



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: April 25, 2007 REPORT NO: 07-072
ATTENTION: Council President and City Council
Docket of May 1, 2007
SUBJECT: Alpha Project and Take Back the Streets Program

REQUESTED ACTION:

1. A Resolution approving the solution described in this Mayor's Report to Council, to fund the "Take Back the Streets" program as desired by Council.
2. Approve transfer of funds: Transfer \$80,000 from ESD (Fund: 100, Dept: 513, Org: 9001, JO: 001030, OA: 4222) to Streets Division (Fund: 100, Dept: 534, Org: 2702, OA: 4222, JO: 5259, Rev: 79262).
3. Authorize the Streets division to expend an additional \$80,000 for purposes of weed abatement pursuant to their existing contract with Alpha Project.

STAFF RECOMMENDATION: Approve the solution proposed by the Mayor's Office to satisfy Council's request to fund the Alpha Project "Take Back the Streets" program.

SUMMARY:

In September 2005, the City was informed by the U.S. Department of Housing and Urban Development (HUD) that effective June 30, 2006, Alpha Project's Take Back the Streets (TBS) program would no longer be eligible for CDBG funding. During the FY2007 budget discussions on May 30, 2006, the City Council modified the FY07 budget to allocate \$300,000 from the General Fund to continue services like those offered in TBS. During the Council hearing, the question was posed whether these services would be offered Citywide or in specific Council districts. Elmer Heap, Environmental Services Director, replied that every Council district would benefit from the program, Alpha Project would be involved, and services would be provided in an appropriate manner consistent with regulations.

During program development subsequent to the budget modifications, it was brought to the Environmental Services Department's (ESD) attention by the City Attorney's Office and the Labor Relations Department that Article 50 of the Memorandum of Understanding (MOU) between the City and AFSCME Local 127 (Local 127) might apply to some of the desired TBS program services. This was later confirmed by the Labor Relations Office and required ESD to utilize ESD staff to provide the service in question if City staff were found to be the most cost effective. In order to continue services while discussions with Local 127 proceeded and the service costs were analyzed, a contract for illegal dump removal was established between the City and Alpha Project on a month-to-month basis. (See attached Report to City Council dated October 16, 2006.)

ESD's proposed TBS program was brought to Council for discussion and direction on October 17, 2006. However the matter was continued. On November 13, 2006, the City Attorney's Office issued its Memorandum addressing three issues regarding the budget appropriation for a TBS program, the application of Article 50, and funding of the TBS program. (See attached memorandum from City Attorney dated November 13, 2006.)

UPDATE:

At the November 20, 2006 Council Meeting, Council directed the Mayor's Office and Labor Relations Office to "Find a solution that satisfies Council's direction and desire as stated in the budget process to continue to fund "Take Back the Streets" and bring this item back to Council..."

The Labor Relations Office, Mayor's Office, City Attorney's Office, and Environmental Services Department (ESD) worked diligently to find appropriate additional funding sources to follow Council's direction regarding the Take Back the Streets program, Alpha Project, and Local 127. We contacted other departments that may have work for and/or funding that we could direct towards Alpha Project. We have worked with the Purchasing and Contracting Department to put together a list of all current contracts with Alpha Project (See attached list of all current City contracts with Alpha Project for this fiscal year.) Currently, Alpha Project has over \$1,000,000 in Contracts with City departments, which includes approximately \$202,000 of the \$300,000 that Council designated for Take Back the Streets. We met with Alpha Project to discuss additional work that Alpha Project may be able to perform within the City of San Diego to comply with Council's direction. We were able to identify projects and funding in the amount of up to \$60,000 from the Storm Water Pollution Prevention Division in the General Services Department to fill the funding gap so that Alpha Project will still receive approximately \$300,000 from the City of San Diego related to the TBS program as Council directed for FY 07.

The Storm Water Division is currently preparing a draft scope of work to be included in a contract between the division and Alpha Project for up to \$60,000 to perform watershed cleanup activities for the City of San Diego pursuant to San Diego Regional Water Quality Control Board Order No. 2001-01. A contract will be negotiated on behalf of the Storm Water Division with Alpha Project, and a Request for Mayoral Action to execute the said contract (pursuant to San Diego Municipal Code section 22.3222 (c)) will be prepared and processed. The work is expected to be completed in this fiscal year (FY 07). Alpha Project is agreeable to this proposed resolution and supportive of the City's efforts.

AMOUNT	RECIPIENT
\$300,000	Total original amount transferred to ESD from Council CDBG funds for FY2007
\$97,457	City Employees (via agreement with Local 127 triggered by Article 50 of the Local 127 MOU).
\$202,453	Amount currently slated from original \$300,000 to Alpha Project **Alpha may receive additional portion of \$97,457 as a result of any salary savings that accrue depending on how quickly the City is able to fill these positions. Any savings will be moved over to Alpha Project to enhance their existing ESD contract to conduct litter abatements.

Up to \$60,000	Additional contract for Alpha Project with Storm Water Division
\$262,453	Projected Total to Alpha Project (may increase as indicated above).

FISCAL CONSIDERATIONS: The final program developed by ESD is designed to use the General Fund monies to maximum efficacy while providing a desired mix of program services as defined by City Council input. The program elements and the allocation of the \$300,000 General Fund budget are summarized in the table below. ESD has budgeted under the illegal dump abatements column approximately \$11,000 per month, beginning in March, for hiring two limited positions, a Heavy Truck Driver I (HDI) and Utility Worker I (UWI). The HDI position has been offered to an existing employee and the UWI interviews are being conducted the week ending 3/2/07. Any salary savings that accrue from not filling these positions will be moved over to Alpha Project to enhance their existing ESD contract to conduct litter abatements.

Allocation	Program Components				
	Community Cleanups (appliances, e-waste)	26 Extra Mini Cleanups	Weed Abatement (Streets utilizing AP)	25 Hardship Abatements (AP or City Staff)	Illegal Dump Abatements
ESD (\$97,547)	\$22,975	\$5,500	0	0	\$69,072
Alpha Project (\$202,453)	0	0	\$80,000	\$21,000	\$101,453 (thru end of March)
<i>\$300,000</i>	<i>\$22,975</i>	<i>\$5,500</i>	<i>\$80,000</i>	<i>\$21,000</i>	<i>\$170,525</i>

The Storm Water Division will be contracting with Alpha Project for watershed cleanup activities in the amount of up to \$60,000. Alpha Project has agreed to this solution.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: At the November 20, 2006 Council Meeting, the following occurred:

MOTION BY MADAFFER TO RETURN THE ITEM TO THE MAYOR REQUESTING FURTHER ACTION IN FINDING A SOLUTION THAT SATISFIES COUNCIL'S DIRECTION AND DESIRE AS STATED IN THE BUDGET PROCESS TO CONTINUE TO FUND "TAKE BACK THE STREETS" AND BRING THIS ITEM BACK TO COUNCIL BEFORE THE END OF JANUARY 2007. Second by Faulconer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: NONE

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Alpha Project
AFSCME Local 127
City of San Diego



Scott Chadwick
Labor Relations Manager



Rick Reynolds
Assistant Deputy Chief Operating Officer

Attachment 1: 06-154 - Cost Effective Provision of "Take Back the Streets" Scope of Services

Attachment 2: Memo from the City Attorney dated November 13, 2006