



Folsom City Council Staff Report

MEETING DATE:	2/23/2021
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10589 - A Resolution Authorizing the City Manager to add Two (2) Senior Environmental Specialists Positions to the Solid Waste Recycling Division and Appropriation of Funds
FROM:	Public Works Department

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10589 - A Resolution Authorizing the City Manager to add Two (2) Senior Environmental Specialists Positions to the Solid Waste Recycling Division and Appropriation of Funds.

BACKGROUND / ISSUE

The Recycling Division is currently being impacted by multiple unfunded mandates by the State of California. Two of the most notable and resource intensive are Assembly Bill 1826 (AB 1826) Mandatory Commercial Organics Recycling and Senate Bill 1383 (SB 1383) Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions. Both are intended to achieve California's aggressive goals to reduce green house gas emissions. Under AB 1826, nearly all Folsom businesses must recycle their organic waste. The City is mandated to provide and manage a successful program, defined as 100% of captured businesses participating. Staff also must provide education and outreach, monitoring and trackings, and compliance reporting. The City has been notified that we are not in compliance with AB 1826 and has been directed to submit and implement a plan to become compliant in order to avoid further enforcement action.

In addition to commercial organics recycling, SB 1383 will require all residents to separate and recycle all organics. This law is extremely prescriptive and will require multiple operational changes and new programs. This includes weekly collection of organics, an edible food recovering program, mandated procurement of recycled organics, an enforceable

ordinance and specific labeling of all waste and recycling containers. The enforcement is also very prescriptive in nature requiring a specific level of monitoring and issuing of fines.

The Recycling Division does not have adequate staff to complete planning or ongoing management of these mandates.

POLICY / RULE

Folsom Municipal Code Section 2.11.010 states that “Pursuant to the Folsom City Charter, the city manager shall recommend and the city council shall by ordinance create, reorganize and abolish departments and divisions thereof as necessary for the effective management of the city’s affairs. Within the framework established by the Folsom City Charter and this chapter, the city manager shall be responsible for determining the administrative functions and duties of the various departments and in establishing divisions thereof as may be necessary or appropriate. (Ord. 994 § 2 (part), 2003)”

ANALYSIS

The Solid Waste Division (SWD) is funded solely through an Enterprise Fund; the funding is generated through residential and commercial ratepayers that subscribe to the services provided by the Division. In 2018 the SWD undertook a rate study to address projected revenue shortfalls due to the crash of the recycling market, increases in operating costs associated with vehicles, personnel, and disposal, the increased staffing demands associated with AB 1826, and the forecast of implementing the requirements under SB 1383. During that process, staff was able to identify some of the costs associated with SB 1383; however, the regulations were not yet adopted and many of the cost impacts were still unknown and therefore not included in the study.

SB 1383 is mandated to be enacted January 1, 2022. The regulations associated with SB 1383 were finalized in November 2020, which places an extraordinary burden on local agencies that provide these services to plan, adopt policies, education/outreach to every customer, adjust rates, revise operations, and implement the changes in thirteen (13) months. In order to accomplish the required planning, policy adoptions, and education/outreach staff has identified the immediate need for two (2) Sr. Environmental Specialist positions. The 2018 rate study anticipated at least one position to address program needs related to AB 1826. In order to address this need, staff is proposing to repurpose one vacant position currently in the budget and add one additional position in Solid Waste for a total of 48.6 position.

FINANCIAL IMPACT

The Sr. Environmental Specialist position already exists and is represented by the Folsom Miscellaneous Employees (IUOE, Local 39). Each position salary is in the M-55 range with a top-end salary of \$86,969. The recommended City Council action will have no financial impact upon the City General Fund. The addition of the Sr. Environmental Specialist position will add approximately \$43,000 to the Solid Waste (Fund 540). This will add the position for

the last 4 months of the current fiscal year and both positions would then be included in the Solid Waste Budget for Fiscal Year 2021-22.

To add this position, an additional appropriation in the amount of \$43,000 will need to be added in the Solid Waste Fund (Fund 540) and the position count would be increased from 47.6 to 48.6

ENVIRONMENTAL REVIEW

This action is exempt from environmental review under the California Environmental Quality Act (CEQA).

ATTACHMENT

1. Resolution No. 10589 - A Resolution Authorizing the City Manager to add Two (2) Senior Environmental Specialists Positions to the Solid Waste Recycling Division and Appropriation of Funds

Submitted,

Dave Nugen, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10589

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADD TWO (2) SENIOR ENVIRONMENTAL SPECIALISTS POSITIONS TO THE SOLID WASTE RECYCLING DIVISION AND APPROPRIATION OF FUNDS

WHEREAS, the City of Folsom Public Works Department Solid Waste Division anticipates has been planning for the implementation of Senate Bill 1383, commonly referred to as the Residential Organics Recycling Law; and

WHEREAS, the demands of ongoing un-funded State mandates such as Assembly Bill 1826 and Senate Bill 1383 have created increase demands on the Solid Waste Recycling Division staffing to plan, implement, and provide the data tracking to be deemed in compliance of these laws; and

WHEREAS, the growing community places additional demands on Solid Waste staff by constantly adding additional customers and perform the necessary education and outreach required under these laws; and

WHEREAS, Solid Waste Enterprise funds support the personnel costs for the recommended addition of these one (1) Sr. Environmental Specialist position and the repurposing of another vacant position to to address the requirements under AB 1826 and SB 1383; and

WHEREAS, the specialized knowledge of the solid waste industry and recycling laws, accounting, reporting, and administration of the necessary recordkeeping require a Senior level staffing to meet the requirements necessary to implement SB 1383; and

WHEREAS, the City Charter requires that any change to the annual budget, including the addition of personnel positions, requires City Council approval; and

WHEREAS, an additional appropriation in the amount of \$43,000 will be required, as well as an increase to the position count from 47.6 to 48.6 in the Solid Waste Fund (Fund 540):

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Folsom hereby authorizes the addition of one(1), and the repurposing of another, Sr. Environmental Specialist position in the Solid Waste Division of the Public Works Department, thereby increasing the approved position count form 47.6 to 48.6.

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to add an additional appropriation in the amount of \$34,000 to the Solid Waste Fund (Fund 540) in Fiscal Year 2020-21.

PASSED AND ADOPTED this 23rd day of February 2021, by the following roll-call vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

ABSTAIN: Council Member(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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