

# MEMORANDUM

Public Works Department



**DATE:** March 11, 2022

**TO:** Mayor and Council

**THROUGH:** Steve McHarris, City Manager

A handwritten signature in blue ink, reading "Steve McHarris".

**FROM:** Tony Ndah, Public Works Director

**SUBJECT:** 2022 Weed Abatement Public Right-of-Way Program – Strategies and Challenges

The purpose of this memorandum is to provide Council the strategies and anticipated challenges for the 2022 Weed Abatement Public Right-of-Way Program given existing resources and steps underway to augment resources.

## **Background**

Over 90 areas within the City's right-of-way are subject to weed growth. This amounts to approximately 132 acres. On August 5, 2021, staff issued an [Information Memorandum](#) titled "Citywide Weed Abatement Program Update." The purpose of the memorandum was to update Council on staff's efforts and challenges to control weeds throughout the City given the resource constraints in the Public Works Department. In response, Council approved the staff's recommendation to allocate \$90,000 of ARPA funds towards weed abatement on August 9, 2021.

At the October 19, 2021, City Council meeting staff presented a [report](#) (scroll to Page 588) on the status of citywide landscape and park maintenance. As outlined in the Information Memorandum and the report to Council, staff has been facing a multitude of challenges to abate weeds and maintain 10 parks due to insufficient staffing levels, staff on medical leave, and difficulty filling vacant positions. The report also outlined the next steps to fill vacant positions, which included meeting and conferring with the Municipal Employee Association (MEA) regarding the maintenance of 10 City parks, and the seasonal application of pre-emergent herbicide which helps prevent weed seeds from germinating.

## **Prioritized Weed Abatement Program (with currently available resources)**

As stated above, over 90 areas, or 132 acres, within the City's right-of-way are subject to weed growth. Given the currently available resources, the main components of the City's weed abatement program for 2022 consist of the following.

- Prioritizing weed abatement sites: Staff will conduct bi-weekly and as-needed inspections of weed abatement sites to prioritize work sites for maintenance.
- Main Thoroughfare Roadway and Median Islands: Staff will maintain and eradicate weeds located on main thoroughfare roadways and median islands by spraying areas with pre- and post-emergent, followed by mechanical or manual removal of weeds. The program goal is to conduct bi-weekly inspections of the main thoroughfare roadways and perform maintenance on the main thoroughfares in the City on a quarterly basis. In the upcoming 2 – 3 weeks, staff are scheduled to perform weed abatement work along Evans Road to address potential fire hazards and will apply post-emergent herbicides to weeds along Calaveras Blvd. Five days after applying the post-emergent, which is required to absorb the herbicide, staff will return to the area to clear the weeds. This practice ensures that the weeds that are cut away do not immediately re-grow at the site.

- Trails: Staff will maintain and eradicate weeds along trail side shoulders in the City to ensure residents' use of the trails is not impeded by the growth of weeds. The program goal is to perform weed abatement activities on City maintained trails annually.
- Other areas: Other areas in the City outside of the main thoroughfares will be maintained by staff by spraying areas with pre- and post-emergent, followed by mechanical or manual removal of weeds. The program goal is to perform weed abatement activities in these areas bi-annually.
- Use of Overtime and Temporary Reassignment of Staff from other Divisions: We will continue to make available overtime to all staff within the department willing to come in and work the extra hours. Further, we will continue to temporarily reassign staff from other Divisions to address the most urgent weed abatement needs in the City; however, the temporary reassignment of staff from other areas will need to be balanced with minimizing the impact on other maintenance needs such as street repairs (e.g., potholes, sidewalks, etc.).

### **2022 Strategies and Challenges to Augment Service Levels**

As previously communicated, the currently available resources are insufficient given the large area to be maintained. Below is a set of strategies underway and respective challenges, as applicable. Please note that with more resources, such as the hiring of currently vacant positions, the Prioritized Weed Abatement Program will be accelerated (i.e., staff will be able to address a greater streetscape area sooner).

#### ***1. Maintaining Authorized Staffing Levels***

The continued negotiations during the meet and confer process with MEA for the maintenance of 10 parks and the delays in filling authorized permanent and seasonal positions continue to significantly impact staff capacity.

Public Works is responsible for the maintenance of 36 City-owned parks, or about 190 acres. Inhouse staff maintain 10 city parks and the skate park, which amounts to approximately 22 acres, or 12% of total park acreage, and the City contractor maintains the remaining 26 parks, which amounts to approximately 168 acres, or 88% of total park acreage. Per previous Council direction, the City intended to also outsource the maintenance of the 10 City parks and dedicate freed up staff resources to street landscape maintenance. However, prior to contracting out bargaining unit work, the City is required to meet and confer in good faith to discuss the decision and its impacts.

In September 2021, staff started the meet and confer process with MEA for the maintenance of 10 parks which was anticipated to be scheduled for Council approval for the March 15, 2022 City Council meeting. However, MEA membership voted to not approve the side letter negotiated with the MEA Board.

Due to the lengthy meet and confer process, maintenance staff across the Public Works Department have continued to be periodically assigned to the upkeep of these parks, which has continued the ongoing reduction in staff capacity for streetscape maintenance and weed abatement and diminished the parks maintenance level of the 10 parks. The Public Works Department will have to continue this practice until the Department is adequately resourced for the maintenance of the 10 parks.

The Trees and Landscape Division has faced continuous turnover of permanent and seasonal maintenance workers due to internal promotions and a tight labor market. To assist with resources, the City Council at its [August 9, 2021](#) meeting approved to augment 4 seasonal positions to 7 seasonal positions using ARPA funds. Despite numerous recruitment efforts, only 3 seasonal

positions have been filled and 4 seasonal positions are still vacant. This is not due to a lack of qualified candidates, rather issues resulting from background investigations and/or retirement status of the candidates. Currently, interviews for the seasonal maintenance worker positions were completed in mid-February. The successful candidates from the interview process are going through the City's pre-employment screening process and we expect to have 3 out of the 4 vacant seasonal maintenance workers onboard by the end of March. Since October 19, 1 permanent position has been filled and 1 permanent position has become vacant.

## 2. *Augmenting authorized Resources*

As part of the development of the FY 2022-23 Proposed Budget, staff has been evaluating the addition of two maintenance worker positions to the Trees and Street Landscape division funded primarily by the General Fund. Further, the 2023-2027 Proposed Capital Improvement Program includes a project for the development of streetscape design standards for the City. These designs will be used for the future conversion of select parkways and center medians in the City into low water, low maintenance streetscapes. These landscape conversions would provide the City with water savings and would also reduce the number of staff hours spent on the ongoing maintenance of these parkways and medians providing for the allocation of resources to weed abatement and other high-priority tasks.

## 3. *Light and Landscape Maintenance District Review*

Staff embarked on a review of the funding levels for LLMD 95-1 McCarthy Ranch (McCarthy District) and LLMD 98-1 Sinclair Horizon. Based on the review, it appears that the McCarthy District has become underfunded over the last five years primarily due to an increase of the maintenance area without a corresponding increase in funds to cover staff expenses. Staff sent a letter to the primary property owner within the district and met to discuss the situation. Based on the initial discussion, staff set up another meeting with the primary property owner to understand and clarify maintenance area responsibilities.

## 4. *Continue to Meet and Confer with MEA*

In addition to the ongoing meet and confer process regarding the park maintenance pilot program side letter, staff intends to meet and confer with MEA for further temporary outsourcing of work including the Sherriff's Work program due to increased weed abatement needs. The Sherriff's Work program is an alternative to incarceration used by the Sheriff's Department for selected low-risk, non-violent offenders.

## **Conclusion**

I would like to recognize and extend my gratitude to our employees who maintain the streetscape in the public right-of-way and continue to work overtime to abate weeds. Given existing resources, staff will implement the outlined prioritized Weed Abatement Program.

However, with the current level of resources, we will still be facing challenges due to insufficient staffing levels. We will not achieve an improved service level for streetscape maintenance until the Department is adequately resourced for the maintenance of the 10 parks, all authorized positions are filled, and the District's maintenance area responsibilities are resolved. Additionally, as General Fund resources allow, the FY 2022-23 Proposed Budget will include recommendations to augment service levels for weed abatement in the public right-of-way.