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COUNTY OF LOS ANGELES


**Department of
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Weights and Measures**

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FROM: Kurt E. Floren 
Agricultural Commissioner
Director of Weights and Measures

SUBJECT: MANAGEMENT AUDIT ONE YEAR UPDATE

This Department has again reviewed the Management Audit report of March 15, 2004, and provides the following responses to the recommendations:

**Recommendation A-1: Increase rates charged by the Certified Farmers
Market program.**

The ACWM should adjust rates for this program to ensure full cost recovery. Rates can be adjusted by the Board of Supervisors.

ACWM - All rates are reviewed regularly. The current rate review and update is underway. The Overhead portion of the review has been completed. It is anticipated that Weed Abatement/Pest Management rates will be completed by March 31, 2005 followed by the Environmental Toxicology Laboratory rates (information currently being gathered and tracked at the Lab). Certified Farmers Market rates will follow. It is expected that all Departmental rates will be reviewed and updated by June 30, 2005.

Recommendation A-2: Consider eliminating Pest Detection services.

Should the State fail to provide additional funding to the Pest Detection program once the details of AB185 are implemented the County should terminate this program and turn over management to the State.

ACWM - We successfully negotiated a legislative solution with the AFSCME local union and the author of AB 1896 to resolve this issue. The bill establishes a timetable for our Aids to become permanent and the Governor's proposed budget provides the ongoing funding required. The new costs will be borne by the CDFA Pest Detection contract and there will be no increase in County General Fund costs.

Recommendation A-3: Increase rates charged for Pest Management services and perform better P&L management of the program

The ACWM should implement a minor rate increase in this program to ensure full cost recovery. In addition, program management should prepare quarterly profit and loss statements for the program broken down by class of business (e.g., residential, Caltrans, other County, etc.) to identify financial problems in a timely fashion.

ACWM - These rates are among those regularly reviewed and revised. (See A-1) The division has a small residual NCC to conduct animal damage control in unincorporated areas. Specifically, coyotes and other predators are removed when residents are threatened. Program management is developing quarterly profit and loss statements, but currently manages program cost recovery by reviewing labor hours to assure that costs are recoverable against the contracts. A new Inspector III position has been added to improve field supervision of projects and to reduce non-productive travel time through reduced size of work areas, which improves recoverable hours.

Recommendation A-4: Consider eliminating the metrology Lab.

The ACWM is currently seeking a certified metrologist to manage the lab. In the meantime the lab is not certified to perform many tests. The lack of certification has resulted in many of the lab's private sector, fee-paying customers going elsewhere. After a reasonable period of time after the lab regains certification, should this fee-paying business not return, the County should consider eliminating the lab. Other alternatives exist for certifying standards including the State metrology lab or private-sector labs.

ACWM - We posted a job announcement but, in nearly a year, have received resumes from no qualified applicants. CDFA, Division of Measurement Standards had similar problems filling its metrologist position. We are reviewing class specifications and the compensation level to attract a greater array of applicants. We agree that the Metrology Lab should operate at a full cost recovery level.

As a point of interest, in 1984 (Ord 84-0063) the Board of Supervisors recognized the need for a metrology laboratory to support private industry operating in the Los Angeles metropolitan area. ACWM was directed to establish, as an additional duty (County Code Sec 2.40.040), a metrology lab that would operate on a cost recovery basis. With increased international trade and related expectations among business partnerships for International Organization for Standardization certifications (e.g.: ISO 9000), industry's need for calibration of their standards for precision measurement has increased during the last twenty years. As the largest Weights and Measures jurisdiction in California possessing the largest inventory of field standards, ACWM has a distinct interest in having a ready source of localized service for calibration, certification, and verification of our standards. Provided that we can meet the requirement to recover our costs, the department sees great value in maintaining the metrology laboratory.

Recommendation A-5: Analyze and modify rates for the Toxicology lab; Consider merging the Toxicology Lab with the Public Health Laboratory operated by DHS.

Toxicology lab rates should be analyzed by a laboratory management specialist. Should the lab continue to fail to achieve full cost recovery the ACWM should implement a modern cost accounting and billing system and measure cost recovery by type of test. The ACWM should then reduce the scope of the lab by eliminating low-cost-recovery tests and eliminating redundant testing equipment. The County should also consider merging the toxicology lab with the Public Health Laboratory (PHL) operated by the Department of Health Services. The County may realize scale economies in administration, equipment utilization and acquisition, materials purchasing, and staffing by merging the two laboratories. A window of opportunity in this regard will exist while the PHL is relocating to new facilities in Downey.

ACWM - We concur with the recommendation. The rates have been temporarily updated by using new cost figures as an interim measure pending re-evaluation utilizing more recent time values and cost data based on utilization of new equipment and application of revised analysis procedures. A new tracking system is in place to capture time, equipment and S&S costs to provide rates that fully recover our costs.

The Director of our Environmental Toxicology Laboratory met with representatives of the Sheriff, OEM and DHS to explore the possibility of performing the proposed lab functions in our facility. They all agreed that the functions of the two labs were sufficiently diverse to preclude their being combined at this time.

Recommendation B-1: Request a waiver to change the County job specifications for the Agricultural/Weights & Measures Inspector series.

The ACWM should request a waiver from the Secretary of Food and Agriculture to modify the education requirement of the County job specifications for the Agricultural/Weights & Measures Inspector series to recognize degrees consistent with the needs of the Weights & Measures programs such as law enforcement, engineering or other sciences.

We acknowledge that State law requires Agricultural/Weights & Measures Inspectors to have certain eligibility certifications to work in agricultural inspection programs. We recommend that a complementary skills database be maintained identifying the certifications and educational background of all Agricultural/Weights & Measures Inspectors to ensure that inspectors assigned to agricultural programs have the requisite background and skills. The same should be done for weights and measures. Retaining one job series agency-wide will facilitate the rotation of personnel among programs without the need to reclassify staff. By broadening the educational requirements the ACWM can also broaden their recruiting efforts to include individuals more predisposed to thrive in the Weights and Measures program.

ACWM -We continue to guide Inspectors' migration to the single merged class. We rotate Inspector assignments through the variety of departmental programs to enhance their knowledge and experience and to increase their versatility within the department. Presently, only 11 of 112 inspectors remain in "old" item positions following two promotions in the past six months to "combined" positions under the new classification and two retirements of inspectors on old items.

We continue to participate in statewide discussions among other counties and State agencies to consider a revision of the related statutes and regulations. There exists both considerable support and significant resistance to broadening the degree and experience requirements to be more inclusive and flexible. There has been agreement by the California Agricultural Commissioners and Sealers Association to combine the Commissioner and the Sealer exams into a single exam. Discussions on whether to do the same for the Deputy level are ongoing. The California Department of Food and Agriculture has proposed to study the list of eligible degrees with the intent to add additional qualifying disciplines.

Recommendation B-2: Build up the manager pool within the Weights & Measures Bureau.

The ACWM should aggressively identify and prepare Agricultural/Weights & Measures Inspector II and III level staff for supervisorial and manager level positions in the W&M Bureau. As much as possible, these individuals should stay within the Bureau and not rotate out to other parts of the agency. As these individuals mature as supervisors (e.g., Ag/W&M Inspector III positions) they should be promoted into Division Deputy positions. Existing supervisors and managers should be rotated out as needed to provide promotion opportunities.

Furthermore, top ACWM managers should establish more of a physical presence at the Southgate facility by spending one or two days a week meeting with W&M managers and staff. An even more aggressive strategy would be to acquire more space in the Arcadia HQ building and/or adjacent buildings and relocate the W&M bureau to Arcadia.

ACWM - We agree and are confident that we are aggressively preparing our managers to function in both Agricultural and W&M programs. Time is necessary to accomplish this task and we feel that we are making progress. During the past year, we have had two inspectors return to W&M from other assignments and one returned from an extended injury related absence. Two are Inspectors III and the other was promoted to Deputy.

Recommendation B-3: Change the name of the Weights & Measures Bureau.

The ACWM should change the name of the Bureau to the Commercial Integrity Bureau so that the name better reflects the mission of the Bureau and provides a greater focus for staff.

ACWM - While we agree that “Weights and Measures” is often an esoteric name, as is “Agricultural Commissioner,” the term has national acceptance and recognition throughout the regulated industry. This is evidenced in the titles “Weights and Measures Division” of the National Institute of Standards and Technologies, the “National Conference on Weights and Measures,” and the “Western Weights and Measures Association” comprised of Weights and Measures officials from 13 western states. We understand the need to try to reflect the functional mission in the name, but have yet to find a better fit. The County already has in place the Department of Consumer Affairs, eliminating that option, and such a title invites expectations that the division can address issues extending well beyond the parameters of Weights and Measures duties and responsibilities. We will continue to look for and consider alternatives.

Recommendation B-4: Train younger W&M staff on the use of heavy testing equipment.
The ACWM should systematically train selected younger staff on the use of the more complicated, heavy or cumbersome testing equipment such as industrial flow meter testing equipment. This will ensure that the agency has continuity in these capabilities as older inspectors retire or otherwise depart the agency.

ACWM - We agree and believe that we have and are continuing to take steps to address this issue. As reported previously, two of the last three W&M Inspectors I were promoted to W&M Inspectors II specifically to meet the requirements of and to fill these heavy test equipment jobs. We have also had two of the Ag/W&M Inspectors request the heavy capacity driving assignments and qualify by acquiring the appropriate licenses. We retain the option of hiring to fill our W&M driving positions with positions that currently exist in the County Job Classification series and assign an Inspector with that driver to separate the needed skills.

Recommendation B-5: Perform reinspections within 30 days.
The Devices Division should make sure that all reinspections are performed within the standard 30 days. Division management should inspect the reinspection bin regularly to ensure that repair orders are followed up on.

ACWM - We agree. All new installations of meters or scales and all repairs have been assigned first inspection priority over routine inspections. It is through examining these recently adjusted devices that we can better monitor and regulate the accuracy and workmanship of the technicians and service agencies. We are also automating a prompting system to assist the program supervisors in assigning reinspection work to inspectors. Our automated field inspection data collection system will help us to fully implement this function. This is a PDA based computer database that records essential information. Scanner inspection PDAs are now in service and the Device inspections will follow as time and funding allow. Most likely, the Device inspection phase will be in field use during 2005.

Recommendation B-6: Conduct more undercover inspections.

The Devices Division should consider augmenting their traditional uniformed inspector protocol with more undercover inspections. Scale and meter inspections may have to be conducted in a manner more similar to the BPI program where inspectors do undercover test purchases. Inspectors could actually do both types of inspections on the same call: doing a test purchase (e.g., test a meat or deli purchase or a gasoline purchase undercover) and then test the devices as a “uniformed” inspector by revealing their identity to the operator.

The Division should also consider performing more undercover inspections of gasoline pumps. The Division does have some vehicles outfitted for this purpose; this type of inspection should be used more often to supplement the regular gas pump inspection.

ACWM - We agree that covert test purchases can be a very effective means to detect and deter both fraud and negligence in the proper maintenance of scales and meters. We have two full time inspectors devoted to this activity now and one of our returning Inspectors III has a wealth of experience that he will use to train new inspectors. It must be noted that statutory requirements regarding device inspection frequencies present limitations to the level of flexibility in utilizing staff to conduct covert inspections. A further consideration is that an undercover purchase tests only the performance of a single employee or a single scale or gas pump at businesses that may have numerous employees and devices. ACWM has and will continue, though, to increase such undercover tests.

Recommendation B-7: Test farmers market scales.

Inspectors from the PEPQ Bureau should be outfitted with scale testing kits and receive the requisite training in order to test scales used by market vendors.

ACWM - As we cross train our inspectors, this may be more implementable. However, it does not result in significant savings due to the need to equip each inspector with a \$500 case of weight standards and to provide significant training in proper testing procedures. Toward the goal of cross-utilization, ACWM has PEPQ inspectors verify that all scales at Certified Farmers' Markets are registered and sealed by the counties from which the sellers come. They report the need for further inspection and enforcement to our scale division, aiding to focus Device Division resources where needed.

Recommendation B-8: Hire more Scanner inspectors.

The Scanner Program should hire an additional 4 inspectors to ensure that all locations are inspected within 12 months. At the current productivity rate, this will increase the number of monthly inspections to the 650 that are needed to keep inspections up to date. The Scanners program has sufficient net revenues to accommodate these additional inspectors.

ACWM - This has been done. We have 17 inspectors in the Scanner Program now.

Recommendation B-9: Prosecute retailers demonstrating systemic scanner overcharges.

The District Attorney should add, and the ACWM should fund from program revenues, a Deputy District Attorney position dedicated to prosecuting scanner overcharges. This new position would prosecute retailers that demonstrate systemic violations of the County scanner ordinance. This systemic behavior should be apparent from the violations database maintained by the ACWM and reported on the agency website. Although the District Attorney has prosecuted these cases in the past, the new inspection program is generating more comprehensive data for assessing the behavior of the retail industry in the County. The District Attorney should work closely with the ACWM in identifying violation patterns that may indicate a prosecutable offense. The current database lists three or four retail chains with a large number of violations that should be assessed for possible prosecution.

ACWM - The goal is to improve prosecution by the various appropriate means available to improve compliance with W&M laws. We have several cases that we are currently presenting to the District Attorney for consideration to file civil prosecution. ACWM management is scheduling a meeting with the Consumer Protection Bureau of the DA's office at which time we will discuss the potentials of the recommendations. It is noteworthy that recent changes to Business and Professions Code Section 17204 (Unfair Business Practices law) brought about by Prop 64 (2004) have directed all civil penalties for such violations to the exclusive use of State and local prosecutors' offices for enforcement of consumer protection laws. ACWM will encourage the DA to consider this added revenue in providing or establishing staff positions to address cases presented by ACWM regarding scanner overcharges.

Recommendation B-10: Work with the National Conference on Weights & Measures (NCWM), the Federal Trade Commission (FTC) and other organizations on RFID safeguards.

The ACWM should become familiar with the development of Radio Frequency Identification (RFID) technology and use its influence to guide development of procedures and protocols so that RFID can be implemented with reasonable and effective safeguards to prevent consumer fraud.

ACWM - Radio Frequency checkout is still in the development and testing phase. It has consistently been the practice of W&M to adapt to changing methods and technology to assure that the consumer and honest retailers are protected. ACWM has routinely participated in the activities and model law/regulation development of the National Conference on Weights and Measures and will continue to do so.

Recommendation B-11: Perform routine inspections in the vicinity of complaints.

Even though complaints have to take first priority for any ACWM program the ACWM should conduct routine inspections that are in the vicinity of sources of complaint. This should be emphasized in the BPI program where routine inspections far so far behind schedule.

ACWM - This is standard practice in all programs unless the area has just undergone routine inspection. In such cases, we will choose the nearest locations where our time can have greatest effect.

Recommendation C-1: Do spot audits.

ACWM managers should conduct periodic audits of parcel worksheets. In those cases where inspection data is incomplete or otherwise suspect, managers should do on-site inspections to ensure that inspections are being performed as required.

ACWM - We agree with this recommendation. Spot audits consisting of ten, randomly selected parcels per zone were conducted following the October 15, 2004 target completion date for clearing operations. The audits confirmed a sound program, but did result in at least one policy change and revealed a weak area in one of the weed abatement zones. Annual spot audits have been incorporated into the Division's standard operating procedures.

Recommendation C-3: Complete implementation of GIS for recording declared parcels.

The ACWM should complete the implementation of GIS for weed abatement and then integrate the system with the KIVA System (see below). This will allow the unit to fully automate back office functions and provide a platform for automating the field inspection function through the use of hand-held computer devices. Estimated cost: \$100,000 to 200,000.

ACWM - We agree. One of the eight Weed Abatement zones has completely implemented GIS for recording declared parcels. Full implementation for the other seven zones is moving forward, although acquisition of hardware and training is proving expensive and problematic. We will continue to pursue this technology with the County's GIS/GPS Task Force.

Recommendation C-4: the ACWM should investigate the KIVA system for the weed hazard program.

The ACWM should contact the County CIO, the Department of Public Works and Accela to evaluate the possibility of adapting the KIVA system for use in the weed hazard program. The system would have to be modified so that it is linked to the County Assessor and T&TC so that parcel owners can continue to be billed as part of the property tax system. The system would be able to replace the current system of parcel worksheets, hazard complaints, inspection history and clearance time and materials used. The KIVA system should also be able to link to the County GIS. The ACWM should purchase and deploy hand-held computers to collect and

manage data in the field. Accela has successfully adapted the KIVA system for use on hand-held computers. Estimated cost: \$200,000 to 300,000.

ACWM - The Accela/KIVA products show promise. The most important issue for ACWM is the ability to seamlessly exchange hazard and property information with the Fire Department. The FD has stated that they will develop a program for their improved property clearance program. We will continue to meet with them to guide our development of a similar program. We are meeting with Regional Planning to review the progress of their KIVA inspection program as they are the first County department to implement the program in the field. We understand that Regional Planning's system is currently in field trial use and still has a few functions that require repairs and adjustments to enable full functionality.

Recommendation C-5: The ACWM should purchase Global Positioning Satellite (GPS) devices to aid in finding parcel boundaries.

These devices communicate with a satellite and report the exact coordinates of where the device is and, therefore, where the inspector is standing. This data can then be tracked on a map, ideally a map generated from a GIS, to accurately identify parcel coordinates while out in the field. Estimated cost: \$20,000 to 50,000.

ACWM – ACWM has purchased five GPS receivers, two hand-held computers, a laptop and software, all of which are in field use. Additional purchases and expanded use of these devices is planned.

Recommendation C-6: Augment funding to clear more hazardous County-owned parcels and parcels in tax default status

The County should provide more funding for clearance of hazardous parcels for which there is no other funding source. These parcels should include those owned by the County or those in tax default status.

ACWM - Funding from the CAO's Extraordinary Maintenance budget, used to pay for weed/brush clearance on certain County-owned parcels, was increased from \$100,000 to \$150,000 this fiscal year.

Recommendation C-7: For selected parcels, broker land transfers

In addition to funding clearance operations on hazardous parcels (see Recommendation C-6), the ACWM should selectively broker transactions whereby owners of improved parcels would acquire adjacent unimproved parcels that pose a particularly dangerous hazard. This would include identifying those parcels, contacting adjacent property owners, splitting up the unimproved parcels and conveying them to the adjacent owners. In most cases, the unimproved parcels would have little or no value so the transactions could be brokered for little cost to the property owners. This would alleviate the County of the burden of carrying defaulted properties

on the tax roll and provide property owners the opportunity to clear brush on land adjacent to their homes or structures.

ACWM - We have begun to survey these parcels and will work closely with the Board Deputies to address each parcel individually. This recommendation has been incorporated into a FY 05/06 MAPP goal by the Department Head, Chief Deputy and Deputy. We propose a relatively simple and straightforward mechanism to broker the transfer of parcels that are severely tax-defaulted to adjacent owners. This involves submitting a list of potential parcels to the Los Angeles County Treasurer and Tax Collector who, then, will hold a special auction ("C" auction) open only to adjacent property owners. An adjacent owner can buy the vacant parcel at low cost. Once purchased, many of the liens on the parcel could potentially be waved. We have submitted a list of over 50 parcels for the next "C" auction, tentatively scheduled for August 2006.

Recommendation C-8: Declare lots twice a year instead of just once.

The Board of Supervisors should declare lots twice during the year, once during January and once during June. This will allow newly created, unimproved parcels to be declared before the inspection season ends so that inspection fees can be levied.

ACWM - We agree. This was conducted initially in August 2004 and now is part of the Weed Abatement Division's standard operating procedures. The next one is planned for early June 2005 to promote the clearance of these parcels during July and August.

Recommendation D1: Consider policy options for Pest Detection.

Prior to July 1, 2004, the ACWM, in conjunction with the Chief Administrative Officer, will have to consider the policy options for the program:

1. Negotiate a more favorable funding option with AFSCME and lobby for an amendment to the legislation.
2. Provide General Fund transfers to ACWM to pay for additional pay and benefits potentially totaling \$1.1 million.
3. Allow the current Pest Detection agreement with the State to lapse and discontinue operating the program at the County.

ACWM - This has been completely resolved through regular meetings with AFSCME Local 830 and with the author of AB 1896. This bill established a timetable for our Inspector Aids to transition from temporary to permanent positions. CDFG has committed to fund the increase costs through the Pest Detection contract. The Governor has provided funding in his budget proposal to the Legislature this year and there appears to be bi-partisan support for it.

Recommendation D2: Consider policy options for RIFA Eradication.

The ACWM, in conjunction with the Chief Administrative Officer, should consider the following policy options for RIFA eradication:

1. Provide funding from the County General Fund to continue the RIFA program at 2002/03 levels (e.g., \$1.1 million).
2. Provide funding at a lesser level.
3. Allow the program to sunset. Consider options for resurrecting the program at a future date.

ACWM - We proposed to re-establish a locally-funded program in our 2005-06 Target and Official Budgets. We are working with the Board of Supervisors to present to the public a property tax assessment option patterned after the Orange County Vector Control initiative. The Orange County Vector Control District successfully presented a mailer referendum which assesses a maximum \$5.25 per-property annual fee to support the continued eradication of RIFA. The projected assessment in LA County would be less than \$2 per property.

Recommendation D-4: Conduct more undercover investigations.

The ACWM should use unmarked vehicles to conduct inspections to avoid tipping off fumigation crews to their presence. This will allow inspectors to more effectively identify problem operators and take corrective action.

ACWM - Our Structural Pesticide Use Enforcement undercover investigation program continues to detect fumigation companies' failures to comply with applicable laws and regulations. We have had several meetings with the Structural Pest Control Industry Fume Committee and have provided to them our results. We have shown the individual companies videotapes of their crews committing violations. As a result, members of the industry have resolved to take action to improve compliance. The fumigant manufacturer has suspended several companies from using their product as a disciplinary action. We have prosecuted several of the violations through our Civil Administrative process. Last year, the maximum penalty was raised to \$5000, which may be applicable to companies that repeatedly commit violations.

We budgeted (FY 2005-06 Official Budget) to acquire additional undercover vehicles and surveillance equipment to make our covert operations more undetectable. We believe these measures will improve compliance within LA County. This information is being shared with our neighboring counties and agencies that regulate the structural fumigation industry.

Recommendation E-1: Implement hand-held computers for all programs.

The ACWM should procure and roll out hand-held computers for use by field inspectors. The programming for these devices would depend on the specific software used in each program. Recommendations for this software are covered elsewhere in this section but here are some general principles to keep in mind.

Hand-held computers have small screens that are designed for displaying or entering smaller amounts of information at a time than what is possible with larger notebook or desktop PCs.

Rather than trying to replicate the look and feel of a notebook or desktop computer, IT staff should design hand-held computers to capture small bits of information at a time. For example, two or three fields of information should be captured at a time rather than everything at once. For example, some of the existing forms in the ACWM are very dense and contain lots of boxes for recording information. A hand-held computer would only present a few portions of the data entry at a time, and then only what is required for the inspection.

Hand-held computers can be optimized by using MS-Windows features such as pull-down menus for things like code sections, violation codes, merchandise category or insect species, etc. The inspector just clicks on the menu item desired and the data fills in the blank field on the form. Using a standard interface such as MS-Windows makes it easier to program the devices. It is also easier for inspectors to use since the look and feel of the screens are similar from program to program. This is key given the need to rotate staff across programs at the ACWM.

Many hand-held computer devices are installed with small printers that print receipt sized documents. Although the size of this output is limited it is much more convenient to use than having a separate, letter-size printer. Having a separate, letter-size printer requires carrying more equipment around on field inspections and increases the potential for equipment breakdowns and other hassles. As much as possible, the ACWM should rely on the receipt-sized printer. With some adaptation, this printer can provide the same functionality as a full-size printer. The ACWM should implement hand-held computers in phases. Phase one should include these programs:

1. Weed abatement. As discussed in Section C, the County is implementing the KIVA system for land-based regulatory programs in the County. We recommend that the KIVA system be evaluated for its fit with the requirements of the weed abatement program. The KIVA system has been successfully adapted for use on hand-held computers. The ACWM should explore this use if the KIVA system proves adaptable to weed abatement.
2. Weights and Measures. Given the broad IT development needs and the number of inspections performed in this bureau, it should be a priority not only for redesigned workload management but also implementation of hand-held computers.
3. Pesticide Use Regulation. This program is much smaller than the combined Weights and Measures area but has a similarly paper-dependent process.

Estimated cost: \$100,000 to 200,000.

ACWM - We agree with the recommendation and our established MAPP goals produced significant progress. We reviewed several hardware and software options. The Scanner field data collection is now in field use and is performing well. Registration, inspection and prosecution information is being gathered and handling has improved. This program will be modified and expanded in the Scale, Meter and Package Inspection programs.

A vendor has been identified and bids are pending for the Pesticide Regulation software. Tablet PCs have been purchased and are ready for field use. One prospective bidder has provided a field trial version of the software, which has been developed through working with our inspectors and peer departments of other counties.

The same software bidder has developed a copy of the Weed Abatement Job Report, which, like the Pesticide Inspection application, mimics the form currently used. This approach serves to decrease needed training time since the members of field staff are essentially completing an electronic version of the paper form they currently use.

ACWM will continue to pursue development of this automation throughout the department.

Recommendation E-2: Install high-speed data connections in field offices.

Installing high-speed connections in the field offices would facilitate the use of hand-held computers since data from these devices would need to be uploaded to the Department server when the inspector reported in. This connection could be a secure connection or a commonly available DSL or cable modem.

ACWM - This has been established as a MAPP and BAP goal for this fiscal year.

Recommendation E-3: Consolidate the W&M databases.

The W&M Bureau should consolidate all W&M program databases using the existing scanners database as a platform. This will accomplish:

1. The modernization of the Devices and BPI workload management systems,
2. A better overall record of the performance of each regulated business,
3. Easier rotation of inspectors among W&M programs.

In addition, the programs should implement hand-held computer devices to automate the field data collection process.

It should be mentioned that the KIVA system marketed by the Accela Corporation (described in Section C under weed abatement) could potentially be adapted for use in a weights & measures environment although it has not actually been implemented for this application anywhere. A KIVA-based workload management system would have significant advantages such as a proven platform, a hand-held computer feature, and consistency with inspection programs in other County agencies. However, until the Accela Corporation has successfully adapted the system for this specific program area the agency should regard this application with caution.

Estimated cost: \$50,000 to 100,000.

ACWM – Please see E-1.

Recommendation E-4: Continue to reengineer existing pesticide use databases in Access.

The ACWM should continue to redesign the existing dBase-powered databases using MS-Access. As with the other ACWM programs the agency should also migrate to hand-held computer devices for this program.

ACWM – Please see E-1.

Recommendation E-5: Evaluate NOI/1053 reporting.

The ACWM should carefully evaluate the costs and benefits of adopting the NOI/1053 reporting system being developed in San Diego County. The ACWM should also seek other, more reliable methods for capturing this data. The ACWM website already has a NOI reporting feature. The website should be enhanced to handle 1053 reporting as well. These methods can facilitate the digitizing of fumigation operator data without the hassle and cost of scanning and ICR.

ACWM - Optical Character Recognition programs have yet to overcome a significant rate of errors, which requires that staff proofread all records entered. The online use of spreadsheets greatly facilitates the sorting and use of the information in the field. We have a spreadsheet available on our website and an email portal available to receive the data. Unfortunately, few companies utilize it. The problem appears to be providing sufficient incentives for more companies to break old habits and enter their pesticide use notices online. We will continue to explore all options.

Recommendation E-6: Coordinate an agency-wide GIS implementation.

The ACWM should adopt a coordinated GIS strategy as part of the annual Business Automation Planning cycle. An executive sponsor should spearhead the effort and lend credibility to the idea of agency-wide GIS planning. Requirements should be solicited from all divisions and incorporated into the planning. This coordinated strategy should address the potential for GIS in:

1. Pest detection – tracking pest infestations and trap locations,
2. Pest management and Pesticide regulation – tracking the location of noxious weed and locations of environmentally sensitive areas to avoid spraying of herbicides nearby, and
3. All programs – highlighting the location of out-of-date inspections (W&M, Pesticide operators, declared lots, certified farmers markets, nurseries).

ACWM - We have begun to develop field use for this technology (Please see C-3, C-4 and C-5). Core difficulties in full implementation include the cost of hardware, software and training. These programs are very powerful and highly complex. Consequently, qualified staff necessary to develop the applications is very expensive and the training of field workers in the use of highly sophisticated programs is problematic. We are working with other County departments that are the pilots for Accela/KIVA implementation to explore their application in our programs.

Recommendation E-7: Investigate doing annual or biennial cross match.

The ACWM should investigate the potential for doing annual or biennial cross matching of their databases with the T&TC database or possibly a database containing business telephone directory listings (e.g., DEX).

ACWM - We will investigate this with T&TC.

Recommendation E-8: Augment website as applications become feasible.

The ACWM should consider additional website features such as on-line registration for businesses using scanners and/or scales/meters/gas pumps.

ACWM - We continue to improve our website and have requested a Public Information Officer position in our FY 2005-06 Target and Official Budgets to assist our line managers in the presentation of information on all media including our website. An employee of ACWM's Weed Hazard and Pest Management Bureau has attended Internet construction classes at a local school. As a result, plans have been developed to expand the interactive use of the Weed Abatement Division webpage and will be implemented as time permits. Additionally, ACWM has developed three new Web database applications, including:

- Web database simplifying lookup of retail stores convicted of overcharging
- Enabling of Human Resources to update its own Job Opportunities pages
- Enabling of Bureau managers to develop and update their respective FAQ pages.

The greatest hurdle to accepting on-line registrations is the need to collect fees. The CIO, CAO, Auditor Controller and TTC are working on solutions which use debit or credit cards. We are anxious to adopt their recommendations when available.

Recommendation E-9: Issue cellphones and adopt the County policy regarding reimbursement.

To improve field communications the ACWM should issue County-purchased cellphones to employees that work predominantly in the field. Reimbursement should align with the established County policy.

ACWM - The issues raised in the previous response remain. We are obligated to support the CWIRS radios for our participation in Emergency Preparedness. Additional costs and audit requirements are presented if we issue and utilize cell phones with no offsetting revenues. We have raised the CWIRS issue with the Strategic Planning Team and the Guiding Coalition group who have established a goal to address these issues. We will adopt, in turn, any system that the County chooses to replace the CWIRS radio system.

Recommendation F-1: Implement a concise set of program indicators.

The ACWM should consider implementing the following set of measures. The measures are organized by program area and include a discussion of each program's mission and the nexus with the actual measures.

ACWM – Most measures have been put in place. ACWM has been designated as a pilot department in Performance Counts! Phase II. We continue to review and refine our measures.

Recommendation G-1: Follow a more systematic approach to IT investment.

The ACWM should adopt a more rigorous, systematic approach to IT investment. The BAP should be prepared on an annual basis prior to the annual budget development cycle. The BAP should be prioritized to emphasize projects that match up with strategic goals or mitigate more serious operational risks. The modernization of the W&M workload management system should be at the top of that list. The BAP should be reviewed and signed off by all the Bureau Chiefs and then used to develop specific budget requests.

ACWM – These recommendations were addressed in ACWM's previous response in July 2004. Prioritized listings of IT purchases continue to be prepared annually. The process enables the department to utilize budget surpluses effectively and efficiently. The current strategy continues to meet our needs.

COMMENDATION / SUMMARY

The ACWM wishes to thank the staff members of the Auditor Controller and their subcontractor Strategica for their review of the management of our department. This has been a productive and useful exercise, providing an opportunity for us to closely examine our management processes and discuss them with professional consultants. The analyses provided by Strategica were comprehensive and its recommendations were clearly presented with the intent to aid the department in improving the efficiency and effectiveness of our service and regulatory programs, information management, customer interactions, and fiscal stability.

We believe that, generally, we have either fulfilled the recommendations or have considered and included them in long range plans to be completed as funding, time, and other resources permit. Only a few areas exist in which we prefer alternative solutions to meet equivalent goals.

Specifically, the first alternative regards the recommendation to seek a waiver of educational requirements for the Agricultural/Weights and Measures Inspector series. We believe that the merger of the inspector classes has been a very positive change that will continue to enhance the versatility and advancement opportunities of our professional staff for their own benefit and that of the department. Nearly all inspectors have merged to the new classification. We continue to work with our partners from the State and other counties to further the process of reviewing the

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statewide education and experience requirements and to adapt our employee selection criteria to changes in the work we do.

A second alternative approach regards the recommendation to fund a Deputy District Attorney position within the D.A.'s office to prosecute repeat offenders that have failed to respond to penalties levied with improved price accuracy compliance. We believe Strategica's comments were aimed at correcting the lack of additional prosecution. We are confident that recent changes in applicable laws and renewed efforts to work cooperatively with the DA's office will achieve the desired result without the need to fund an additional position in their office.

The ACWM appreciates the work of the audit team and looks forward to benefits achieved from the responsive measures that we have taken and intend to incorporate into our processes.

c: Board Deputies
David E. Janssen, CAO