

# THE CITY OF SAN DIEGO

DATE: October 2, 2013

TO: Honorable Members of the Audit Committee

FROM: Eduardo Luna, City Auditor Office of the City Auditor

SUBJECT: Update on Recommendation Implementation Status for Selected Audits

As part of the Committee's and my office's ongoing effort to ensure that OCA recommendations are implemented by City departments, I am providing this summary of our recent outreach to the Development Services Department (DSD), Purchasing and Contracting (P&C), the Comptroller's Office, and the City Attorney's Office regarding outstanding, as yet un-implemented audit recommendations. My office sought status updates from the departments on 43 recommendations from nine audit reports issued between June 2008 and August 2012. Exhibit A below and Attachment 1 provide summary details on this effort.

I am pleased to report that this proactive outreach process has been productive for both OCA and the departments. The process provided an opportunity to clarify the intent of several of the recommendations to department management who were not familiar with the audits. Regarding some of the more aged recommendations, this process provided an opportunity for the departments to revisit recommendations that management had agreed to but had not yet implemented. Additionally, this process enabled department management to determine that several recommendations had, in fact, been implemented. OCA will verify implementation as part of our regular, semi-annual recommendation follow-up process and report back to this committee. Lastly, I'm pleased to note that we had good cooperation from the departments during this process, and I appreciate management's responsiveness.

OCA will continue to similarly follow-up with other departments and report back the Committee, as appropriate.



	Department Reported Implementation Status				
	Complete; pending OCA verification	Agree; implementation in process	Disagree; no plans to implement	Other (see Attachment 1 for details)	Total
DSD	15	4	7	1	27
P&C	1	3	0	0	4
City Attorney	2	1	0	1	4
Comptroller	0	7	0	1	8
Total	18	15	7	3	43

# Exhibit A: Summary of Recommendation Implementation Status for Selected OCA Audits

 cc: Scott Chadwick, Assistant Chief Operating Officer Andrea Tevlin, Independent Budget Analyst Ken Whitfield, City Comptroller Dennis Gakunga, Purchasing and Contracting Director Tom Tomlinson, Development Services Department Interim Director Mara W. Elliott, Chief Deputy City Attorney

Encl: Attachment 1(Recommendation Implementation Status for Selected OCA Audits)

#### Attachment 1

Office of the City Auditor (OCA) Recommendation Implementation Status for Selected OCA Audits

#### Audit of Permits Issued for the Blackwater Facility (Audit Report Number: 08-020; June 5, 2008)

Rec. #	Recommendation	Department-Reported Status as of	Reported Implementation	Response Owner
		10/1/13	Timeframe	
8a	DSD should take additional steps to locate missing records.	Complete, pending OCA verification	Complete	DSD
8b	DSD should review controls over records retention to ensure	Complete, pending OCA verification	Complete	DSD
	they are adequate.			

#### Performance Audit of the City Treasurer's Delinquent Accounts Program (Audit Report Number: 10-010; December 2, 2009)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
1	DSD should review current deficit account balances and immediately refer existing past due accounts to the Treasurer's Delinquent Accounts Program.	Agree; in process	Ongoing; nearing completion	DSD
2	DSD should establish appropriate criteria and timelines that will trigger DSD Financial Services generate an Accounts Receivable Information System (ARIS) invoice with automatic referral to the Treasurer's Delinquent Accounts Program of unpaid invoices after the invoice due date. If the timeline for referral exceeds 30 days past due, request approval for a more appropriate time frame from the City Treasurer. Centralize the deficit account invoicing process in DSD's Financial Services and eliminate courtesy and collection letters as well as PTS invoices.	Complete; pending OCA verification	Complete	DSD
3	DSD should establish procedures for DSD cashiers to coordinate with financial services to ensure payments received on Accounts Receivable Information System (ARIS) invoices are properly applied to the invoice so paid accounts are not referred to the Treasurer's Delinquent Accounts Program in error.	Complete; pending OCA verification	Complete	DSD

## Performance Audit of the City Treasurer's Delinquent Accounts Program (Audit Report Number: 10-010; December 2, 2009) [continued]

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
4	DSD should establish procedures and strengthen controls in Project Tracking System (PTS) that prevent DSD cashiers from accepting payment on past due ARIS invoices (those referred to Treasurer's Delinquent Accounts Program). Instruct applicants with referred accounts to make payment at Treasurer's Delinquent Accounts Program.	Complete; pending OCA verification	Complete	DSD
5	DSD should reinstate monthly statements, for all applicants, which contain enough detail regarding charges (staff person name, description of work performed, hours spent and amount, etc.), as well as language stating that applicants have a limited amount of time to dispute any charges. Monthly statements for accounts in deficit should also contain a remittance advice, the deficit amount, the minimum positive balance required, a due date and language that clearly states that unpaid amounts will be referred to Treasurer's Delinquent Accounts Program (based on the established criterion and timeline from #2 above).	Complete; pending OCA verification	Complete	DSD
6	DSD should implement a late penalty fee to ensure more timely payments on deficit accounts.	Agree; not implemented [Note: DSD indicated interest in implementing but has not yet found a workable fee structure]	Undetermined	DSD
7	DSD should require Development Project Managers (DPMs), as well as any other City staff person acting as lead on deposit account projects, to review labor charges on all relevant projects at least biweekly to help identify and correct potentially erroneous charges prior to the issuance of monthly statements.	Agree; in process	Ongoing	DSD

#### Performance Audit of the City Treasurer's Delinquent Accounts Program (Audit Report Number: 10-010; December 2, 2009) [continued]

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
8	DSD should evaluate the adequacy of Deposit Account initial deposit amounts as well as minimum required balance amounts to help minimize the frequency and speed at which Deposit Accounts fall into deficit.	Agree; in process [Note: DSD indicates fee study is being initiated and anticipates presenting proposal to City Council in FY 2015]	FY 2015	DSD
10	DSD should implement system interfaces between PTS and the current and future SAP modules to increase the automation of manual billing and collection tasks.	Complete; pending OCA verification	Complete	DSD

#### Performance Audit of the Development Services Department's Collection of Water and Sewer Fees (Audit Report Number: 10-020; June 22, 2010)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
5	DSD management, in conjunction with the Public Utilities' Installation Order System (IOS) Section, should create a common repository that is updated as rules or procedures for the assessment of IOS permit fees are created or changed.	Complete; pending OCA verification	Complete	DSD
6	DSD should implement a periodic review of plans in Supervisory Clusters that regularly assess Installation Order System (IOS) fees and yearly training sessions in conjunction with Public Utilities.	Complete; pending OCA verification	Complete	DSD

# Performance Audit of the Development Services Department's Collection of Water and Sewer Fees (Audit Report Number: 11-013; February 28, 2011)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
2	The Public Utilities Department in conjunction with DSD should examine and document the controls over the assessment, recording, collection and monitoring of water and sewer capacity fees, including credits issued in lieu of capacity fees. Design processes in SAP to automate and facilitate the assessment, tracking and monitoring of capacity credits.	Complete; pending OCA verification	Complete	DSD

Rec. #	Recommendation	Department-Reported Status as of	Reported Implementation	Response Owner
		10/1/13	Timeframe	
1	DSD must immediately implement controls in PTS	Disagree; no plan to implement	N/A	DSD
	Production Environment to prevent inappropriate			
	modifications. DSD should instruct the Database	[Note: Department's explanation for		
	Administrator to:	disagree requires further discussion with		
	a) Remove the IT Program Manager position's programmer	OCA and input from Audit Committee,		
	account and ability to directly log into the system's	City Council, and Mayor's Office, as		
	database.	appropriate.]		
	b) Remove programmer access to the Production			
	Environment.			
	c) Remove programmer access to privileged accounts,			
	except those used by the database administrators and for			
	emergency fixes, by locking the accounts and changing the			
	passwords. Where privileged accounts are required for			
	emergency fixes, DSD should limit programmer access			
	through a restricted number of highly monitored accounts.			
	In addition, the permissible use of these accounts should be			
	governed through formal policies.			
	d) Ensure that programmers do not have access to modify or			
	disable system triggers in the Production Environment.			
	e) Ensure PTS records a detailed audit trail of key			
	information, including the prior data entries, the username			
	of the person who changed the data and the timestamp			
	noting when the change occurred.			
	DSD should also direct the System Administrator to			
	comprehensively document the Software Change			
	Management processes, and associated risks and controls			
	for each environment			

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
2	<ul> <li>In order to reduce the risk of inappropriate system use by an employee, DSD should perform a Separation of Duties (SOD) assessment to ensure that employees only have the access they need to perform their functions, complying with the principle of least privilege. Specifically, DSD should: <ul> <li>a) Review all PTS user roles and limit the capabilities for roles that provide broad access to PTS' functions.</li> <li>b) Review current user access to PTS' roles and restrict access to only those roles necessary and appropriate for each user's function. This includes restricting the DSD Director's access to a more appropriate level, such as "read-only."c) Review current role combinations to ensure that no combination grants excessive or inappropriate access, and immediately remove any conflicting combinations.</li> <li>d) Create a comprehensive policy that identifies all prohibited role combinations and documents compensating controls to mitigate any risk when a segregation of duty conflict must exist for business purposes.</li> </ul> </li> </ul>	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD
3	DSD should restructure its organizational arrangement so that IT Program Manager position no longer oversees both IT function & individuals who collect/reconcile fees and transmit that info to the City Treasurer & Comptroller.	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD
4	DSD should immediately begin comprehensively documenting PTS and facilitate the transition of Application Development and Maintenance (ADM) functions to the ADM vendor as soon as feasible. Further, DSD must ensure that the vendor takes over management and monitoring of all privileged accounts in the production environment.	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD
5	DSD should: a) Review its current staffing model for the Submittal and Issuance Groups; b) Determine if the "generalist" approach is the most effective option to meet operational needs and accommodate staff skills; and if not, c) Identify and implement an alternative staffing structure.	Complete; pending OCA verification	Complete	DSD

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
6	DSD should consider available options to reduce workloads in the submittal and issuance groups, including re-allocating staff resources there.	Complete; pending OCA verification	Complete	DSD
7	DSD should continue to conduct and document regular audits of fees at project submittal and resume conducting and documenting audits of fees during structural engineering review and at permit issuance. DSD should develop a written policy that establishes a minimum level of projects to be audited each month.	Complete; pending OCA verification	Complete	DSD
8	DSD's IT staff should work with supervisors over Submittal/Structural Engineering to create reports that would help them review fees charged by staff.	Complete; pending OCA verification	Complete	DSD
9	DSD should strengthen PTS controls over assessing fees by implementing: a) Logic checks to ensure that fees are entered accurately and alert reviewers when apparent errors have been made in charging fees. For example, logic checks should alert reviewers if the square footage used to charge the Building Permit and the Construction and Demolition Debris Deposit fees does not match; if separate fees are charged for different project components when they should be combined; or if the type of construction used to charge different fees does not match. b) Auto-populating features to reduce the necessity for repetitive data entry by staff. For example, if the project is being charged a Building Permit fee for 4,000 square feet of new single-family construction, the Project Tracking System should automatically add the Construction and Demolition Debris Recycling Deposit fee for a new 4,000 square foot single-family home. c) Predictive controls to reduce staff fee choices based on prior data input, making accurate fee selection easier and quicker and reducing customer waiting times. For example, if the reviewer indicates that the project is for new single- family construction, the list of available fees should be limited to only those fees that may apply to a new single- family construction project.	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
10	DSD should ensure that PTS caps the Construction and Demolition Debris Recycling Deposit at the maximum level established by the City Council. DSD should also ensure that PTS limits all fees to the correct maximum amounts to prevent overcharging customers.	Complete; pending OCA verification	Complete	DSD
11	DSD should work with all departments that require custom reports to identify their reporting requirements and the most cost-effective way to generate all necessary reports. This recommendation pertains to the reporting requirements of the Transportation and Storm Water Department, the Environmental Services Department, and the Public Works Department, as well as any other City departments that require custom reports to increase productivity and efficiency.	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD
12	DSD should establish formal agreements, such as Service Level Agreements, with each of its client departments that require custom reports, including Transportation and Stormwater, Environmental Services, and the Public Works Department, as well as any other City departments that require custom reports to increase productivity and efficiency. These agreements should establish clear responsibilities for report generation, including: a) Specific procedures for client departments to request custom reports from the PTS, including the information required in the report and the format of the report (electronic or hard-copy); b) Timelines for the DSD to respond to report requests with an estimated cost and completion date; c) Funding sources that will be used to pay for the creation of the report; and d) Procedures that allow client departments to generate reports on demand from the Project Tracking System.	Disagree; no plan to implement [Note: Department's explanation for disagree requires further discussion with OCA and input from Audit Committee, City Council, and Mayor's Office, as appropriate.]	N/A	DSD

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
13	The Development Services Department should develop a	Agree; in process	Ongoing	DSD
	formal, written five-year information technology strategic			
	plan. This plan should include, but not be limited to, an	DSD status update:		
	analysis and identification of:	"DSD has met with the market leading		
	a) Current and anticipated business needs;	vendor for this type of software and		
	b) Internal and external customer requirements;	conducted a fairly thorough gap analysis		
	c) Current trends in system functionalities and security,	between PTS and that product. In		
	including services that can be offered via the internet;	addition to purchasing a tool to replace		
	d) Options to meet business and customer requirements	the permitting and project management		
	cost-effectively, including a cost benefit analysis of retaining	portions of PTS. DSD will need to also		
	PTS over the long term or replacing it with a new system—	procure customer management tools for		
	either developed in-house or a customized commercial	use in our lobbies as well as		
	software system; and	document/image management tools for		
	e) Anticipated funding needs and source of funds.	records. DSD expects the permit/project		
		management will cost around		
		\$5M/+\$200K per YR, the customer		
		management tools to cost around		
		\$150K/+ annual costs, and the records		
		management tools to cost between \$6 to		
		\$10M for imaging and document security.		
		Once a selection of project/permit		
		management tool is made, the vendor		
		typically needs 18 months to implement.		
		The market leading tool is very much		
		organized the same way PTS is, so staff		
		will perform similar tasks, yet it uses a		
		web interface which will make some		
		interactions slower.		
		The market leader in this product space		
		has the ability to assist the City in		
		financing the deal or more likely we		
		would roll it into our fee study in order to		
		capture additional revenue to fund the		
		system change.		
		DSD will more formally document a plan		
		and requirements to facilitate the		
		change."		

# Performance Audit of the Purchasing and Contracting Department (Audit Report Number: 12-008; March 1, 2012)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
1	The Office of the City Attorney should issue a written legal opinion to the City Council and the City Administration to clarify the current San Diego Municipal Code as it relates to the maximum allowable amount that the City can expend on the same vendor for the same or very similar services within the same fiscal year without City Council review. Additionally, the written legal opinion should address whether the City can use purchase orders to continue services on contracts that exceeded the maximum allowable duration of five years.	Complete; pending OCA verification [Note: City Attorney provided report regarding this recommendation to the Audit Committee on May 23, 2012]	Complete	City Attorney
2	Based on the written legal opinion provided by the Office of the City Attorney, if the City Council believes the San Diego Municipal Code needs modification, it should instruct the City Administration to take immediate steps to: (1) establish clear and specific San Diego Municipal Code language, which prescribes thresholds for nonprofit and agency service contracts, (2) specifically state when and whether purchase orders can be used to extend nonprofit and agency service contracts beyond the maximum allowable duration of five years without City Council review, (3) describe when and whether a purchase order can be considered a new contract, and (4) redress any current practices that do not comply with that understanding.	Agree; in process pending further direction from City Council	N/A	City Attorney
3	The Office of the City Attorney should review the 11 nonprofit and agency contracts and all purchase orders we identified in this report to determine whether purchasing practices complied with all City, State, and Federal laws and regulations. Additionally, in the case their review identifies any issues or opportunities for improving purchasing practices, they should submit a written report to the City Council for their review.	Complete; pending OCA verification [Note: City Attorney provided report regarding this recommendation to the Audit Committee on May 23, 2012]	Complete	City Attorney

# Performance Audit of the Purchasing and Contracting Department (Audit Report Number: 12-008; March 1, 2012) [continued]

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
4	The City Administration should conduct a full review of purchasing practices and design a purchasing process with appropriate internal controls to ensure full compliance with any changes the City Council makes to the San Diego Municipal Code provisions and with the written legal opinion issued by the Office of the City Attorney.	Agree; in process pending further direction from City Council regarding modifications to the San Diego Municipal Code [Note: P&C indicated Purchasing & Contracting (P&C) and Office of City Attorney have implemented new internal control procedures , including City Attorney review as to form and legality for all contracts, and are, also, currently working on updating additional purchasing procedures and to ensure full compliance with any changes in the SDMC provisions.]	April 1, 2014	Purchasing and Contracting
5	Based on the written legal opinion provided by the Office of the City Attorney, if the City Council believes the San Diego Municipal Code needs modification, it should instruct the City Administration to take immediate steps to: (1) establish clear and specific San Diego Municipal Code language, which prescribes thresholds for nonprofit and agency service contracts, (2) specifically state when and whether purchase orders can be used to extend nonprofit and agency service contracts beyond the maximum allowable duration of five years without City Council review, (3) describe when and whether a purchase order can be considered a new contract, and (4) redress any current practices that do not comply with that understanding.	Agree; in process pending further direction from City Council regarding modifications to the San Diego Municipal Code	N/A	Purchasing and Contracting

#### Performance Audit of Facilities' Purchases Under the MRO Agreements (Audit Report Number: 12-011; March 20, 2012)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
1	We recommend that the Purchasing & Contracting Department work with the City Attorney's Office to immediately review the terms of the Maintenance, Repair, and Operation (MRO) Cooperative Agreements and identify a solution to ensure the City purchases its MRO supplies at the most economical price and does not continue to pay high mark-ups over the remaining four years of the agreements.	Complete; pending OCA verification [Note: City Attorney's Office indicated that their office has not yet been consulted for legal advice on this issue.]	Complete	Purchasing and Contracting

#### Performance Audit of the Purchasing and Contracting Department – Citywide Open Purchase Order Program (Audit Report Number: 10-018; March 30, 2012)

Rec. #	Recommendation	Department-Reported Status as of	Reported Implementation	Response Owner
		10/1/13	Timeframe	
3	Modify Administrative Regulation 35.15 to adequately	Agree; in process	January 21, 2014	Purchasing and Contracting
	reflect the new policies as a result of the actions taken from			
	Recommendations one and two above. Additionally, the			
	Administrative Regulation should include a requirement for			
	departments to document and retain a reconciliation of the			
	requisition forms, similar to the form 2610, on a quarterly			
	basis.			

### Performance Audit of the Procurement Card Program (Audit Report Number: 13-003; August 8, 2012)

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
1	The Purchasing & Contracting Department should establish	Agree; in process	October 21, 2013	Comptroller's Office (via
	guidance and criteria for departments to use in determining			transfer of P-Card Program
	whether employees have a true operational need for a P-	[Note: Comptroller indicated that BofA		from Purchasing and
	card.	P-Card Program will go live Oct. 21, 2013]		Contracting)
2	The Purchasing & Contracting Department should	Agree; in process	October 21, 2013	Comptroller's Office (via
	periodically evaluate cardholders' actual spending and			transfer of P-Card Program
	monthly credit limits. The Purchasing & Contracting	[Note: Comptroller indicated that BofA		from Purchasing and
	Department should either adjust cardholder limits as	P-Card Program will go live Oct. 21, 2013]		Contracting)
	appropriate or recommend that departments make the			
	adjustment.			
3	The Purchasing & Contracting Department should develop a	Agree; in process	October 21, 2013	Comptroller's Office (via
	system to track or monitor how much departments			transfer of P-Card Program
	purchase from vendors that do not have contracts with the	[Note: Comptroller indicated that BofA		from Purchasing and
	City.	P-Card Program will go live Oct. 21, 2013]		Contracting)
4	Once established, the Purchasing & Contracting Department	Agree; in process	October 21, 2013	Comptroller's Office (via
	should utilize the information to ensure departments			transfer of P-Card Program
	comply with City regulations and use the most appropriate	[Note: Comptroller indicated that BofA		from Purchasing and
	method, i.e., P-cards versus purchase orders, to purchase	P-Card Program will go live Oct. 21, 2013]		Contracting)
	items from vendors.			

### Performance Audit of the Procurement Card Program (Audit Report Number: 13-003; August 8, 2012) [continued]

Rec. #	Recommendation	Department-Reported Status as of 10/1/13	Reported Implementation Timeframe	Response Owner
5	The Purchasing & Contracting Department should develop a formal methodology for selecting departments to audit, and an audit cycle to ensure all departments are audited at least once during the established timeframe.	Agree; in process [Note: Comptroller indicated that BofA P-Card Program will go live Oct. 21, 2013]	October 21, 2013	Comptroller's Office (via transfer of P-Card Program from Purchasing and Contracting)
6	The Purchasing & Contracting Department should: a) Develop a tracking system to ensure all participants complete annual training, as required. b) Ensure internal training policies and Administrative Regulation 95.55 reflect the same training requirements for the program.	Agree; in process [Note: Comptroller indicated that BofA P-Card Program will go live Oct. 21, 2013]	October 21, 2013	Comptroller's Office (via transfer of P-Card Program from Purchasing and Contracting)
7	The Purchasing & Contracting Department should establish guidelines on the number of cardholders and transactional volume that can be reviewed by the Approver to ensure adequate time is devoted to reviewing cardholder transactions.	Unclear [Note: P&C initially agreed with this recommendation. Comptroller indicated that additional discussion with OCA is needed to clarify what is being requested]	N/A	Comptroller's Office (via transfer of P-Card Program from Purchasing and Contracting)
8	The Comptroller's Office along with Purchasing & Contracting should evaluate and consider changing the P- card payment process from a "confirm and pay" method to "pay and confirm" to maximize prompt-payment cash rebates.	Agree; in process [Note: Comptroller indicated that BofA P-Card Program will go live Oct. 21, 2013]	October 21, 2013	Comptroller's Office (via transfer of P-Card Program from Purchasing and Contracting)
9	The Purchasing & Contracting Department should seek opinion determination from the City Attorney's Office on whether the current cooperative procurement agreement between the General Services Department-Fleet Services and the identified tire vendor is valid.	Unclear [Note: City Attorney indicated that no request for legal opinion has been made; indicated that additional information from OCA is required.]	N/A	City Attorney