

# BRIAN L. CUMMINGS

January 3, 2012

BOARD OF FIRE COMMISSIONERS

FILE NO. 12-005

TO:

**Board of Fire Commissioners** 

FROM:

Brian L. Cummings, Fire Chief

SUBJECT:

DEPARTMENT POLICY AND RECOMMENDATIONS ON HOME

**GARAGED VEHICLES** 

FINAL ACTION:	Approved	Approved w/Corrections	Withdrawn
	Denied	Received & Filed	Other

### Recommendation: That the Board:

- 1. Accept and approve the findings of the Fire Department.
- 2. Accept and approve the previous and future actions of the Fire Department relative to the management of take home vehicles.

### **Summary:**

For the purposes of this report, the terms home-garaged vehicles and take home vehicles are synonymous. In 2006, the City Administrative Officer (CAO) directed the Los Angeles Fire Department (LAFD) to strictly account for their use of City owned vehicles and requested that for future accountability, the Fire Department begin using a tracking form to account for the number of take home vehicles. In response to this request, in 2007, the Fire Department performed an internal audit of all take home vehicles and determined that the management of home garaged vehicles could be significantly improved. Included in this analysis was a recommendation to reduce the number of take home vehicles as well as a more efficient management process.

In 2009 the City Controller performed an audit of the City's Home Garaged Vehicles where they noted six distinct areas that the Fire Department could be more efficient in accounting for home garaged vehicles. In response to this audit, the Fire Department provided an answer to all six items and articulated timelines for deliverables. The Fire Department is continuing to look for ways to be more efficient and transparent with regard to the reporting of take home vehicles and will work with the CAO to realize additional savings in the future.

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Independently, the Fire Department has been streamlining accountability through the use of technology and electronic oversight. These implemented and developing programs will assist the Fire Department in making certain that Department policy is being adhered to.

Maintaining an effective and efficient take home vehicle policy is critical to the management of emergency operations within the LAFD. The Fire Chief needs to have the authority to approve the use of take home vehicles so as to ensure a response capacity that will address unexpected large scale incidents.

### Analysis:

In November of 2006, the CAO directed all City Departments to comply with CAO Rule No. 5 which essentially defines the use and criteria for take home vehicles. (See attachment 1). CAO Rule No. 5 directs Departments to consider the home garaging of vehicles a budgetary matter that would need to be approved each year during the budget process. Furthermore, it designates the Transportation Committee as the approving authority for the use of take home vehicles.

The Rule specifically discusses the Fire Department in the context of criteria for the use of take home vehicles as follows:

Consideration of approval for regular home-garaging requests will be given by the Transportation Committee when such requests meet any of the criteria listed below.

(5) Fire Department employees who are required at the scene of an emergency during such period as they are assigned on-call duty (those employees having similar assignments and who rotate on-call duty will rotate the assignment of the vehicle), or require regular and frequent use of unmarked vehicles for investigative work after normal business hours.

CAO Rule No. 5 goes on to state that it is the responsibility of each driver to maintain personal insurance and to have that proof of insurance attached to the CAO Form 34.

The overall intent of the CAO Rule No. 5 was to manage the perception of City owned vehicles being garaged at home. This use of public funds must be strictly limited to City business only.

In 2007 the Fire Department provided a response back to the directive from the CAO (see attachment 2). The response outlines the Fire Department's policy on assigning home garaged vehicles. Additionally, it provides a breakdown of associated costs related to maintaining the fleet. The policy is outlined as follows:

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FIRE provides take home vehicles to three groups of employees:

- (1) Essential Personnel
- (2) Chief Officers assigned to administrative positions (special duty)
- (3) Members assigned to key positions for "on-call" Incident Management Teams

In January of 2009 an audit was performed by the City Controller specifically looking at the uses and approvals for home garaged vehicles throughout the City (see attachment 3). The intent of the audit was to "evaluate the controls over the assignment, usage and monitoring of home-garaged vehicles to ensure maximum benefits to the City." In the executive summary of the audit the Controller states that:

The Council has designated the City Administrative Officer (CAO) to approve home garaging authority for City-owned vehicles for all departments (except Los Angeles Police Department, Los Angeles Fire Department and proprietary departments). The Los Angeles Police Department (LAPD), the Los Angeles Fire Department and the proprietary departments operate their own home-garaged programs without CAO's involvement. The City maintains and provides fuel for all home-garaged vehicles.

In the summary of audit results the Controller notes that "the City currently spends about 10 million dollars per year on the home-garaged vehicles for the elected officials and their staff and for LAPD and LAFD employees. Of this amount, 7 million is attributed to the LAPD home garage program."

The audit found six areas in the Fire Department that could be improved relative to the usage and assigning of home-garaged vehicles. Also provided is the LAFD's 2009 response to the Controller's audit recommendations:

### Audit Recommendation #1

The Mayor and the City Council should instruct LAPD and LAFD to work with the CAO to develop uniform, stringent and clear criteria for assigning home-garaged vehicles to ensure that each assignment is based on the City's business needs. The criteria should clearly define which positions are subject to emergency callouts.

Response – The LAFD concurs with this recommendation. The LAFD assigns take home vehicles to employees that fall into two categories; essential personnel and personnel assigned on-call duties required to mitigate major, complex incidents.

Essential Personnel – Includes employees that possess critical organizational knowledge or ability that is required for the Department to function after business hours.

On-Call Personnel – Provide command and coordination during major, complex incidents when these incidents exceed on-duty staff capability. On-call personnel fill pre-determined roles within the National Incident Management System. Currently, the

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Department operates with 4 Incident Management Teams that rotate on-call responsibilities.

### **Audit Recommendation #2**

The Mayor and the City Council should instruct LAPD and LAFD to embark on a vehicle by vehicle review of current drivers to ensure that each vehicle being home-garaged is properly justified based on the criteria established in #1.

Response – An analysis was conducted in 2009 that included a vehicle by vehicle audit to ensure that only appropriate members are assigned take home vehicles. This analysis was completed and submitted originally to the CAO for review in May 2009.

### **Audit Recommendation #3**

The Mayor and the City Council should instruct LAFD to establish an annual review process to reassess home-garaged vehicles to ensure every vehicle continues to be justified.

Response – The LAFD currently conducts a home-garaged vehicle needs analysis during the month of November on an annual basis to ensure that every home-garaged vehicle continues to be justified. This internal audit also requires each member to fill out the CAO Form 34 and provide proof of automobile insurance.

### **Audit Recommendation #5**

The Mayor and City Council should instruct the CAO, LAPD, and LAFD to explore other alternative options to reduce the number of home-garaged vehicles.

Response – LAFD is prepared to discuss alternative options to reduce the number of home-garaged vehicles. To be considered, alternative options must support LAFD's operational needs.

### Audit Recommendation #11

LAFD Management should develop written comprehensive policies for its home garaged program.

Response – LAFD has developed a comprehensive written home-garaged vehicle policy. The policy was published in the Department's Manual of Operation by March 6, 2009. LAFD's home-garaged vehicle policy defines administrative procedures for the home-garaged vehicle program, set procedures for vehicle care and maintenance and establishes criteria for vehicle operation. LAFD's written policy defines how Fire Department home-garaged vehicles are identified and establishes the criteria for unmarked vehicles.

### **Audit Recommendation #19**

LAPD and LAFD management should determine the employees that do not qualify for IRS tax exemption and provide the list of employees to the Controller's Office so that the employees' W-2 can include taxable income related to the home-garaged vehicle.

Response – LAFD will submit annually by November 17, a completed "Taxable Benefit for the Use of City-Owned Cars" for all unmarked and home-garaged vehicles that were used for personal use during the prior one-year period (November 1 through October 31).

Undoubtedly, the single biggest impact the Fire Department has made on the management of take-home vehicles is the development of comprehensive Department policy. (See attachment 4). This policy defines management's intent with regard to the responsibility of being assigned a home-garaged vehicle. Additionally, it outlines the use and approval needed for being assigned a home-garaged vehicle. The Fire Department is continuing to look for ways to more accurately account for home-garaged vehicle assignments.

The Fire Departments Management Information Systems Section is currently working on software that will integrate the CAO 34 Form document, proof of insurance and assignment history. This integration will allow for automatic reconciliation of homegaraged vehicles relative to proper assignment, driver and required documentation.

Additionally, the Fire Department has recently implemented two management tools that will prove to be effective at managing the Fire Department's home-garaged vehicle program. First is the identification of home-garaged vehicles into the Computer Aided Dispatch (CAD) system. The LAFD has implemented a standardized alphanumeric identification system. These identifiers have been added to the Operation Control Division (OCD) CAD for all Administrative, Arson, and Fire Prevention Bureau positions.

The purpose of the identification system is to facilitate the tracking and safety of Administrative personnel involved in emergency incidents, facilitate the reimbursement of funds for significant incidents, and provide a standardized command radio terminology for both the LAFD and with surrounding fire departments.

Secondly, the department has recently completed a new computer application to track the location and status of apparatus. While OCD maintains up to the minute status of emergency resources, the Apparatus Tracking System (ATS) will be used to track all apparatus including reserve, relief and other assigned apparatus as well as homegaraged vehicles. The Apparatus Tracking System is currently available on the LAFD Department Portal in the Critical Incident Application (CIA) section. The ATS will allow immediate retrieval and status update on all Fire Department vehicles. This will prove especially helpful in determining where a vehicle is located and who is responsible for the vehicle.

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Lastly, future Fire Department purchases will be moving toward a more compact and fuel efficient model of sedan. The Chevrolet Caprice has been identified to replace the Crown Victoria as the administrative response sedan. This change will have an impact in not only a reduced purchase price but would also put a more fuel efficient sedan into the department fleet. New purchases of administrative response vehicles are not scheduled as a priority at this time.

### Fiscal Impact:

Not required.

### **Conclusion:**

While the department can understand and appreciate the necessity of being fiscally prudent during tough economic times, it is also the Fire Department's responsibility to maintain a response capacity that meets the needs of large scale incidents. Historically, the Fire Department has experienced large complex incidents that rapidly escalate and therefore need a complex management response. This response has recently been reduced as we have seen the reduction of one Division office, two Battalion offices and seven Emergency Incident Technicians with the Deployment Plan. This reduction has reduced the Department's command and control capacity. Command and control has proven to be critical in the initial stages of escalating incidents and in all cases will be a large determinant in successful outcomes. The Department plans on continuing to work with the CAO to determine any additional savings that could be realized from the homegarage vehicle program.

Board report prepared by the Administrative Office.

**Attachments** 

FORM GEN. 160

# CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

0111-31074-0000

Date:

November 6, 2006

To:

William R. Bamattre, Fire Chief

From:

William T Fujioka, City Administrative Officer

Subject:

2006-07 HOME-GARAGING REQUESTS

Each year the City of Los Angeles reviews "Permits for Regular Garaging City-owned Vehicles away from Assigned Headquarters" requests, commonly referred to as homegaraging. In accordance with City policy established by Council action (C.F. 39,133), all employees and officers of the City, including elected officials, who garage a City-owned vehicle away from headquarters, must submit a request.

The City will only approve those requests that precisely meet the criteria of CAO Rule No. 5 (See Attachment 1). All Los Angeles Fire Department (LAFD) requests should be stringently reviewed to ensure compliance with these criteria. New LAFD requests for homegaraging authority must be submitted to our Office on CAO Form 34 for each LAFD employee (See Attachment 1).

Please complete the attached form (See Attachment 2) for all current LAFD employees authorized to garage a City-owned vehicle away from headquarters. In addition, please submit to our Office a copy of the completed CAO Form 34 for each LAFD employee listed on the completed form. Please submit the completed form and the CAO Form 34 for each LAFD employee listed no later than November 15, 2006.

If you have any questions, please contact Robert Kadomatsu at (213) 473-7567.

WTF:rmk:04070083i.doc

Attachments (2)

FORM GEN. 160 (Rev. 6-80)

### CITY OF LOS ANGELES

### INTER-DEPARTMENTAL CORRESPONDENCE

0112-14601

⊭ Date:

March 28, 1994

To:

THE HEADS OF ALL DEPARTMENTS OF CITY GOVERNMENT

(Except Airports, Harbor, and Water and Power)

From:

Keith Comrie, City Administrative Officer

Subject:

CITY ADMINISTRATIVE OFFICER RULE NO. 5 - REVISED MARCH 94

The Joint Labor-Management Committee on Parking and Transportation Issues (Committee) raised concern that without a guaranteed ride home program, many City employees are not leaving their cars home and ridesharing. The authority for providing a guaranteed ride home is provided in City Administrative Officer (CAO) Rule No. 5 "Assignment and Home-garaging of City-owned Automotive Equipment". The Committee recommended that CAO Rule No. 5 be revised to strengthen the existing language contained in Section B.2 "Garaging of City Vahicles Away From Regular Headquarters".

Attached is CAO Rule No. 5 revised as of March 1994. The major revision is the clarification of the guaranteed ride home provision (Sec. B.2). This provision enables ridesharing City employees to secure a City-owned vehicle when the need is considered essential, would provide for economy and efficiency, does not interrupt City business or would serve the City's best interests. This includes providing transportation to ridesharing City employees to cover emergency situations (e.g., sudden onset of illness, family crisis, unexpected mandatory overtime, e.t.c.). This procedure is only to be used when no alternative means of transportation is available and may only be granted by a department head, authorized deputy or a management representative from the Personnel Department Commuter Services Office.

CAO Rule No. 5 is also revised in order to eliminate the procedure for completing Form General 49 - Monthly Record of Usage (Sec. A.3) pertaining to home-garaged vehicles.

Under Charter Section No. 51.c the CAO is authorized, subject to approval of the Mayor to "... prescribe rules and standards governing the matters under his jurisdiction and all officers and departments of the City shall comply therewith." It is requested that you disseminate this information to your employees in order to inform them of the guaranteed ride home provision.

If you have any questions, please contact Crista Binder of my staff at extension 5-7600.

KC:CEB:ocm

Attachment

cc: Bruce L. Roberts, Commuter Services
Personnel Department

# SUBJECT: ASSIGNMENT AND HOME-GARAGING OF CITY-OWNED AUTOMOTIVE EQUIPMENT

City vehicles are purchased and made available to elected officials, departments and their personnel for the conduct and operation of City business. Citizens and taxpayers quickly notice and criticize the unauthorized and improper use of City-owned automobiles. The use of these vehicles must be confined strictly to the business of the City.

The Transportation Committee, which was established by Council action (C.F. 39,133) to aid in carrying out a joint declaration of policy by the Mayor and the Council, is intended to effect economy and efficiency in automobile purchase and use. The Committee has adopted procedures and standards to ensure proper usage of City vehicles. Applications for assignment, regular homegaraging and occasional overnight use of City-owned vehicles will be in accordance with the policies and procedures listed below. Unless noted, all forms required for implementation of this rule are available from City Stores.

### A. ASSIGNMENT OF VEHICLES

The model, size and type of passenger vehicle assigned to elected officials, departments and their personnel, and the accessories provided, will be in accordance with the schedule of standards approved by the Council (C.F. 121,973 and 74-4530, S2). Trucks and other types of vehicles will be assigned in accordance with usage and need.

## 1. Permanent Assignment of Vehicles - Home-Garaging.

Permanent assignment of vehicles to elected officials, departments and their personnel is a budgetary matter. Requests for permanent assignment will be made in connection with the annual budget request.

## 2. Temporary Assignment of Vehicles.

Requests for temporary assignment of vehicles from the Fleet Services pool will be made to the General Manager Department of General Services. The written request, in duplicate will be signed by the department head or an authorized representative. Temporary assignment of a vehicle does not include home-garaging authority.

The General Manager Department of General Services may authorize temporary assignment of vehicles up to 30 days, with renewal authority for an additional 30 days, within any 12 consecutive months when such assignment, in the opinion of the General Manager Department of General Services, would serve the City's best interest and can be made without impairing the fleet pool operation.

Requests for temporary assignments in excess of 60 days in any twelve consecutive months will be forwarded to the City Administrative Officer (CAO) for approval prior to the expiration of the 60 day period.

## B. GARAGING OF CITY VEHICLES AWAY FROM REGULAR HEADQUARTERS

City-owned automotive equipment will not be regularly or occasionally garaged (i.e., "homegaraged") at any location other than regular headquarters on nights, weekends or holidays, without first securing proper approval. This includes garaging on City-owned property, the home of the officer or employee, or any other privately or publicly owned property.

### 1. Regular Home-Garaging Authority.

### a. Criteria.

Authority to regularly home-garage a City vehicle for a specific individual or for a position (where personnel are rotated frequently among staff positions) will be approved by the Transportation Committee only when there is regular and frequent need for this authority. Through authorization of regular home-garaging the City pays employees for their commuting expense. Requests cannot be approved unless the authorization is based upon economy and efficiency and is in the City's best interest.

Consideration of approval for regular home-garaging requests will be given by the Transportation Committee when such requests meet any of the criteria listed below:

- (1) Elected officials, their staff members when requested by elected officials, and department heads.
- (2) Employees whose duties involve emergency work and who are regularly subject to call, who have specific expertise and/or are required to work with special equipment, or who are assigned a specially equipped vehicle (other than radio).
- (3) Employees whose duties require regular and frequent off-duty supervision where there is no regular subordinate employee designated to act in their absence.
- (4) Employees whose duties require special equipment and regular and frequent direct reporting to the field or who have a continuing daily assignment that requires regular and frequent field work during off-duty hours.
- (5) Fire Department employees who are required at the scene of an emergency during such period as they are assigned on-call duty (those employees having similar assignments and who rotate on-call duty will rotate the assignment of the vehicle), or require regular and frequent use of unmarked vehicles for investigative work after normal working hours.

### b. Insurance Requirements.

Under certain conditions, such as gross personal negligence and/or driving outside the scope of employment, drivers may be liable for damages arising from their acts in the

operation of City vehicles. Therefore, every driver who regularly garages a City vehicle away from headquarters shall be insured by a standard automobile liability insurance policy for the employee's personally owned motor vehicle, or shall be a named insured on a non-owned automobile insurance policy if the employee does not own a vehicle. Insurance coverage must satisfy either: (1) the Financial Responsibility Laws of the California Vehicle Code, or (2) Section 4.232 of the Los Angeles Administrative Code, whichever is higher.

Department heads, or their authorized representatives, must verify that insurance requirements have been met by all drivers. Evidence of insurance shall be submitted on a certificate of insurance or policy declaration page, bearing an original signature, which shows the limits and coverage. This must be re-submitted whenever there is a material change in either the carrier, coverage or limits of liability. Policies which automatically renew or remain in effect until canceled need not be re-submitted unless there is a material change in the coverage or limits.

A new permit must be obtained any time a change of driver is made. The CAO will send a list of the currently approved permits to each department once a year. Department heads must verify the accuracy of the list and certify receipt of current evidence of insurance by all drivers.

### c. Procedure.

A new form for regular home-garaging (Form CAO 34) must be submitted when filing a new application and resubmitted any time a change of driver, Civil Service classification, or driver headquarters occurs. The application for regular home-garaging will be signed by the driver, or drivers of the vehicle in the case of rotating assignments, and approved in writing by the department head. In those departments headed by a commission, the approval of both the general manager and the commission is required.

Each year in September, the CAO will transmit a list of currently approved home-garaging permits. The general manager/department head will annotate the list and return it by October 1 along with any new or changed requests, for the next calendar year.

Approved permits for regular home-garaging will be valid for such periods as may be approved by the Transportation Committee and are revocable by the CAO upon the Transportation Committee's recommendation.

## d. Department Responsibility.

The issuance of a permit does not relieve the department management of the responsibility placed upon it by Section 63.106 of the Municipal Code and by the terms of Council File No. 39,133 for the effective and efficient operation of motor vehicles. For new applications and renewals, the general manager/department head must verify the accuracy of the application/list and certify receipt of current insurance compliance by all drivers. Should a permit no longer be required, if its scope should

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be limited or modified, or additional needs develop, the general manager/department head should promptly advise the CAO of the changed circumstances.

### e. Form CAO 34

Form CAO 34 (Permit for Regularly Garaging City-owned Vehicles Away from Assigned Headquarters) may be obtained from the City Stores and is to be used for filing a new application.

# Authority for Occasional Garaging of City Vehicles Away from Regular Headquarters.

### a. Criteria.

Authority for occasional garaging of City vehicles at locations other than the regular garaging location is available to all City employees and may be granted by a department head, authorized deputy or an authorized management representative from the Commuter Services Office when such authority is considered essential, would provide for economy and efficiency, does not interrupt City business or would serve the City's best interests. This includes providing transportation for ridesharing City employees to cover emergency situations (e.g., sudden onset of illness, family crisis, unexpected mandatory overtime, being stranded at work when ridesharing vehicle becomes unavailable, e.t.c). Occasional garaging is only to be used when no alternative means of transportation can be obtained and is subject to fleet availability. Occasional garaging is provided to meet a particular need of a temporary nature only, and is limited to 60 calendar days in any consecutive 12 month period.

#### b. Procedure.

Applications for occasional garaging (Form CAO 36) must be signed by the driver of the vehicle and approved in writing by a department head, authorized deputy or an authorized management representative from the Commuter Services Office. Each department will maintain a list of positions authorized to approve occasional home garaging no less than the equivalent of Chief Management Analyst. All effort should be given to secure proper approval from the authorized department representative before seeking approval from a management representative from the Commuter Services Office. A separate form must be submitted for each round trip requested.

from regular headquarters of Fleet Services pool vehicles will be filled out in duplicate, with the original filed with the department head and the duplicate submitted to the vehicle dispatcher. Departments will furnish the General Manager Department of General Services with the signature of the department head, authorized deputy or an authorized management representative from the Commuter Services Office to be kept on file by the General Manager Department of General Services. The General Manager Department of General Services or an authorized representative will verify that the

authorization has been approved in writing by the proper person prior to assigning a vehicle.

When the need for occasional garaging occurs outside of normal business hours the employee will present a valid driver's license and City identification to the Security Office located on P-1 of City Hall East. This method is only available in the Civic Center area and should only be used after 5:00 p.m. when a department head, authorized deputy or an authorized management representative from the Commuter Services Office is unavailable to authorize the request. All effort should be given to secure proper approval first. Employees are required to submit a signed overnight garaging authority signed by a department head, authorized deputy or an authorized management representative from the Commuter Services Office on the day the vehicle is returned.

- (2) Assigned and Other Vehicles. Applications for occasional garaging of City vehicles assigned to a department by Fleet Services or owned by the department will be approved by the department head, authorized deputy or an authorized management representative from the Commuter Services Office in writing (Form CAO 36).
- c. Responsibility of Departments.

The authorizing department will ascertain that the driver of the vehicle, upon completion of each round trip, completes the reverse side of the original form. The authorizing department will retain the completed forms for subsequent examination by the CAO.

City Administrative Officer

APPROVED:

MAVAR

Revised as of 03 /28/94

Previously issued as Rule No. 5, dated 10/31/74; Revised 8/1/83; Revised 9/27/1989

22880466

# PERMIT FOR REGULARLY GARAGING CITY-OWNED VEHICLE AWAY FROM ASSIGNED HEADQUARTERS

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How many times in the last 6 months was this vehicle used outside of regular working hours for the purposes stated?  Ficertify that I have complied with the provisions during the entire period for which this permit is a Driver's Signature  Licertify that the above statements are true, that the coverage required by C.A.O. Rule 5, and that the entire period for which this permit is approved.  Approved:	Vehicle Body Type  of C.A.O. Rule 5 opproved.  le applicant has obte coverage will be key	City Se Yes and that the sined the insure the force for	required  Porance or the	Vehicle is Eq Red l Yes Insurance	coverage with No coverage with Commission Secreto	Si Yes ill be kep Approval	ren No

2006-07 Home-Garaging Authorities .or the Los Angeles Fire Department Request for Continuing Existing Authorities

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