



Central Contra Costa Solid Waste Authority

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STANDING PERSONNEL COMMITTEE MEETING

FEBRUARY 05, 2019 – 2:00 P.M.

RecycleSmart Offices
1850 Mt. Diablo Blvd., Ste. 320
Walnut Creek, CA 94596

1. **CALL TO ORDER**
2. **ADOPTION OF AGENDA**
3. **PUBLIC COMMENT ON ITEMS NOT ON THIS AGENDA**

If you would like to address the Committee, please complete a speaker's card and submit it to the Secretary of the Board. When addressing the Committee, please state your name and address for the record. There is a three-minute limit to present your information. (The Committee Chair may direct questions to any member of the audience as appropriate at any time during the meeting.)

4. **ACTION ITEMS**

- a. Proposed Fiscal Year 2019-2020 Cost of Living Adjustment*
Recommend a 4.5% Cost of Living Adjustment (based on CPI Data) increase for all employees and a 2.3% Cost of Living Adjustment increase for the Executive Director.
- b. Conflict of Interest Code*
Review and provide direction to Staff on the Conflict of Interest Code Policy and forward to the full Board for approval.

5. **CLOSED SESSION**

- a. Public Employee Performance Evaluation
 - i. Pursuant to Section 54957 - Title: Executive Director

6. **COMMITTEE COMMUNICATIONS AND ANNOUNCEMENTS**

7. **ADJOURNMENT**

ADDRESSING THE COMMITTEE ON AN ITEM ON THE AGENDA

Persons wishing to speak on PUBLIC HEARINGS and OTHER MATTERS listed on the agenda will be heard when the Chair calls for comments from the audience, except on public hearing items previously heard and closed to public comment. The Chair may specify the number of minutes each person will be permitted to speak based on the number of persons wishing to speak and the time available. After the public has commented, the item is closed to further public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the Board.

ADDRESSING THE COMMITTEE ON AN ITEM NOT ON THE AGENDA

In accordance with State law, the Committee is prohibited from discussing items not calendared on the agenda. For that reason, members of the public wishing to discuss or present a matter to the Committee other than a matter which is on the Agenda are requested to present the matter in writing to RecycleSmart Board Secretary at least one week prior to a regularly scheduled Board meeting date. If you are unable to do this, you may make an announcement to the Committee of your concern under PUBLIC COMMENTS. Matters brought up which are not on the agenda may be referred to staff for action or calendared on a future

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the Central Contra Costa Solid Waste Authority dba RecycleSmart to offer its public meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require special accommodations to participate, please contact RecycleSmart Board Secretary at least 48 hours in advance of the meeting at (925) 906-1801.



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA PERSONNEL COMMITTEE
FROM: KEN ETHERINGTON, EXECUTIVE DIRECTOR
WENDY NELSON, FINANCE MANAGER/CONTROLLER
DATE: FEBRUARY 5, 2019

SUBJECT: PROPOSED FISCAL YEAR 2019-20 COST OF LIVING ADJUSTMENT

SUMMARY

Based on Bay Area Consumer Price Index (CPI), Staff is proposing a 4.5% Cost of Living Adjustment (COLA) increase for employees and a 2.3% COLA for the Executive Director (Per Employment Contract). If approved, the COLA increase will be applied to the FY 2019-20 draft budget that would be reviewed by the Finance and Administration Committee.

RECOMMENDED ACTION

1. Recommend a 4.5% Cost of Living Adjustment (based on CPI Data) increase for all employees and a 2.3% Cost of Living Adjustment increase for the Executive Director.

DISCUSSION

Staff is presenting, for Committee consideration, a 4.5% wage increase for exempt and non-exempt employees, and a 2.3% increase for the Executive Director as a COLA increase, effective July 1, 2019. The 4.5% adjustment is from the (December 2017 to December 2018) Consumer Price Index for the San Francisco Area from the U.S. Bureau of Labor Statistics.



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA PERSONNEL COMMITTEE
FROM: DEBORAH MILLER, GENERAL COUNSEL
DATE: FEBRUARY 5, 2019
SUBJECT: CONFLICT OF INTEREST CODE

SUMMARY

State law (the Political Reform Act) requires state and local agencies to adopt a Conflict of Interest Code. Staff has prepared a proposed form of Code that complies with the requirements of state law and is consistent with the agency's historic practices for identifying and reporting potential sources of conflicts.

RECOMMENDED ACTION

1. Review and provide direction to Staff on the Conflict of Interest Code Policy and forward to the full Board for approval.

DISCUSSION

The Political Reform Act requires state and local government agencies to adopt and promulgate conflict of interest codes, California Government Code section 87300. The Fair Political Practices Commission (FPPC), pursuant to its powers under the Political Reform Act, has promulgated regulations containing the terms of a standard conflict of interest code, 2 California Code of Regulations section 18730.

Staff has prepared a proposed form of Conflict of Interest Code that complies with the requirements of state law in its content and format. As required by law, the proposed Code identifies those positions within RecycleSmart that are reasonably likely to make or participate in making governmental decisions on behalf of RecycleSmart. Also, as required by law, the proposed Code identifies by category the types of interests that could reasonably give rise to a potential conflict of interest given the work of this agency. The scope of designated positions and the categories of interests are consistent with the agency's historic practices for identifying and reporting potential sources of conflicts.

As a joint powers authority whose jurisdiction is entirely within Contra Costa County, state law designates the Contra Costa County Board of Supervisors as the code of reviewing body for RecycleSmart, California Government Code section 82011(b). Thus, if the RecycleSmart Board adopts the proposed Conflict of Interest Code, staff would submit the Code to the County for its review and approval.

ATTACHMENT

A. Conflict of Interest Code Policy

CENTRAL CONTRA COSTA SOLID WASTE AUTHORITY

POLICY TITLE: Conflict of Interest Code

- A. The Political Reform Act requires state and local government agencies to adopt and promulgate conflict of interest codes, California Government Code section 87300. The Fair Political Practices Commission (FPPC), pursuant to its powers under the Political Reform Act, has promulgated regulations containing the terms of a standard conflict of interest code, 2 California Code of Regulations section 18730.
- B. The Central Contra Costa Solid Waste Authority (Authority) adopts and incorporates by reference the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the FPPC, and adopts the attached Appendix designating positions and establishing disclosure categories. These regulations and the Appendix constitute the Conflict of Interest Code for the Authority.
- C. Board members shall file statements of economic interest in the manner required by their member agency conflict of interest code, and provide a copy to the Authority Board Secretary. All other designated positions shall file statements of economic interest with the Authority Board Secretary. The Authority shall make all statements available for public inspection and reproduction pursuant to California Government Code section 81008.

APPENDIX

List of Designated Positions

Designated Positions	Disclosure Categories
Board Member	Category 1-2
Executive Director	Category 1-2
Executive Assistant/Board Secretary	Category 1-2
Contract Compliance Specialist	Category 1-2
Waste Prevention & Recycling Manager III, Senior	Category 1-2
Waste Prevention & Recycling Manager II, Journey	Category 1-2
Waste Prevention & Recycling Manager I, Associate	Category 1-2
Finance Manager/Controller	Category 1-2
Administrative Assistant	Category 1-2
General Counsel	Category 1-2
Consultants *	Category 1-2

* Consultants that make or participate in making governmental decisions on behalf of the Authority fall within this Designated Position and are required to comply with the disclosure requirements specified herein, 2 California Code of Regulations section 18700.3.

Disclosure Categories

Category 1 All interests in real property located within Contra Costa County (except for principal residences as exempted by FPPC regulations); and any interests in real property located within the contiguous counties that is or reasonably may be used as any type of solid waste, hazardous waste, or recycling facility or enterprise.

Category 2 Investments and business positions in business entities, and income from business entities or persons that: (a) contract with the Authority; or (b) provide services, supplies, materials, or equipment of the type used by the Authority; or (c) utilize services, supplies, materials, or equipment of the type provided by the Authority; or (d) whose property or operations are subject to solid waste facility permits or findings of conformance with the Regional Integrated Waste Management Plan; or (e) are engaged in the operation of any type of solid waste, hazardous waste, or recycling facility or enterprise.