



**DATE:** October 25, 2017  
**TO:** Waste Management Authority Board  
**FROM:** Michael Hannon, WMA President  
**SUBJECT:** Executive Director Contract Amendment

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**SUMMARY**

Last month, the Board approved the annual review for Executive Director Wendy Sommer conducted by myself, Dave Sadoff, Tim Rood and Dan Kalb. The four of us also served as the negotiating team for the Board.

Based on the annual review, we recommend an increase of five percent effective the pay period starting September 24, 2017. This amounts to \$11,385 per year, since her current salary is \$227,700. Payment will be retroactive to the pay period closest to October 1, which is consistent with the Employee Agreement and the time that other employees receive salary increases.

**RECOMMENDATION**

That the Waste Management Authority Board amend the Executive Director Employment Agreement with an increase of five percent effective the pay period starting September 24, 2017.

Attachment: Proposed Amendment to the Executive Director Employment Agreement

**AMENDMENT TO  
AGREEMENT FOR EMPLOYMENT AS EXECUTIVE DIRECTOR  
OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

This amendment agreement is between the ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (“WMA”) and Wendy Sommer (“Employee”) and provides:

WHEREAS, WMA hired Employee as Executive Director of the WMA beginning on January 1, 2016 pursuant to an agreement dated September 16, 2015 (“Employment Agreement”); and

WHEREAS, the original Employment Agreement was amended on November 16, 2016 to increase Employee’s salary to \$227,700; and

WHEREAS, WMA desires to continue to employ Employee as Executive Director and further amend the Employment Agreement based on Employee’s positive annual review for 2017 by increasing Employee’s salary by 5% from \$227,700 per year to \$239,085 per year.

NOW THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. Section 5 of the Employment Agreement is amended as shown below:

5. SALARY.

~~Beginning on the Effective Date~~ **Effective September 24, 2017**, Authority agrees to pay Employee ~~\$220,000 (Two hundred twenty thousand dollars)~~ **\$ 239,085** (Two hundred thirty-nine thousand eighty-five dollars) per annum (“salary”) for her services, payable in installments at the same time as other employees of the WMA are paid. WMA may increase this base salary annually based on the results of performance evaluation as described in Section 7. In the event the Board does not hold such evaluation prior to the end of the calendar year, the base salary shall be increased on the next anniversary of the Effective Date by the California CPI for Urban Wage Earners and Clerical Workers for the most recent 12 months between June and June as calculated by the Department of Industrial Relations as authorized by Government Code §§ 3511.1 and 3511.2. Payment will be retroactive to the pay period closest to October 1st, which is consistent with the time that other employees receive salary increases.

Counterpart # \_

2. All other terms of the Employment Agreement remain in full force and effect.
3. This Agreement shall be executed simultaneously in three counterparts which shall be identified by number and each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

**WMA Board:**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Michael Hannon, President  
Alameda County Waste Management Authority

APPROVED AS TO FORM:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Richard S. Taylor  
WMA Counsel

**EMPLOYEE:**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Wendy Sommer