

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 771-4963

APPROVED MINUTES

Summary of Board of Directors
Personnel Committee Meeting
11:00 a.m., Monday, July 23, 2012

1. Call to Order – Roll Call

Chairperson Brad Wagenknecht called the meeting to order at 9:33 a.m.

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

Absent: Directors Carole Groom, Scott Haggerty and Ash Kalra.

Also Present: None.

2. Conduct Interviews and Consider Recommending Board of Directors' Approval of Candidates for Appointment to the Air District's Advisory Council

The Committee discussed the interview questions and assigned the same.

The Committee interviewed the candidates for the Air District Advisory Council Regional Park District category, including Caryl Hart and Everett James.

Committee Comments:

Director Hudson said he likes both candidates but the opportunity presented by Ms. Hart's participation on the Advisory Council is one that should not be missed.

Director Hosterman agreed with Director Hudson.

Director Rice echoed Director Hudson and asked about the role of the Advisory Council at the Air District.

Director Klatt said she likes both candidates but her first choice is Ms. Hart.

Ms. Roggenkamp provided an overview of the Advisory Council's recent and current work and its role generally at the Air District.

Committee Action:

Director Hudson made a motion to recommend Board of Directors' approval of Ms. Hart for appointment to the Air District's Advisory Council for the Regional Park District category; Director Hosterman seconded; the motion was carried unanimously without objection.

NOTED PRESENT: Director Mar was noted present at 9:57 a.m.

Public Comments: None.

The Committee interviewed the candidates for the Air District Advisory Council Transportation category, including Ed Cheng, Rick Marshall and Charles Rivasplata. Candidate Rick Ramacier was not present and could not be located for an interview.

Committee Comments:

Chairperson Wagenknecht asked for and received from Ms. Roggenkamp information relative to the Transportation category and the applicants for the same.

Director Rice noted the differences between the candidates and her effort to determine what is most needed by the Advisory Council.

Chairperson Wagenknecht said the usefulness of a briefing from the Advisory Council has been communicated to staff and the Chairperson of the Advisory Council will be invited to attend future Personnel Committee meetings involving appointments.

Director Klatt said she likes Mr. Cheng and echoed Director Rice's request for more Advisory Council context.

Director Mar said his first choice is Mr. Marshall followed by Mr. Rivasplata.

Director Hosterman said she prefers Mr. Marshall.

Director Hudson cautioned the Committee about stretching the categories to fit appointees and suggested the missing candidate is perfect for the appointment but for his absence.

Director Rice said she is comfortable with Mr. Marshall or Mr. Cheng.

Chairperson Wagenknecht said the appointee needs to bring an understanding of transportation, it is unclear whether Mr. Cheng will do so, and he prefers Mr. Marshall.

Director Klatt agreed with Chairperson Wagenknecht.

Director Hosterman said Director Hudson makes a compelling argument but will go with the will of the Committee.

Sean Gallagher, Clerk of the Boards, attempted without success to contact Rick Ramacier, the candidate that did not appear for interview, by telephone.

Public Comments: None.

Committee Action:

Director Klatt made a motion to recommend Board of Directors' approval of Mr. Marshall for appointment to the Air District's Advisory Council for the Transportation category; Chairperson Wagenknecht seconded; the motion was carried unanimously without objection.

3. Public Comment Period: None.

4. Approval of Minutes of March 28, 2012

Committee Action: Director Hudson made a motion to approve the Minutes of March 28, 2012; Director Klatt seconded; the motion was carried unanimously without objection.

5. Consider Recommending Board of Directors' Approval for an Adjustment to the Deputy Air Pollution Control Officer's Benefits

Jack Broadbent, Executive Officer/Air Pollution Control Officer, gave the staff presentation regarding adjustments to the DAPCO benefits as initially discussed and postponed by the Committee last year, including an overview of DAPCO responsibilities, a Bay Area compensation comparison and recommendations.

Mr. Broadbent added, regarding slide 5, Recommendations, that the increase in management leave represents the equivalent of a 2% salary increase and offered additional figures relative to the proposed increase in supplemental retirement plan contributions.

Committee Comments:

Director Hudson asked who is the Health and Safety Officer. Mr. Broadbent responded Brian Bateman and the position is separate from and not as high in the chain of command as the DAPCOs.

Director Rice asked if staff is calculating the value of the three proposed elements in total to be equivalent to the 10% referenced in the presentation. Mr. Broadbent said that making the 10% is a considerable bar to meet; the week of leave represents a 2% increase and the additional \$5,000 into one of the two supplemental retirement plans brings the total proposal to about an increase of about 5%, an effort to be mindful of the economic situation. Director Rice asked how the cost for the proposal compares to a 5% salary increase. Mr. Broadbent responded they are about the same but a salary increase brings an adjustment both to the base salary and the retirement costs, a change that staff is trying to avoid at this time. Director Rice asked whether the DAPCO salary was adjusted when others were or, if not, why it was excluded. Mr. Broadbent said it has not

been reviewed for some time and today's proposal is an effort to be mindful of cost while beginning to respond to the compression between the DAPCO salary and that of Division Directors.

Director Hosterman asked about the status of salaries for staff at large. Mr. Broadbent said there has been no increase at this time but some salary reviews are underway and will be discussed with the EA. Director Hosterman asked if the DAPCO retirement is self-funded or the same as the rest of staff. Mr. Broadbent responded they are part of the same, including the supplemental retirement plans.

Director Hudson asked, regarding slide 4, Bay Area Compensation Comparisons, about the accuracy of "Other" being absent for all the comparables listed and asked if this is true or a side effect of the comparison work. Mr. Broadbent said it is probably the latter but the category may be officially limited to pool cars, hence the black line, as the other agencies no longer provide a motor vehicle allowance.

Public Comments:

Will Saltz, BAAQMD Employees Association (EA), addressed the Committee in opposition to the proposed compensation adjustment.

Director Hosterman asked Mr. Saltz when the EA would feel it appropriate to consider compensation increases. Mr. Saltz replied that recent contract negotiations were conducted upon the premise of no increases for unrepresented staff but the EA has no firm date in mind and leaves that determination to the Committee.

Mr. Broadbent said the current EA contract was entered into in 2011, is in effect through 2014, and calls for all employees to receive a cost of living adjustment (COLA) of no more than approximately 2%. Rex Sanders, Human Resources Manager, added that the Air District is asking employees to contribute more of their retirement, as the Air District previously paid the employee contribution to California Public Employee Retirement System (CALPERS), and staff implemented a graduated scale over three years to get away from that past model, with a COLA of 2.5% this year and an equal amount in increased contribution to retirement. Mr. Broadbent said employees are essentially paying more and more for their retirement instead of the Air District, similar to plans currently being discussed at the state level. Mr. Broadbent did not agree with the characterization of Air District efforts as concessions and said the proposal represents the right, but modest thing to do for hard-working staff.

Director Rice asked if staff had considered a one-time bonus instead. Mr. Broadbent responded yes but that one-time compensation falls short of recognizing and genuinely addressing a disparity. Mr. Broadbent said he believes the Air District will be in a better place in a few years.

Chairperson Wagenknecht asked if the recommendation before the Committee today is to allow each DAPCO to determine which retirement plan enjoys an increase contribution. Mr. Broadbent said yes as each plan treats money differently and the DAPCO's individual financial plans are an unknown.

Director Hudson asked if today's recommendation will be to the Budget and Finance Committee or the Board of Directors. Mr. Broadbent said it will not go to the Budget and Finance Committee but instead to the Board of Directors but not until September, as the topic cannot be addressed in a special meeting pursuant to state law. Director Hudson asked for and received from Mr. Broadbent clarification regarding the COLA and increased retirement arrangement for represented staff and asked if the DAPCOs enjoy the same. Mr. Broadbent said yes and his previous remarks were only to express his disagreement with Ms. Saltz's characterization. Director Hudson said he is sensitive about topics such as this based on past experience and is concerned about the disparity shown in the comparison, despite the economic climate and his past experience, and expressed his desire to figure out how to reconcile the situation because although he was a "no" vote coming into the meeting, he is now on the fence. Director Hudson added that the proposal embodies the proper action to take when one tier of staff compensation is out of alignment and he would like it to go to the Board of Directors.

Director Hosterman agreed with Director Hudson, suggested the Board of Directors should consider the proposal, one which she will not support despite the good presentation because perception is reality, and said that it might be best to wait at least a year.

Chairperson Wagenknecht clarified that staff would like a Committee recommendation to the Board but the individual responses so far lead him to believe it would be a negative recommendation. Mr. Broadbent suggested the Committee could opt to send the recommendation back to staff instead of acting on it, said the proposed increase was postponed about a year ago, and said the compensation is due the DAPCOs but if the form of compensation is a problem, an alteration can be explored.

Director Mar expressed his support for the recommendation, noted the increased workloads and the effect of unfilled vacancies, and suggested sensitivity to the EA's concerns but that the DAPCOs deserve the increase.

Director Klatt said the City of Daly City is in a similar situation and an organization that lacks good management will suffer many consequences that could be avoided with very modest increases and expressed her support for the recommendation.

Director Rice said she has a philosophical issue with compensation increases in this economic climate, citing the downward shift in compensation for various staff in Marin County, and while she knows the importance of fair compensation in the public sector the timing is tough both for elected officials and organizations to approve compensation increases. Director Rice said she supports investigating alternative forms of compensation, such as the increased management leave, and expressed her lack of support for the recommendation.

Chairperson Wagenknecht said that Director Rice's admonition is best and asked staff to reconsider the request in light of the unlikely prospects before the Board of Directors.

Director Hudson noted the EA representatives did not see the recommendations until this morning and suggested a more advance delivery in the future.

Mr. Broadbent said the concerns seem to focus on the increased retirement contribution, proposed an alternative recommendation of increased management leave only, and suggested that a complete refusal would send the wrong message to staff. Director Hosterman asked for and Mr. Broadbent provided clarification on his suggestion for a modified recommendation of only increasing management leave by one week annually.

Director Hudson reiterated his recommendation that EA representatives get advance notice in the future. Mr. Broadbent responded that staff will not negotiate management compensation with the EA.

Director Rice said she is comfortable with the suggested alternative recommendation and objected to the characterization of her earlier suggestion that these proposals be held until a more appropriate time.

Committee Action:

Director Hudson made a motion, seconded by Director Rice and carried unanimously without objection, to recommend the Board of Directors authorize approval of adjustments to the DAPCO benefits as revised to only increase management leave by one week annually.

6. **Committee Member Comments/Other Business:** None.
7. **Time and Place of Next Meeting:** At the call of the Chairperson.
8. **Adjournment:** The meeting adjourned at 11:56 a.m.

151 Sean Gallagher

Sean Gallagher
Clerk of the Boards