

## ILLEGAL DUMPING REPORT ATTACHMENT II

**County of Contra Costa**  
**OFFICE OF THE COUNTY ADMINISTRATOR**  
**MEMORANDUM**

**DATE:** June 15, 2004

**TO:** John Gregory, Deputy County Administrator

**FROM:** Lara DeLaney, Management Analyst

**SUBJECT: ILLEGAL DUMPING CONTROL IN THE GENERAL SERVICES AND PUBLIC WORKS DEPARTMENTS**

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### **SUMMARY OF MAJOR CONCLUSIONS**

1. Because of its higher cost structure, consolidation of all illegal dumping control activities in the Public Works Department is not recommended. For reasons noted below, consolidation would increase over-all program costs while reducing resources for other road maintenance needs.
2. Though it has a lower cost structure, consolidation of all illegal dumping control activities in the General Services Department (GSD) is also not recommended. GSD staff cannot perform all of the required litter control functions because the equipment needed for major debris pick-up requires operator certification. Certified staff and the necessary equipment exist only in Public Works. Therefore, GSD staff is best suited to the activities that it currently performs, though with a different staffing structure and a different operating schedule.
3. In order to achieve maximum cost-effectiveness, a modification of the existing program is recommended whereby the General Services Department provides service through its grounds maintenance division staff, supplemented by assistance from Public Works when heavy debris pick-up is required. Activities would function on a demand-response basis and be coordinated with Public Works' street sweeping activities. In the North Richmond, service would be provided in consultation with the assistance of the recently hired "Community Services Coordinator."

## **RECOMMENDATIONS:**

CONSIDER restructuring the illegal dumping control activities in the General Services and Public Works Departments to a demand-response system, coordinated by Public Works and scheduled in conjunction with the street sweeping program. Services will be provided through the General Services Department except when the staff and equipment of Public Works is required, based on the size of material removal.

CONSIDER directing staff of Public Works and General Services to pursue implementation of additional cost saving measures, including the utilization of Sheriff and Probation "offender" labor programs, the placement of additional bins at Public Works corporation yards, and the development of an "Adopt-A-Road" program.

CONSIDER directing the CAO to provide a progress report in six months to the Environmental Justice Ad Hoc Committee on program costs, public perception of service delivery, and any implementation issues of the proposed cost control measures.

CONSIDER supporting recommendations of the Illegal Dumping Taskforce that are targeted toward addressing the root cause of the illegal dumping problem: community education and engagement, enforcing mandatory subscription service, small hauler regulation/licensing, surveillance of problem areas, and greater law enforcement against offenders.

## **BACKGROUND:**

At the September 16, 2003, Board of Supervisors meeting, Supervisor Gioia requested that the CAO investigate the illegal dumping control services performed by the General Services and Public Works Departments, and the matter was referred to the Transportation, Water, and Infrastructure Committee (TWIC). Supervisor Gioia expressed concern that Public Works was proposing a reduction in its "Debris Pickup" program and suggested that there may be efficiencies gained through an examination of both departments' operations.

At the November 3, 2003 TWIC meeting, the Committee received a report on the activities of the departments and suggested modifications to staff's recommendations, including establishing priorities for use of "offender" labor from County Sheriff and Probation programs. The Committee also requested a progress report on implementation of the recommendations. At the Environmental Justice Ad Hoc Committee meeting on March 22, 2004, an oral status report was provided, and the Committee requested that a final report be returned in April.

### **Progress Report**

Since the reduction in gas tax support for illegal dumping control was proposed by Public Works for FY 03-04, both the Public Works and General Services Departments have modified their operations to respond to budgetary constraints. Notwithstanding the fact

that personnel and operating costs have continued to rise<sup>1</sup> while revenues have declined, the program has been impacted indirectly by rising expectations in the community. The fact is that illegal dumping control costs (for both departments) have risen from \$530,000 in FY 1999-2000 to over \$1 million in FY 2002-03. Consequently, the public has been receiving an increasing level of service that has created expectations of a de facto County “garbage service.” While this expectation is not supportable, fiscal constraints of both departments have driven new efficiencies and proposed structural changes.

Currently, General Services has two crews assigned to illegal dumping control<sup>2</sup>. Funding for the crews comes from Public Works’ gas tax revenues (\$445,000 for FY 2003-04) and (in the Bay Point area) the Keller Canyon Landfill Mitigation Fund (\$145,000).<sup>3</sup> For cost reasons, Public Works does not have a crew assigned to illegal dumping on a full-time basis. Instead, PW provides large-equipment pick-ups on an as-needed basis because they have the staff qualified and certified to operate the equipment.

In General Services, there are six Crew Leader positions filled, however, only two Crew Leaders are performing illegal dumping control activities in the Grounds Division at this time. In light of the budget reduction by Public Works in FY 03-04, two Crew Leaders have been reassigned out of litter control activities: one to the Recycling program in the Custodial Services Division and the other to grounds maintenance services. The remaining two Crew Leaders are out on workers’ compensation claims, with one expected to return imminently.

If there is no additional funding provided to illegal dumping control either from Gas Tax or General Fund, there will need to be a reduction and reassignment of staff in General Services, given the current budget and service levels. The Crew Leader positions that do not have a dedicated stream of funding, such as gas tax or Keller Mitigation funds, may be reassigned to the Custodial/Recycle Services Division permanently. The reassignments to the Custodial Services Division would allow for more flexibility in job assignments for Crew Leaders and provide for an alternative source of revenue through charge-outs to service receiving departments. Reassignments may require demotions but would be an alternative to lay-offs. With respect to the Work Program Aides, these positions would be eliminated. In place of these crews, General Services staff would perform litter control as an adjunct to groundskeeping functions, with a gardener and two groundskeepers comprising the new crew.

### **Service Consolidation versus Service Restructuring**

Both departments propose to restructure operations to a demand-response system, coordinated by Public Works staff since they receive the majority of the service calls and are more frequently canvassing the streets and roads. As envisioned for the North

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<sup>1</sup> The disposal costs of vehicle tires, computers, and household appliances containing hazardous materials have risen considerably over time.

<sup>2</sup> A crew consists of one Crew Leader and two Work Program Aides.

<sup>3</sup> Funding from the Keller Mitigation Fund of \$145,000 is restricted to activities related to beautification and litter control in the Bay Point area only.

Richmond area, the Public Works maintenance area supervisor would coordinate with the newly established Community Services Coordinator to identify particular service needs and send the appropriate Public Works or General Services crew to respond<sup>4</sup>. In addition, Public Works has proposed that litter control activities be coordinated with their Street Sweeping program, so that crews are sent out in advance of street sweeping activity, to ensure that debris is removed and not an obstacle to sweeping.

General Services proposes to eliminate the litter pickup crews and assign the function to its grounds maintenance division. This will result in an approximately 15% savings in the hourly cost of the crew. In addition, the grounds maintenance crew will be able to work the full 10-hour day as opposed to the Workfare crew, which requires the Crew Leader to pick up the Work Program Aides at different locations, losing up to two hours of productive time each day.

Restructuring is preferred to service consolidation for the following reasons:

**1. Consolidation of services at Public Works would result in significantly higher costs**

The overhead rate for the GSD litter control program, called "Workfare", is 59.5%. The annual maximum salary for the Crew Leader is \$52,707. The annual maximum salary for the Work Program Aide is \$19,685. In comparison, the overhead rate for the Public Works Maintenance Division, which performs illegal dumping control, is 63%. The annual maximum salary for the laborer position, the least costly in the Maintenance Division, is \$40,704, which is more than double the salary of the Work Program Aide. The annual maximum salary for a "Specialty Crew Leader" is \$56,484. Thus, both the laborer and supervisor positions have higher costs than those positions providing the services in General Services, and the overhead rate is also higher at Public Works' Maintenance Division.

**2. Consolidation of services at General Services is infeasible because of equipment operator certification requirements**

The equipment that is used by Public Works staff for large debris removal (the loaders) requires operator certification, which is a component of the Equipment Operator job classification. Shifting the equipment to General Services would not eliminate this requirement, and the job classification could not be altered by a change in department assignment. Therefore, the same cost structure would exist for equipment operators in General Services; the only savings would be in the small differential in overhead between the departments<sup>6</sup>. More importantly, the higher paid

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<sup>4</sup> Currently, it is sometimes the case that General Services responds to a service request and discovers that the debris requires lifting equipment. This change will reduce the duplication of effort.

<sup>5</sup> The charge-out rates for Crew Leaders is \$70.12/hr and for Work Program Aides is \$19.12. The charge-out rate (with overhead) for the Public Works Laborer is \$60.35/hr.

<sup>6</sup> The additional costs for training, re-certification and alcohol and drug testing of the heavy equipment operator will have to be absorbed in the overhead structure of General Services Department.

equipment operator would be grossly under-utilized on days when the heavy equipment is not needed.

**Prioritization of Labor from Sheriff's Work Alternatives Program (WAP)**

The original litter control program for the County, which was started in the mid-1980's, was a component of a program called "Workfare." Workfare was staffed primarily with welfare recipients who were required to work for grant eligibility. Because of welfare reform, the requirements have changed, causing impacts to the Workfare program. The number of welfare recipients required to work has dwindled significantly; the utilization of low-paid workers (Work Program Aides) referred from the Employment and Human Services Department is insufficient to staff at historical levels; and program costs have increased to the point where crews that once numbered 10 or more are now comprised of a Crew Leader and one to two Work Program Aides.

In October 2003, representatives from Public Works, General Services, County Administrator's Office, Sheriff's Office and Probation met to discuss the potential use of "offender" labor for illegal dumping control activities. Representatives from both Probation and the Sheriff's Office agreed to provide assistance; General Services agreed to coordinate these efforts with both departments.

While labor from the offender programs was intended to be a viable alternative, a shortcoming is that it cannot be provided on a consistent basis. With respect to the Sheriff's Work Alternatives Program, limitations arise because the supply of labor depends on the willingness, availability and reliability of offenders – who must choose to participate in the program – as well as the physical abilities of participants and their proximity to job sites. In addition, because many of the program participants have jobs, they are only available for weekend participation in the program.

Sheriff's Office staff has pointed out that the policy basis for their work alternatives program is to ensure successful completion of service requirements, and maximum flexibility in assignment of participants is an important tool in meeting this objective. A policy of prioritizing assignments to meet the needs of the County's illegal dumping program would inhibit the flexibility that is essential for an effective program. Additionally, the Sheriff's Office has contracts with approximately 35 agencies throughout the county for the provision of labor and feels a responsibility to respect those service agreements.

The Sheriff's staff is aware that the Transportation, Water and Infrastructure Committee of the Board has requested that priority be given to County needs, and they are attempting to comply.

Since November 2003, nine Work Alternative Participants have been referred to General Services for the dumping program. Those nine participants have worked a total of 19 days, with two days per participant as the average. The "sentences alternatives" are generally a couple of days of work, so it would be difficult to manage the use of these

participants even if they are referred in greater numbers. The illegal dumping control program could use a minimum of four to six participants, four days per week (Monday-Thursday). If that number were consistent and reliable, General Services could stop using other paid crew members. At this time, however, it is not possible to have a litter program without the use of paid labor.

It should be noted that “WAPers” have been and continue to be used in the General Services Recycling Program in larger numbers. These participants referred to recycling activities typically have physical limitations that prevent them from being used to do roadside illegal dumping control work.

### **Other Cost Reduction Measures**

The impact of volunteer labor from the Probation Department’s “Byron Boys’ Ranch” program would be minimal because the availability of labor is limited to weekends. Should the availability be expanded to include weekdays, it would provide some additional cost reduction for GSD. However, the geographic area that could be served by labor from the Ranch is limited and the availability of labor on a consistent basis is likely to be problematic.

### **Bins and Compactors**

The placement of debris bins and compactors in Public Works’ corporation yards in Richmond and Brentwood may result in modest cost savings by reducing travel and waiting time, at times over one hour, needed to bring collected litter and debris to the dumps. Having compactors will help ensure that the bins are efficiently filled before they are hauled off to the dumps. Separate bins for metal and tires are recommended for the corporation yards. Since this idea was first proposed, Public Works has installed bins in the Richmond Corporation Yard. Because of space limitations, bins have not been installed in the Brentwood Yard as yet.

### **Adopt-A-Road Program**

To provide an additional source of revenue for litter control activities, the County could pursue the development of a program to seek donations from businesses and organizations to provide funding for adopted roads. Staff of the Sheriff’s Office has indicated that the production of a sign (to indicate adoption) would cost \$150. Staff resources would be required to solicit donations and administer the program.