



**DATE:** October 8, 2020  
**TO:** Recycling Board  
**FROM:** Meri Soll, Senior Program Manager  
**SUBJECT:** City of Newark Expenditure Plan for Accumulated Measure D Funds

**SUMMARY**

The Recycling Board has adopted rules for municipal eligibility to receive further disbursements of Measure D revenues once a specified unspent fund balance threshold is exceeded. The municipality must submit, and the Recycling Board must approve, an expenditure plan explaining how the accumulated funds will be spent down below the threshold, before the municipality will be eligible to receive further Measure D per capita monies. The City of Newark reported an unspent fund balance at the end of FY 19-20 that exceeds the current policy threshold, and has submitted the attached expenditure plan for FY 20-21 and 21-22 for Board consideration. Staff recommends Recycling Board approval of the expenditure plan.

**DISCUSSION**

The County Charter (Measure D) directs that 50% of Recycling Fund revenues (from the \$8.23 per ton landfill surcharge) "...shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs." (Subsection 64.060(B)(1)).

In 2006 the Recycling Board adopted Resolution #RB 2006-12 establishing rules for municipal accounting of Measure D revenues and expenditures, and eligibility to receive further disbursements when a specified unspent fund balance threshold is exceeded. In November 2014, the Recycling Board adopted Resolution #RB 2014-2 (Attachment A) revising the threshold for unspent fund balances. The purpose of this policy is to encourage the use of Measure D funds to help achieve countywide waste reduction goals, and to discourage stockpiling funds with no clear plan for their future application. Specifically, the policy states:

*Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year.*

*If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board, and all such forfeited monies shall be disbursed to the remaining eligible municipalities on per capita basis.*

In 2016, the Recycling Board reviewed and approved the City of Newark's expenditure (Attachment B) plans for FY 16-17 and 17-18 as the City had exceeded the allowable threshold by \$63,686 at the end of FY 15-16. At that time, Newark had planned to utilize their accumulated Measure D funds to help "buy down" the costs of implementing new organics collection services under their franchise agreement with Republic. However, language in the contract made the use of Measure D funds ineligible and thus the City needed to develop an expenditure plan to identify ways to bring their Measure D fund balance below the allowable threshold at the end of FY 17-18.

At the end of FY 17-18 the City reported an unspent fund balance as of \$564,147, which exceeded their threshold allowance by \$206,283. The City was unable to meet the goals set forth in the FY 16-17 and FY 17-18 expenditure plan due to their inability to utilize the entirety of a consultant's contract to conclude the City's long-term diversion planning. Per Measure D requirements, the City submitted a second expenditure plan (Attachment C) showing how they intended to spend down their Measure D fund balance below their threshold by June 30, 2020.

The City of Newark's second plan proposed spending down their fund balance of \$564,147 to below the allowable threshold of \$357,864 by the end of FY 19-20 through one-time expenditures on their new civic campus and ongoing expenses for Measure D activities. Attachment C identifies these expenditures and Attachment D includes details on allowable Measure D expenditures for sustainable landscaping and building.

As of June 30, 2020 the City has not been able to spend down their fund balance to below the allowable threshold for a variety of reasons, which are detailed in their expenditure plan (Attachment E) for Fiscal Years 20-21 and 21-22. In summary, the City has been unable to spend down their large fund balance currently estimated at \$620,119; which is \$228,391 above the allowable threshold. The expenditure plan and report submitted by the City explains the balance remains above the threshold as large one-time expenditures for the city's new Civic Center project, including LEED certification, Bay Friendly Landscaping rating and recycled content furniture and furnishings, did not occur in FY 19-20 as intended; these expenditures are now projected to occur in the upcoming next two fiscal years. In addition, the release and execution of a large \$250,000 SB 1383 planning and implementation consultant contract is planned over the next two fiscal years, which will bring down the balance below the city's current allowable threshold of \$391,728.

In evaluating a municipality's proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds "for the continuation and expansion of municipal recycling programs."

- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

## **RECOMMENDATION**

Staff recommends that the Recycling Board approve the Expenditure Plan submitted by the City of Newark and find that Newark is eligible to continue receiving its quarterly per capita disbursements from the Recycling Fund through June 30, 2022, while it spends its Measure D funds according to the latest Expenditure Plan.

### Attachments:

Attachment A – Recycling Board Resolution #2014-2

Attachment B – City of Newark FY 2016-17 – 2017-18 Measure D Expenditure Plan

Attachment C – City of Newark FY 2018-19 – 2019-20 Measure D Expenditure Plan

Attachment D – Measure D Funding for Sustainable Landscapes and Buildings

Attachment E – City of Newark FY 2020-21 – 2021-22 Measure D Expenditure Plan

## ATTACHMENT A

### ALAMEDA COUNTY SOURCE REDUCTION AND RECYCLING BOARD

#### RESOLUTION #RB 2014-2

MOVED: Wozniak

SECONDED: Sherman

AT THE MEETING HELD NOVEMBER 13, 2014

#### REVISION OF RECYCLING BOARD RESOLUTION #RB 2006-12 REGARDING FUND BALANCES OF RECYCLING FUND PER CAPITA ALLOCATIONS

**WHEREAS**, the Alameda County Charter Section 64 (the Alameda County Waste Reduction and Recycling Act of 1990, hereinafter the "Act") states that "The Recycling Board shall formulate rules for its own procedures and other rules as necessary to facilitate the implementation of the provisions of this Act," (Subsection 64.130(J)); and

**WHEREAS**, the Act states that fifty percent of the monies from the Recycling Fund shall be disbursed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs (Subsection 64.060 (B)(1)); and

**WHEREAS**, on November 9, 2006 the Recycling Board adopted Resolution #RB 2006-12, including the following:

Rule 2: Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the sum of the municipality's last eight quarterly Recycling Fund per capita disbursements.

If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

In evaluating a municipality's proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds "for the continuation and expansion of municipal recycling programs."
- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

These proposed rules shall take effect July 1, 2007. Rule 2 will be applied to the Measure D Annual Reports submitted after the end of FY 07/08 and each year thereafter.

And **WHEREAS**, the absolute dollar amount and the per capita amount of Recycling Fund municipal allocations have declined significantly since 2006, resulting in a declining threshold represented by the sum of the last eight quarterly Recycling Fund per capita disbursements, and

**WHEREAS**, municipalities have requested that the Recycling Board revise the “Rule 2” policy to increase the threshold of unspent per capita allocations that triggers the requirement for an approved Expenditure Plan or ineligibility to receive further disbursements,

**NOW THEREFORE, BE IT RESOLVED**, that the Alameda County Source Reduction and Recycling Board hereby revises and replaces “Rule 2” from Resolution #RB 2006-12 with the following:

Rule 2: Any municipality receiving per capita disbursements of Recycling Fund monies under the Alameda County Waste Reduction and Recycling Act, Section 64.060, shall present to the Board for its approval a written expenditure plan if, at the end of any fiscal year, that municipality has an unspent balance of such monies that exceeds the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year.

If the municipality fails to provide that written plan or the Board does not approve that plan, the municipality shall be ineligible to receive further disbursements per Section 64.060. The municipality shall not be eligible for further disbursements until the required plan is submitted and approved by the Board and all such forfeited monies shall be disbursed to the remaining eligible municipalities on a per capita basis.

In evaluating a municipality’s proposed expenditure plan, the Board shall consider the following:

- The proposed specific use(s) of the remaining balance and future disbursements.
- The proposed length of time, or schedule over which disbursed funds or fund balances would be used.
- The scope or amount of funds proposed to be expended over the term of the plan.
- The extent to which the plan is designed to meet or promote the provisions, goals or policies of the Act including but not limited to timely expenditure of the funds “for the continuation and expansion of municipal recycling programs.”
- Any other objective and reasonable factors that may be presented by the municipality to support its contention that its proposed plan meets or promotes the provisions, goals or policies of the Act.

Rule 2 will be applied to the Measure D Annual Reports submitted after the end of FY 13/14 and each year thereafter.

**Passed and adopted this 13th day of November, 2014 by the following vote:**

AYES: Jones, Natarajan, O’Donnell, Peltz, Pentin, Sherman, Tao, Wozniak  
NOES: None  
ABSTAIN: None  
ABSENT: Ellis, Kirschenheuter, Stein



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**Gary Wolff, Executive Director**

ATTACHMENT B



CITY OF NEWARK, CALIFORNIA

37101 Newark Boulevard Newark, California 94560-3796 (510) 578-4000 FAX (510) 578-4306

November 23, 2016

Wendy Sommer  
Executive Director  
StopWaste  
1537 Webster St.  
Oakland, CA 94612

RE: FY 2016-2017 and FY 2017-2018 Measure D Expenditure Plan

Dear Ms. Sommer:

This letter of intent serves as the City of Newark's Measure D Expenditure Plan for the two year period beginning July 1, 2016, through June 30, 2018 (FY 16/17 and FY 17/18), and is submitted in accordance with Rule 2 of the Alameda County Source Reduction and Recycling Board Resolution #RB 2014-2. Rule 2 limits any agency's Measure D fund balance to not exceed the amount of \$8.00 (eight dollars) multiplied by the population basis used for the first quarterly disbursement of that fiscal year. If this amount is exceeded, the agency must submit an Expenditure Plan and their Measure D funds are temporarily suspended until the Expenditure Plan is approved.

For the past several years, the City of Newark has conservatively expended Measure D funds with the intent to use a majority of the funds to assist with the roll out of a new commercial organics program. Recently, the City was informed that the funds may not be used in that manner. In light of this new information, the City now intends to solicit a consultant to assist in the preparation of a long-term diversion plan, assist in reviewing the calculations and concepts in the commercial organic proposal and perform an audit on the material reports provided by the City's hauler.

While expenditures were conservative, Measure D funds were expended on partially funding a Recycling Assistant staff position; replacing all single-stream waste containers at a high foot traffic facility with new three-stream recycling containers to capture more material from being sent to the landfill; and donations to increase the recycling efforts at numerous Chamber of Commerce related events.

At this point, the City of Newark's Measure D fund balance has grown to exceed the allowable balance by \$63,686.

In the coming two Fiscal Years (FY 16/17 and FY 17/18), while continuing to pay for a portion of the Recycling Assistant position, the City of Newark also anticipates spending up to \$75,000 in the first year for the diversion plan and an amount as recommended in the plan for the second year.

Thank you for your consideration of Newark's Expenditure Plan. If you have any questions regarding the Expenditure Plan, please contact Administrative Services Director Susie Woodstock at [susie.woodstock@newark.org](mailto:susie.woodstock@newark.org) or at (510) 578-4804.

Sincerely,

A handwritten signature in cursive script that reads "John Becker". The signature is written in black ink and is positioned above the printed name and title.

John Becker  
City Manager



**CITY OF NEWARK, CALIFORNIA**

37101 Newark Boulevard • Newark, California 94560 • (510) 578-4000 • FAX (510) 578-4306

December 19, 2018

Ms. Wendy Sommer  
Executive Director  
StopWaste  
1537 Webster Street  
Oakland, CA 94612

Re: City of Newark Measure D Expenditure Plan for Fiscal Years 2018-2019 and 2019-2020

Dear Ms. Sommer:

The City of Newark's Measure D fund balance has exceeded the allowable balance as established by Rule 2 of the Alameda County Source Reduction and Recycling Board Resolution #2014-2. As a result, the City of Newark is submitting this Measure D Expenditure Plan for fiscal years 2018-2019 and 2019-2020, for the Board's consideration.

Rule 2 establishes the formula for calculating the Measure D threshold for unspent funds ( $\$8 \times \text{population} = \text{threshold}$ ). Using this formula, the threshold for Newark in fiscal year 2018-2019 is \$379,736 ( $\$8 \times 47,467$ ). For several years, Newark's balance was intentionally established for the purpose of using the funds to implement the new commercial organics collection program that began last year. However, before the City was able to use the funds for this purpose, it was determined that language in the contract between the City and the City's franchise hauler made the use of Measure D funds ineligible.

As a result, the City instead hired a consultant to assist in the preparation of a long-term diversion plan, assist in the review of calculations and concepts in the commercial organic proposal, and perform an audit on the material reports provided by the City's hauler. Newark's City Council has approved the long-term diversion plan and the City has extended the consultant's contract to implement the first phase of the plan. Despite these efforts, the City's balance remains above the threshold.

Recently, City of Newark staff have been coordinating with StopWaste staff to further discuss potential uses of Newark's Measure D funds. After identifying eligible Measure D expenses, Newark proposes the following two-year expenditure plan:

<b>Fiscal Year 2018-2019</b>	
Approximate Measure D Fund Balance	\$564,147
Estimated Measure D Funds Received	\$150,000
Estimated Interest Earned	\$4,000
<b>TOTAL Measure D Balance = \$718,147</b>	
<b>Ongoing/Annual Expenditures</b>	
Newark Staff Salary (time spent on Measure D)	\$32,000 annually
Promotional/outreach items	\$15,000 annually
Measure D/Bay Friendly Trainings	\$500 annually
<b>One-Time Projects</b>	
Consultant (implementation of long-term diversion plan – remainder for current contract)	\$135,000
Green Halo online waste management software system (initial set-up fees and fees for first year)	\$6,000
Skate Park, Artificial Turf Fields, and Dog Park Recycled Content Furniture (such as benches, picnic tables, and discard receptacles)	\$60,000
Three-Stream Receptacles for Police	\$3,700
<b>TOTAL Proposed Expenditures = \$252,200</b>	
Measure D Balance - Proposed Expenditures \$718,147 - \$252,200 =	\$465,947

<b>Fiscal Year 2019-2020</b>	
Approximate Measure D Fund Balance	\$465,947
Estimated Measure D Funds Received	\$150,000
Estimated Interest Earned	\$4,000
<b>TOTAL Measure D Balance = \$619,947</b>	
<b>Ongoing/Annual Expenditures</b>	
Newark Staff Salary (time spent on Measure D)	\$40,000 annually
Green Halo online waste management software system	\$3,000 annually
Measure D/Bay Friendly Trainings	\$500 annually
Promotional/outreach items	\$15,000 annually
<b>One-Time Projects</b>	
Consultant for Cost-Based Analysis Rate Review	\$30,000
New Civic Center LEED Certification (Silver)	\$50,000
New Civic Center Bay Friendly Landscaping	\$100,000
New Civic Center Recycled Content Furniture/Furnishings (carpet tiles, office chairs, etc.)	\$150,000
<b>TOTAL = \$388,500</b>	
Measure D Balance - Proposed Expenditures \$619,947 - \$388,500 =	\$231,447

At the end of this two-year period, the anticipated Measure D balance of \$231,447 will be below the unspent funds threshold. City of Newark staff anticipates that a portion of this balance will be used for implementation of Senate Bill 1383 (which establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025).

Thank you for your consideration of the City of Newark's Expenditure Plan for fiscal years 2018-2019 and 2019-2020. If you have any questions regarding this Expenditure Plan, please contact Administrative Analyst Myvan Khuu-Seeman at [myvan.khuu-seeman@newark.org](mailto:myvan.khuu-seeman@newark.org) or (510) 578-4290.

Sincerely,

A handwritten signature in black ink that reads "John Becker". The signature is written in a cursive style with a long, sweeping underline.

John Becker  
City Manager



## Measure D Funding Priorities

*Partial listing of eligible items for Measure D reimbursement relating to the new civic campus buildings/ landscapes in the City of Newark.*

### Sustainable Landscapes

#### 1. **Bay-Friendly Rated Landscapes (BFL).**

Two tiers of funding based on the size of the Rated landscape.

- For landscapes under an acre and at least 5,000 sq. ft. – \$50,000 of Measure D funds
- For landscapes an acre or greater – \$100,000 of Measure D funds
- Measure D Funds should not exceed the cost of the project
  - Landscape recognized as Bay Friendly Rated Landscape with [ReScape CA](#)
  - The project hired a [Bay-Friendly Rater](#) (as qualified by ReScape CA) ideally in the design phase or earlier.
  - The project applied for and received [Bay-Friendly Rated Landscape Technical Assistance](#) through StopWaste
  - It is recommended that the project landscape architect be a [Bay-Friendly Qualified Landscape Professional](#)

#### 2. **Civic lawn conversions to low water landscapes using sheet mulch.**

For lawn conversions >10,000 sq. ft., \$25,000 of Measure D funds for projects that meet the StopWaste Lawn to Landscape Checklist requirements.

- #### 3. **Buying Recycled Compost and Mulch** cover 100% of cost of materials, transportation and labor to install local and recycled compost and recycled mulch. Visit [lawntogarden.org](http://lawntogarden.org) marketplace for resources on eligible mulch and compost products.
- #### 4. **Recycled Content or Salvage Landscape Materials** cover complete cost for recycled content or salvaged landscape items.
- #### 5. **Sending staff to Bay-Friendly Professional Landscape Trainings** Staff time/labor costs and registration fees covered by Measure D.
- #### 6. **Pay 50% of a WELO enforcement contractor fees** – contractor (or staff position) hired by city to ensure WELO requirements, including compost and mulch use, are enforced.

## **Sustainable Buildings**

### **7. USGBC LEED Certified Buildings**

Project must be greater than 50,000 sq. ft. of conditioned space to receive \$50,000 of Measure D funds to offset the costs to certify building(s) with the USGBC LEED program.

- The project must be registered and certified (minimum Silver Rating) with [USGBC LEED](#)
- The project must complete the following waste diversion/reuse credits:
  - [Building Reuse](#): if applicable, building reuse required through credit Option 1, 2 or 3.
  - [Sourcing](#): credit Option 2 required, purchasing salvaged and recycled content products
  - [C&D](#): Project must attain a 75% C&D material diversion rate
  - [RCI Pilot Credit 87](#): Project must utilize 3<sup>rd</sup> Party Mixed C&D Certified Facility (facility list available at [Recycling Certification Institute](#) )

### **8. Cradle to Cradle Certified Products (C2Certified)**

- Purchase and utilize products found in [Cradle to Cradle Certified Products Registry](#) under the following categories:
  - i. Building Supply and Materials
  - ii. Interior Design and Furniture (Roll carpet excluded)

A maximum of \$100,000 per product type will be eligible for Measure D reimbursement to align with the intent of Measure D funding.

### **9. Deconstruction Activities**

The City may want to consider deconstruction prior to demolition – a simple first step would be to conduct a building survey with a qualified deconstruction contractor to assess potential reuse opportunities. Please review deconstruction resources at - <http://www.stopwaste.org/recycling/deconstruction>

Measure D Funds may be used to offset the costs to implement deconstruction and reuse activities up to \$100,000. Submittal of documentation from the deconstruction contractor regarding material recovery quantities and costs associated with deconstruction activities required.



## CITY OF NEWARK

37101 Newark Boulevard, Newark, CA 94560

[www.newark.org](http://www.newark.org)

September 28, 2020

Ms. Wendy Sommer  
Executive Director  
StopWaste  
1537 Webster Street  
Oakland, CA 94612

RE: CITY OF NEWARK MEASURE D EXPENDITURE PLAN FOR FISCAL YEARS 2020-2021 AND 2021-2022

Dear Ms. Sommer:

The City of Newark's Measure D fund balance has exceeded the allowable balance as established by Rule 2 of the Alameda County Source Reduction and Recycling Board Resolution #2014-2. As a result, the City of Newark is submitting this additional Measure D Expenditure Plan for fiscal years 2020-2021 and 2021-2022, for the Board's consideration.

The City of Newark submitted its most recent Measure D Expenditure Plan for Fiscal Years 2018-19 and 2019-20 in December 2018. Based on that expenditure plan, the City estimated an expenditure of \$252,200 in fiscal year 2018-2019. Actual expenses from the fiscal year resulted in only \$126,216.94 in expenditures as follows:

Employee Salaries	\$ 40,609.33
Mileage and Parking	\$ 333.05
Compost Pails and Organic Stickers	\$ 7,421.30
Landfill/Recycling/Organics Bins	\$ 8,323.17
<u>Consultant Services</u>	<u>\$ 69,530.09</u>
Total Expenditures 2018-19	\$126,216.94

The difference in planned and actual expenditures for 2018-2019 in the amount of \$125,783.06 was due in large part to the timing of planned expenditures for various park furniture items associated with capital improvement projects. These expenditures occurred at the beginning of fiscal year 2019-2020

instead of the end of fiscal year 2018-2019, which accounts for \$77,474.19 in funds. Additionally, the City was not able to utilize the planned consultant services, but is continuing to work closely with Abbe & Associates to implement the long-term diversion plan. This work will continue into fiscal year 2019-2020.

For fiscal year 2019-20, the City projected \$388,500 in expenditures, but expended a total of \$118,060.47 as follows:

Employee Salaries	\$ 21,333.44
Mileage and Parking	\$ 12.00
Recycled Content Park Furniture	\$ 77,474.19
Metal Straws, etc. for Community Events	\$ 1,821.25
Consultant Services	\$ 17,419.59
<u>Total Expenditures 2019-20</u>	<u>\$118,060.47</u>

The major components of the unspent funds for fiscal year 2019-20 are related to the City’s New Civic Center project. The City projected \$300,000 in expenditures for LEED Certification, Bay Friendly Landscaping improvements, and the purchase of Recycled Content Furniture and Furnishings for the project. This project includes construction of a new City Hall, a new Police Department building, and a new Library. The City Hall and Police Department buildings are scheduled to be occupied in February-March 2021 and the Library will follow two months later. All site work, including landscaping, is scheduled to be completed in August 2021. While the City’s project remains on schedule, the actual expenditure of funding for these specific items will be towards the latter stages of the project. As noted in the following tables, the City is projecting that the Recycled Content Furniture and Furnishings will be purchased and installed during this 2020-2021 fiscal year and that the LEED Certification and Bay-Friendly landscaping will be finalized in early 2021-2022.

There are several other factors that limited the City’s expenditure of Measure D funding in fiscal year 2019-2020. Employee salary expenditures were reduced because the analyst overseeing the solid waste management program left the City at the end of February 2020. This was immediately followed by the COVID-19 pandemic and Shelter-in-Place Orders which resulted in reduced consultant activity related to school and community event functions. An additional critical impact is that the City implemented a hiring freeze in response to significant revenue reductions in other areas. Measure D program management functions will reside with the Public Works Director and Public Works Administrative Analyst.

The City of Newark does intend to allocate significant funding towards a consultant to assist staff in a lead role with SB1383 planning and implementation. A Request for Proposals is being prepared for this purpose and will be released by the end of October. We are projecting this effort will utilize approximately \$250,000 over the next two fiscal years, with \$80,000 planned for fiscal year 2020-2021 and 170,000 in fiscal year 2021-2022. A consultant contract to assist with enforcement of the California Water Efficient Landscape Ordinance is also proposed at up to \$10,000 annually with a Request for Proposals also scheduled for release at the end of October. The City will also continue to utilize Abbe & Associates to assist with other components of implementation of the City’s long-term waste diversion plan.

The proposed fiscal year 2020-2021 Expenditure Plan is as follows:

<b>Fiscal Year 2020-2021</b>	
Approximate Measure D Fund Balance	\$620,119
Estimated Measure D Funds Received	\$122,465
Estimated Interest Earned	\$7,000
<b>TOTAL Measure D Balance =</b>	
<b>Ongoing/Annual Expenditures</b>	
Newark Staff Salary (time spent on Measure D)	\$8,000 this fiscal year
Promotional/outreach items	\$10,000 annually
Measure D/Bay Friendly Trainings	\$500 annually
<b>One-Time Projects</b>	
Consultant (implementation of long-term diversion plan – remainder for current contract)	\$52,000
Green Halo online waste management software system (initial set-up fees and fees for first year)	\$6,000
New Civic Center Recycled Content Furnishings and Furniture (carpeting, waste receptacles, building materials, office chairs, etc.)	\$150,000
Consultant for SB 1383 Planning and Implementation	\$80,000
Consultant for WELO Enforcement	\$10,000
<b>TOTAL Proposed Expenditures =</b>	
Measure D Balance - Proposed Expenditures	\$316,500
$\$749,584 - \$316,500 =$	\$433,084
Maximum Unspent Funds (\$8 x 48,966) =	\$391,728
Amount Above Maximum Threshold =	\$41,356

Based on the most recent Department of Finance data, the City’s population is 48,966 allowing for a maximum allowable unexpended balance of \$391,728. The City proposes to expend a total of \$316,500 this fiscal year to reduce the estimated balance to \$433,084 which would be \$41,356 above the maximum allowed.

The fiscal year 2021-2022 expenditure plan is as follows:

<b>Fiscal Year 2021-2022</b>	
Approximate Measure D Fund Balance	\$433,084
Estimated Measure D Funds Received	\$125,000
Estimated Interest Earned	\$5,000
<b>TOTAL Measure D Balance =</b>	
<b>Ongoing/Annual Expenditures</b>	
Newark Staff Salary (time spent on Measure D)	\$30,000 annually
Promotional/outreach items	\$15,000 annually
Measure D/Bay Friendly Trainings	\$1,000 annually
<b>One-Time Projects</b>	
New Civic Center LEED Certification (Silver)	\$50,000

New Civic Center Bay-Friendly Landscaping	\$100,000
Consultant - implementation of long-term waste diversion plan (new or extended contract)	\$50,000
Consultant for SB 1383 Planning and Implementation (continued)	\$170,000
Consultant for WELO Enforcement	\$10,000
TOTAL Proposed Expenditures =	\$426,000
Measure D Balance - Proposed Expenditures \$563,084 - \$426,000 =	\$137,084
Maximum Allowable Unspent Measure D Funds =	\$391,728
Amount Above Maximum Threshold =	\$0

At the conclusion of fiscal year 2021-2022, it is estimated that the City’s Measure D balance would be approximately \$137,000, about 35% of the allowable maximum.

Thank you for your consideration of the City of Newark’s Expenditure Plan for fiscal years 2020-2021 and 2021-2022. If you have any questions, please contact Public Works Director Soren Fajeau via email at [soren.fajeau@newark.org](mailto:soren.fajeau@newark.org) or by telephone at (510) 578-4286.

Sincerely,



Lenka Hovorka  
Assistant City Manager

For:

David J. Benoun  
City Manager