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Title: CONSIDERATION OF RESOLUTION NO. 20-030 AMENDING THE CLASSIFICATION PLAN, RESOLUTION NO. 77-111, BY ADOPTING NEW JOB CLASSIFICATION SPECIFICATION FOR SANITATION PROGRAM AIDE (CITY COUNCIL)

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Report to Mayor and City Council

Tuesday, July 07, 2020

Discussion

SUBJECT:

CONSIDERATION OF RESOLUTION NO. 20-030 AMENDING THE CLASSIFICATION PLAN, RESOLUTION NO. 77-111, BY ADOPTING NEW JOB CLASSIFICATION SPECIFICATION FOR SANITATION PROGRAM AIDE (CITY COUNCIL)

I. SUMMARY

Pursuant to California Public Resources Code Section 40059(a) (I), the City Council of the City of Carson has determined that the public health, safety, and welfare require that an exclusive franchise be awarded to a qualified solid waste enterprise for solid waste handling in residential, commercial, and industrial areas in the City.

On March 15, 2018, the City entered into a franchise agreement with Waste Resources Technologies, Inc. ("WRT") to be the City's solid waste hauler and operate the required recycling programs in Carson. Recent legislation, such as Assembly Bill 341 ("AB 341"), as implemented by Cal Recycle, place a significant responsibility on counties and cities, even more than other governmental entities, for meeting these requirements, relying on extremely prescriptive requirements and excessive inspection and monitory reporting to mandate that counties and cities impose steep penalties on residents and businesses if they do not comply with the recycling statutes. This approach requires cities to become inspectors of the solid waste and recycling streams in their communities.

Included in the Annual Inspection Fees of the WRT agreement were three positions. The City Council approved the Sanitation Officer job spec on Tuesday, June 23, 2020. Staff will hire two Sanitation Officers. Staff is presenting the second job spec to The City Council as a status update on the most recent proposal to AFSCME Local 809 of the Sanitation Program Aide role to address the monitoring and enforce antidumping and anti-scavenging regulations.

There have been a number of Meet and Confers, as documented in the section titled Background. The parties are still negotiating the most recent City presentation of what is now a Sanitation Program Aide classification, which was only presented by the City to AFSCME 809 on July 1, 2020. Thus, the parties are still in Meet & Confers over the Sanitation Program Aide classification. An additional Meet and Confer was scheduled for July 2, 2020, but AFSCME 809 requested to reschedule to Monday, July 6, 2020.

Staff is presenting this item to the City Council as requested by the City Council on June 23, 2020.

II. RECOMMENDATION

Assuming that the City walks on the floor an agreed upon job spec with AFSCME Local 809; WAIVE further reading and APPROVE Resolution No. 20-030, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE CLASSIFICATION PLAN, RESOLUTION 77-111, BY ADOPTING NEW JOB CLASSIFICATION SPECIFICATION FOR THE SANITATION PROGRAM AIDE OR THE AGREED UPON JOB SPEC THAT WAS WALKED ON THE FLOOR."

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate.

IV. BACKGROUND

The Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 (" AB 939") declares that a City may determine all aspects of solid waste handling that are of local concern, including, but not limited to, frequency of Collection, means of Collection and transportation, level of services, charges and fees and the nature, location and extent of providing solid waste handling services.

The passage of AB 32, the California Global Warming Solutions Act of 2006, ("AB 32") required by law a sharp reduction of greenhouse gas (GHG) emissions. Local governments will play a vital role in the implementation of AB 32 by identifying opportunities and best practices to increase waste reduction and recycling, thereby reducing carbon emissions.

In 2011, the State of California enacted AB 341, which provides further procedures for complying with the statute under AB 32 for reducing GHG emissions. AB 939, AB 32, AB 341, AB 1826 and related laws pertaining to the environmental impacts of solid waste, as

may be enacted or amended in the future, are collectively referred to herein as the "Refuse Impact Reduction Laws." The City is required to comply with these laws and these positions, as funded through the solid waste franchise, will assist the City in meeting its statutory duty in enforcing waste reduction and recycling.

The City Council approved the adoption of two new classifications of Sanitation Officer and Sanitation Program Assistant in the High Priority List for the FY 18/19 budget on June 19, 2018 (Item No. 33, 2018-304); and received and filed the updated list on August 7, 2018 (Item No. 20, 2018-555). The creation of new classifications requires the development of new classification specifications and assignment of an appropriate salary range, both of which require Meet and Confer with the affected employee organization. The City's initial Meet & Confer request was made to AFSCME 809 on 11/29/18. The process was then suspended for most of 2019 due to funding concerns and Public Works department changes to the classification titles and duties. The City Meet & Confer process with AFSCME 809 resumed in January 2020. The most recent Meet & Confers were conducted on June 29, 2020 and July 1, 2020. An additional Meet and Confer was scheduled for July 2, 2020, but AFSCME 809 requested to reschedule to Monday, July 6, 2020. While the Sanitation Officer classification was resolved and adopted by City Council on June 23, 2020, the parties are still negotiating the most recent City presentation of what is now a Sanitation Program Aide classification, which was only presented by the City to AFSCME 809 on July 1, 2020. Thus, the parties are still in Meet & Confer over the Sanitation Program Aide classification. Staff is presenting this item to the City Council as requested by the City Council on June 23, 2020.

V. FISCAL IMPACT

This position is fully funded by the annual inspection fees collected from Waste Resources Technologies, Inc.

VI. EXHIBITS

1. Resolution No. 20-030 Sanitation Program Aide (pgs. 4-5).

Prepared by: Faye Moseley, Director of Human Resources & Risk Management