

File No. 101104

Committee Item No. 7

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: October 13, 2010

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Ethics Form 126 |
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OTHER

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Completed by: Victor Young

Date: October 8, 2010

Completed by: Victor Young

Date: _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Public Employment - Department of the Environment]

2
3 **Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY 2010-2011) to**
4 **reflect the addition of three positions; one (1) Class 5638 Environmental Assistant, one**
5 **(1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in**
6 **the Department of the Environment.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 **Section 1:** The hereinafter designated section and item of Ordinance No. 191-10
12 (Annual Salary Ordinance, FY 2010-2011) is hereby amended so that the same shall read as
13 follows:

14
15 Department: ENV (22) Environment
Index Code: 220172
16 Program: Clean Air
Subfund: 2S ENV GNC

<u>Amendment</u>	<u>#of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
Add	.75 FTE	5638 Environmental Assistant	\$2053 B \$2496
Add	.75 FTE	5640 Environmental Specialist	\$2496 B \$3035
Add	.75 FTE	5644 Environmental Manager	\$3313 B \$4028

21 APPROVED AS TO CLASSIFICATION:
22 DEPARTMENT OF HUMAN RESOURCES

APPROVED AS TO FORM
DENNIS J. HERRERA, City Attorney

23 By: Signature on file
24 Micki Callahan
Director

By: Signature on file
Thomas Owen
Deputy City Attorney

Item 7
Files 10-1104

Department(s):
Department of the Environment
(DOE)

EXECUTIVE SUMMARY

Legislative Objective

The proposed amendment to the FY 2010-2011 Annual Salary Ordinance would approve three new permanent, full-time positions, one 5644 Environmental Manager, one 5638 Environmental Assistant and one 5640 Environmental Specialist in the Department of the Environment's (DOE) Clean Air Program.

Key Points

The DOE Clean Air Program's Transportation Demand Management Section provides commute assistance to City employees and promotes transportation alternatives to vehicle trips. The proposed ordinance would add one new permanent Class 5644 Environmental Manager to supervise the program, as well as one new permanent Class 5638 Environmental Assistant and one new permanent Class 5640 Environmental Specialist to coordinate the enrollment of new private employers and City employees into various Transportation Demand Management commuter programs.

The Department "plans" to delete two existing temporary positions from the Clean Air Program, one Class 5638 Environmental Assistant and one Class 9922 Public Service Aide, for an estimated savings of \$135,831. In order to document this "plan," the Board of Supervisors should request the Director of the Department of the Environment to submit a formal memorandum to the Board of Supervisors identifying the date(s) of termination of each of the two temporary positions.

Fiscal Impact

The total cost of the three new proposed positions for FY 2010-11 would be \$255,950, of which \$188,100 would be funded by a grant from the San Francisco County Transportation Authority, Proposition K Sales Taxes. The net cost of adding the three new permanent positions at the 0.75 FTE level, and deleting two existing temporary positions by October 1, 2010 would be \$120,119 in FY 2010-11 (\$255,950 less \$135,831 for the deletion of two temporary positions).

If the Board of Supervisors amends the proposed ordinance to (a) delete the Class 5638 Environmental Assistant, and (b) delays hiring from October 1 to December 1, 2010, as has been recommended by the Budget and Legislative Analyst, the cost of adding two new positions would be \$139,639 in FY 2010-11, and \$240,757 on a fully annualized basis. Under that recommended alternative, the \$188,100 grant from the Transportation Authority would be more than sufficient to fully fund the two permanent positions in FY 2010-11. In FY 2011-12, the Department estimates the total annual cost for all Clean Air Program positions to be \$729,399, which it expects would be fully funded by grants totaling \$847,195.

Recommendations

Amend the proposed ordinance to (a) delete the one requested permanent Class 5638 Environmental Assistant position and (b) change the 0.75 FTE to 0.58 FTE for each of the proposed two new positions, one 5644 Environmental Manager and one 5646 Environmental Specialist.

Request the Director of the Department of the Environment to submit a formal memorandum to the Board of Supervisors identifying the date(s) of termination of each of the two temporary positions.

Approve the proposed ordinance, as amended.

BACKGROUND/MANDATE STATEMENT

Background

The Department of the Environment's (DOE) Clean Air Program currently has five permanent positions, and two temporary positions, for a total of seven positions. The five permanent positions include two Class 5642 Environmental Specialists, one Class 5638 Environmental Assistant, and two Class 9922 Public Service Aides. The two temporary positions include one Class 5638 Environmental Assistant and one Class 9922 Public Service Aide.

Three of the Clean Air Program's five permanent positions and the two temporary positions are allocated to its Transportation Demand Management Section. Formerly known as the City Employee's Commute Assistance Program, the Transportation Demand Management Section provides commute assistance to City employees and promotes transportation alternatives to vehicle trips. The Clean Air Program administers the following programs as part of its Transportation Demand Management Section:

1. The Commuter Benefits Program allows City employees to authorize the Controller to make a pre-tax payroll deduction, up to \$230 per month per employee in accordance with the Internal Revenue Service (IRS) rules, to pay for transit or van pool services.
2. The San Francisco Emergency Ride Home Program reimburses employees of participating privately operated San Francisco businesses if such employees use public transit, van pools, or other alternative transportation for the costs of transportation in instances of emergency.
3. The Bicycle Program includes the City Hall Bike Room, which provides secure bicycle parking and dressing and shower facilities in City Hall for employees commuting to the Civic Center area, and Bikes for City Departments, which replaces motor vehicles with bicycles for use on the job.
4. The Regional Rideshare Program provides outreach to employers to promote carpooling.

The proposed ordinance would approve three new permanent positions for the Clean Air Program's Transportation Demand Management Section.

Mandate Statement

Under the City's Charter, the Board of Supervisors is responsible for amending and approving the Annual Appropriation Ordinance and the Annual Salary Ordinance.

DETAILS OF PROPOSED LEGISLATION

The proposed amendment to the FY 2010-2011 Annual Salary Ordinance (Ordinance No. 191-10) would approve three new permanent positions in DOE's Clean Air Program including (a) one Class 5644 Environmental Manager, (b) one Class 5638 Environmental Assistant and (c) one Class 5640 Environmental Specialist. Based on the Department's assumption that the new positions would be filled effective October 1, 2010, each of the three new positions is authorized in the proposed ordinance at 0.75 FTE in FY 2010-2011, for a total of 2.25 FTEs.

According to Mr. Mark Westlund, Communication/Education Program Manager in DOE, the Department "plans" to delete the two temporary positions that are currently included in the Department's FY 2010-2011 budget, one Class 5638 Environmental Assistant and one Class 9922 Public Service Aide, totaling 1.82 FTEs.

However there is nothing in this legislation to require the deletion of the two temporary positions. The Board of Supervisors should request the Director of the Department of the Environment to submit a formal memorandum to the Board of Supervisors identifying the date(s) of termination of each of the two temporary positions.

The three new permanent full-time positions proposed in this ordinance would replace these two temporary 1.82 FTE positions. If the proposed ordinance is approved, the total position count in FY 2010-2011 would increase by 0.43 FTEs (2.25 FTEs proposed in FY 2010-11 less 1.82 FTEs existing). After FY 2010-2011, the proposed 3.0 FTE positions would result in an increase of 1.18 FTE positions (3.0 FTE proposed less 1.82 FTE existing).

As noted above, the Clean Air Program currently has five permanent positions and two temporary positions, for a total of seven positions. If the proposed ordinance is approved, three new permanent positions would be added and two temporary positions are "planned" to be deleted, for a total of eight permanent positions in the Clean Air Program. Mr. Westlund advises that the proposed new 5644 Environmental Manager would supervise the seven person permanent staff in the Clean Air Program. The requested new Environmental Assistant and Environmental Specialist would perform the duties required to operate the Transportation Demand Management Section, including enrollment of new private employers and City employees into Clean Air Programs.

According to Mr. Westlund, the Clean Air Program is currently managed by the Department's Deputy Director and is the only program in the DOE that is not managed by a Class 5644 Environmental Manager. Other programs in the Department of Environment operate with spans of control that range from seven to thirteen staff to each manager, as well as one program (Environmental Justice Program) with just two staff below its manager. Mr. Westlund states that the proposed ordinance "will bring a level of focus and cohesion that will enhance program performance" since the current configuration of temporary positions results in "constant turnover that is so disruptive to program performance." Mr. Joseph Salem, DOE Finance and

Administration Manager, reports that the Department has a backlog of work to meet Clean Air Program grant requirements. Furthermore, Mr. Westlund believes that the Department will be able to attract higher caliber candidates with “appropriately classed”, permanent positions. If the proposed ordinance is approved by the Board of Supervisors, the DOE intends to post and widely advertise these positions and conduct a competitive recruitment process in accordance with Civil Service rules.

FISCAL ANALYSIS

Cost of Three New Positions

Each of the three proposed new permanent positions would be authorized for 0.75 FTE in FY 2010-2011, which assumes that each position would be filled effective October 1, 2010. As shown in Table 1 below, the total FY 2010-11 cost, including salary and benefits, of the three positions would be \$255,950.

Table 1: FY 2010-11 Cost of Three New Positions in Clean Air Program

Position Class	Position Title	FTE	Salaries	Benefits	Total Cost
5638	Environmental Assistant	0.75	\$ 48,672	\$ 20,153	\$ 68,825
5640	Environmental Specialist	0.75	\$ 59,183	\$ 22,546	\$ 81,728
5644	Environmental Manager	0.75	\$ 78,546	\$ 26,850	\$ 105,396
TOTAL		2.25	\$ 186,401	\$ 69,549	\$ 255,950

Source: San Francisco Department of Environment

The fully annualized cost for the salaries and fringe benefits for the three proposed positions would be \$341,266.

The proposed new positions would be partially funded by a \$188,100 grant from the San Francisco County Transportation Authority (SFCTA), Proposition K Sales Taxes, which the Department received in July 2010. According to Mr. Salem, the grant funding is for one year but is renewable on an annual basis. Although the three proposed positions would be permanent, since these three positions would be grant-funded positions, they are coded as “G”, such that they would terminate with the expiration of grant funding.

According to Mr. Salem, if the Board of Supervisors approves the proposed ordinance, the Department plans to delete two temporary positions for a savings of \$135,831 in FY 2010-2011. Therefore, the net cost of deleting these two temporary positions and adding the three permanent positions would be \$120,119 in FY 2010-11 (\$255,950 less the \$135,831). The Board of Supervisors should request the Director of the Department of the Environment to submit a formal memorandum to the Board of Supervisors identifying the date(s) of termination of each of the two temporary positions.

However, as noted above, the fully annualized cost for the salaries and fringe benefits for the three permanent positions is estimated to be \$341,266. Even with the deletion of the two temporary positions, the anticipated \$188,100 annual grant will not provide sufficient funding to cover these three new permanent positions for a full year.

**Budget and Legislative Analyst Recommendation:
Two New Positions Instead of Three New Positions**

Given (a) the available SFCTA annual grant funding of \$188,100, (b) the Clean Air Program’s existing workload, (c) the Department’s primary expressed goal of providing a new permanent Class 5644 Environmental Manager for the Clean Air Program, and (d) the Department’s stated desire to reduce staff turnover by providing permanent rather than temporary positions, the Budget and Legislative Analyst recommends that the Department of Environment add two new permanent positions, including a manager, instead of three new positions. As part of this recommendation, the Budget and Legislative Analyst also concurs that the Department should eliminate the two existing temporary positions. Under this alternative, there would continue to be a total of seven positions in the Clean Air Program.

In addition, given that the timing of this ordinance has been delayed, such that the hiring of new permanent staff by October 1, 2010 is no longer realistic, the effective date of hiring should be delayed by two months, or December 1, 2010. Delaying the timing from October to December, 2010 will change the proposed 0.75 FTE to 0.58 FTE for each of the two new permanent positions in FY 2010-2011.

If the proposed ordinance is amended to delete the Class 5638 Environmental Assistant and change the effective date from October 1 to December 1, 2010, the cost of adding the two remaining full-time permanent positions would be \$139,639 in FY 2010-11, as shown in Table 2 below . Therefore, the \$188,100 grant from the SFCTA would be more than sufficient to fully fund the salaries and benefits for these two permanent positions costing \$139,639 in FY 2010-11.

Table 2: FY 2010-11 Cost of Two New Positions in Clean Air Program

Position Class	Position Title	FTE	Salaries	Benefits	Total Cost
5644	Environmental Manager	0.58	\$ 60,742	\$ 20,764	\$ 81,506
5640	Environmental Specialist	0.58	\$ 40,697	\$ 17,435	\$ 58,133
TOTAL		1.16	\$ 101,440	\$ 38,199	\$ 139,639

Source: San Francisco Department of Environment

The fully annualized cost for the salaries and fringe benefits for these two proposed positions would be \$240,756. In FY 2011-12, the Department estimates that the fully annualized cost for all of the permanent positions in the Clean Air Program would be approximately \$729,399, which includes seven total positions. The Department expects this cost to be fully funded by the estimated \$847,195 it expects to receive from five grants¹.

POLICY CONSIDERATIONS

According to Mr. Salem, if the two recommended positions are not approved, the DOE would not be able to meet the San Francisco County Transportation Authority’s grant requirements,

¹ The five grants are: San Francisco Transportation Authority Proposition K Sales Taxes grant; Commuter Check grant; Transportation Demand Management (TDM) grant; Commuter Benefits grant; Bay Area Climate Initiative grant -Integrated Public-Private Partnership

which require the administration and management of Commuter Benefits, Emergency Ride Home, Bicycle promotion, and regional rideshare programs. In such a case, the DOE would be required to return the grant funds.

RECOMMENDATIONS

Amend the proposed ordinance to (a) delete the one requested permanent Class 5638 Environmental Assistant position, and (b) change the 0.75 FTE to 0.58 FTE for each of the proposed two new positions.

Request the Director of the Department of the Environment to submit a formal memorandum to the Board of Supervisors identifying the date(s) of termination of each of the two temporary positions.

Approve the proposed ordinance, as amended.

