usual approach, which likely leads to a continued state of decline of City parks and trees.

This Office is committed to an audit process that fosters open and honest communication with the auditee during every project. The entire process is based on ensuring a transparent process where both our Office and the Department are fully aware of the issues and neither party is surprised about the information included in the report or management's response.

It is perplexing to receive management's response which rejects reasonable recommendations. During the audit process, management had expressed general understanding of and agreement with the audit findings and recommendations. The level of disagreement expressed in management's response was never communicated to us during discussions regarding the findings and recommendations. Examples of specific items and areas in the management response that are disconcerting include:

- PRM rejects Recommendation #2.1 to include maintenance requirements and performance standards in an updated Department Strategic Plan, arguing these planning efforts are typically a higher level of goals and objectives that provide a strategic roadmap for the future.

While we understand that this is not how PRM usually develops its Strategic Plan, the Commission for Accreditation of Park and Recreation Agencies (CAPRA) says otherwise. As part of its 2014 National Accreditation Standards, CAPRA describes as fundamental to effective park planning the development of a comprehensive Park and Recreation

System Master Plan that provides recommendations for the “provision of facilities, programs and services; parkland acquisition and development; maintenance and operations; and administration and management.” CAPRA further recommends the inclusion in this Master Plan the level of service standards, as well as the development of a Strategic Plan as a tool to implement this Master Plan. This is precisely why the audit recommends PRM look beyond their current operating approach.

- PRM disagrees with many of the audit’s recommendations to expand funding opportunities, such as Recommendation #1.2 to offer naming rights sponsorships. PRM states that these ideas offer only “one-time” funds. But yet, the City continually focuses on the unfunded millions of dollars in park needs, most of which are immediate, one-time needs. For example, The City Manager’s Office estimates \$113 million for the renovation of the irrigation system. In the management response, PRM estimates \$6.2 million in a one-time need to remove dead trees.

Nowhere in our audit report did we assert that these funding ideas are a “viable way to structurally fund day-to-day park maintenance operations.” Rather, expanding resources for one-time improvements can actually free up funds for ongoing park and tree maintenance. In addition, an effective, sustained sponsorship program can be capable of consistently generating funds.

- PRM rejects Recommendation #1.3 to develop a funding plan that explores alternative funding sources, such as grants, donor programs and public-private partnerships. This idea shares the same intent and spirit as the recent recommendation made by Councilmembers Mungo, Supernaw, Andrews and Richardson at the June 21, 2016 City Council meeting, when they recommended that PRM explore the development of an initiative to foster public-private partnerships that can offset costs for programming, improvements and maintenance.

If the City continues to face an escalating backlog of deferred repairs and improvements in our parks, it is unclear why the Department would reject the exploration of potential new revenue sources that have been successfully targeted by other jurisdictions. Furthermore, public-private partnerships can be a viable conduit for the Mayor’s policy priority to enhance economic development and business attraction.

- PRM rejects the development of an Urban Forest Master Plan, as well as the adoption of a five-year park tree trimming frequency schedule. The Department argues that such a frequency schedule is not financially

feasible, and that a tree Master Plan is too costly and lengthy. As underscored in the audit report and management response, the City's park trees are essential to our quality of life, but many are in dire condition. How we address these immediate tree needs, plan for future development, and allocate appropriate resources requires discussion of immediate and long-term needs, the impact of new development on tree health, and the true costs of maintaining a sustainable urban forest. We believe an Urban Forest Master Plan can facilitate this discussion.

It should be noted, PRM's current tree trimming contract allows the Department to expend up to \$483,000 per year, which is relatively close to PRM's estimate of \$532,000 per year made in its management response. However, as noted in the audit report, PRM typically spends a fraction of the budgeted funds allocated to park tree trimming. Given the amount of funds that have been approved by City Council for park tree maintenance, it is difficult to understand why PRM would consider this trimming standard unfeasible.

- PRM disagrees with Recommendation #1.1 to reassess all park and recreation related fees, including the development impact fee used for parkland acquisition, by considering the inclusion of park and tree maintenance costs. One of the goals of this recommendation is to determine whether a higher level of cost recovery can be realized by considering such costs when setting recreation fees, particularly sports team fees. During the audit, PRM staff had indicated that the review of such fees has been sporadic and cost recovery as defined by PRM does not consider the costs of park maintenance. While there is a need to maintain public accessibility to programs, it is also important to ensure transparency with respect to the true cost of service.

The Municipal Code currently restricts the use of the Park and Recreation Facilities Fee (Fee) on park maintenance. The Fee, which is imposed on developers to mitigate the impact of new development on park accessibility, can be used only for parkland acquisition and recreation improvement. The audit recommends expanding the allowable uses of the Fee to set aside funds for the ongoing maintenance of new parklands, because it is not viable to continue to add new park spaces without adequate funding to maintain them. Reviewing park and recreation fees to possibly recover some of the maintenance costs is a prudent, responsible approach. It is not a novel or radical idea.

- PRM rejects the recommendation to develop clearer maintenance performance measures along with a park inspection rating system. PRM

argues that the City's expectations are consistent with horticulture standards and are communicated through the contract's maintenance specifications. However, as we noted in the report, we were told by PRM staff and contractors that the contract specifications are rarely referenced on a day-to-day basis. They are highly technical and convoluted, and have not been useful in ensuring vendor compliance. If these specifications are rarely used on a day-to-day basis, it is safe to assume that the City's expectations are not communicated to those directly responsible for landscape maintenance.

The audit recommends that the City simplify and develop broad performance measures that can provide PRM, the maintenance contractors and also elected officials and the general public with one common set of indicators for park and tree conditions. The Cities of New York and San Francisco have successfully implemented such park inspection rating systems. We acknowledge that PRM is trying to develop its "Contract Evaluation System," which could lead to a more systematic maintenance program that PRM has previously lacked. However, the Contract Evaluation System would be based on the same convoluted contract specifications that made contract oversight extremely difficult and communication of service performance, particularly to City Council and the general public, almost impossible.

- Many of the changes to contract funding and monitoring activities noted in the management response were made during or after the audit. For example, additional money to partially fund new parks was recently requested from City Council in April 2016. In addition, according to PRM staff during the audit, Gardeners only recently have been assigned maintenance tasks.

In conclusion, we are alarmed by management's reluctance to consider anything but their current business-as-usual strategy. We consistently hear from the City there are insufficient funds, personnel and other resources to meet service expectation levels. With the constraints facing this City, management must be proactive in seeking non-traditional solutions to these ongoing challenges. If not, the condition of the City's parks and trees will continue to decline.

