



**DATE:** June 23, 2021

**TO:** Waste Management Authority (WMA) Board

**FROM:** Pat Cabrera, Administrative Services Director

**SUBJECT:** Adoption of Ordinance 2021-01 amending Ordinance 2006-01 “Ordinance Regarding Compensation for Board Members”

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**SUMMARY**

On May 26, 2021 the WMA held a public hearing and voted to introduce Ordinance 2021-01 regarding Board member compensation and place it on the consent calendar for adoption at the June 23, 2021 meeting. The ordinance amends Ordinance 2006-01 to adopt changes in Board members’ compensation from \$150 per meeting to \$230 per meeting.

**DISCUSSION**

At the April 8, 2021 Programs and Administration (P&A) Committee meeting, the Committee recommended that the WMA Board hold a public hearing and introduce Ordinance 2021-01 (Attachment 1). At the WMA meeting on May 26, 2021, the WMA held a public hearing and introduced and waived the first reading of the subject ordinance, and voted to place the ordinance on the consent calendar for adoption at the June 23, 2021 WMA meeting.

The WMA also approved revisions to the meeting attendance policy once the ordinance is adopted. Resolution 2021-03, updating this policy is attached (Attachment 2).

**RECOMMENDATION**

That the WMA waive reading the full text of the Ordinance, and adopt Ordinance 2021-01 and that the WMA adopt Resolution 2021-03 revising board members meeting attendance policy.

Attachment 1: Ordinance 2021-01

Attachment 2: Resolution 2021-03 Revising Board Members Meeting Attendance Policy

**ATTACHMENT 1**

**ORDINANCE 2021-01  
AMENDING ORDINANCE 2006-01**

**ORDINANCE REGARDING COMPENSATION FOR BOARD MEMBERS**

The Board of the Alameda County Waste Management Authority (“WMA”) finds that:

1. In 2006 the WMA adopted Ordinance 2006-01, the Ordinance regarding compensation for board members. Based on a review of the consumer price index and given that this compensation has not been increased since that time, the WMA wishes to amend the ordinance to change the amount of compensation from \$150 per meeting to \$230 per meeting.
2. The Board of the Alameda County Waste Management Authority held a public meeting on May 26, 2021 to consider this ordinance, and after considering all testimony and written materials provided in connection with that meeting introduced this ordinance and waived the reading thereof.

Therefore, the Board of the WMA hereby ordains as follows:

**Section 1. Amendment.**

Ordinance 2006-01, an ordinance regarding compensation for board members and alternates is hereby amended as shown in Attachment A. Text to be added is indicated in bold underlined font (e.g., **added text**) and text to be deleted is indicated in strikeout font (e.g., ~~deleted text~~).

**Section 2. 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 3. Publication, Posting, and Effective Date**

Within 15 days after adoption, a summary of the ordinance (with the names of those voting for and against), shall be published and a certified copy of the full text of the ordinance (with the names of those voting for and against), shall be posted in the office of the Clerk of the Board. The ordinance shall become effective thirty (30) days after adoption.

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**Following introduction on May 26, 2021, passed and adopted June 23, 2021 by the following vote:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of ORDINANCE NO. 2021-01.

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ARLISS DUNN  
CLERK OF THE BOARD

**ATTACHMENT A**

**ORDINANCE NO. 2006-01  
as amended by Ordinance 2021-1**

**AN ORDINANCE IMPLEMENTING AB 11 (2005), PARTICULARLY GOVERNMENT CODE SECTION 36516 AND AB 1234 (2005), PARTICULARLY HEALTH AND SAFETY CODE SECTION 6489, REGARDING COMPENSATION FOR BOARD MEMBERS**

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

**SECTION 1**

AB 11 and AB 1234, enacted by the Legislature in 2005, require rescission of Resolution #WMA 2002-09 (setting the per diem for members for attendance at Board or committee meetings) and enactment of an ordinance consistent with State law.

**SECTION 2**

The Board of the Authority does hereby repeal Resolution #WMA 2002-09.

**Section 3**

Compensation of Board members **and alternates** shall be set at **\$230** ~~\$150~~ per attendance at a Board or committee meeting or other authorized Board meeting such as an educational activity. The total compensation of a Board member shall not exceed **\$690** ~~\$450~~ per month.

**Section 4**

The terms of this Ordinance may not be changed or amended except by enactment of another Ordinance or amendment of this Ordinance.

**Section 5**

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

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**ATTACHMENT 2**

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY**

**RESOLUTION #WMA 2021-03**

**MOVED:**

**SECONDED:**

**AT THE MEETING HELD JUNE 23, 2021**

**RESOLUTION OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY BOARD  
REVISING BOARD MEMBERS AND ALTERNATES MEETING ATTENDANCE  
POLICY**

**WHEREAS**, the Alameda County Waste Management Authority (“WMA Board”) provides compensation for Board members or alternates to conduct the business of the WMA Board at Board and standing committee meetings; and

**WHEREAS**, said compensation has not been adjusted since July 2002; and

**WHEREAS**, a review of other local jurisdictions’ payment practices as it applies to board/council members as well as a review of the consumer price index indicates that an increase in compensation is warranted; and

**WHEREAS**, Ordinance 2021-01 amending Ordinance 2006-01 as it pertained to board member compensation is being presented for adoption on June 23, 2021, and

**WHEREAS**, as the meeting attendance policy adopted by the WMA Board on March 28, 2018 requires revisions to reflect this increase in compensation as well as to reflect changes in reporting required by the Internal Revenue Service, and

**WHEREAS**, the WMA Board at its meeting on May 26, 2021 approved changes to the policy pending adoption of Ordinance 2021-01.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The WMA Board adopts the attached meeting attendance payment policy. This resolution supersedes all other resolutions and policies and becomes effective consistent with the effective date of Ordinance 2021-01.

**ADOPTED this 23<sup>rd</sup> day of June 2021, by the following votes:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of Resolution #WMA 2021-03.

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Arliss Dunn  
Clerk of the Board

**ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY  
MEETING ATTENDANCE PAYMENT POLICY**

1. WMA Board members will receive a payment of \$230 per meeting for WMA Board and standing committee (i.e., the Programs and Administration Committee and Planning Committee) meetings, not to exceed \$690 per person per month. This represents a change in compensation from \$150 per meeting to \$230 per meeting.
2. A WMA Board member alternate will receive payment for attending a WMA Board or standing committee meeting if the primary WMA Board member is not present. No more than one representative from a member agency may be paid for any one meeting.
3. Recycling Board member payments are limited to \$100 per meeting (not to exceed \$3,000 per year) by terms of the County Charter (referred to as Measure D). Since the monthly Recycling Board meeting is also a WMA Planning Committee meeting, Planning Committee members (including interim appointees attending instead of a Planning Committee member that is unable to attend) will be paid \$100 from Recycling Board funds and \$130 from WMA funds for a total of \$230 per meeting.
4. If there is a lack of quorum to convene a scheduled meeting, those members in attendance will be eligible for payment as if the meeting took place. If that meeting is rescheduled, all members attending the rescheduled meeting shall be eligible for payment even if they have been paid for attending the meeting that did not convene.
5. A person arriving at a meeting after it has been adjourned is not eligible for payment for that meeting.
6. Attendance via teleconference is eligible for payment, although Board members unable to attend a meeting in person are encouraged to have their alternate or interim appointee attend in their place.
7. The WMA Board and the Recycling Board as its own body (not as the WMA Planning Committee) periodically hold a joint meeting for matters affecting both boards (e.g., the annual budget presentation, strategic planning). For such joint meetings, all Recycling Board members (either appointed by the WMA Board or the Alameda County Board of Supervisors) will receive \$100 from Recycling Board funds and \$130 from WMA funds. All other WMA Board members will receive \$230 from WMA funds.
8. No person receiving a payment pursuant to this policy may be reimbursed by the Waste Management Authority for any expenses (e.g., parking, transportation) incurred in connection with attending a meeting for which payment has been or will be made.

9. Payments are made based on the record of attendance for each meeting and are sent to the recipient by direct deposit. Payments are processed once a month.
10. Payments will be included in a calendar year Form W2 for Board members as per IRS regulations.
11. This policy will be periodically reviewed and revised as needed.