



# ADMINISTRATION AND FINANCE



## STAFF REPORT

**To:** SBWMA Board Members  
**From:** Kevin McCarthy, Executive Director  
**Date:** November 20, 2014 Board of Directors Meeting  
**Subject:** Consideration of Approval of 2015 Merit Increase Pool for Unrepresented Employees

### Recommendation

It is recommended that the SBWMA Board of Directors approve Resolution No. 2014-27 attached hereto authorizing the following action:

Approval of the merit increase pool for calendar year 2015 of 3% of wages as assumed in the adopted FY1415 budget documents.

### Analysis

SBWMA employees are eligible for consideration of a merit increase at least annually per a process delineated in the employee compensation policy, usually on January 1. Per the policy, an employee is considered for a merit increase or not based on the following factors:

- a. The employee's annual written performance appraisal measured against predetermined goals and objectives.
- b. The employee's current position within the salary range and his or her salary relative to internal and external comparable positions.
- c. Merit increases shall, in aggregate, not exceed the budget allocations for salary increases as defined in the annual budget unless approved by the Board of Directors.

The Executive Director completes annual performance reviews using an employee evaluation and performance plan form as attached (**Attachment A**). Employees also submit regular goal status updates to the Executive Director.

### Background

The employee compensation policy was adopted by the Board of Directors on November 19, 2009. Salary ranges are reviewed periodically by the Board and were last adjusted per Board approval on June 27, 2013. The current Board approved salary ranges by position are as follows:

<u>Position</u>	<u>Current Salary</u>	<u>Current Salary Range/Year</u>
Finance Manager	\$134,542	\$112,196 - \$140,245
Facility Operations Contract Manager	\$134,220	\$112,196 - \$140,245
Recycling Program Manager <sup>1</sup>	\$133,576	\$112,196 - \$140,245
Recycling Outreach & Sustainability Manager	\$113,585	\$100,976 - \$126,220
Office Manager/Board Secretary	\$63,752	\$59,659 - \$74,573
Environmental Education Coordinator	\$69,676	\$65,267 - \$81,580
Environmental Education Associate <sup>2</sup>	\$44,382	\$25.10 - \$31.37/hour
<sup>1</sup> Contract employee through Local Government Services with PERs benefits. <sup>2</sup> Part-time, benefitted position at 32-hours per week.		

**Fiscal Impact**

The assumed annual merit increase pool of 3% of wages totals \$27,507 of which \$13,754 is included in the current FY1415 budget. The adopted FY1415 SBWMA program budget is \$3,422,875.

**Attachments:**

Resolution 2014-27

Attachment A – Employee Evaluation and Performance Plan Form



## RESOLUTION NO. 2014-27

### RESOLUTION OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD OF DIRECTORS APPROVING A 2015 MERIT INCREASE POOL FOR UNREPRESENTED EMPLOYEES

**WHEREAS**, the Board of Directors met in closed session on October 23, 2014 and reviewed the employee compensation policy, including information on a proposed merit increase pool of three percent (3%) of wages for calendar year 2015 merit increases; and

**WHEREAS**, the Board of Directors finds that a merit increase pool of three percent (3%) of wages is reasonable and consistent with the 2015 Budget for the Authority;

**NOW, THEREFORE BE IT RESOLVED** that the South Bayside Waste Management Authority hereby approves a merit increase pool of three percent (3%) of wages for 2015 for unrepresented employees.

**PASSED AND ADOPTED** by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 20<sup>th</sup> day of November, 2014, by the following vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton					Menlo Park				
Belmont					Redwood City				
Burlingame					San Carlos				
East Palo Alto					San Mateo				
Foster City					County of San Mateo				
Hillsborough					West Bay Sanitary Dist.				

I HEREBY CERTIFY that the foregoing Resolution No. 2014-27 was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on November 20, 2014.

ATTEST:

\_\_\_\_\_  
Bill Widmer, Chairperson of SBWMA

\_\_\_\_\_  
Cyndi Urman, Board Secretary



A Public Agency

## SBWMA Employee Evaluation and Performance Plan

Position:	Employee:	Today's Date:
Department:	Hire Date:	
Immediate Supervisor:	Review Period: <input type="checkbox"/> last six months <input checked="" type="checkbox"/> last 12 months <input type="checkbox"/> OTHER:	
Department Manager:	Next Performance Review Date:	

**Supervisor Instructions:** This Evaluation and Performance Plan is divided into three sections:

Section 1: Goals and Objectives Performance Evaluation (six months or one year)

Section 2: Next Review Period Performance Plan/ Recommended Professional Development

Section 3: Performance Evaluation Results

### SECTION 1: Goals and Objectives Performance Evaluation

During each evaluation period, SBWMA employees will have key goals and objectives that each person will be committed to achieve. This section of the evaluation form will give you an opportunity to evaluate the degree to which your staff has succeeded at achieving their goals and job specific performance outcomes. In order to complete this section, you will need to refer to your employee's weekly and/or monthly status reports for this evaluation period. It will also be necessary to review what your direct report provided to you at the start of this evaluation period to define his or her performance goals during this past evaluation period. They may have provided their goals to you in a project plan or a list of goals. It is your responsibility to assemble this information in order to complete the following section. The following rating scale is used: **1:** did not achieve this goal at all; **2:** made minimal progress on this goal; **3:** completed the majority of this goal; **4:** finished the expected goal; **5:** achieved the goal and surpassed what was expected. Use **NA** for not applicable when achieving that particular goal could not be achieved or evaluated due to circumstances beyond the control of the employee.

<b>GOALS AND OBJECTIVES:</b>	<b>RATING (circle one)</b>
	1 2 3 4 5 NA
Comment:	
<b>GOAL AND OBJECTIVES:</b>	<b>RATING (circle one)</b>
	1 2 3 4 5 NA
Comment:	

GOAL AND OBJECTIVES:	1 2 3 4 5 NA
Comment:	
GOAL AND OBJECTIVES:	1 2 3 4 5 NA
Comment:	
GOAL AND OBJECTIVES:	1 2 3 4 5 NA
Comment:	
GOAL AND OBJECTIVES:	1 2 3 4 5 NA
Comment:	
GOAL AND OBJECTIVES: <b>Professional development goals</b>	1 2 3 4 5 NA
Comment:	

If additional duties must be evaluated, please add additional sheets of paper as needed.

**Section 2: Next Review Period Performance Plan/ Recommended Professional Development**

Section 1 of the Employee Evaluation and Performance Review represents a review of the work your staff has completed during the past performance review period. This Section provides an opportunity to plan for the next evaluation period by asking you and your employee to look ahead and see what needs to be achieved between now and his or her next performance review date. *This Section also allows for updating an employee's job description and identifying professional development goals.* The following should be completed together with your employee.

NEXT REVIEW PERIOD: \_\_\_\_ 3 months  6 months \_\_\_\_ 1 year

TENTATIVE DATE FOR REVIEW: July 2015

Please ask your employee to be prepared to describe their top 5 performance objectives for the next six months. List these here or attach on a separate piece of paper:

Supervisor's Initials \_\_\_\_\_ Employee's Initials \_\_\_\_\_

**RECOMMENDATION FOR PROFESSIONAL DEVELOPMENT**

Listed below are major training topics that may be helpful to SBWMA employees. Please identify the training areas that your employee would benefit from exploring during the next 12 months:

***SUBSTANTIVE AREAS***

- Knowledge of recycling programs and technologies
- Knowledge of facility operations
- Knowledge of communities served by SBWMA
- OTHER: \_\_\_\_\_

***GENERAL***

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Organizational skills</li> <li><input type="checkbox"/> Time management</li> <li><input type="checkbox"/> Business writing</li> <li><input type="checkbox"/> Verbal presentation skills</li> <li><input type="checkbox"/> Collaboration and team work</li> <li><input type="checkbox"/> Professionalism</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Strategic planning</li> <li><input type="checkbox"/> Project budgeting</li> <li><input type="checkbox"/> Community relations</li> <li><input type="checkbox"/> Program design</li> <li><input type="checkbox"/> OTHER: _____</li> </ul> |
|--|---|

***SUPERVISION***

- Setting performance expectations
- Delegating
- Demonstrating respect for others
- Providing effective feedback
- Demonstrating integrity
- Valuing diversity and inclusivity

OTHER: \_\_\_\_\_

**Section 3: Performance Evaluation Results**

For completing a performance rating for your employee, you will be using the following rating scale:

- (5) Exceeded Expectations: achieved goals and surpassed what was expected.
- (4) Met Expectations: completed the expected goals and met expectations.
- (3) Substantially Met Expectations: Consistently meets majority of expectations. Need improvement in some areas.
- (2) Growth Needed in Most Areas: Meets expectations in few areas. Development needed in most areas of responsibility.
- (1) Immediate Improvement Required: Does not meet expectations. Significant, sustained improvement required immediately.



**Rate Your Staff's Overall Performance Using the Information in Sections 1 and 2.**

- \_\_\_ [5] Exceeds Expectations
- \_\_\_ [4] Met Expectations
- \_\_\_ [3] Substantially Met Expectations
- \_\_\_ [2] Growth Needed
- \_\_\_ [1] Improvement Required Immediately

Employee passes evaluation?

Recommend compensation increase?

Compensation Increase Amount (%):

I have read the above evaluation and have been given an adequate explanation of the basis for my evaluation.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Supervisor Signature

I have reviewed the aforementioned employee's evaluation & performance review and his/her supervisor's evaluation. Based on the recommendation of the supervisor and my own review of the employee's performance, the following action(s) will be taken with my approval:

- \_\_\_ Increase approved at level recommended by immediate supervisor
- \_\_\_ No increase approved
- \_\_\_ A one time bonus in the amount of \$\_\_\_\_\_ is to be granted now

\_\_\_\_\_  
Executive Director's Signature



## STAFF REPORT

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To: SBWMA Board Members  
From: Robert J. Lanzone, General Counsel  
Date: November 20, 2014 Board of Directors Meeting  
Subject: Consideration of Approval of Change to Technical Advisory Committee Meeting Frequency

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### Recommendation

It is recommended that the SBWMA Board of Directors approve Resolution 2014-28 attached hereto authorizing the following:

Modifying the TAC meeting requirement from "meet on a regularly scheduled basis" to meet on "as needed basis" as determined by the SBWMA Executive Director or the SBWMA Board of Directors."

### Analysis

On August 22, 2013, the SBWMA Board passed Resolution 2013-17 (**Exhibit A hereto**) establishing the TAC. The Resolution was one of the first orders of business of the then newly constituted Board of Directors.

The staff report to the Board for its consideration of Resolution 2013-17 is attached as **Exhibit A**. The staff report explains the background for and legal basis for the Board establishing the TAC. It also recommended at that time that the TAC meet on an as needed basis. However, when the matter was considered the Board felt that there may be a need for greater input from the TAC and changed the draft Resolution to indicate the TAC should meet on "a regularly scheduled basis."

It has now been a year. The TAC has only been meeting, it appears, on an as needed basis. The TAC met most recently on October 9<sup>th</sup> to get a staff update on the Long Range Plan and prior to that on March 13, 2014. Many TAC members have also been attending the regularly Board meeting.

Staff believes the Board should consider having the TAC governing characteristics, as contained in Resolution 2013-17, brought into line with the practice experienced by the TAC over the last year.

The Executive Committee has also met and discussed this item and supports the recommended change. The Executive Committee also believes, though, that a future special Board meeting be held to more fully discuss the future ongoing role of the TAC and related issues around Board governance.

### Fiscal Impact

There will be a time savings for TAC members and SBWMA staff with fewer meetings to be scheduled.

### Attachments:

Resolution 2014-28

Exhibit A – August 22, 2013 Staff Report and Resolution



## RESOLUTION NO. 2014-28

### RESOLUTION OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD OF DIRECTORS MODIFYING THE TAC MEETING FREQUENCY

RESOLVED by the Board of Directors of the South Bayside Waste Management Authority (SBWMA) that:

WHEREAS, on August 22, 2013, the SBWMA Board passed Resolution 2013-17 establishing the Technical Advisory Committee (TAC), and;

WHEREAS, Resolution 2013-17 stated the TAC shall meet on a regularly scheduled basis with input from the Board and/or the Executive Director, and;

WHEREAS, since established in 2013, the TAC has met on an as needed basis to address issues referred to it by the Board, and;

WHEREAS, the Board has determined it to be more efficient and a better use of time for the TAC to meet only on an "as needed basis".

**NOW, THEREFORE BE IT RESOLVED** that the South Bayside Waste Management Authority hereby authorizes the TAC to meet on an as needed basis as determined by the SBWMA Executive Director or the SBWMA Board of Directors.

**PASSED AND ADOPTED** by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 20<sup>th</sup> day of November, 2014, by the following vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton					Menlo Park				
Belmont					Redwood City				
Burlingame					San Carlos				
East Palo Alto					San Mateo				
Foster City					County of San Mateo				
Hillsborough					West Bay Sanitary Dist.				

I HEREBY CERTIFY that the foregoing Resolution No. 2014-28 was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on November 20, 2014.

ATTEST:

\_\_\_\_\_  
Bill Widmer, Chairperson of SBWMA

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Cyndi Urman, Board Secretary



## STAFF REPORT

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To: SBWMA Board Members  
From: Robert J. Lanzone, General Counsel  
Date: August 22, 2013 Board of Director's Meeting  
Subject: Consideration of Resolution Establishing a Technical Advisory Committee

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### Recommendation

It is recommended that the SBWMA Board of Directors approve Resolution No. 2013-17 attached hereto authorizing the following action:

- Establishing a Technical Advisory Committee (TAC) comprised of JPA Member Agencies staff to advise the Board.

### Analysis

The SBWMA is a joint powers authority (JPA) established pursuant to California Government Code §6500 et seq. which authorizes two or more public agencies, by agreement, to form a separate legal entity. The JPA may, after it is established, exercise powers common to the Member Agencies in the JPA. The SBWMA's powers are delineated in the Second Amended and Restated JPA Agreement at Article 7, Powers. The SBWMA Board sits as the governing body, exercising the broad powers set forth in Article 7. These powers include the authority to "[a]dopt, as authorized by California law, ordinances and resolutions necessary to carry out the purposes of this Agreement." (§7.1(9))

The purpose of the SBWMA is to "provide for the joint ownership, financing, administration, and operation of the Facilities, and for the joint planning, adoption, financing, administration, management, review, monitoring, enforcement, and reporting of Solid Waste, Recyclable Material, and Plant Material Collection activities in the Service Area."

Given this language in the Second Amended and Restated JPA Agreement, the Board may, per §7.1(9), by resolution, establish a TAC if the Board determines that a TAC is necessary to carry out the purposes of the JPA Agreement. In establishing a TAC, the Board should clearly define the TAC's purpose to act in an advisory capacity, receiving direction from and reporting to the SBWMA Board. It is recommended that if the Board wishes to create a TAC, it do so by resolution.

Attached for the Board's consideration is a Resolution establishing a TAC comprised of Member Agency staff. This approach and the proposed Resolution is similar in format to City County Association of Governments (CCAG) Resolution 12-65 (*Exhibit A*) by which the CCAG Board established a TAC to advise it on stormwater issues. The resolution provides that the TAC would be governed by the following parameters, and includes staff positions similar to those in the prior SBWMA JPA Agreement:

1. The TAC would be comprised of one appointee from each SBWMA Member Agency.
2. Appointees would be:
  - a. County, District, City or Town Managers, Assistant Managers or the equivalent position.
  - b. Department Directors or Assistant Directors, or the equivalent position.
  - c. Environmental Programs Manager

3. The TAC be a standing committee advising the Board and therefore subject to the Brown Act per California Government Code §54952(b).
4. The TAC's function would be to advise the Board on issues that the Board, by formal motion, would send to it for consideration.
5. The TAC would not have a set meeting schedule; convening instead only when needed to address issues referred to it by the Board.

### **Background**

A Blue Ribbon Task Force was formed in February 2012, comprised of elected officials from SBWMA Member Agencies interested in discussing the Authority's governance structure and related topics. The Task Force met on March 20 and April 24, 2013. Redwood City Council Member Jeff Ira was selected by general consensus as the Chair of the Blue Ribbon Task Force, with Redwood City staff agreeing to complete the follow up work requested at each meeting.

Task Force members present at the April 24 meeting, representing 10 of the 12 SBWMA Member Agencies, voted unanimously to recommend that the SBWMA JPA Agreement be modified to define the JPA board as being comprised of an elected official from each of the Member Agencies' governing bodies. This is the Second Amended Agreement since the Agreement was first amended on June 4, 2002 to modify the definition of the fiscal year. The Task Force also recommended that once a new Board was in place that the new Board establish and determine the role and duties of a technical advisory committee that would support the board and be comprised of Member Agency staff.

During the recently concluded process leading to the adoption of the Second Amended and Restated JPA Agreement, several SBWMA Member Agencies expressed interest in establishment of a TAC to advise the Board on issues assigned to it for consideration by the Board. In its 2013 report, the San Mateo County Civil Grand Jury also recommended establishment of "a technical advisory committee consisting of staff with technical experience in waste management" to advise the newly constituted Board.

### **Fiscal Impact**

There would be no fiscal impact to the SBWMA, though additional staff time would be required to support TAC meetings. There would be a fiscal impact for each Member Agency created by their staff's time spent on TAC business.

### **Attachments:**

Resolution 2013- 17



## RESOLUTION NO. 2013-17

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY ESTABLISHING A TECHNICAL ADVISORY COMMITTEE

RESOLVED by the Board of Directors of the South Bayside Waste Management Authority (SBWMA) that:

WHEREAS, the SBWMA is an agency responsible for the joint ownership, financing, administering and operating regional facilities and for the joint planning, adoption, financing, administering, management and enforcement of solid waste, recyclable material and plant material collection activities, and;

WHEREAS, the SBWMA Board desires to establish a Technical Advisory Committee (TAC) to advise it from time to time on technical issues that come before the Board, and;

WHEREAS, a TAC comprised of City/District Managers or director level staff from SBWMA Member Agencies as provided herein will be beneficial to implementing the purposes of the SBWMA.

NOW, THEREFORE, BE IT RESOLVED that the SBWMA Board hereby establishes an SBWMA Technical Advisory Committee (TAC) to provide professional advice and direction to the SBWMA Board on matters that are referred to the TAC from time to time by the Board. The Committee shall have the following characteristics:

1. Membership shall include one (1) representative from each of the SBWMA Member Agencies.
2. Appointees would be:
  - a. County, District, City or Town Managers, Assistant Managers or the Manager's designee.
  - b. Department Directors or Assistant Directors, or the equivalent position.
  - c. Environmental Programs Manager
3. The TAC shall be a standing committee and meet on a regularly scheduled basis with input from the Board and/or the Executive Director.
4. The TAC shall be subject to the California Brown Act and Public Meeting requirements.

**PASSED AND ADOPTED** by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 22 day of August, 2013, by the following vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Atherton	X				Menlo Park	X			
Belmont	X				Redwood City	X			
Burlingame	X				San Carlos	X			
East Palo Alto				X	San Mateo	X			
Foster City	X				County of San Mateo	X			
Hillsborough	X				West Bay San. District	X			

I HEREBY CERTIFY that the foregoing Resolution No. 2013 - 17 was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on August 22, 2013.

ATTEST:

  
\_\_\_\_\_  
Jeff Ira, Chairperson of SBWMA

  
\_\_\_\_\_  
Cyndi Urman, Board Secretary