

COA Field Arborist Productivity, January – June 2010:
A Report to The Tree Next Door

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Introduction

The end of June 2010 marks the latest “watershed moment” in the Arborist Division of Atlanta’s Bureau of Buildings. Arborist Janell Bazile resigned. Paul Lewkowicz and David Tachon were laid off for budgetary reasons. The field arborist staff was reduced to two – Stan Domengeaux and Michael Franklin.

The retention of Domengeaux and Franklin caused deep concern among TTND members and others. Neither person has demonstrated much willingness to enforce the Tree Protection Ordinance or, in the case of Franklin just recently, much competence in enforcement even under strong citizen pressure. (Of course, without evidence there is little basis to judge competence. Enforcement efforts by Domengeaux have been nearly invisible for more than a decade now.)

The Tree Next Door’s expressed concerns have been treated lightly by the city. Mayor Kasim Reed’s COO Peter Aman invited TTND to “Please pass on specific examples of poor performance of arborists to [Planning] Commissioner [James] Shelby.” Mr. Shelby listens, but doesn’t seem to hear. Arboricultural Manager Ainsley Caldwell denies that any problem exists. Top to bottom, no one holds either himself or anyone else accountable for field arborist performance.

To transform an entrenched culture of lax managerial oversight and reluctance to institute procedures to ensure professionalism will require considerable effort, time and patience. It will also require knowledge and insight into the workings of the Arborist Division. This report seeks to add to the knowledge base by providing baseline data on what field arborists do, regardless of their number. This baseline will be supplemented and tested at least quarterly with current data, giving a longitudinal statistical picture of what is happening in the Arborist Division over time.

Data Acquisition and Limits

In April and July I requested comprehensive field book and database records of the daily work performed by the field arborists employed by the City of Atlanta in the Arborist Division of the Bureau of Buildings. Primary data for the first quarter of 2010 was derived from records from both the old Kiva database and the new Accela database as the transition between them was made. No attempt was made to control for possible dual entries. Second quarter data is almost entirely from Accela. The data detailed here was provided by the City in response to my requests under the Georgia Open Records act. I assume that the data provided is true and complete.

Part One: Overview

Chart 1: Inspections Completed By Arborist and Type, January – June 2010

	Orange Post	Yellow Post	White Post	DDH	FCO	Illegal Act	Nuis	Site Comp	Invest	Unk
SD	33	31	0	152	36	4	2	29	2	2
MF	76	72	2	626	59	19	3	6	6	0
JB	14	4	5	173	27	13	16	19	1	2
PL	28	27	1	245	16	5	6	6	6	0
DT	47	38	5	470	38	13	5	19	9	9
Total	198	172	13	1666	176	54	32	79	24	13

*SD = Stan Domengeaux**MF = Michael Franklin**JB = Janell Bazile**PL = Paul Lewkowicz**DT = David Tachon**Orange Post = Orange Sign Posting**Yellow Post = Yellow Sign Posting**White Post = White Sign Posting**DDH = Dead, Dying or Hazardous Tree Inspection**FCO = Final Certificate of Occupancy Inspection**Illegal Act = Illegal Activity Inspection**Nuis = Nuisance Tree Inspection**Site Comp = Site Compliance Inspection**Invest = Investigation**Unk = Unknown*

Chart 1 employs the categorical breakdown that is used in the databases. To simplify the data presentation, Chart 2 consolidates the various sign postings into a single “Posting” category and the nuisance tree, site compliance, investigation and unknown designations into a single “Other” category.

Chart 2: Inspections Completed By Arborist and Consolidated Type, January – June 2010

	Posting	DDH	FCO	Ill Act	Other	Total	% of Tot
SD	64	152	36	4	35	291	12%
MF	150	626	59	19	15	869	36%
JB	23	173	27	13	38	274	11%
PL	56	245	16	5	18	340	14%
DT	90	470	38	13	42	653	27%
Total	383	1666	176	54	148	2427	
% of Tot	16%	69%	7%	2%	6%		

As indicated by Chart 2, Dead, Dying or Hazardous tree inspections comprise nearly 70% of total field arborist workload, ranging from a low of 52% (Domengeaux) to a high of 72% (Franklin, Lewkowicz, Tachon). There is no appeal to a city arborist’s decision to approve a tree as Dead, Dying or Hazardous. Because of the finality of the

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arborist's decision, the city needs professional arborists doing individual tree evaluations with honesty, integrity and according to established professional standards – and effective quality control procedures in place to ensure professional quality work.

Postings account for 16% of the total arborist workload for the first six months of this year, with an individual range from 8% (Bazile) to 22% (Domengeaux). Postings are a good indicator of construction intensity in the city on the front end, with numbers fluctuating according to the economy. Yellow sign postings in particular are a critical element of field arborist work, since it is at the time of a yellow sign posting that approved construction plans are “ground-truthed” for accuracy. Field arborists are required to follow strict Standards of Practice for postings. Again, effective quality control procedures are necessary to ensure that the Standards are followed.

FCO inspections (7% of the total) are also good indicators of construction activity, on the back end. FCO inspections range from 5% (Lewkowicz) to 12% (Domengeaux) of the individual arborist's workload for the first half of 2010. FCO inspection procedures are also governed by a strict Standard of Practice. They too require effective quality control procedures to ensure compliance by the field arborists.

I assume that the Illegal Activity category in Accela indicates enforcement work. As displayed in Chart 2, Illegal Activity inspections make up 2% of the total workload, with a low of 1% (Domengeaux) to a high of 5% (Bazile). As with all other aspects of field arborist tasks, investigations of reported or discovered violations of the Tree Protection Ordinance are governed by Standards of Practice. Quality control procedures are essential. I will revisit this category in Part 3 below for additional discussion.

Also apparent in Chart 2 is a fairly extreme inequality of workload. Franklin (36%) and Tachon (27%) did a combined 63% of all inspections. Bazile (11%), Domengeaux (12%) and Lewkowicz (14%) share the remaining 37% of total inspections just about equally.

Chart 3: Average Number of Inspections Completed per Day by Arborist, January – June, 2010 (120 workdays, 20/month)

Domengeaux	Franklin	Bazile	Lewkowicz	Tachon	Average
2.4	7.2	2.3	2.8	5.4	4.0

Even the high-end averages of Franklin and Tachon are very low, indicative in part of the current economic climate of the city and nation. From long experience I can attest that 20-25 inspections per day are possible. Averages of 12-15 inspections per day per arborist are attainable, without strain, and should be expected at minimum from the reduced staff of field arborists.

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Part Two: Second Quarter Specifics

I collected more detailed information from my Open Records request for the second quarter 2010, including the day-by-day reported activities of the field arborists for April through June.

Chart 4: Workdays with 0 Inspections by Arborist and Month, April – June, 2010

	April	May	June	Total	% Workdays
Domengeaux	8	7	8	23	38%
Franklin	5	2	2	9	15%
Bazile	6	10	15	31	52%
Lewkowicz	4	2	11	17	28%
Tachon	2	4	8	14	23%
Total	25	25	44	94	31%
% Workdays	25%	25%	44%	31%	

Chart 4 details workdays in which the individual arborist reported no field inspections in Accela. Franklin has the best record, averaging a reasonable three days per month either not at work or not in the field. Lewkowicz and Tachon also average three days out per month for April and May, followed by large increases in June, presumably as they awaited their anticipated pink slips.

Domengeaux is remarkably consistent, posting no inspections on an average of nearly two days per week, month after month. Is the Arboricultural Manager aware of this pattern? Should he be? Is Domengeaux held accountable for his 38% rate of absence? Is the Arboricultural Manager accountable for his subordinate's actions? Should he be? Where does the Director of the Bureau of Buildings enter the picture? The Commissioner of Planning? The COO? The Mayor?

Bazile is a special case, posting no inspections on over half the workdays in the quarter. Her record for June is particularly problematic. According to her self-reported record on Accela, Bazile's field work in June was limited to one DDH tree evaluation on each of seven days. Was the Arboricultural Manager aware of what she was doing or not doing? Did he authorize what looks suspiciously like a paid vacation? Is the Arboricultural Manager accountable for Bazile's actions? Should he be?

Chart 5: Average Reported Inspections per Day by Arborist and Month, April – June, 2010

	April	May	June	Average
Domengeaux	2.2	2.2	2.4	2.2
Franklin	7.3	8.9	8.9	8.3
Bazile	4.2	2.3	0.4	2.3
Lewkowicz	4.0	3.9	1.4	3.1
Tachon	7.7	6.0	1.6	5.7
Average	5.1	4.6	2.9	

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The impact of the impending resignation of Bazile and the dismissals of Lewkowicz and Tachon is also apparent in Chart 5. Perhaps not too surprising, the three arborists who lose or quit their jobs at the end of June appear to be checking out early. In contrast and perhaps in light of the impending changes in the division, Franklin increases his productivity. Domengeaux's productivity remains remarkably consistent and remarkably low. He manages to retain his grip on the bottom rung despite Bazile's strong competition in May and June.

Part Three: "Illegal Activity" Revisited

The "Illegal Activity" figures displayed in Charts 1 and 2 require additional data and more analysis. In previous productivity analysis I have made, "Illegal Activity" numbers were a direct count of demands made for recompense and penalties, termed "ACRC Permits" in the now-defunct Kiva database. Indications of other enforcement activities – citations, stop work orders, correction notices, prescriptions – required close inspection of the "Comments" in both the ACRC and the AREQ "Site Visit" and "Inspection" permits. The present "Illegal Activity" numbers mean something else. I am seeking more documents under the Open Records act to try to clarify just what.

So far I have received the self-reported "Illegal Activity" category by arborist in Charts 1 and 2 above, plus a spreadsheet purporting to show comprehensive records of citations to Municipal Court, recompense demands for illegal destruction, stop work orders, correction notices and prescriptions – none of which are evident in the records. This spreadsheet is also unspecific as to which arborist did what, so I can only report total numbers.

Chart 6: "Illegal Activity" as Indicated in a Comprehensive Accela Spreadsheet, January – June, 2010

Total "Illegal Activity" (from Chart 1 & 2)	54
Total "comprehensive spreadsheet" Report of Illegal Activities	61
Duplicate entries	10
Entries with no address	2
Total unduplicated entries with addresses	49

Various "Status" designations are given to these entries, including "Open", "Assigned", "Fine", "Closed", "Closed – Illegal Activity", "No Violation Found", "Closed – No Violation Found", and "Pending". In Chart 7 below I group "Open," "Pending" or no status given as **Open**; "Assigned" as **Assigned**; "Closed" and "Closed – No Violation Found" as **No Violation**; "Closed – Illegal Activity" or "Fine" as **Illegal Activity**.

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Chart 7: Status of Unduplicated Entries with Addresses in Accela, January – June, 2010

Open	Assigned	No Violation	Illegal Activity
4	24	10	11

As indicated in Chart 7, more than half of the “illegal activities” recorded in the comprehensive Accela spreadsheet are either “open” or “assigned”, without apparent resolution. 22 of these 28 “open” or “assigned” reports of illegal activities were at least one month old, 10 of them at least three months old. When does lack of resolution of a reported case of illegal activity trigger managerial concern and response?

Chart 8: Reconciling Totals in Chart 2 with Chart 7

Posting	DDH	FCO	Ill Act	Other
383	1666	176	11	191
16%	69%	7%	0.4%	8%

Using the best data provided by the City there were 11 “Illegal Activities” actually investigated and discovered from January through June, 2010. That is, five arborists working for six months over the entire landmass of the city managed to uncover 11 illegal removals or destructions of trees, for an average of less than one “illegal activity” charge per arborist per quarter. It is difficult to imagine a worse record of enforcement.

Recommendations

From its Mission Statement, The Tree Next Door seeks to change both the ethic and the practice of non-enforcement of the Tree Protection Ordinance, Atlanta’s signature environmental law. TTND expects the field arborists to enforce the law as written and in accordance with accepted Standards of Practice.

To achieve these goals requires that systematic and effective quality control measures be initiated, with records kept and available to the public. Clear accountability procedures must be instituted and enforced through the progressive discipline procedures of the City. The field arborists must be held accountable to the TPO and the Standards of Practice. The Arboricultural Manager must be held accountable for the work of the field arborists, the Director of the Bureau must be held accountable for the Arboricultural Manager, and so on up the line.

These measures reflect responsible government. Without them a decade of work by many groups and individuals to make the Tree Protection Ordinance strong and accepted are sacrificed to the lip service and hostility of the Steven Cover-era in the Planning Department. Scarce taxpayer funds are simply wasted. The City can do better.