

WMA Board and Energy Council (EC) Members

Don Biddle, **WMA President**

Dublin, WMA, EC

Jennifer West, **WMA 1st Vice President**

Emeryville, WMA, EC

Pauline Cutter, **WMA & EC 2nd Vice President**

San Leandro, WMA, EC

Lena Tam, **EC President**

Alameda, WMA, EC

Barbara Halliday, **EC 1st Vice President**

Hayward, WMA, EC

Keith Carson, Alameda County, WMA, EC

Gordon Wozniak, Berkeley, WMA, EC

Peter Maass, Albany, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Anu Natarajan, Fremont, WMA, EC

Laureen Turner, Livermore, WMA

Luis Freitas, Newark, WMA, EC

Dan Kalb, Oakland, WMA, EC

Laython Landis, Oro Loma Sanitary District, WMA

Garrett Keating, Piedmont, WMA, EC

Jerry Pentin, Pleasanton, WMA

Lorin Ellis, Union City, WMA, EC

AGENDA

MEETING OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD AND THE ENERGY COUNCIL (EC)

**Wednesday, February 26, 2014
3:00 P.M.**

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER (WMA & EC)

II. ROLL CALL (WMA & EC)

III. ANNOUNCEMENTS BY THE PRESIDENTS (*Members are asked to please advise the board or the council if you might need to leave before action items are completed*)

Page **IV. CONSENT CALENDAR (WMA & EC)**

- | | | |
|----|--|--------------------|
| 1 | 1. Approval of the Draft Minutes of January 22, 2014 (WMA & EC-Separate Votes) (Gary Wolff) | Action |
| 5 | 2. Minutes of the February 14, 2014 Technical Advisory Group (TAG) (EC only) (Gary Wolff) | Information |
| 7 | 3. Amendment to the Human Resources Manual (Attachment A) (Gary Wolff & Pat Cabrera) (WMA only)
Adopt the revised "Attachment A" to the Agency's Human Resources Manual. | Action |
| 13 | 4. Regionalizing Bay-Friendly Landscaping (Gary Wolff & Wendy Sommer) (WMA only)
Accept the recommendation of both WMA Committees and the Recycling Board. | Action |
| 15 | 5. Grants Under \$50,000 (WMA only) | Information |

V. OPEN PUBLIC DISCUSSION (WMA & EC)

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.

VI. REGULAR CALENDAR (WMA only)

- | | | |
|----|---|---------------------------------------|
| 17 | 1. Revisions to Draft Fee Ordinance (Gary Wolff) (WMA only)
We recommend that the WMA Board hold a public hearing, waive reading of the entire ordinance (Attachment A) and read it by title only, and schedule this ordinance rather than the previous draft ordinance for consideration of adoption on March 26, 2014, unless comments at the public hearing justify delaying the date for consideration of adoption. | Action/
Public
Hearing |
| 25 | 2. Appointment to the Recycling Board (Gary Wolff) (WMA only)
That the Authority Board reappoint Board Member Turner to the Recycling Board for a second two-year term. | Action |
| | 3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only)
(P&O and Recycling Board meeting- StopWaste Business Awards - March 13, 2014 at 8:00 a.m. - Zero Net Energy Center, 14600 Catalina Street, San Leandro, CA) | Action |

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)

Information

CLOSED SESSION (WMA only)

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Sections 54956.9(d)(2): (1 potential case)

(confidential materials mailed separately)

CLOSED SESSION (WMA only):

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(pursuant to Government Code Section 54957) Title: Authority Counsel

B. CONFERENCE WITH LABOR NEGOTIATORS (pursuant to Government Code Section 54957.6) Agency Designated Representative: Gary Wolff. Unrepresented Employee: Authority Counsel

(confidential materials mailed separately)

VIII. ADJOURNMENT (WMA & EC)

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**MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD
AND
THE ENERGY COUNCIL (EC)**

Wednesday, January 22, 2014

3:00 p.m.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

(The Boards will vote separately on the portion of the minutes that are relevant to each Board)

I. CALL TO ORDER

President Biddle, WMA, called to meeting to order at 3:05 p.m.

II. ROLL CALL

WMA & EC

County of Alameda	Keith Carson
City of Alameda	Lena Tam
City of Albany	Peter Maass
City of Berkeley	Gordon Wozniak
Castro Valley Sanitary District	Dave Sadoff
City of Dublin	Don Biddle
City of Emeryville	Jennifer West
City of Hayward	Barbara Halliday (arrived 3:10 P.M.)
City of Newark	Luis Freitas (left 4:10 p.m.)
City of Oakland	Dan Kalb
City of Piedmont	Garrett Keating
Oro Loma Sanitary District	Laython Landis
City of Pleasanton	Jerry Pentin
City of San Leandro	Pauline Cutter
City of Union City	Lorin Ellis

Absent:

City of Fremont	Anu Natarajan
City of Livermore	Laureen Turner

Staff Participating:

Gary Wolff, Executive Director
Tom Padia, Recycling Director
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:

Evan Edgar, California Compost Coalition
Arthur Boone, Former Recycling Board Member
Amy Willis, ILWU
Fred Pecker, ILWU

III. ANNOUNCEMENTS BY THE PRESIDENTS

Mr. Wolff shared an informative and humorous sign posted by Milwaukee County, Wisconsin airport, and commented that it was good to experience a government agency doing its job, pleasantly.

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IV. CONSENT CALENDAR (WMA & EC)

- 1. Approval of the Draft Minutes of December 18, 2013 (WMA & EC-Separate Votes) (Gary Wolff)** **Action**
- 2. Castro Valley Sanitary District's (CVSan's) 75th Anniversary** **Action**
Adopt the Resolution attached. And celebrate all our member agency's successes.
- 3. Grants Under \$50,000 (Gary Wolff)** **Information**

Ms. Tam made the motion to approve the Consent Calendar for the WMA Board with the correction noted below. Mr. Wozniak seconded and the motion carried 17-0 (Halliday, Natarajan, and Turner absent).

Mr. Ellis made the motion to approve the Consent Calendar for the Energy Council with the correction noted below. Ms. Cutter seconded and the motion carried 14-0 (Halliday and Natarajan absent).

Correction: Ms. Sadoff was present at the December 18, 2013 meeting not Mr. Akagi as indicated

V. OPEN PUBLIC DISCUSSION (WMA & EC)

Evan Edgar provided public comment on stopping the ADC fraud in California. He cited a report by StopWaste in June 2012 which indicates misreporting of other waste. Arthur Boone provided public comment and stated his support for Mr. Edgars comment. He further stated that he is working on a position paper for the Northern California Recycling Association which he plans to distribute at the California Composting Council conference in Oakland later this month. Mr. Boone stated on behalf of the Sierra Club Zero Waste Committee his commendation to the city of Fremont for their support for competitive wages for recycling workers. Mr. Boone stated that fees for HHW should be assessed at landfills and disagrees with the proposed HHW fee on households. Mr. Boone finally disagreed with the City of Berkeley Mayor's comments that recycling and composting are cadillac services. Amy Willis and Fred Pecker, ILWU and the Campaign for Sustainable Recycling in Alameda County provided public comment expressing concern with the wages and benefits of the recycling workers, and also commended the city of Fremont for their work with BLT Transfer station in approving a small rate increase in order to provide sustainable wages for their recycling workers. Ms. Willis encouraged the City of Oakland to follow Fremont's example when renegotiating the city's franchise agreement. She further commended Councilmember Kalb and Councilmember Gallo for leading this effort in Oakland.

ADJOURNED TO CLOSED SESSION AT 3:25 PM

CLOSED SESSION (WMA only):

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957) – Title: Authority Counsel

There was nothing to report from the closed session.

CLOSED SESSION (WMA only):

CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9

There was nothing to report from the closed session.

VI. REGULAR CALENDAR (WMA only)

- 1. Possible Changes to the HHW Funding Decision Process (Gary Wolff)** **Action**
Provide direction to staff, if any.

During open session, Mr. Wolff introduced Resolution 2014-02, an amendment to the Procedures Resolution 2013-06 adopted December 18, 2013. He did so to correct de-duplicating errors made by the

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mailing house conducting the mailing of the HHW notification letters. The amendments include extending the second reading date and proposed adoption of the HHW ordinance to the March 26, 2014 meeting and extending the deadline for mailed or hand delivered protests to the fee. Public testimony and protests will be accepted at the regular meeting on February 26th as well as the public hearing on March 26th. Staff will mail a supplemental notification to all residential property owners potentially subject to the fee, informing them of the new hearing date and protest deadlines. A copy of Resolution 2014-02 is available here: http://www.stopwaste.org/docs/amendment_to_res_2013-06.pdf

Mr. Wozniak made the motion to accept the staff recommendation. Mr. Pentin seconded and the motion carried 18-0 (Natarajan and Turner absent).

2. Extension of the Operating Period in a Diversion Agreement (Gary Wolff) Action

Authorize the Executive Director to extend the operating period in the Agreement (Attachment A) for two years, subject to approval as to form by Authority General Counsel.

Mr. Wolff provided an overview of the staff report. The report is available here:

<http://www.stopwaste.org/docs/01-22-14-diversion.pdf>

Ms. West inquired if incentive payments contained in our agreement with Waste Management provides the opportunity to discuss a living wage. Mr. Wolff stated that we would have to re-negotiate the entire contract, but that the remaining amount of money under this contract is not significant enough to leverage the ILWU recycling workers contract enough to make a difference and he therefore does not recommend approaching this issue through this agreement. Mr. Padia added the materials targeted are generally high volume, low value materials that are used for pad building or road building and not sold on the open market.

Mr. Landis made the motion to approve the staff recommendation. Mr. Pentin seconded and the motion carried 17-0 (Freitas, Natarajan and Turner absent).

3. WMA Vacancy on the Recycling Board (Gary Wolff) Action

Fill the vacancy on the Recycling Board.

Mr. Pentin indicated that he would like to serve on the Recycling Board. Ms. Cutter made the motion to appoint Mr. Pentin as the WMA representative to the Recycling Board. Ms. West seconded and the motion carried 17-0 (Freitas, Natarajan, and Turner absent).

4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) Action

(P&O and Recycling Board meeting - February 13 at 7:00 p.m. - San Leandro Library, 300 Estudillo Ave., San Leandro)

Mr. Wozniak requested an interim appointment for the February 13 meeting. Ms. Cutter volunteered to attend as the interim appointment. Ms. West made the motion to approve the interim appointment. Mr. Ellis seconded and the motion carried 17-0 (Freitas, Natarajan, and Turner absent).

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC) Information

Mr. Wolff previewed a copy of the new Benchmark report. The report will be mailed to the public tomorrow and copies will be provided to the TAC members upon request. At both committee meetings next month, staff will provide a memo regarding diversion measurement issues, including the number of samples collected so far, some high-level results, and a discussion of measurements that might be even more useful in the future.

VIII. ADJOURNMENT (WMA & EC)

The meeting adjourned at 4:20 p.m.

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Energy Council TECHNICAL ADVISORY GROUP (TAG)

Friday, February 14, 2014 – 10:00 am to 12:00 pm
StopWaste Offices - 1537 Webster Street, Oakland, (510) 891-6500
Call-in participation number Dial: 510.891.6571 Password: 1537

Attendance:

County of Alameda: Damien Gossett (phone), Daryl Gray (phone)
City of Alameda: Maria DiMeglio
City of Berkeley: Billi Romain
City of Dublin: Kathy Southern
City of Fremont: Dan Schoenholz, Rachel DiFranco (phone)
City of Hayward: Corrine Ferreyra (phone)
City of Oakland: Scott Wentworth
City of Piedmont: Kevin Jackson
City of San Leandro: Sally Barros
StopWaste: Wendy Sommer, Karen Kho, Wes Sullens, Lou Riordan, Stephanie Stern, Miya Kitahara

MEETING NOTES

Climate Action Implementation

- Miya provided a summary of the CAP interviews that she and PG&E have conducted to date. (See presentation and handouts posted to Basecamp) These interviews focused on commercial energy efficiency strategies.
- A high level summary of the findings from these interviews will be presented to the Energy Council Board in March. Any jurisdictions that have not yet scheduled an interview can still do so before the Board presentation/report is finalized.
- Additional issues brought up for priorities ranking
 - Staffing support
 - Emerging technologies
 - PG&E Program/Data Analysis (leveraging access that we have during this project)
- Participants ranked the priority areas that were identified. The near-term priorities will be implemented this year in partnership with PG&E, and the longer-term priorities can inform future funding proposals from other sources.
- Action Item: TAG members that were not at the meeting or who called in can still send in their rankings. Miya will compile responses and schedule conference calls in geographic clusters or topic areas within next 2 weeks.

EBEW Coordination

- StopWaste has had conversations with PG&E and the EBEW co-chairs regarding the restructuring of the partnership and whether this creates an opportunity for better coordination between the Energy Council TAG and EBEW Strategic Advisory Council. PG&E & the co-chairs suggested that StopWaste consider taking on an EBEW convening role.
- Under the new partnership structure, a consultant will be hired to handle partnership administration. PG&E will centrally hold all of the contracts for the administrator and

vendors. StopWaste has a contract with PG&E for both EBEW Multifamily deliverables and other Local Government Partnership activities.

- Karen requested feedback from members on an expanded monthly meeting format, which would include EBEW content and participation from Contra Costa jurisdictions and PG&E.
- Increased staff time requirements could be a concern for some jurisdictions with a shift to longer meetings. There was no interest in having additional EBEW vendor presentations.
- Generally, the increased coordination seemed like it would benefit Alameda County jurisdictions. However, some expressed concern about the impact that meeting every month in Oakland would have on the participation from Contra Costa County jurisdictions.
- StopWaste has not reached out to any Contra Costa jurisdictions, since this format was suggested by PG&E and the co-chairs. The meeting content would need to be relevant for them as well.
- Action Item: StopWaste will be putting together a brief proposal for the Planning Subcommittee to consider.

BayREN 2015 advice letter filing

- BayREN will be submitting an advice letter for the 2015 extension year funding. The deadline of March 3 is being postponed, but a new schedule is not yet out. The Scoping Memo and Energy Division feedback are as follows:
 - Planning assumption is 50% of 2013-14 funding for 2015
 - No new programs may be proposed, assume a continuation of existing programs
 - In person presentation will be scheduled to preview the 2015 proposals
- The Multifamily program needs additional funding in 2014 to serve projects in the pipeline. BayREN is awaiting feedback from the Energy Division on the process for the 2014 request. In the meantime, ABAG is identifying underspending from other BayREN subprograms in 2014 that can be transferred immediately.

Other Program Updates

- PAYS: EBMUD is interested in rolling out a pilot program.
- BayREN Codes and Standards: Training plan needs to be developed.
- The Single-family Home Upgrade Program is being redesigned based on low uptake and some recent bad press. The changes being made are consistent with the original program design that the RENs advocated for.
 - Incentive cap to \$3,000, \$150 CAS rebate, relaxed incentive tiers, removal of building shell requirement for HVAC replacement
- Home Energy Analyzer has over 500 subscribers. Dublin Energy Challenge has been successful, and campaign are being developed in other part of the County.

CCA Updates

- StopWaste staff met with Sonoma Clean Power. They are open to exploring an implementation partnership with Energy Council if Alameda County jurisdictions wish to join an existing CCA.

NEXT TAG MEETING: Friday, March 28 from 10am-12pm



February 19, 2014

To: Authority Board

From: Gary Wolff, Executive Director

By: Pat Cabrera, Administrative Services Director
Gina Peters, Chief Finance Officer

Subject: Revisions to the Human Resources Manual “Attachment A”

Background

Staff recommended changes to the Human Resources Manual “Attachment A” (which outlines the Agency’s annual salary adjustment plan) at the Programs and Administration (P&A) Committee held on February 13, 2014. The staff memo presented to the committees is at <http://www.stopwaste.org/docs/02-13-14-pa-hrmanual.pdf> The revisions improve on the new performance based salary adjustment plan adopted last year, which requires that all salary increases be based on performance rather than 'time in grade.' The new system limits salary increases to be no more than they would be under the previous 'time in grade' system, or any lower limits imposed by the Board at the time of budget adoption.

The P&A recommended 10-0 (Kalb, Landis absent) that the Authority Board adopt the proposed revisions.

Recommendation

Adopt the revised "Attachment A" to the Agency’s Human Resources Manual.

Attachment: revised "Attachment A" to the Agency's Human Resources Manual

Attachment A (revised 2/26/2014)

Annual Salary Adjustment Plan

1. All pay increases will be scaled based on a quantitative performance evaluation, not time in grade.
2. This plan replaces automatic step increases. Salary increases will range between 0% and 150% of the average possible increase for employees. However, no salary will be more than the indexed 95th percentile of the employee's respective salary range for his/her classification. This ensures that StopWaste employees are never the highest paid employees in similar jobs for government agencies.
3. The Agency will not increase the average salary percentage for the higher salaried, approximately one-third (1/3) of the employment pool excluding the Executive Director (ED), by a larger percentage than the average salary percentage of the other approximately two-thirds (2/3s) of the employment pool, unless this restriction is inconsistent with direction of the Board (such as in the event of a future salary survey that shows that a different pattern of increases is appropriate). The positions in the "1/3" of the employment pool currently consist of the Chief Finance Officer, Senior Program Managers, Principal Program Managers, and Administrative Services Director (ASD) classifications. The remaining positions comprise the "2/3s" of the employment pool. Should any new classifications be established its place within the employment pool will be determined by its salary range, i.e.; if the salary range is at or higher than the salary range of the Chief Finance Officer, the position will be included in the "1/3" section of the employment pool and if the salary range is lower than the salary range of the Chief Finance Officer it will be included in the "2/3s" section of the employment pool.
4. The increases will typically take effect on October 1 of each year (some exceptions could apply for new hires). Increases up to the top of range at the time granted will become permanent, assuming at least continued satisfactory performance. Employees that go above the top of range in any given year will revert back to the top of range (prior to the increase) at the end of that evaluation period. All increases are subject to approval by the ED, based on his or her assessment of performance. Depending on the needs of the Agency an employee could instead opt for the time off equivalent to the value of the salary increase for that time frame only (i.e., the time off is for that evaluation cycle only and must be used prior to the next evaluation).
5. Salary increases will be determined by evaluating the outcome of the employee's pre- approved top priorities and the teamwork core competency.

6. The top priorities list will be prepared during the budget development process. These priorities will be clearly articulated in terms of measurable deliverables. Project leads will initially work out the top priorities with everyone on their teams. Project team leads will then go to their Program Group meeting for review and initial approval of the priorities. The Executive Team (ED, ASD and the two Principal Program Managers), will review the program group results for consistency across the organization and final approval. However, any proposed changes will go back to the project team or program group before being finalized.
7. The “Top Priorities” scale will consist of a 0-5 rating system, where 0 implies a mandatory performance improvement plan and 5 implies work that fully satisfies all of the following criteria for “Top Priorities” review. The criteria for “Top Priorities” review are: a) completion of the priority b) quality of the work completed, c) complexity of the work relative to the skills of the person and job classification (this allows for judgments of complexity that reflect the fact that what is simple and relatively easy for one person might be complex and therefore very difficult for another), d) whether the work was on-time and within budget or not, and e) mitigating factors such as schedule or budget over-runs for reasons beyond the control of the person being reviewed. These five criteria will be the basis for a single score between 0-5 for each priority, based on the judgment of the reviewer, but reviewers are required to explain the score they provide using these and only these criteria. Given that the successfactors evaluation system requires a descriptor for each rating, the following scale provides a guideline for the reviewer. However, as outlined above, the reviewer must explain in the comment portion of the evaluation form the rationale for each score.

TOP PRIORITIES SCALE

Score	Description
0	Seldom satisfies any of the five criteria
1	Occasionally satisfies the five criteria
2	More than occasionally but inconsistently satisfies the five criteria.
3	Usually satisfies the five criteria.
4	Satisfies all of the five criteria.
5	Satisfies all of the five criteria, and was an example of superb performance that others in the organization are encouraged to emulate.

8. Teamwork is defined as effective communication and follow through on commitments to work colleagues, including completing all related administrative tasks and deliverables, thoroughly, accurately and on time, coordinating tasks and collaborating with team members, and assisting others whenever possible without undermining one's ability to get his/her own work done.

TEAMWORK SCALE

Score	Description
0	Seldom satisfies any of the teamwork elements (as defined above).
1	Occasionally satisfies the teamwork elements.
2	More than occasionally but inconsistently satisfies the teamwork elements.
3	Usually satisfies the teamwork elements.
4	Satisfies all of the teamwork elements.
5	Satisfies all of the teamwork elements, and was an example of a superb team player that others in the organization are encouraged to emulate.

9. Completion of priorities and core competencies will be weighted (2/3 for completion of priorities and 1/3 for teamwork). Any final score above “0” should result in some type of pay increase (assuming there is funding available for salary increases). Any employee who receives a score of “0” on any item will be placed on a performance improvement plan. Any scores of “1” or “2” may also result in a performance improvement plan. Given this weighing component, fractional final scores will be allowed and will be used in the salary increase calculation if applicable.

10. In addition to the annual review there will also be a mid-year review in February/March. In general, these reviewers are comprised of the leads for the projects within which the priorities exist as well as other individuals (such as peers or admin staff) who work closely with the person being reviewed. Employees who have not completed their probationary period will not serve as reviewers. The reviewers will comment on both the top priorities and the teamwork core competency using the successfactors tool for the individual assigned to them. The reviewers will not be anonymous, and individuals will be able to comment on who is assigned to review him/her. These assignments will be developed by the ASD in consultation with the other Program Group (PG) leads*. These reviewers will have an opportunity to submit comments in writing or be invited by the person who is being reviewed to a meeting with his/her PG lead. The PG leads will not submit written comments but will convey the results to the individual in a mandatory 1:1 meeting, as well as to provide any verbal input regarding the assessment. The ED will follow the process outlined above with respect to the PG leads.

* For mid- year and annual reviews the Program Group leads currently are Pat Cabrera, Wendy Sommer, Tom Padia and Karen Kho (for Energy Council staff only).

11. Staff is also encouraged to use the “notes” and “badge” functions in the successfactors software. These functions will allow performance feedback to become an on-going function in addition to the mid-year and annual reviews.
12. Annual performance reviews will be done in writing (using the successfactors tool) by the PG leads and will include an opportunity for a 1:1 with reviewed staff if s/he requests it. Individuals will submit self assessments on their performance with respect to their priorities and teamwork to the PG leads by the end of July.
13. The PG leads will begin their review process once they receive the self assessments. The PG leads may ask reviewers who work more directly with the individual being reviewed to participate in writing prior to finalizing an individual’s performance review. Verbal input may also be requested by the PG leads. As outlined in item 12, the PG leads will conduct a 1:1 meeting with the individuals s/he is responsible for reviewing if requested and additional follow up with other reviewers may occur if necessary. Staff members can request that a particular individual be consulted about their work or be allowed to comment in writing. Based on the scores, the program group leaders will make recommended salary increases for employees within their group and submit to the ED by October 1st for initial final approval unless a later date is approved by the ED. The ED will follow this process with respect to the PG leads.
14. Salary increase recommendation will be based on individual scores from 0-5 divided by the average of all individual scores. That is, although individual scores allow some room for judgment, recommended salary increases will be strictly based on the relative score of each individual in comparison with the scores of other people (see Salary Calculation Example). This ranking will not be included in the employee’s evaluation, however, the average score for the entire agency will be provided if requested.
15. The initially approved increases will be distributed to employees confidentially. Any employee may ask the ED to adjust their initially approved increase based on some specific rationale. However, if an adjustment is approved it shall not affect the salary adjustments for other employees.
16. Salary range adjustments will be incorporated into the budget every year unless the Board determines adequate funding is not available. The salary pool will consist of the difference between the employees’ current salary, any adjustments to the salary ranges (either by the annual CPI or the results of a salary survey) up to the top of range for all job classifications including what funding increase in total would be available under the previous (traditional) “step increase” system. However, the salary pool will not include any funds related to the salaries of employees on probation (e.g., new hires, promotions, reclassifications). Employees on probation will participate in the review process, but will not be eligible for salary increases until the next salary adjustment cycle after they successfully complete their probationary period. As stated above, employees are eligible to receive an annual salary increase of zero not to exceed the lower of either the 95th percentile of their respective classification or 150% of the average available increase (see item 3 with

respect to limits to the higher 1/3 of the employment pool). However, salary increases can be reduced or suspended by the Board at their discretion, during times of financial hardship.

17. The Agency will conduct a total compensation survey every three years to enable the Board to assess whether compensation remains competitive with the market. The Planning and Administration Committee will be consulted in the survey development process to help determine salary range placements and other pertinent criteria. In the two years between the survey, salary ranges will be adjusted by the most currently available Consumer Price Index (CPI) - All Urban Consumers (San Francisco – Oakland- San Jose Area) as determined by the US Bureau of Labor Statistics (BLS), or a lesser amount if necessary to conform to the findings of the most recent total compensation survey. However, salary increases for employees will not be automatic even for cost of living adjustments (COLA). The Board will be asked to approve the salary ranges every year as part of the budget process. A new total compensation survey is expected to be conducted in the Spring of 2016.
18. The ED's contract currently states s/he will participate in a performance based compensation system, should one be adopted. The process for annual review by a committee is specified in the ED's contract, but commencing in 2013 the review committee shall also use this salary adjustment plan as guidance in making any recommendations to the full Board about changes in ED compensation. Such changes, if any, shall be subject to approval of the full WMA Board
19. Promotions will no longer be only "self initiated," but can also be recommended by the program group lead or a senior program manager based on changes in the individual's duties and the needs of the Agency. Concurrence by the ASD is required prior to submitting to the ED for final approval.

Salary Calculation Example:

Employee John Smith received a total score of 4 (on a scale of 0-5) for his FY 13/14 performance and the average of the score for employees was 3.5. Therefore he could receive 1.14 ($4/3.5 = 1.14$) times the average percent budgeted for salaries (provided that this increase would not place him above the 95th percentile of his salary range or be greater than 150% of the average increase). If the average annualized increase was 3.0%; 114% of the average of the pool would be 3.42% ($3.0\% \times 1.14 = 3.42\%$), which is less than 150% of the average of the pool ($3.0\% \times 1.5 = 4.5\%$). If the increase placed him at or below the top of range at the time of the increase, he would retain that salary which would become the starting point for the next evaluation cycle. However if the increase placed him above the top of range at the time of the increase, his salary would revert back to no more than that top of range at the start of the next evaluation cycle.



DATE: February 19, 2014

TO: Waste Management Authority Board

FROM: Gary Wolff, Executive Director
Wendy Sommer, Principal Program Manager

SUBJECT: Regionalizing Bay-Friendly Landscaping

At the February 13, 2014 Programs & Administration Committee and Recycling Board/Planning & Organization Committee meetings, staff gave a presentation on the success of the Bay-Friendly program and recommended a general approach for the Regionalizing Bay-Friendly project. The link to the staff report with Attachments (Attachment 1: *Bay-Friendly Accomplishments 2002-2013* and Attachment 2: *Sustainable Landscape Council*) can be found here: <http://www.stopwaste.org/docs/02-13-14-pa-bayfriendly.pdf>

In summary, staff recommended a three year 'conceptual commitment' from the Boards to continue our efforts in regionalizing Bay-Friendly with the following estimated budgets: FY 2014/15 - \$125,000; FY 2015/16 - \$100,000; FY 2016/17 - \$100,000. This represents a large reduction from the current budget of \$479,000 for the Regionalizing Bay-Friendly project.

This proposed shift will include our continued support for sponsorship of the Bay-Friendly Coalition (BFC), as well as funds to launch the Sustainable Landscape Council (SLC; a new non-profit organization) for regional and statewide policy and standards coordination. The BFC Coalition is supportive of this approach.

This reduction will not affect our budget to assist Member Agencies' needs for technical assistance, training and grants; nor will it affect our acting as the fiscal sponsor for grants by other entities to the BFC or SLC (e.g., Proposition 84 Integrated Regional Water Management Plan funds). Consistent with the Strategic Plan adopted in 2010, we are investing more narrowly in activities that directly support the Product Decision targets (e.g., local recycled content mulch and compost, alternatives to pesticides and other household hazardous wastes).

P&A and P&O/Recycling Board Actions

The Recycling Board directed staff to prepare budget proposals for each of the next three years that implement this general approach to Regionalizing Bay Friendly work. Both WMA Committees recommend to the Waste Management Authority Board that it also endorse this approach. The Recycling Board also requested that staff provide for the next FY two scenarios other than the concept above; one with greater and another with lesser funding. The budget proposals will be included in the overall agency budget proposal in each of the next three fiscal years, but will not be implemented unless adopted by the Boards.

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February 5, 2014

TO: Authority & Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

General Mini-grant and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the new grant policy is that staff inform Board members of the small grants issued at the next regularly scheduled Board meeting.

Grants – January 15 2014 - February 15, 2014

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
Bottle Refill Stations	Hayward Area Recreation and Park District	General Mini-grant Program	Hayward	Final report	\$5,000	RB
Organics Diversion	Valley Montessori School of Livermore	General Mini-grant Program	Livermore	Final Report	\$1,577	RB
Organics Diversion	The California Building	Business Mini-grant Program. Purchase/install organics collection bins and signage.	Oakland	Final report	\$3,000	WMA

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February 20, 2014

TO: Authority Board
FROM: Gary Wolff, Executive Director
SUBJECT: Revisions to Draft Fee Ordinance

BACKGROUND

In December, the Board approved a schedule, procedures, and draft ordinance for public consideration as part of a decision process about funding the countywide household hazardous waste (HHW) program (see <http://www.stopwaste.org/docs/12-18-13-hhw.pdf>). In January, the Board modified the schedule for that process by deferring consideration of adoption of a fee ordinance until its March 26th meeting, extending the protest period until that date, and directing staff to mail and publish the notices required by law in this situation.

We've received questions about the fee and associated services, and are handling those by phone, email, or reference to the website listed in the mail notifications and newspaper notices (www.stopwaste.org/proposedhhwfee). We've also responded to letters to the editors of several newspapers and made ourselves available to interested parties by phone or in person to discuss or present the fee proposal.

DISCUSSION

A few people have asked that our legal authority to adopt the fee be explained in greater detail. To that end, General Counsel has prepared a new draft ordinance that modifies the findings extensively in order to provide this explanation (Attachment A). It also makes a few clarifying modifications to the body of the ordinance.

RECOMMENDATION

We recommend that the WMA Board hold a public hearing, waive reading of the entire ordinance (Attachment A) and read it by title only, and schedule this ordinance rather than the previous draft ordinance for consideration of adoption on March 26, 2014, unless comments at the public hearing justify delaying the date for consideration of adoption.

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2/20/14

Attachment A

ORDINANCE 2014-__

AN ORDINANCE ESTABLISHING A HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL FEE

The Board of the Alameda County Waste Management Authority hereby ordains as follows:

Section 1. Findings

The Authority finds that:

(a) It has been standard practices since the early 1990s for Cities and Counties in California to periodically characterize the components of garbage and refuse sent to landfill in order to facilitate planning for diverting recoverable and harmful materials from landfill disposal. Waste characterization studies for Alameda County, and the State of California overall find that household hazardous waste (HHW; see Health & Safety Code Section 25218.1 (e)) is about the same weight or percentage of residential garbage and refuse regardless of whether the dwelling unit is in a single family or multi-family residential building. Furthermore, vacant Households also require household hazardous waste collection and disposal in connection with property improvements, maintenance, or landscaping.

(b) State law precludes disposal of household hazardous waste in municipal landfills such as those serving Alameda County residents and the Alameda County Integrated Waste Management Plan calls for removing hazardous wastes from the solid waste stream for proper separate management through separate collection and other programs.

(c) In Health and Safety Code section 25218 the State legislature has found that “residential households which generate household hazardous waste and conditionally exempt small quantity generators which generate small amounts of hazardous waste in the state need an appropriate and economic means of disposing of the hazardous waste they generate” and disposal of household hazardous waste “into the solid waste stream is a threat to public health and safety and to the environment.” The Health and Safety Code further provides for the establishment of “household hazardous waste collection facilities”, which are defined in Section 25218.1 (f) as facilities operated by public agencies or their contractors for the purpose of collecting, handling, treating, storing, recycling, or disposing of household hazardous waste and hazardous waste from conditionally exempt small quantity generators.

(d) The Alameda County Environmental Health Department, with policy direction and funding provided by the Waste Management Authority, operates three permanent Household Hazardous Waste (HHW) collection facilities located in the northern, southern, and eastern sections of the County and BLT Recycling, under contract with the City of Fremont, operates a fourth HHW collection facility at the Fremont Transfer Station, partially funded by

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2/20/14

the Authority. These facilities are operated in accordance with Health & Safety Code 25218 et seq. and under two memoranda of understanding (MOUs) between the Authority and the County of Alameda and the Authority and the City of Fremont. These MOUs will be revised to implement this ordinance.

(e) These Household Hazardous Waste collection facilities benefit and serve Alameda County residential property owners by collecting and providing a legal, safe, place for disposal of HHW materials generated in Alameda County in compliance with the law. The services and facilities of this program may be used only by Alameda County Households. The Household Hazardous Waste Collection and Disposal Fee funds this program and may not be used for any other purpose. The program was evaluated in an October 4, 2013 memorandum from HF&H Consultants, LLC to the Alameda County Waste Management Authority which determined that the funds generated by the fee do not exceed the costs of the program services and facilities.

(f) The costs of the program's HHW collection and disposal services and facilities for Alameda County Households are offset in part by funds received or cost reductions associated with product stewardship programs implemented in accordance with State law (such as the PaintCare Product Stewardship Program established at Public Resources Code sections 48700 et seq. which reduces costs associated with collection and disposal of architectural paints and provides funds for processing those materials). These programs are expected to expand in the future and the amount of the fee will be reduced commensurate with the cost offsets or funding associated with these programs. In anticipation of full cost offset and funding from these programs in the future the fee sunsets in 2024.

(g) Article 4 of Health & Safety Code Division 5, Part 3, Chapter 6 authorizes public agencies including cities, counties, and special districts, upon a two-thirds vote of the legislative body, to prescribe and collect fees for garbage and refuse collection services and facilities on the tax roll. This ordinance prescribes a fee for collection and disposal at the four HHW facilities in Alameda County of the HHW component of garbage and refuse generated by Alameda County Households.

(h) The Authority has the power to enact this Ordinance pursuant to the Joint Exercise of Powers Agreement for Waste Management. That agreement grants the Authority all of the powers necessary to implement the Alameda County Integrated Waste Management Plan including the power to levy and collect fees and charges for programs such as HHW collection and disposal services and facilities.

(i) This Ordinance was introduced on December 18, 2013 at which time the Board set a public hearing for consideration of the Ordinance on February 26, 2014 and directed the Executive Director to prepare a report containing a description of each parcel of real property with one or more Households, the number of Households on each parcel, and the amount of the charge for each parcel computed in conformity with this Ordinance. The Board directed the Executive Director to publish and cause a notice in writing of the filing of said report and the proposal to collect the annual charge on the tax roll together with the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in

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2/20/14

said report is listed as owner in the last equalized assessment roll available on the date said report is prepared (a "Record Owner"), at the address shown on said assessment roll or as known to the Executive Director. On January 22 the Board continued the protest hearing date to March 26, 2014. Notice of the new hearing date and extended protest period was published and mailed in accordance with law. This Ordinance was re-introduced with clarifying amendments on February 26, 2014.

(j) Following the protest hearing the Board considered all objections or protests to the report and this Ordinance. Protests were received from the Record Owners of (1) less than a majority of the separate parcels of property described in the report and (2) less than a majority of the Households on property described in the report. The Board approved the ordinance by a two-thirds majority or greater of the Board membership.

(k) Enactment of this Ordinance is not a "project" subject to the requirements of the California Environmental Quality Act, California Code of Regulations, title 21, section 15378(b)(4); further, even if it were a "project," it would be categorically exempt from the California Environmental Quality Act pursuant to California Code of Regulations, title 21, section 15308.

Section 2. Definitions

(a) "Alameda County" or "County" means all of the territory located within the incorporated and unincorporated areas of Alameda County.

(b) "Authority" means the Alameda County Waste Management Authority created by the Joint Exercise of Powers Agreement for Waste Management.

(c) "Board" means the governing body of the Authority made up of elected representatives of the member agencies pursuant to the Joint Exercise of Powers Agreement for Waste Management.

(d) "Executive Director" means the individual appointed by the Board to act as head of staff and perform those duties specified by the Board.

(e) "Fee" means the fee described in section 3 of this ordinance.

(f) "Fee Collection Report" means the annual report containing a description of each parcel of real property with one or more Households served by the Household Hazardous Waste Collection and Disposal Program, the number of Households on each parcel described, the amount of the charge for each parcel for the year, computed in conformity with this Ordinance, and whether the Fee is to be collected on the tax roll or by other means.

(g) "Household" means a residential dwelling unit (e.g., a single family home, apartment unit or condominium unit in a multi-unit building, etc.). Nothing in this Ordinance is intended to prevent an arrangement or the continuance of an existing arrangement under which payment for garbage and refuse collection and disposal service is made by residents of a

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2/20/14

household who are not the owner or owners thereof. However, any such arrangement will not affect the property owner's obligation should such payments not be made.

(h) "Household Hazardous Waste Collection and Disposal Program" means the Proposed System Expansion Option described in the October 4, 2013 memorandum from HF&H Consultants, LLC to the Alameda County Waste Management Authority.

(i) "Other Revenue" means the sum of (1) revenue received from the household hazardous waste fee of \$2.15 per ton pursuant to Authority Resolution No. 140 and Resolution No. 2000-03 and (2) Product Stewardship Offsets.

(j) "Product Stewardship Offset" means funds received by the Household Hazardous Waste Collection and Disposal Program or operational cost reductions at the program attributable to household hazardous waste product stewardship programs implemented in accordance with federal, state, or local laws.

(k) "Small Quantity Generator" has the same meaning as Conditionally Exempt Small Quantity Generator as defined in California Health and Safety Code Section 25218.1 as it now exists or may be amended from time to time hereafter.

Section 3. Household Hazardous Waste Collection and Disposal Fee

(a) An annual household hazardous waste collection and disposal fee of \$9.55 or such lesser amount established by the standards below shall be paid by each Household in Alameda County beginning July 1 2014 and ending June 30, 2024 in the manner set forth in this ordinance.

(b) No later than December 31 of 2015 and each year thereafter the Executive Director shall prepare a report identifying the amount of Other Revenue received by the Household Hazardous Waste Collection and Disposal Program in the prior fiscal year. If the report of Other Revenue exceeds the projected amount specified in subsection (c), the fee shall be reduced for the following fiscal year by an amount equal to the excess revenue divided by the number of Households subject to the fee in the prior fiscal year. If revenues equal or fall below that specified in subsection (c) there shall be no increase in the fee. The Fee per Household shall never be greater than \$9.55 per year.

(c) The fee is based on the following projected Other Revenue:

Fiscal Year	Projected Product Stewardship Offset	Projected Tip Fee	Total
2014-2015	\$263,225	\$1,849,000	\$2,112,225

DRAFT

2/20/14

2015-2016	\$263,225	\$1,713,550	\$1,976,775
2016-2017	\$263,225	\$1,578,100	\$1,841,325
2017-2018	\$263,225	\$1,442,650	\$1,705,875
2018-2019	\$263,225	\$1,307,200	\$1,570,425
2019-2020	\$263,225	\$1,171,750	\$1,434,975
2020-2021	\$263,225	\$1,171,750	\$1,434,975
2021-2022	\$263,225	\$1,171,750	\$1,434,975
2022-2023	\$263,225	\$1,171,750	\$1,434,975
2023-2024	\$263,225	\$1,171,750	\$1,434,975

(d) The fee shall be used exclusively for the Household Hazardous Waste Collection and Disposal Program.

(e) As a condition of receiving payments funded by the Fee, a collection and disposal service provider (e.g., at present, the County of Alameda and the City of Fremont) must agree that no charge will be imposed on (1) residents of Alameda County Households for services included in the Household Hazardous Waste Collection and Disposal Program or (2) Small Quantity Generators who are owners of residential rental property in Alameda County for disposal of household hazardous wastes from Households in Alameda County. Any such agreement shall be in the form of a contract or memorandum of understanding (MOU) approved by the Board. The Executive Director shall not cause the fee to be collected as described in Section 4 of this ordinance until revised MOUs with the County of Alameda and the City of Fremont have taken effect.

Section 4. Administration

(a) Each year the Executive Director shall cause a Fee Collection Report to be prepared in accordance with this Ordinance and applicable law.

(b) The Fee Collection Report shall be reviewed by the Board to ascertain the accuracy of the information contained therein. A notice of the report's availability and a time and place of a public hearing on the report and the collection of such charges on the tax roll shall be published as set out in Government Code Section 6066 in a newspaper of general circulation printed and published within the County. At the conclusion of the hearing, the Board shall make its determination upon each charge and its collection on the tax roll or by other means. The determination of the Board shall be final. Upon such final determination, on or before August 10

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2/20/14

of each year, the Executive Director shall endorse the final report with a statement that it has been finally adopted by the Board, and shall file the signed report with the County Auditor. Authority staff is hereby authorized to undertake all administrative tasks to implement collection of the Fee, including, but not limited to an agreement with Alameda County for collection, which may provide payment to Alameda County of its reasonable costs of collection.

(c) The Fee for the period of July 1st, to and including June 30th of each fiscal year shall be entered as a charge on the tax roll against the parcels identified in the Fee Collection Report as paying through the tax roll. The Fee shall be collected at the same time and in the same manner as ad valorem taxes and other charges as are otherwise collectible by the county. All laws applicable to the levying, collection and enforcement of ad valorem taxes shall be applicable to such charges as provided herein except as otherwise provided by law. Fees paid with the tax bill shall be deemed to have been paid by those Households located on that property/parcel.

(d) The annual Fee for any Household located on property which is not designated for collection on the tax roll in the Fee Collection Report shall be collected by the Executive Director and shall be due and payable at least once per year on a schedule to be determined by the Executive Director.

Section 5. Enforcement. The Executive Director and the County of Alameda are authorized to undertake all appropriate actions necessary to collect the Fee in the manners authorized by law.. The Executive Director may direct collection and disposal service providers to deny access to services included in the Household Hazardous Waste Collection and Disposal Program for Households with unpaid charges.

Section 6. Severability. If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Notice. This Ordinance shall be posted at the Authority Office after its second reading by the Board for at least thirty (30) days and shall become effective thirty (30) days after the second reading.

Passed and adopted this ___ day of _____, 2014, by the following vote:

AYES:

NOES:

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2/20/14

ABSTAINING:

ABSENT:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of the ORDINANCE NO. 2014-__.

GARY WOLFF

EXECUTIVE DIRECTOR



February 17, 2014

To: Authority Board
From: Gary Wolff, Executive Director
Subject: Appointment to the Recycling Board

BACKGROUND

Board Member Laureen Turner (Livermore) has served one two-year term on the Recycling Board and is eligible for reappointment to a second two-year term. She is interested in serving a second term.

RECOMMENDATON

That the Authority Board reappoint Board Member Turner to the Recycling Board for a second two-year term.

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March 2014 **Meetings Schedule**

Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13 <div> <div> StopWaste Business Efficiency Awards 8:00 - 10:00 A.M Zero Net Energy Center 14600 Catalina Street San Leandro, CA 94577 </div> <hr/> <div> In lieu of the: Programs & Administration Committee and Planning & Organization Committee /Recycling Board </div> </div>	14	15
16	17	18	19	20	21	22
23	24	25	26 <div> 3:00 pm WMA Board; Key Item(s): HHW Ordinance 2nd Reading and possible adoption </div>	27	28	29
30	31					