



DISTRIBUTION DATE: 1/24/14

## MEMORANDUM

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Teresa Deloach Reed  
Fire Chief

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

**DATE:** January 24, 2014

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City Administrator

Date

Approval

/s/ **Deanna J. Santana**

**1/24/14**

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Attached is an information memo addressing the issues addressed in a letter to the City Council, from the Metropolitan Greater Oakland Democratic Club dated December 30, 2013, as well as an article written by the same individual which appeared in the ContraCostaTimes.com, titled "Oakland Cannot Tolerate Lax Fire Inspection in Hills" posted January 14, 2014.

The information memo addresses the following issues:

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

The Fire Prevention Bureau continues to work diligently to address all issues facing the Bureau. Like so many other city departments, the Fire Prevention Bureau is a product of budget cuts and limited resources. It is also challenged with a 14:1 span of control. Council approved the appointment of a non-sworn Fire Marshal, but did not allocate funding for the position. A sworn Assistant Fire Marshal position becomes available to fill effective July 1, 2014; the value of this position is explained within the body of the information memo.

As the Oakland business community expands and the nation's economy recovers from the recession, investment in the Fire Prevention Bureau is critical. The Bureau plays an important role in public safety as well as economic development.

/s/

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TERESA DELOACH REED  
Fire Chief

**TO: HONORABLE MAYOR & CITY COUNCIL**

Subject: Response to Concerns Regarding OFD Vegetation Inspection Audit

Date: January 24, 2014

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For questions please contact Teresa Deloach Reed at 510-238-4050

Attachments (3)

- A) Letter from Metropolitan Greater Oakland Democratic Club, dated December 20, 2013
- B) Article from ContraCostaTimes.com, titled "Oakland Cannot Tolerate Lax Fire Inspections in the Hills."
- C) Information Memo, titled "Response to Concerns Regarding Oakland Fire Department Vegetation Inspection Audit."



## Metropolitan-Greater Oakland Democratic Club



**December 30, 2013**

**Contact:**

Gretchen White, President  
MGO Democratic Club  
(510) 655-8118  
[Gretchen@sbcglobal.net](mailto:Gretchen@sbcglobal.net) or  
Gary Sirbu, MGO Exective Board  
510 336-3373

Dear Councilmembers,

On November 19th the City Auditor released a performance audit of OFDs inspections. Random interviews with fire department staff indicated that “there is a lackluster culture surrounding the performance of the fire inspections, including that inspections are not taken seriously and may not always be performed correctly.” The Auditor further found that the number of budgeted inspectors in the Vegetation Management Unit had been reduced from six full-time positions to six half-time positions. Trained inspectors were not working during the key months of the fire season.

Additionally, OFD never implemented policies and procedures to guide the inspection process. This means that it has no process to ensure that inspections are adequately performed and correctly documented. And last year 35% of fire department staff who performed inspections failed to attend training sessions.

City Council must take charge and set an oversight hearing. You must question the city officials about egregiously negligent management. It should pinpoint exactly who is responsible and suggest specific remedies. Only then will the message get through that this kind of mismanagement and neglect will not be tolerated.

We look forward to hearing your progress on this issue.

Sincerely,

Gretchen White, President  
Metropolitan Greater Oakland Democratic Club

## Oakland cannot tolerate lax fire inspections in hills

By Gretchen White Contra Costa Times Contra Costa Times

Posted:

ContraCostaTimes.com

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Homeowners in the district pay special taxes to fund city fire-prevention programs, and the Oakland Fire Department is responsible for inspecting all properties within the district for compliance with the Oakland Fire Code's Vegetation Management requirements.

On Nov. 19, 2013, the city auditor released a performance audit of Oakland Fire's private property vegetation inspections in the Oakland hills. It stated that random interviews with Fire Department staff indicated "a lackluster culture surrounding the performance of the fire inspections, including that inspections are not taken seriously and may not always be performed correctly." Further, the number of budgeted inspectors in the Vegetation Management Inspection Services unit had been reduced from six full-time positions to six half-time positions. Trained inspectors were not working during the key months of the fire season.

Additionally, the department never implemented policies and procedures to guide the inspection process. This means that it has no process to ensure that inspections are adequately performed and correctly documented. Last year, 35 percent of Fire Department staff who performed inspections failed to attend training sessions.

In 2011, 529 residential properties failed Oakland Fire Code inspections, but the department brought only 7.4 percent into compliance. In 2012, only 18 percent of such properties were brought into compliance.

The audit found that some of these deficiencies may have been due to lack of funding. But there is no indication that the department ever sought supplemental or emergency funding.

On the same date the audit was released, the department responded that the audit only "validated" issues that the city administration has been working to address. It further stated that there have been many changes within the Vegetation Management unit.

The auditor found a lax departmental culture in the performance of the fire inspections. Inspections are not taken seriously and may not always be performed correctly. Thousands of Oakland residents have been put at risk.

The weak-kneed acknowledgment of responsibility is not enough. A culture of deficient organizational management and employee accountability takes years to development. Change that is difficult must be forced.

City officials must take swift and vigorous action to investigate and correct this situation and to restore public trust. The City Council must take charge and set an oversight hearing. Fire Department officials must be questioned about egregiously negligent management. The council must pinpoint exactly who is responsible and suggest specific remedies.

I urge readers to contact their council members and demand that the council hold a public hearing. Only then will the message get through that this kind of mismanagement and neglect will not be tolerated.

Gretchen White is the president of the Metropolitan-Greater Oakland Democratic Club. The club has been involved in Oakland government accountability issues for more than 50 years.

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## *MEMORANDUM*

**TO:** HONORABLE MAYOR &  
CITY COUNCIL

**FROM:** Teresa Deloach Reed  
Fire Chief

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

**DATE:** January 24, 2014

City Administrator  
Approval

Date

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

### INFORMATION

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

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

#### **Lackluster Culture**

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

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

### **Reduction of Full-Time Inspectors**

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

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

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

### **Failure to Attend Training Sessions**

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

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

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

### **Lack of Policies and Procedures**

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

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

### **Mismanagement and Neglect of Program**

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

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

**TO: HONORABLE MAYOR & CITY COUNCIL**

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

Respectfully submitted,

/s/

TERESA DELOACH REED

Fire Chief

Oakland Fire Department

For questions, please contact me directly at 510-238-4050.

Attachment (1)

C-1) Vegetation Management Inspection Form



Office use only:  
 CO Initial: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 FPB/ PG&E:

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

Vegetation Management Inspection Report

Inspection Location:  
 Owner:

APN:  
 District:  
 Station:

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

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

**Violations Noted During Inspection Must Be Corrected Immediately:**

Improved

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

Unimproved

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

**\*Refer to back of form for additional explanation\***

Place the violation # in the approximate location.

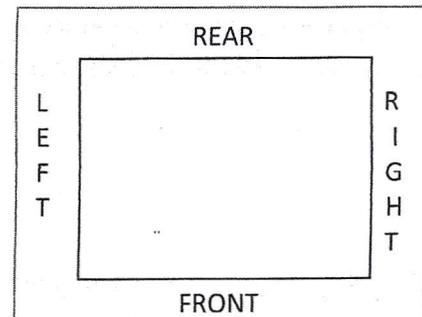


Diagram indicates property boundaries (not to scale).

Citizen Contact: Yes No 360 Access: Yes No

Station \_\_\_\_\_ Last Name \_\_\_\_\_ Signature & Date \_\_\_\_\_