



COUNCILMEMBER VIVIAN MORENO
City of San Diego
Eighth District
MEMORANDUM

DATE: June 29, 2021

TO: Andy Hanau, City Auditor

FROM: Councilmember Vivian Moreno, Chair, Audit Committee

SUBJECT: Performance Audit Requests for the Upcoming Year

I respectfully request that you consider the following performance audits for the coming year:

- **Performance Audits of the San Diego Police Department**
 - The Police Department's budget represents a significant part of the city's General Fund. It is critical that there is a clear analysis showing how those resources are deployed and whether the way the Police Department is funded ensures all San Diegans receive equal and adequate police services. The following areas should be considered for performance audits in 2022:
 - **Body Camera Footage:** Does the current SDPD policy concerning the use and release of body camera footage adhere to local, state, and federal regulations? Has body camera footage been released or withheld on a consistent basis using clear and transparent policies and regulations? When body camera footage is released to the public, does it typically support an officer's use of force or does it typically show that an officer used excessive force?
 - **Officer Training and Discipline:** Do SDPD regulations and policies concerning officer training and discipline reflect national best practices and procedures? What additional training can the Police Department invest in that allows officers to use de-escalation efforts as a primary approach to policing and reduce the use of firearms? How does the training available at our police academies compare to training for police forces in other cities both in the United States and

internationally? For example, how does the training offered by the London Metropolitan Police compare to the training offered by the San Diego Police Department? What is the relationship between training and officer safety and use of force? Has the Police Department applied for all available grant funding that would increase de-escalation training and reduce the number of police related incidents involving excessive force? Is SDPD utilizing best practices for safely and non-violently policing special events and protests? Are all special events and protests policed in a similar way or are some policed differently than others based on the group organizing the protest or event? If so, why?

- Excessive Use of Force Incidents and Related Liability: Police related incidents involving excessive use of force have resulted in the city paying out millions of dollars in settlements to members of the public. Has SDPD taken effective and meaningful steps to reduce the number of instances where officer behavior results in excessive use of force and where the city may be liable and forced to use taxpayer dollars to settle claims filed against the city? Have incidents concerning specific types of excessive use of force decreased after the city has either had to pay out a settlement or been found by a court to have violated the law? How does the city's rate of paying out settlements related to these types of incidents compare to other municipalities? How does the city's rate of having litigation filed against it concerning excessive use of force incidents compare to other municipalities?

- **Performance Audit of Street Maintenance Equity**

- The city's street maintenance program repairs hundreds of miles throughout the city on an annual basis. It is unclear whether past asphalt overlay and slurry sealing activity have been equitably spread out across all communities. A performance audit of street maintenance equity should examine the following:
 - Do underserved areas of the city, specifically those areas located in CDBG census tracts, receive the same level of street maintenance investment as more affluent areas?
 - Are asphalt overlay projects, which are more expensive and in greater demand, located in CDBG eligible census tracts at the same rate as other areas of the city?
 - Is the city's policy towards how it considers addressing unimproved streets throughout the city fair and equitable, as many are located in underserved communities? How do other cities similar in size to San Diego address unimproved streets and is the city's current policy best practice?
 - When work begins each year on the annual street maintenance program, is maintenance work, such as slurry sealing, begun in targeted areas that need the most attention or is work begun in the northern area of the city before moving towards communities in the southern section of the city, and if so how does it affect the services received by the southern part of the city?

- **Performance Audit of the Brush Management Program**

- Every year the city performs brush management across hundreds of acres of open space and canyons. This work is critical, however it is not clear if the city performs this work in the most efficient and cost effective way and whether the effect of climate change has

been taken into account when determining the frequency by which the city maintains these areas. A performance audit should consider, but not be limited to the following:

- Are the number of acres managed per year adequate to reduce the risk of wildfire in city owned open space and canyons? This should consider any trends showing an increase in temperature and drought due to climate change.
- Have the highest risk locations been regularly maintained and has the current program resulted in less wildfire activity in areas maintained by the city? Is the current frequency of brush management activity sufficient to reduce wildfire risk to an acceptable level?
- Does the practice of utilizing a private contractor to perform 2/3 of the city's annual brush management activity provide the city with a greater benefit than using all city crews? Since this activity must be performed every year, would hiring more city employees and continuing to partner with non-profit groups to perform the maintenance result in cost savings to the city, as well as more continuity and coordination of where and how this work is done?
- Has there been any difference in brush management effectiveness in areas maintained by city staff and non-profits versus areas maintained by private contractors?
- Are existing city codes regarding the brush management of private property sufficient given the increased rate of wildfire incidents in California?

- **Performance Audit of the San Diego Housing Commission**

- The San Diego Housing Commission (SDHC) serves a critical role in ensuring there are adequate affordable housing options for San Diegans and in managing several homelessness programs on behalf of the city. It is important that there is a clear analysis showing how SDHC deploys its resources to accomplish its mission and whether it has been effective in providing San Diegans with as much affordable housing options as possible. The following areas should be considered for performance audits in 2022:
 - Internal Controls: Does the SDHC have proper internal controls in place to ensure all proper SDHC, city, state and federal regulations are followed when engaging in activities ranging from real estate transactions to contracting procedures?
 - Acquisition of Grant Funding: Has SDHC obtained, to the greatest extent possible, funding from state and federal sources to fund the provide affordable housing to San Diegans? Has the funding acquired been managed and spent effectively? Has the SDHC's First Time Homebuyer Program been cost effective in increasing the number of qualifying San Diegans able to purchase a home?
 - Affordable Housing Growth: Has the SDHC's real estate portfolio been effective in growing the stock of affordable housing units in the city at a cost that is advantageous to taxpayers and in line with city and state goals? Have the facilities within the SDHC's real estate portfolio been managed and maintained to standards required to provide tenants with high quality accommodations?
 - Homelessness: Has the SDHC been effective in implementing strategies to address homelessness?
 - Section 8 Housing Vouchers: The SDHC manages federal Section 8 vouchers. Currently there is an extensive waiting list for San Diegans to receive a voucher. Has SDHC managed this program effectively to ensure people who need

assistance are able to access it and has SDHC ensured that the number of Section 8 vouchers available is competitive with allocations provided to other comparable cities by the federal government?

- **Performance Audit of Outside Contracting Procedures**

- The city often hires outside contractors for a variety of services ranging from legal services to planning and engineering services. It is critical that the use of outside contracts be limited to services that the city requires and does not have the capacity to perform with its existing workforce and that all proper contracting procedures are followed. The following areas should be considered for performance audits in 2022:
 - **Contracted Services and City Workforce:** In many cases, the city procures outside contracts because they provide services and expertise not available within the city workforce. However, in some cases, it is not clear why the city does not have in-house expertise because some, such as consultant contracts related to professional environmental services, architectural, community planning services, brush management, legal services for insurance coverage recovery, tree trimming and others are services the city requires year-in and year-out. The current practice in many cases has been to acquire these services in a series of five-year “As-Needed” contracts that allow city departments to utilize the services and expertise on a case by case basis. It is unclear if the use of these contracts is cost effective or if it would be advantageous to simply hire city employees to perform the work provided through these contracts. Does the city’s overall use of outside contracts result in savings to taxpayers, when taking into account the cost of services, the cost of the contracting process (advertisement, evaluation, management, etc.) and any litigation or settlements entered into between the city and outside contractors? Has management evaluated whether hiring city employees to perform the same tasks would result in either efficiencies or budget savings? Has the city relied on outside contracts when simply filling existent vacant positions within a department would provide the services provided through a contract? Are there specific services that, based on costs, efficiencies, and frequency of service, should be provided through either existing classifications or should new employee classification be created to provide such services?
 - **Sole Source Contracts:** The city issues a number of sole source contracts each year. Some contracts are related to emergency services that the city must obtain to effectively respond to an unexpected event, while some are issued because it has been determined that no other entity could provide the services the city requires. Has the city provided sufficient evidence for the use of such contracts over the last ten years? Are sole source contracts often issued to the same contractors? Has the amount spent on sole source contracts increased or decreased over the last ten years? Have the reasons for the issuance of such contracts changed over that time?

Thank you for your attention to and consideration of these items.