

Getting to the Root of the Issues – 60 Day Action Plan Update

Date: April 27, 2021

To: City Council

From: General Manager, Parks, Forestry and Recreation

Wards: All

SUMMARY

On February 9, 2021, the Auditor General released a report entitled "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit", which was tabled at the Audit Committee meeting on February 16, 2021. This report was in response to City Council's request that the Auditor General report further to the Audit Committee on Parks, Forestry and Recreation Division's (PFR) review of work performed by tree maintenance vendors.

The Auditor General's report provided 18 recommendations for the consideration of City Council, that are aimed to strengthen PFR's oversight, monitoring and contract management related to tree maintenance services to ensure value for money for the City. In addition, the Audit Committee made 12 recommendations to City Council for consideration and provided three directions to PFR, in response to the Auditor General's report, which included the request for the General Manager, Parks, Forestry and Recreation to provide an update on the progress made with respect to the 60-day actions and report directly to the May 5 and 6, 2021 meeting of City Council.

PFR agrees with the assessment and recommendations of the "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit" report and has established a 30/60/90 Day Plan of Action to advance short and medium term deliverables related to the report's recommendations, which focus on three key objectives:

- Improve tree maintenance crew oversight;
- Enhance contract management measures; and
- Improve productivity and operational efficiency.

PFR had the opportunity to respond to the Auditor General's recommendations at the February 16, 2021 Audit Committee meeting through the delivery of a presentation

which focused on this 90-day work program and outlined the 13 actions PFR will take. Further, PFR provided a 30-day update at the City Council meeting of April 7/8.

The purpose of this report is to respond to the Audit Committee's direction on February 16, 2021, that PFR report directly to the May 5 and 6, 2021 meeting of City Council with a progress update on the 60-day Action Plan.

PFR will be subsequently reporting back on the following topics on the following dates:

- Update on the progress made with respect to the 90-day actions to May 31, 2021 Audit Committee; and
- Improved system to deal with parked cars that impede tree maintenance crews to May 31, 2021 Audit Committee.

RECOMMENDATIONS

The General Manager, Parks, Forestry and Recreation recommends that:

1. City Council receive this report for information.

FINANCIAL IMPACT

There are no financial impacts as a result of the recommendation in this report.

The financial impacts of the 30/60/90 Day Action Plans will be monitored. Any costs associated with implementing PFR's Action Plan will be accommodated within the 2021 Operating Budget for Parks, Forestry and Recreation.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the Financial Impact section.

DECISION HISTORY

At the April 7 and 8, 2021 City Council meeting, PFR presented its 30-day action update report, as directed by Audit Committee.

<https://www.toronto.ca/legdocs/mmis/2021/cc/bgrd/backgroundfile-165385.pdf>

At the February 16, 2021 Audit Committee meeting, the Auditor General tabled the report "Getting to the Root of the Issues: A Follow-Up to the 2019 Tree Maintenance Services Audit"

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.AU8.6>

On July 9 2020, the City Solicitor and General Manager, Parks, Forestry and Recreation reported to the Infrastructure and Environment Committee on PFR's review of work performed by tree maintenance vendors and provided related legal advice. A supplementary report was presented when the matter was considered by City Council on July 29, 2020.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE14.8>

On October 25, 2019, the Audit Committee considered an information report from the General Manager, Parks, Forestry and Recreation outlining the division's progress in responding to the May 2019 Council direction.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.AU4.14>

On May 14 and 15, 2019 City Council considered the Auditor General's audit, "Review of Urban Forestry - Ensuring Value for Money for Tree Maintenance Services", focused on tree planting and maintenance services.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.AU2.4>

COMMENTS

In response to and concurrent with the Auditor General's report, PFR has established and initiated a project framework approach for the implementation of this action plan with overall oversight being led by the Project Director of Business Transformation in the General Manager's office.

In addition, PFR has made a number of organizational refinements to improve the oversight of the operational and contract management aspects of tree maintenance, including but not limited to, the appointment of an interim Director of Forestry Operations. This role has been created to provide dedicated oversight on Forestry Operations, which includes contract management and compliance with existing and future tree maintenance vendors, the implementation of the Auditor General's current and future recommendations, as well as the achievement of PFR's 30-60-90 Day Plan of Action.

PFR is reporting back to Audit Committee and City Council on progress made with respect to the 13 actions over three reports - 30, 60 and 90 day increments. The 30-day action update report was tabled at City Council on April 7 and 8, 2021, which comprised of 8 actions and were all completed:

Action # 1: Conduct physical observation (surveillance) of all tree maintenance crews for an indefinite period of time and incorporate findings in review to determine compliance.

Action #2: Issue and enforce direction to vendors concerning expectations for conduct while working for the City of Toronto, including the verification that vendors fulfill their responsibilities for health and safety compliance.

Action #3: Investigate tree maintenance staff (vendor and City) in the 2021 Audit examples and undertake immediate and appropriate action.

Action #4: Increase the number and scope of reviews, which now includes using daily logs, GPS records, photo documentation and surveillance data.

Action #5: Implement a centralized call log and photo documentation for parked cars in real time to ensure evidence is provided concerning downtime at the work site. Crews will be expected to identify additional work that can be completed while waiting. Work with MLS and Toronto Police Service on additional actions to expedite the process.

Action #6: Provide immediate written notice that the City (PFR) will no longer pay for breaks, to ensure that payment for services is consistent with the express terms of the contract.

Action #7: Put tree maintenance vendors on notice of improvements in performance necessary for contract compliance including increased supervision by the vendors of their staff, and actions the City (PFR) will take if vendors fail to improve performance.

Action #8: Move final approval of invoices and contract compliance out of the Urban Forestry Branch and into PFR's Management Services Branch which provides an additional assurance of oversight.

The 60-day action plan, the focus of this report, is comprised of the following three actions:

Action # 9: Provide new signage on tree maintenance vehicles, specifically adding "Call 311 in case of complaints."

Action #10: Centralize all complaints for Urban Forestry into database and use data to inform where closer monitoring is required, including regular reporting and review with senior management.

Action #11: Minimize unproductive time through the improvement of parked car and hydro hold-off downtime, and idle time before returning to yards and actively monitor to ensure compliance.

In addition to the 30-day achievements, PFR has achieved the following progress over the first 60 days of its action plan:

PFR 60-Day Actions	Status Update
<p>Action 9. Provide new signage on tree maintenance vehicles, specifically adding "Call 311 in case of complaints."</p> <p>Objective: Improve tree maintenance crew oversight</p>	<p>Complete</p> <p>Beginning on March 8, 2021 vendors were provided with, and required to sign for receipt of, new vehicle signage identifying that the vehicle is on contract to the City of Toronto and to call 311 for more information. The new signage has been installed on all tree maintenance vendor vehicles under contract to the City of Toronto, with a 100% compliance rate. These signs are approximately 80% larger (20 inches by 16 inches) and meet the corporate vehicle signage standard. Attachment 2 provides an example of the new vehicle signs.</p> <p>Vendor vehicles currently have identification numbers. The requirement to have a unique vehicle identification number is included in the 2021 Arboricultural Services Contract.</p> <p>Process Improvements The new signage clearly identifies that tree maintenance vendor vehicles are under contract to the City of Toronto and 311 is prominently displayed on the signage for members of the public to call for more information.</p>
<p>Action 10. Centralize all complaints for Urban Forestry into database and use data to inform where closer monitoring is required, including regular reporting and review with senior management.</p> <p>Objective: Improve tree maintenance crew oversight; and Improve productivity and operational efficiency</p>	<p>Complete</p> <p>In Q1 of 2021 PFR established a new process to address complaints and contractor performance management through:</p> <ul style="list-style-type: none"> • Centralization of complaints management through the Forestry Operations database; • Additional direction to and training of staff; and • Enhanced oversight and accountability measures put in place. <p>Complaint management, investigation and escalation:</p> <ul style="list-style-type: none"> • In February of 2021 the Forestry Operations database was enhanced to ensure all complaints associated with tree maintenance crews are tracked and managed centrally.

	<ul style="list-style-type: none"> • On April 15, 2021 the General Manager, Parks, Forestry and Recreation directed all Urban Forestry Staff to report wrongdoing and suspected wrongdoing by staff and third party vendors immediately. • Staff were also directed to re-take the Toronto Public Service (TPS) Bylaw training module available through the Enterprise Learning System by May 3, 2021. • Through training and directives, staff have been instructed to escalate all complaints related to wrongdoing to the attention of the Auditor General's Office. • In addition, PFR's Management Services Branch, an administrative arm of PFR, is consulted and engaged to undertake investigations of wrongdoings, as necessary. • The Interim Director of Forestry Operations and Director of Management Services in PFR review complaint reports on a monthly basis to ensure appropriate follow-up and escalation and to hold staff accountable to ensure compliance with reporting requirements. • As of the end of Q1 2021, there were 12 complaints related to pruning practices, clean-up and minor damage caused during the course of tree maintenance. • Further, PFR and the Auditor General's Office, Director of Fraud and Waste are collaborating on an Urban Forestry-specific presentation, which is tentatively planned for June 2021. <p>In summary, the information that is collected through the consolidation of complaints is organized into monthly reports which is reviewed by the Interim Director of Forestry Operations and the Director of Management Services to identify trends related to contractor performance and contract management, followed by immediate action, as necessary. This information will also form the basis for reports on contractor performance which PFR was directed to advance to each regular Audit Committee meeting.</p> <p>Process Improvements Centralizing complaints and providing clear direction to staff with oversight of tree maintenance crews has informed where closer monitoring is required and permitted expeditious follow-up action as necessary.</p>
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	<p>Transparency related to wrongdoings, including but not limited to fraud and waste, has been enhanced through communication with the Auditor General's Office on these matters and the investigation process has been refined to include other areas of PFR to ensure that objective and accountable follow-up action is taken.</p> <p>PFR will continue to work with the Auditor General's Office on further improvements to complaints handling and how this information is used to support strong contract management and crew oversight. Further PFR will contribute to the City Manager's report in Q1 of 2022 with a consolidated summary and analysis for all 2021 forestry related complaints.</p>
<p>Action 11. Minimize unproductive time through the improvement of parked car and hydro hold-off downtime, and idle time before returning to yards and actively monitor to ensure compliance.</p> <p>Objective: Improve tree maintenance crew oversight; Enhance contract management measures; and Improve productivity and operational efficiency</p>	<p>Complete</p> <p>Parked cars: At the April 7 and 8, 2021 meeting of City Council, PFR provided an update on the 30-Day Action Plan which included the following information related to improving documentation and reducing unproductive time related to parked vehicles:</p> <p>PFR has implemented an integrative approach to provide improvements related to the issues of parked cars, including the provision of evidence, the efficiency in moving parked cars and to address crew productivity related to downtime.</p> <p>PFR has launched a centralized call log to document all instances where work cannot be completed due to the presence of legally parked vehicles. Tree maintenance crews are now required to submit photo evidence of the vehicles in question.</p> <p>An enhanced process has been developed and implemented in collaboration with Toronto Police Service parking enforcement officers. Officers are now being pre-booked to attend locations where parked cars may be an issue. Parked car issues have been more of an issue over the past year due to the COVID-19 pandemic and stay-at-home order, resulting in more cars on residential streets with more residents working from home. The enhanced process has enabled PFR to expedite the movement of parked cars, which has led to crews starting tree</p>

	<p>maintenance work more quickly, in these situations. When necessary, crews are being directed to undertake alternate work while they wait and, as needed, move on to other work locations, where they can begin work right away, and return to the original location once cars have been moved.</p> <p>In May 2021, PFR will report to Audit Committee with further updates and recommendations related to parked cars. Staff are tracking lost time related to parked cars.</p> <p>Hydro hold-off: On March 1, 2021, Hydro hold-off procedures were created and distributed to staff and vendors outlining the requirement to pre-book all hydro hold-offs, when feasible, and record all information related to the hold-offs on the Daily Work Activity Form. These procedures are intended to reduce wait-time related to hydro hold-off requests, particularly the morning hold-off requests, as mornings tend to be busy times for these requests to Toronto Hydro.</p> <p>Staff are tracking Hydro hold-off wait-time in each Forestry region to determine trends and more problematic situations. This information will form the basis for discussions with Toronto Hydro to identify where further improvements to productivity can be made.</p> <p>Further, where there is a delay related to hydro hold-offs, crews are directed to use the time to perform work activities that can be done concurrently with the wait time including the preparation and maintenance of equipment, completing paperwork, setting up the job site and begin other work when possible, and clearly documenting these activities on the daily work log. In the unlikely event of lengthy delays, crews are directed to other locations, where work can be performed right away.</p> <p>Process improvements Urban Forestry is continuing to monitor improvements and efficiencies related to minimizing downtime and crews are using the Hydro hold-off procedures to pre-book all hydro hold-offs when feasible and ensure that all information related to hold-offs is documented on the Daily Work Activity Form. The Towing Procedure Guidelines are being used to inform decision-making related to improving productivity when encountering parked vehicles impeding scheduled tree maintenance. Evidence is now being</p>
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	provided by tree maintenance crews that encounter parked vehicles interfering with the completion of work.
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Parks, Forestry and Recreation agrees with the Auditor General's recommendations from the 2021 audit on tree maintenance services and will continue to strengthen its performance and transformation to ensure continuous improvement of its staff, contract management, customer service and operational efficiency.

The actions taken in the 60-Day Plan of Action have provided immediate improvements on tree maintenance crew oversight, enhanced contract management measures and operational productivity and efficiency. PFR will continue the implementation of its 90-day action plan, in an effort to respond to Auditor General's recommendations and to continue to enhance Urban Forestry's operation and productivity.

PFR is underway with action on its 90-Day Plan of Action, and will bring forward an update on the progress made to the May 31, 2021 Audit Committee meeting.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Presentation from the General Manager, Parks, Forestry and Recreation at the February 16, 2021 Audit Committee meeting.

<https://www.toronto.ca/legdocs/mmis/2021/au/bgrd/backgroundfile-164241.pdf>

Attachment 2: Example of Vendor Vehicle Signs