

Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109  
(415) 771-6000

## **APPROVED MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
11:00 a.m., Wednesday, March 28, 2012

### **1. Call to Order – Roll Call**

Committee Chairperson Brad Wagenknecht called the meeting to order at 11:01 a.m.

Present: Committee Chairperson Brad Wagenknecht; Vice Chairperson Eric Mar; and Directors Carole Groom, Jennifer Hosterman, David Hudson, Carol Klatt and Katie Rice.

Absent: Directors Scott Haggerty and Ash Kalra.

Also Present: Board of Directors Chairperson John Gioia.

### **2. Public Comment Period: None.**

### **3. Approval of Minutes of November 14, 2011**

Committee Action: Director Klatt made a motion to approve the Minutes of November 14, 2011; Director Hosterman seconded; carried unanimously without objection.

### **4. Conduct Interviews and Consider Recommending Board of Directors' Approval of a Candidate for Appointment to the Air District's Advisory Council**

Committee Chairperson Wagenknecht asked how the Committee should proceed with the interview process. Jack Colbourn, Director of Administrative Services, said the Committee members are assigned specific questions that are then asked by those members of each of the candidates.

The Committee discussed the interview questions and assigned the same.

The Committee interviewed the candidates for the Air District Advisory Council, including Keith Abeles, Edgar Downs, Kathryn Lyddan and Richard Strong.

Committee Comments:

Committee Chairperson Wagenknecht asked how the Committee should proceed with the appointment process. Eric Stevenson, Director of Technical Services, said that the Committee discusses its decision and it will go to the Board of Directors for consideration.

Chairperson Gioia said he had worked Ms. Lyddan on specific projects in the past and she has amazing skill sets.

Director Hosterman said she likes Mr. Abeles and Ms. Lyddan and suggested that Mr. Downs and Mr. Strong are looking for retirement projects. Director Hosterman commended the expertise and enthusiasm of Ms. Lyddan.

Committee Chairperson Wagenknecht said that his issue with Ms. Lyddan and Mr. Strong is the lack of personal, hands-on experience in the agricultural field and he likes Mr. Abeles because he is a farmer that understands the issues at the ground level.

Director Rice suggested that Ms. Lyddan has a good of picture of the state of agriculture despite her lack of hands-on experience because of her level and breadth of involvement and commended her obvious passion for public service.

Director Mar ranked Ms. Lyddan first and Mr. Abeles second, noting his appreciation for Ms. Lyddan's breadth of experience and her ability to address regional issues.

Director Hudson urged the Committee to stay focused on the composition of the Council, said hands-on experience is an important factor for the agriculture representative, suggested that Ms. Lyddan would be a great choice for another category such as land use, proposed that appointing Ms. Lyddan to this position will effectively remove agriculture from the Council, and suggested that the same is probably true of Mr. Strong.

Director Klatt ranked Mr. Abeles first, noting his focus on the pertinent issues, and Ms. Lyddan second, noting her focus on land use issues.

Director Groom supported Ms. Lyddan.

Committee Chairperson Wagenknecht conducted a straw poll, the results being five votes for Ms. Lyddan and three votes for Mr. Abeles.

Public Comments: None.

Committee Action:

Director Hosterman made a motion to recommend Board of Directors' approval of Ms. Lyddan for appointment to the Air District's Advisory Council; Chairperson Gioia seconded and noted Ms. Lyddan's close work with farmers small and large; approved over the objection of Director Hudson.

**5. Consider Recommending Board of Directors' Approval to Re-Appoint the Regular and Alternate Member Positions for the Attorney Member Category on the Air District's Hearing Board**

Jennifer Cooper, Manager, Executive Operations, provided the attendance records and resumes of the incumbent regular and alternate member candidates for the attorney member category on the Air District's Hearing Board.

Committee Comments:

Chairperson Gioia asked why Rolf Lindenhayn, Member of the Hearing Board, has a conflict of interest regarding matters involving Chevron. Brian Bunger, District Counsel, responded that Mr. Lindenhayn had represented Chevron in some capacity in the past but that Chevron is not frequently a party before the Hearing Board.

Chairperson Gioia asked about the attendance record of Valerie Armento, Alternate Member of the Hearing Board. Ms. Cooper responded with details about the absences of Mr. Lindenhayn and Ms. Armento. Chairperson Gioia asked when each was appointed. Ms. Cooper responded that Mr. Lindenhayn was appointed in May 2002 and Ms. Armento was appointed in October 2006 and, if re-appointed, that Mr. Lindenhayn will serve a total time in excess of the twelve-year limit. Chairperson Gioia asked how the appointment process generally works and if today's proposal to re-appoint is consistent with it. Ms. Cooper responded in the affirmative. Mr. Bunger added that today's proposal is consistent with past practice, the appointments are for the term unless there is misconduct, there were issues with members in the past that resulted in an advertised recruitment process, and with the professional Hearing Board that is currently in place the advertising process has been waived for the last few cycles provided the incumbents expressed an interest in re-appointment.

Chairperson Gioia asked about the jurisdiction of the Hearing Board. Mr. Bunger responded that they address requests for variances, permit appeals by facility operators or third party participants, and act on abatement orders requested by the Air District.

Chairperson Gioia noted the industry background of Mr. Lindenhayn, the public service background of Ms. Armento and asked about the resulting perspectives that are brought to the Hearing Board. Mr. Bunger said that Mr. Lindenhayn has been tough with industry and is well informed.

Director Hosterman asked how the attendance record of Mr. Lindenhayn and Ms. Armento compare to those of other members. Ms. Cooper responded that they are comparable and last year was very busy for the Hearing Board.

Committee Chairperson Wagenknecht recited the staff recommendation.

Public Comments: None.

Committee Action:

Director Rice made a motion to recommend Board of Directors' approval to re-appoint Mr. Lindenhayn as the Regular Member and Ms. Armento as the Alternate Member of the Air District's Hearing Board; Director Hudson seconded; carried unanimously without objection.

**CLOSED SESSION**

The Committee adjourned to Closed Session at 12:22 p.m.

**6. Public Employee Performance Evaluations (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, a need existed to meet in closed session to conduct a performance evaluation of the Executive Officer/APCO.*

**OPEN SESSION**

The Committee resumed Open Session at 12:35 p.m. with no reportable action.

- 7. Committee Member Comments/Other Business:** None.
- 8. Time and Place of Next Meeting:** At the call of the Chairperson.
- 9. Adjournment:** The meeting adjourned at 12:36 p.m.

*IS/ Sean Gallagher*

Sean Gallagher  
Clerk of the Boards