

DECEMBER 2018

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

AUDIT AND PROGRAM REVIEW SECTION
2019 ANNUAL PLAN

APPROVED BY THE INSPECTOR GENERAL DECEMBER 28, 2018



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ACRONYMS

2FM	Department of Fleet and Facility Management
APR	Audit and Program Review Section of the Office of Inspector General
BACP	Department of Business Affairs and Consumer Protection
BEPD	Business Enterprises owned by People with Disabilities
CBOEC	Chicago Board of Election Commissioners
CDA	Chicago Department of Aviation
CDOT	Chicago Department of Transportation
CDPH	Chicago Department of Public Health
CFD	Chicago Fire Department
CIP	Capital Improvement Plan
COPA	Civilian Office of Police Accountability
CPD	Chicago Police Department
CPL	Chicago Public Library
DBE	Disadvantaged Business Enterprise
DFSS	Department of Family and Support Services
DHR	Department of Human Resources
DOB	Department of Buildings
DOF	Department of Finance
DPD	Department of Planning and Development
DSS	Department of Streets and Sanitation
DWM	Department of Water Management
GAS	Government Auditing Standards
LAO	Language Access Ordinance
MCC	Municipal Code of Chicago
OBM	Office of Budget and Management
OEMC	Office of Emergency Management and Communications
OIG	Office of Inspector General
ONA	Mayor's Office of New Americans
PBC	Public Building Commission
TIF	Tax Increment Financing

I. MISSION

The City of Chicago Office of Inspector General (OIG) is an independent, nonpartisan oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operation of City government.

The OIG Audit and Program Review (APR) section supports the OIG mission by conducting independent, objective analysis and evaluation of municipal programs and operations, issuing public reports, and making recommendations to strengthen and improve the delivery of public services.

APR conducts performance audits of Chicago municipal programs and operations in accordance with generally accepted Government Auditing Standards (GAS or “Yellow Book,” December 2011 revision) established by the United States Government Accountability Office. GAS defines “performance audits” as “audits that provide findings or conclusions based on an evaluation of sufficient, appropriate evidence against criteria” (GAS 2.10). In addition to performance audits, APR may also generate non-audit work such as advisories, notifications, and descriptions of programs.¹

APR’s role is separate from, but complements, the work performed by the OIG Investigations and Public Safety (police oversight) sections. Investigations primarily examines allegations of individual misconduct or wrongdoing, and Public Safety focuses on the Police Department, COPA, and the Police Board, endeavoring to promote public safety, protect civil liberties and civil rights, and ensure the accountability of the police force. APR undertakes projects designed to help the City maximize the effectiveness and efficiency of programs and processes. APR is also distinct from the OIG Hiring Oversight team, which performs legally mandated reviews of the City’s hiring and employment practices to ensure compliance with the City’s various hiring Plans.

¹ OIG advisories and department notifications describe management problems observed by OIG through direct review or in the course of other activities.

II. PURPOSE OF THE ANNUAL PLAN

The purpose of the APR Annual Plan is to identify potential projects for the upcoming fiscal year. Projects are selected based on OIG's prioritization criteria, which we describe below.

A. SUBJECT TO CHANGE

The Annual Plan is a guiding document that is subject to change; it does not prohibit APR from setting new priorities or initiating different projects over the course of the year. Circumstances that arise during the year may prompt OIG to undertake new, higher priority projects or reduce the priority of a planned project. Some topics on the Annual Plan may be deferred to following years. In addition, a project on the Annual Plan that originally begins as an audit may instead be completed as an OIG advisory, department notification, or other non-audit report, or terminated if OIG determines that further work will not bring substantial benefit to the City or is not cost effective for OIG.

B. DEPARTMENTAL ACTION

OIG encourages City departments to proactively assess any program included on the Plan and alert OIG to any corrective action taken in advance of and/or during an APR performance audit. Such action will not necessarily deter APR from auditing the program, but the audit will assess and report on any proactive and promptly reactive measures the department has taken.

C. PROCESS

The Annual Plan is drafted in consultation with the Inspector General and senior OIG staff, with final approval by the Inspector General. OIG publishes a draft of the Annual Plan for public comment each September, and reviews, updates, and publishes the final Plan in December.

III. SELECTION OF TOPICS FOR INCLUSION IN THE ANNUAL PLAN

A. TOPIC SOURCES

OIG gathers potential audit topics from a variety of sources, including: complaints received from the public via the OIG tip line; suggestions from governmental leadership; past OIG reports; OIG investigations; OIG staff knowledge; other governments' performance audits, audited financial statements, internal audits, and risk assessments; new City initiatives; program performance targets and results; public hearings and proceedings; and public source information, including media, professional, and academic reports and publications.

We encourage the public to submit suggestions anytime through the OIG website: igchicago.org/contact-us/help-improve-city-government/

B. PRIORITIZATION CRITERIA

OIG considers numerous factors in selecting projects for the Annual Plan, including preliminary risk assessments of the programs or services involved in potential new project topics; the unique value a potential project might bring to City stakeholders; and the availability of APR resources, taking into account resources required to conduct follow-ups on past reports.

1. RISK ASSESSMENT

A risk factor is an observable and/or measurable indicator of conditions or events that could adversely affect an organization, absent effective internal controls. APR's assessment of topics is based on risk factors reflecting the nature and potential vulnerabilities of departments, programs, and vendors. APR considers a variety of risk factors, such as,

- Resources used to deliver service
 - Size (in dollars budgeted) of department/program
 - Number of staff working in department/program
- Public interest/impact
 - Critical to City's mission or core service provision
 - Affects public health or safety
 - Affects vulnerable populations
- Number of residents, employees, and/or businesses affected/served
 - Quality/quantity of service provision
 - Customer satisfaction
- Compliance with laws, regulations, or policies

- Volume, type, and dollar amount of financial transactions
- Quality of internal control systems, including,
 - Existence of robust operational policies and procedures
 - Existence and use of performance metrics
- Underfunded mandate or mismatch between program objectives and available resources

APR assesses risk based on discussions with departments and leadership, information requested from departments, information obtained from prior OIG work, publicly available information, and additional research. In some cases, OIG selects a project because there is a preliminary indication of specific program vulnerabilities. In other cases, OIG selects a project where there is little or no indication of program vulnerabilities, but the public or governmental leadership would benefit from independent evaluation and assurance that the program is working well.

2. OIG ROLE AND VALUE ADDED

OIG seeks to add unique value arising from its role as the City's independent oversight agency by prioritizing APR projects that,

- analyze performance of governmental operations and programs where analysis requires data and information not available to external entities;
- analyze governmental operations and programs where no recent independent analysis exists;
- develop knowledge of the operation of municipal programs and services; and/or
- analyze narrow, obscure, or complex aspects of municipal operations that receive little attention (in addition to broad scope topics).

In addition, OIG strives to ensure that the selection of projects provides coverage across the full spectrum of governmental functions and services.

3. FOLLOW-UP ON PAST APR REPORTS

APR evaluates each completed audit six months after publication to determine whether, when, and how to conduct follow-up. Factors considered in determining what, if any, follow-up action to take include the nature of the original findings and recommendations, changes in management or staff structure, and external circumstances affecting the department. For example, APR may decide to postpone follow-up for an additional six months, conduct another full-blown audit with complete re-testing, or simply request and evaluate documentation of corrective actions from management.

Follow-up reports are an essential part of the oversight process because they enable OIG to evaluate the actions taken by a department or agency to address problems identified in the

original audit report. For that reason, they take the highest priority when planning the activities of APR personnel.

4. AVAILABLE STAFF RESOURCES

The number, experience, and specific expertise of staff available to APR affect the selection of project topics and their scope. APR will not undertake projects unless OIG has the required competencies available among its personnel or can procure them from external sources. APR will request assistance from other OIG staff when their specialized expertise (e.g., legal or data analysis) may benefit a project, and will adhere to all GAS requirements for the use of such internal specialists.

To maximize their utility, performance audits must be timely (see GAS A7.02(g)). Unexpected delays caused by an auditee, such as slow responses to APR requests, or problems with the quality of program data, are noted as findings or limitations in published audit reports. Proper planning requires the Deputy Inspector General and Chief Performance Analysts to assign adequate staff—or, if necessary, reduce audit scope—to ensure timely completion of all projects.

IV. 2019 NEW PROJECTS

As projects are completed and staff become available, APR reviews the topics on the Annual Plan and conducts additional research prior to launch. (Launch is the official opening of an audit with a department.) The final decision to launch a project requires approval by the Inspector General on a just-in-time basis, because circumstances affecting the decision of whether or when to launch a specific project are expected to change throughout the year.

APR groups the 23 potential project topics listed below into 5 broad categories corresponding with the functions and departments presented in the City's Annual Appropriation Ordinance, Summary E.² We do not rank the topics. The numbers below are provided solely for ease of identification. Each topic listed includes,

POTENTIAL OBJECTIVES: *Potential questions the project will seek to answer. APR refines the objectives after obtaining more information about the topic from the department.*

RATIONALE: *Relevance of and background on the topic.*

A. CITY DEVELOPMENT AND REGULATORY

1. IMPLEMENTATION OF THE TAX INCREMENT FINANCING (TIF) REFORM TASK FORCE RECOMMENDATIONS, COMPLIANCE WITH THE TIF SUNSHINE ORDINANCE, AND COMPLIANCE WITH THE TIF SURPLUS EXECUTIVE ORDER

POTENTIAL OBJECTIVES:

- Has the City implemented the recommendations made by the Mayor's TIF Reform Task Force?
- Does the Department of Planning and Development (DPD) comply with the requirements of MCC § 2-45-155, the TIF Sunshine Ordinance?
- Does the Office of Budget and Management (OBM) comply with the requirements of Executive Order 2013-3, Declaration of TIF Surplus Funds in TIF Eligible Areas?

RATIONALE: In 2011, Mayor Emanuel convened the TIF Reform Task Force and endorsed the group's recommendations. The TIF Sunshine Ordinance requires DPD to post a number of TIF-related documents on its web site and on the City's Data Portal. The Mayor's Executive Order requires the City to annually declare 25% of certain uncommitted TIF balances as surplus and return it to local taxing bodies. TIF transparency and the surplus-declaration process continue to be of significant concern to aldermen and the public.

² For the City's Annual Appropriation Ordinances, see https://www.cityofchicago.org/city/en/depts/obm/supp_info/annual-budget-recommendations---documents.html. OIG also has oversight duties relating to operation and projects of the Public Building Commission (PBC). Planned audits of PBC activity are included in the Infrastructure category.

2. DPD ZONING REVIEW AND APPROVAL PROCESS

POTENTIAL OBJECTIVES: • Have all ongoing construction projects received proper zoning approval from DPD's Zoning Ordinance Administration, per City Code requirements?

RATIONALE: The Office of the Zoning Administrator, which is housed in DPD, reviews building permits for compliance with the Chicago Zoning Ordinance. OIG has received many complaints over the years related to construction projects that either did not receive approval, or improperly received approval, which raises safety and fairness concerns.

3. DEPARTMENT OF BUILDINGS (DOB) PERMIT ISSUANCE AND INSPECTIONS

POTENTIAL OBJECTIVES: • Does DOB perform all field inspections required as part of the permitting process?
• Does DOB collect all permit issuance and inspection fees, as required by the Municipal Code of Chicago (MCC)?

RATIONALE: OIG has learned that DOB may not be completing all field inspections related to building permits, which raises safety and fairness concerns. With regard to fees, OIG's 2014 Elevator Inspections Audit revealed that DOB failed to collect fees for 18.0% of elevator inspections over a one-year period. This audit will determine whether this failure to collect fees also exists in the permitting context.

4. BUSINESS AFFAIRS AND CONSUMER PROTECTION (BACP) MINIMUM WAGE ENFORCEMENT

POTENTIAL OBJECTIVES: • Does BACP exercise its authority to enforce the City's Minimum Wage Ordinance in a manner sufficient to effectively promote employer compliance?
• Do BACP's Minimum Wage Rules meet best practices for promoting compliance with minimum wage regulations?

RATIONALE: In December 2014, City Council passed the Chicago Minimum Wage Ordinance (MCC Chapter 1-24)—which establishes a minimum wage for all workers in Chicago at a rate higher than the statewide minimum wage—and charges BACP with enforcement. This audit will evaluate the effectiveness of BACP's enforcement practices.

5. DPD'S CITY-OWNED LAND INVENTORY AND SALES

POTENTIAL OBJECTIVES: • Does DPD manage and sell real property in a manner consistent with its policies and procedures, development goals, and best practices in peer cities?
• Does DPD ensure that purchasers of City-owned land abide by all associated

development and tangible public benefit obligations?

RATIONALE: DPD manages and markets for sale approximately 11,000 City-owned vacant properties through programs such as Large Lots and Negotiated Sales. This audit will examine DPD's administration of the City's land inventory to evaluate whether DPD is properly maintaining these properties, effectively marketing them, and holding purchasers accountable where they have agreed to provide tangible public benefits (e.g., jobs, affordable housing) in exchange for financial incentives.

B. COMMUNITY SERVICES

1. CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING

POTENTIAL OBJECTIVES:

- Does the Chicago Department of Public Health (CDPH) ensure that all contractors required by the MCC to recycle construction and demolition debris meet the requirement?
- Does DOB withhold certificates of occupancy for contractors who have not demonstrated their compliance with the recycling requirement or paid related fees?

RATIONALE: According to a 2010 report, roughly 60% of the 7.3 million tons of waste generated annually in Chicago is construction and demolition debris.³ Effective enforcement of the construction and demolition debris recycling requirement has a significant impact on the total amount of waste recycled in Chicago.

2. HAZARDOUS MATERIALS FACILITY INSPECTIONS

POTENTIAL OBJECTIVES:

- Does the City ensure that facilities housing hazardous materials provide all documentation required by 430 ILCS 100 and MCC § 11-4-1200, including inventory forms and emergency preparedness diagrams, to promote safe and efficient response in the event of an emergency?
- Does the City conduct periodic inspections of these facilities?

RATIONALE: Facilities that house over a threshold amount of hazardous materials are required to submit documentation to help first responders effectively manage emergencies, given the added danger those materials present. This audit will determine whether the City collects the required documentation and confirms the accuracy of the documentation by inspecting the facilities.

³ City of Chicago, Department of Environment, "Waste Characterization Study" (prepared by CDM), p. ES-8, April 2, 2010, accessed September 10, 2018, http://www.cityofchicago.org/content/dam/city/depts/doe/general/RecyclingAndWasteMgmt_PDFs/WasteAndDiversionStudy/WasteCharacterizationReport.pdf.

C. FINANCE AND ADMINISTRATION

1. CHICAGO CAPITAL IMPROVEMENT PROGRAM (CIP)

POTENTIAL OBJECTIVE: • Does the City develop and implement its CIP in accordance with best practices?

RATIONALE: The City's current five-year CIP (2018-2022) outlines expected spending of nearly \$8.7 billion on projects including water and sewer pipe replacement, street paving, traffic signals, libraries, airports, bridges, and bike lanes. Funding sources include Aldermanic Menu, TIF, bonds, and grants. The Civic Federation has found that the City's CIP meets only 6 of 14 capital planning best practices and is the worst performer among 6 local governments.⁴

2. DEPARTMENT OF HUMAN RESOURCES (DHR) EMPLOYEE EVALUATION POLICY

POTENTIAL OBJECTIVES: • Does the City's employee performance evaluation policy align with best practices?
• Does DHR effectively enforce Personnel Rule XIV, which requires performance evaluations, and provide reasonable assurance that City departments are in compliance?

RATIONALE: Past OIG work found that some departments do not conduct employee performance evaluations as required by the City Personnel Rules. Inconsistent use of performance evaluations may impede departments' ability to align employee performance with program goals, to identify training needs, and to take appropriate remedial action in cases of misconduct.

⁴ The Civic Federation, "How Well Do Chicago Area Local Government Capital Improvement Plans Follow Best Practices?" January 15, 2014, accessed September 10, 2018, <https://www.civicfed.org/civic-federation/blog/how-well-do-chicago-area-local-government-capital-improvement-plans-follow-bes>. For the most recent analysis of the City's CIP, see The Civic Federation, "City of Chicago FY2018 Proposed Budget: Analysis and Recommendations," 90-93, November 8, 2017, accessed September 10, 2018, https://www.civicfed.org/sites/default/files/report_fy18citybudgetanalysis.pdf.

3. MBE, WBE, DBE, AND BEPD GOAL ACHIEVEMENT

- POTENTIAL OBJECTIVES:
- Do the City's efforts to increase the participation on City contracts of businesses owned by women, minorities, persons with disabilities, and other traditionally disadvantaged groups align with best practice strategies in other cities?
 - To what extent is the City meeting its goals for MBE, WBE, DBE, and BEPD participation on City contracts?
 - Does DPS take sufficient steps to ensure the reliability of the data it uses to monitor compliance with MBE, WBE, DBE, and BEPD requirements in City contracts?

RATIONALE: The City has a variety of MBE, WBE, DBE, and BEPD outreach programs and contracting incentives. This audit will assess the effectiveness of these efforts in increasing the capacity of these businesses.

4. LOCAL RECORDS ACT COMPLIANCE

- POTENTIAL OBJECTIVE:
- Do City departments have record-retention policies and practices that comply with the Illinois Local Records Act?

RATIONALE: Past OIG work discovered evidence of inconsistent degrees of compliance with the standards for retention of official records imposed by the Local Records Act. This creates the possibility of potentially significant liability for the City, and undermines the values of accountability, transparency, and public trust promoted by the Act.

D. INFRASTRUCTURE

1. DEPARTMENT OF STREETS AND SANITATION'S (DSS) ENFORCEMENT OF THE CHICAGO RECYCLING ORDINANCE

- POTENTIAL OBJECTIVES:
- Does DSS enforce MCC requirements requiring high-density and commercial building owners to procure recycling services?

RATIONALE: A 2010 study found that high-density and commercial buildings generated nearly 25% of all of Chicago's waste, and that, while an estimated 42% of that waste was recyclable, only 19% was recycled. In 2016, the City amended the MCC to clarify building owners' recycling responsibilities and increase fines for non-compliance.

2. CHICAGO DEPARTMENT OF TRANSPORTATION (CDOT) TRAFFIC SIGNAL MANAGEMENT SYSTEM

- POTENTIAL OBJECTIVES:
- Does CDOT traffic signal management and coordination, including staffing, meet industry best practices and peer city models?
 - Does CDOT administer an effective maintenance program to ensure that traffic signals remain in good working order?

RATIONALE: CDOT oversees 3,035 intersections with traffic signals in the City. Proper system management, coordination, and maintenance of these signals can prevent loss of time and money by the City and its citizens. Studies in peer cities have shown that traffic signal management improvements can reduce wait times by 40% and travel time by 26% and cut emissions by 21%.

3. DWM WATER MAIN REPLACEMENT COST CONTROL

- POTENTIAL OBJECTIVES:
- Do construction costs for water main replacement projects align with cost estimates?
 - Does DWM hold contractors accountable for exceeding maximum completion times and failing to meet other contract provisions?

RATIONALE: Launched in 2012, the Water Main Replacement Program is a decade-long project to replace 880 miles of century-old water pipes. City crews perform approximately 40% of the work, while contractors perform the remaining 60%. The City has allocated \$1.0 billion for water distribution improvements in the 2018-2022 CIP.

4. PUBLIC BUILDING COMMISSION (PBC) GREEN ENERGY SYSTEMS

- POTENTIAL OBJECTIVE:
- Do buildings that PBC constructs for the City of Chicago meet the City's goals for energy efficiency and cost savings?

RATIONALE: As part of its sustainability efforts, the City seeks to install green energy systems in municipal buildings. Building users have complained that the systems operate poorly and do not achieve the intended energy savings.

5. DSS STREET SWEEPING EFFICIENCY

- POTENTIAL OBJECTIVES:
- Does DSS set street sweeping routes in a manner that maximizes the effectiveness and efficiency of street sweeping city-wide?

RATIONALE: Historically, DSS has organized street sweeping routes on a ward basis, generally assigning one sweeper to each ward and using laborers to hang temporary "No Parking" signs. Given the significant size differences among wards, this approach results in some streets being swept more often than others.

6. WEED CUTTING CONTRACT MANAGEMENT

POTENTIAL OBJECTIVES: • Does DSS effectively manage landscaping contractors performing weed cutting?

RATIONALE: DSS hires contractors to remove weeds from City-owned land, vacant lots, and private property cited for overgrown weeds. OIG has received complaints that inadequate weed control is contributing to blight in some neighborhoods. This audit will assess DSS' contractor oversight.

E. PUBLIC SAFETY

1. CHICAGO POLICE DEPARTMENT (CPD) DASHBOARD CAMERAS

POTENTIAL OBJECTIVES: • Does CPD manage and maintain dashboard cameras and footage in an effective manner?

RATIONALE: In late 2015, responding to high-profile cases that revealed police officers' widespread failure to activate their vehicles' on-board video and audio recording devices, CPD committed to enforcing policies requiring proper use of the equipment. Failure to properly use video and audio equipment hinders investigations and undermines public trust in law enforcement.

2. CHICAGO FIRE DEPARTMENT (CFD) DISCRIMINATION AND SEXUAL HARASSMENT PREVENTION

POTENTIAL OBJECTIVES: • Has CFD implemented discrimination and sexual harassment prevention and reporting policies that comply with relevant regulations and align with best practices?

RATIONALE: CFD has faced numerous lawsuits arising from allegations of sexual harassment and discrimination by and against its members and job applicants. This audit will assess whether CFD has implemented appropriate measures to prevent, and address allegations of, harassment and discrimination within the department and in its hiring practices.

3. CFD'S MANAGEMENT OF OVERTIME

POTENTIAL OBJECTIVES: • Does CFD allocate staff in a manner that minimizes overtime?
• Does CFD maintain and enforce policies that ensure appropriate and equitable assignment of overtime to staff?

RATIONALE: In recent years, spending on CFD overtime has increased significantly. While some use of overtime is expected, excessive or inequitably distributed overtime may indicate suboptimal personnel management.

4. CFD FIRE PREVENTION INSPECTIONS

- POTENTIAL OBJECTIVES:
- Does CFD's Fire Prevention Bureau conduct all annual inspections as required by the MCC?
 - Does CFD notify noncompliant building owners and conduct timely follow-up inspection of known violations?
- RATIONALE: The inspection of buildings for adherence to the fire code and timely correction of violations is a critical component of public safety. CFD does not currently publish fire inspection activity on the City's Data Portal.

5. EMERGENCY TELEPHONE SYSTEM FUND (ETSF)

- POTENTIAL OBJECTIVES:
- Does Chicago's Emergency Telephone System Board (ETSB) properly account for and report all ETSF revenues and expenditures to the State?
 - Are ETSF funds spent only on allowable expenses?
- RATIONALE: State law allows Chicago to place a surcharge (currently \$5.00 per month) on each landline and cellular phone service provided that the funds are spent only on specific costs enumerated by state statute. The State has previously had concerns about the City's expenditures from the fund,⁵ which collected \$122.8 million in 2017.⁶ This audit will assess the ETSB's accounting for revenues and expenditures.

6. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS (OEMC) OVERTIME USE AND FAMILY MEDICAL LEAVE

- POTENTIAL OBJECTIVES:
- Has OEMC implemented controls to detect and prevent systemic abuse of Family Medical Leave Act (FMLA) time?
 - What impact does FMLA have on overtime spending at OEMC?
- RATIONALE: OEMC identified relatively high usage of Family Medical Leave among its 911 call takers, and recent OIG investigations have confirmed some fraudulent use of FMLA. This audit will determine the impact of FMLA use on OEMC's relatively high overtime spending and assess OEMC's methods for preventing potential FMLA and overtime abuse.

⁵ Fran Spielman, "Emanuel and Rauner Continue Squabbling Over Phone-Tax Increase," *Chicago Sun-Times*, June 23, 2017, accessed August 9, 2018, <https://chicago.suntimes.com/news/rahm-emanuel-rips-bruce-rauner-for-threatening-phone-tax-veto/>.

⁶ City of Chicago, Office of Budget and Management, Annual Financial Analysis 2018, 59, accessed August 9, 2018, https://www.cityofchicago.org/content/dam/city/depts/obm/supp_info/2019Budget/2018AnnualFinancialAnalysis_CityofChicago.pdf.

V. REPORTS PUBLISHED IN 2018

APR published the following 11 reports in 2018 (*as of December 14, 2018*). All are available at igchicago.org.⁷

A. CITY DEVELOPMENT AND REGULATORY

1. DEPARTMENT OF BUILDINGS COMPLAINT-BASED INSPECTIONS AUDIT (#16-0301)

PUBLICATION

DATE: April 10, 2018

SUMMARY: OIG conducted an audit of the Department of Buildings' (DOB) complaint-based inspection operations to determine whether DOB met required deadlines for responding to building complaints, whether the Department effectively prioritized complaints, and whether the records of building code violations available to the public on the City's Data Portal and DOB's Building Violations web page were complete and accurate.

OIG concluded that DOB did not have effective strategies for prioritizing complaint-based inspections, resulting in potential health and safety hazards going unaddressed. Specifically, OIG found that DOB met its response deadline for only 36.5% of complaints; had a backlog of over 5,000 open complaints dating back to 2013; closed more than 2,000 complaints without addressing even those describing plainly hazardous situations; and set complaint response deadlines that did not comply with the MCC. OIG also found that the City's websites did not provide the public with a property's complete violation history or present data in a user-friendly manner.

OIG recommended that DOB take a number of steps to improve its complaint data reporting and response processes, including bringing their operations into alignment with the MCC. DOB agreed with OIG's audit recommendations and proposed several corrective actions to improve the way it addresses complaints from the public. Specifically, the Department stated that it addressed the open overdue emergency complaints OIG identified, and met with bureau supervisors to "refine protocols" related to how complaints are routed and prioritized. In addition, DOB management explained that it would take into account complaint volume and response time data when reviewing staff levels, and would "refine" reports on complaint data to ensure they meet the Department's operational needs. Finally, DOB committed to work with 311 to ensure that inspectors are able to close out complaint inspections in "real time" using mobile technology, and to work with the Department of Innovation and Technology to improve the

⁷ OIG audit reports and advisories are published in full on the web site. OIG notifications and minor inquiries are summarized in OIG's quarterly reports.

user experience with publicly available building data.

B. COMMUNITY SERVICES

1. CHICAGO PUBLIC LIBRARY STAFFING AUDIT (#16-0363)

PUBLICATION

DATE: May 2, 2018

SUMMARY: OIG conducted an audit evaluating the design and implementation of the Chicago Public Library's (CPL) staffing plan, which allocates positions among CPL's 80 library locations. The objectives of the audit were to determine whether CPL's staffing plan followed industry guidance and was an effective and efficient tool for allocating human resources among CPL libraries.

Referring to staffing industry guidance from the U.S. Government Accountability Office (GAO) and the American Library Association (ALA), OIG identified several flaws in the design of CPL's staffing plan. OIG also found deficiencies in how CPL implemented the plan, such as not collecting and using all relevant data, and not consistently assigning staff to libraries at the prescribed levels. OIG concluded that the plan was not sufficient to align library branch staffing with community needs.

OIG made several recommendations to enhance the design and implementation of the staffing plan, including involving stakeholders such as library employees, as well as board and community members, in redesigning the plan to utilize measurable factors and ensure that libraries are appropriately staffed to meet local needs. CPL agreed with some OIG recommendations, stating that it will revise its staffing plan to better align the factors considered with available data, and will develop a policy that formalizes application of the plan. Management noted that the staffing plan is not fully implemented, but that CPL seeks to implement it incrementally as vacancies and reassignments permit. CPL disagreed with OIG's recommendation to disseminate the plan to all library employees, and declined to involve the library board and community members in redesigning the plan, stating that senior staff regularly "reports up and down the organizational structure" regarding staffing needs and strategies.

2. DEPARTMENT OF FAMILY AND SUPPORT SERVICES (DFSS) WORKFORCE SERVICES INQUIRY (#18-0167)

PUBLICATION

DATE: Summarized in July 16, 2018 OIG Second Quarter Report

SUMMARY: In March 2018, OIG inquired about DFSS' implementation of improvements to its Workforce Services program in the areas of (1) cross-agency collaboration; (2) program monitoring; and (3) performance measures. OIG undertook this inquiry as a follow-up to its May 2017 letter of notification to DFSS on the same topics.

In response to OIG’s inquiry, the Department reported it had improved cross-agency collaboration by beginning “to work closely with the Chicago Cook Workforce Partnership in the area of youth workforce initiatives” and meeting “with Commissioners and Directors from various City departments and sister agencies to build new relationships and strengthen existing partnerships.” To improve its program monitoring, DFSS reported that its Program Monitoring Unit developed and implemented a new Workforce Services Monitoring Tool, which they used to conduct audits of Community Development Block Grant Workforce programs between October 2017 and March 2018. Programmatic audits are the primary tool that DFSS uses to check the accuracy of delegate agency performance data. Finally, as part of its efforts to move toward a more outcomes-oriented approach, the DFSS Workforce Services Division updated the performance measures in its 2018 Community Development Grant Application to include more outcome-oriented measures, such as job retention rates and wage levels.

C. FINANCE AND ADMINISTRATION

1. AUDIT OF THE CITY’S PROCESS FOR EVALUATING AND SETTING USER FEES (#16-0379)

PUBLICATION

DATE: June 21, 2018

SUMMARY: OIG conducted an audit of the City’s process for evaluating and setting user fees, which are a significant source of City revenue and include charges for water usage, inspections, permits, and licenses. The objective of the audit was to determine whether the City’s process for evaluating and setting user fees adhered to the City’s Financial and Budgetary Policies and to national best practices embodied in the recommendations of the Government Finance Officers Association (GFOA).

OIG found that the City does not regularly review all fees to determine whether they are set at levels designed to recover the cost of providing the services related to the fees, or to achieve other policy goals. In fact, the City was unable to state with certainty how many fees exist because it lacks a comprehensive list. Furthermore, the City conducted full-cost analyses for only 3, or 3.3%, of the 91 unique fee proposals submitted during the 2013 through 2017 budget cycles. OIG reviewed two of the City’s full-cost analyses and discovered several inaccuracies, resulting in a potential \$45.2 million overestimation of the cost of collecting residential refuse and a \$1.0 million underestimation of the cost of the City’s vehicle booting program. OIG also found that the City provides limited opportunities for public engagement regarding fees, contrary to GFOA recommendations.

OIG recommended that the Office of Budget and Management (OBM)—which

manages the City's process for evaluating and setting fees—develop a user fee policy and accompanying procedures that adhere to GFOA recommendations, including periodic review of all City fees, full-cost analyses to support consideration of fee changes, and more opportunities for transparency and public feedback regarding fees. OIG further recommended that OBM develop procedures to ensure that future full-cost analyses accurately account for all direct and indirect costs. OBM agreed with OIG's recommendation to develop a fee policy, create a complete list of fees, and establish a schedule for periodic review of fees. OBM disagreed with OIG's recommendation to enhance public transparency, support fee proposals with full-cost analyses, and consider developing an alternative cost allocation plan to support future cost analyses.

2. **AUDIT OF CONTRACTOR COMPLIANCE WITH THE CHICAGO BASE WAGE ORDINANCE (#16-0469)**

PUBLICATION

DATE: Re-issued July 3, 2018

SUMMARY:

In November 2017, OIG completed an audit to determine if security guard and janitorial service contractors and subcontractors complied with the Chicago Base Wage Ordinance. Our original report inaccurately reported that three subcontractors were not compliant with the Chicago Base Wage Ordinance. In June 2018, the Department of Procurement Services (DPS) provided documentation that identified an error in OIG's analysis and showed the subcontractors were in virtually complete compliance with the Ordinance. The contractors and subcontractors had provided OIG a set of employee data, some of which related to City of Chicago contracts and some of which did not. OIG inadvertently included both categories of data in our original analysis. Upon re-conducting the analysis, OIG found that while four prime contractors and three subcontractors reviewed in the audit had paid the hourly base wage rate required by the ordinance, one subcontractor paid 12 employees between \$0.02 and \$0.03 less per hour. Those underpayments, however, were retroactively paid.

OIG had recommended that DPS implement procedures to prevent and detect future wage violations. The errors described above notwithstanding, OIG found that the City lacked a standardized process with sufficient controls to provide reasonable assurance that prime contractors and subcontractors comply with the Chicago Base Wage Ordinance. DPS stated it relies on contracting departments to ensure base wage compliance as part of their contract management and monitoring practices. DPS acknowledged, however, that managing departments do not generally collect certified payroll records from contractors and that, in fact, information collected varies widely from department to department. DPS promptly sent a memorandum to City department heads reminding them of their role in monitoring contractor compliance and requesting that departments alert DPS to any irregularities discovered. DPS also met with the Mayor's Office,

Department of Finance, Department of Law, and user departments to discuss methods for actively monitoring contractors' wage rate compliance from which DPS advanced a recommendation to standardize invoicing requirements and review procedures across user departments.

3. CHICAGO LIVES HEALTHY INQUIRY (#18-0171)

PUBLICATION

DATE: Summarized in July 16, 2018 OIG Second Quarter Report

SUMMARY: In March 2018, OIG inquired about the Department of Finance's (DOF) evaluation of the City of Chicago Employee Wellness Program, Chicago Lives Healthy (CLH). OIG undertook this inquiry pursuant to its June 2015 advisory on the same topic. The advisory found that, while the City spent nearly \$10.5 million in taxpayer resources from 2012 through 2014 to improve employee health and reduce healthcare costs through CLH, the City had not formally assessed the program's impact in either area and had no plans to do so. OIG urged the City to assess the impact of CLH by establishing a performance measurement framework including targets for health status improvements and healthcare savings, and to report publicly on CLH outcomes. In its response to the advisory, the City did not commit to setting targets or measuring the effectiveness of CLH. Nonetheless, the City has continued the wellness program and, as of June 26, 2018, has paid the CLH vendor \$22.8 million since program inception.

In response to OIG's inquiry, DOF stated that it "does not plan to set specific health status or healthcare saving targets for the current CLH program," and further, that it "does not report publicly on CLH outcomes." DOF contended that it is not possible to measure the impact of the CLH program because it is only one component of a multi-strategy approach to contain healthcare costs. Instead, DOF said it determines the effectiveness of CLH "through ongoing feedback from our labor partners."

4. LANGUAGE ACCESS ORDINANCE COMPLIANCE AUDIT FOLLOW-UP (#18-0321)

PUBLICATION

DATE: August 23, 2018

SUMMARY: OIG completed a follow-up to its September 2017 audit of the City's compliance with the Language Access Ordinance (LAO), MCC Chapter 2-40, "Citywide Language Access to Ensure the Effective Delivery of City Services." The 2017 audit found that the City was not in compliance with the requirements of the LAO. Specifically, the Mayor's Office of New Americans (ONA) focused its compliance efforts on the seven City departments it deemed fully subject to the LAO,⁸ and did not ensure that other departments complied with the Ordinance's mandate to implement those requirements "to the degree practicable." Moreover, none of the seven prioritized departments were in full compliance with the LAO requirements.

Based upon the results of the audit, OIG recommended that the Mayor's Office clarify which LAO requirements apply to each of the various City departments, endow ONA or another entity with the power and duty to enforce compliance with the language access requirements in the manner that other cities have done, and make various other improvements.

Based on ONA's follow-up response, OIG concluded that ONA has only partially implemented the corrective actions to which it committed in its response to the original audit. Specifically, ONA identified two more departments—the Chicago Department of Transportation and the Chicago Department of Aviation—it deems subject to LAO, has begun meeting with those departments on a quarterly basis to discuss language access compliance, has provided templates and guidance on language access planning, and has begun identifying areas for improvement of language services. We urged the City to continue implementation of language access improvements.

⁸ The seven departments, commissions, or programs are 311 Services, Department of Business Affairs and Consumer Protection, Chicago Commission on Human Relations, Chicago Department of Public Health, Chicago Public Library, Department of Family & Support Services, and Mayor's Office for People with Disabilities.

D. INFRASTRUCTURE

1. CHICAGO DEPARTMENT OF TRANSPORTATION MANAGEMENT OF CONSTRUCTION IN THE PUBLIC WAY AUDIT (#16-0444)

PUBLICATION

DATE: January 18, 2018

SUMMARY:

OIG conducted an audit to assess CDOT's management of construction projects in the public way, commonly known as street cuts. CDOT Division of Infrastructure Management (DOIM) is responsible for issuing permits and coordinating these projects to minimize their impact on the public way, as well as inspecting permittees' street cut restorations for compliance with its standards. OIG determined that CDOT's project coordination program has largely been a success, saving the City \$18.1 million in construction costs in 2016 alone, although opportunities exist to further improve coordination and capture even greater savings. However, CDOT's public way inspections program is lacking, with only a small fraction of the over 60,000 permitted cuts being inspected in any given year, due in part to CDOT's relatively small inspections staff and its reliance on paper-based records and citizen complaints to identify problem restorations.

OIG recommended that CDOT collect five-year capital improvement plans from all stakeholders, improve its coordination relationship with certain City agencies, remove infrastructure planning from the Aldermanic Menu Program, implement measures to better control emergency dig tickets and permits, record and track all public way inspections and citations electronically, and develop strategies to meet the City's Municipal Code requirement to inspect all street cuts or, at a minimum, develop processes for risk-based and random inspections. CDOT agreed with all of the audit's recommendations except for the recommendation to remove infrastructure planning from the Menu Program.

2. PUBLIC BUILDING COMMISSION CONSTRUCTION CHANGE ORDERS AUDIT (#16-0327)

PUBLICATION

DATE: June 12, 2018

SUMMARY: OIG evaluated PBC's change order review and approval process. PBC manages the planning, design, and construction of public buildings such as schools, firehouses, and libraries for local government clients such as the City of Chicago, Chicago Public Library, Chicago Public Schools, Chicago Park District, and City Colleges of Chicago.

OIG determined that due to inconsistencies and errors in change orders, PBC could not assure its clients that all increases in project costs were justified and reasonable. In addition, because PBC enforced its Errors and Omissions Policy in an inconsistent manner, the Commission could not provide adequate assurance to its clients or the public that it properly pursued recoverable damages attributable to architect errors.

OIG recommended that PBC improve its change order review and approval process by requiring contractors to submit cost proposals using a standardized digital form, as well as implementing an electronic document control system for change order reviews and approvals. In addition, PBC should revise and consistently implement its policy for recovering damages from architects to ensure that all damages calculations are reviewed and that the rationales for damages decisions are recorded. PBC agreed with all of OIG's recommendations and stated that it has already begun to implement improvements to its change order management.

E. PUBLIC SAFETY

1. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS PUBLIC SAFETY CAMERAS AUDIT FOLLOW-UP INQUIRY (#17-0663)

PUBLICATION

DATE: April 30, 2018

SUMMARY: OIG completed a follow-up to its December 2016 audit of OEMC's management of public safety cameras. The 2016 audit assessed the effectiveness of OEMC's management of public safety cameras by testing whether the cameras worked properly, whether the cameras received necessary repairs in a timely manner, whether the cameras retained footage for the required number of days, and whether access to the cameras was limited to appropriately authorized personnel.

OIG found that, in managing public safety cameras, OEMC did not comply with, and did not require other departments to comply with, Citywide policies

regulating access to information systems. As a result, OEMC could not, in most instances, determine which individuals accessed the camera system or how those individuals used the cameras. OIG also found that OEMC did not establish and enforce operational objectives for public safety cameras, and therefore could not determine whether operational levels were optimal. OIG further found that although OEMC's project manager PBC received and reviewed deliverables as required, minor deficiencies in PBC's vendor monitoring prevented it from fully executing its responsibilities as a project manager.

Based upon the results of the audit, OIG recommended that OEMC implement policies and practices regulating access to public safety cameras, develop and enforce reasonable standards for system performance, and review and identify opportunities to improve PBC's oversight of its vendor for camera repair and maintenance, Motorola. In its response to the audit, OEMC described a number of corrective actions it would take.

Based on OEMC's follow-up response, OIG concluded that OEMC implemented two corrective actions and has three corrective actions pending implementation. Specifically, OEMC assumed direct management of the Motorola contract, implementing corrective actions related to the establishment of performance measures and increased contract oversight. OEMC is in the process of implementing corrective actions to address compliance with the City's Information Security and Technology Policies. Once fully implemented, OIG believes the corrective actions reported by OEMC may reasonably be expected to resolve the core findings noted in the audit.

2. CHICAGO POLICE DEPARTMENT USE-OF-FORCE REPORTING INQUIRY (#17-0668)

PUBLICATION

DATE: Summarized in April 16, 2018 OIG First Quarter Report

SUMMARY: In December 2017, OIG inquired about the status of CPD's public reporting on officer use-of-force incidents. OIG conducted this inquiry as a follow-up to its July 2016 advisory on IPRA's public reporting on the same topic. In response to the advisory, the Office of the Mayor had stated that "CPD is committed to issuing public reports on use of force" and would begin issuing quarterly public reports in January 2017.

In response to our December 2017 inquiry, CPD stated that it has not published any quarterly or annual reports regarding use-of-force incidents in 2016 or 2017. CPD said it was focused on reform efforts, which included revising its full set of use-of force policies, leading in-service trainings on the policy changes, and creating a Force Review Unit to "function [in] an after-action-review capacity for select use-of-force incidents." The Department committed to publishing an Annual Report in 2018, which will include analysis of 2017 use-of-force incidents. While CPD indicated that future reports would describe trends identified by the Force Review Unit, it did not specify how often it will issue the reports, or whether they will incorporate best practices such as reporting on all use-of-force categories defined by CPD directives, defining use-of-force categories, and providing contextual detail to allow accurate trend analysis.

VI. FOLLOW-UP REPORTS TO CONDUCT IN 2019

The following published reports will be evaluated for follow-up in 2019. APR first considers a report for follow-up six months after publication. Follow-up may be postponed until 12 or more months after report publication depending on the nature and scope of corrective actions required. Summaries of the original reports are in the previous and following sections of this Plan.

1. CDOT Public Way Management Audit (published January 19, 2018)
2. DOB Complaint-Based Inspections Audit (published April 10, 2018)
3. CPD Overtime Controls Audit (published October 3, 2017)
4. CPL Staffing Audit (published May 2, 2018)
5. PBC Construction Change Orders Audit (published June 12, 2018)
6. Audit of the City's Process for Evaluating and Setting User Fees (published June 21, 2018)

VII. PROJECTS IN PROGRESS

The following 13 projects are underway as of December 14, 2018.

A. CITY DEVELOPMENT AND REGULATORY

1. CHICAGO LOW-INCOME HOUSING TRUST FUND HOUSING QUALITY STANDARDS COMPLIANCE PROCESS AUDIT (#18-0001)

This audit evaluates the Chicago Low-Income Housing Trust Fund's enforcement of its Rental Subsidy Program requirements for clean and safe housing.

2. DEPARTMENT OF ADMINISTRATIVE HEARINGS ADJUDICATION TIMELINESS AUDIT FOLLOW-UP (#18-0705)

This inquiry follows up on corrective actions taken in response to OIG's 2016 audit of DOAH's case adjudication timeliness and monitoring.

3. DEPARTMENT OF PLANNING AND DEVELOPMENT AFFORDABLE REQUIREMENTS ORDINANCE ADMINISTRATION AUDIT FOLLOW-UP (#18-0859)

This inquiry follows up on corrective actions taken in response to OIG's 2017 audit of DPD's administration of the Affordable Requirements Ordinance.

B. COMMUNITY SERVICES

1. CHICAGO DEPARTMENT OF PUBLIC HEALTH AIR QUALITY COMPLAINT INSPECTIONS AND PERIODIC INSPECTIONS AUDIT (#17-0525)

This audit evaluates CDPH's air pollution prevention program, including the prioritization and efficacy of periodic and complaint-based inspections.

C. FINANCE AND ADMINISTRATION

1. CHICAGO BOARD OF ELECTION COMMISSIONERS OPERATIONS AUDIT (#16-0291)

This audit, which APR is performing pursuant to designation by the Chief Judge of the Circuit Court of Cook County, evaluates the CBOEC's internal controls over salaries and expenditures, and effectiveness and efficiency of operations.

2. CITYWIDE INFORMATION TECHNOLOGY INVESTMENT STRATEGY AUDIT (#17-0638)

This audit evaluates whether the City's information technology investment strategy conforms with best practices.

3. DEPARTMENT OF LAW CITATION NOTIFICATION DELAY AUDIT (#18-0771)

This audit examines why, in some cases, it takes over a year to notify a property owner of an alleged sanitation code violation.

4. DEPARTMENT OF HUMAN RESOURCES HIRING TIMELINESS AUDIT FOLLOW-UP (#18-0878)

This inquiry follows up on corrective actions taken in response to OIG's 2015 audit of the City's timeliness in filling vacant positions.

D. INFRASTRUCTURE

1. CHICAGO DEPARTMENT OF TRANSPORTATION COMMERCIAL DRIVEWAY BILLING AUDIT (#17-0479)

This audit evaluates CDOT's commercial driveway permit billing process.

2. DEPARTMENT OF WATER MANAGEMENT OVERTIME AUDIT (#17-0664)

This audit evaluates DWM's overtime policies and procedures, including the management and distribution of overtime throughout the Department.

3. DEPARTMENT OF FLEET AND FACILITY MANAGEMENT POLICE VEHICLE MAINTENANCE AND REPAIR AUDIT (#18-0066)

This audit evaluates whether 2FM achieves a 95% fleet availability rate for CPD vehicles.

4. DEPARTMENT OF STREETS AND SANITATION GARBAGE ORDINANCE ENFORCEMENT AUDIT FOLLOW-UP (#18-0879)

This inquiry follows up on OIG's 2014 audit of DSS's enforcement of the garbage collection ordinance, specifically regarding the provision of City collection service to certain non-residential buildings.

E. PUBLIC SAFETY

1. JUVENILE INTERVENTION SUPPORT CENTER (JISC) AUDIT (#18-0087)

This audit evaluates whether the JISC, a collaborative effort of CPD and DFSS, achieves its program goals and adheres to best practices for law enforcement-based youth diversion programming.

MISSION

The City of Chicago Office of Inspector General (OIG) is an independent, nonpartisan oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operations of City government. OIG achieves this mission through,

- administrative and criminal investigations by its Investigations Section;
- performance audits of City programs and operations by its Audit and Program Review Section;
- inspections, evaluations and reviews of City police and police accountability programs, operations, and policies by its Public Safety Section; and
- compliance audit and monitoring of City hiring and employment activities by its Hiring Oversight Unit.

From these activities, OIG issues reports of findings and disciplinary and other recommendations,

- to assure that City officials, employees, and vendors are held accountable for violations of laws and policies;
- to improve the efficiency and cost-effectiveness government operations; and
- to prevent, detect, identify, expose, and eliminate waste, inefficiency, misconduct, fraud, corruption, and abuse of public authority and resources.

AUTHORITY

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and 240.

PUBLIC INQUIRIES:

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