

Bay Area Air Quality Management District  
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## **APPROVED MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
Monday, December 15, 2014

### **1. Call to Order – Roll Call**

Vice-Chairperson Eric Mar called the meeting to order at 9:37 a.m.

Present: Personnel Committee (Committee) Chairperson Brad Wagenknecht; Vice-Chairperson Eric Mar; and Directors Susan Adams, Carole Groom, Scott Haggerty, David Hudson and Jim Spering.

Absent: Directors Carol Klatt (resigned) and Mary Piepho.

Also Present: Board of Directors (Board) Chairperson Nate Miley.

**2. Public Comment on Non-Agenda Matters:** No requests received.

### **3. Approval of Minutes of September 22, 2014**

Committee Comments: None.

Public Comments: No requests received.

Committee Action:

Director Adams made a motion, seconded by Director Spering, to approve the Minutes of September 22, 2014; and the motion carried by the following vote of the Committee:

AYES: Adams, Groom, Hudson, Mar and Spering.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Haggerty, Klatt, Piepho and Wagenknecht.

### **4. Discussion Regarding Advisory Council (Council) Structure for 2015**

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO), introduced the topic and Jeff McKay, Deputy APCO (DAPCO), who gave the staff presentation *Discussion*

*Regarding Council Structure for 2015*, including a summary of the recently adopted Senate Bill (SB) 1415; future Council structure and function; and next steps.

NOTED PRESENT: Committee Chairperson Wagenknecht was noted present at 9:42 a.m.

Committee Comments:

The Committee and staff discussed an example of how the Council would function, how it would receive direction and the form of the product of its efforts; concerns about politicizing the Council and efforts to do the opposite; whether the subject matter experts will be possible successors or alternates for the seven council members; concerns about the natural tension between efficiency and democracy and how best to ensure broad representation on the new Council; the possibility of staff recommending the formation of a community council in the future and the expectation that the remaining members of the current Council will be invited to apply for appointment to the same; concerns about the Council being composed of experts; the fate of the current Council as of July 2015; who will represent agriculture on the new Council; whether staff provides enough scientific expertise to negate the need for the new Council; whether the change in the Council is a result of an Air District need or to alleviate a staffing issue; concerns about the potential community council becoming an advocacy platform; acknowledgement that experts on staff are focused on the day-to-day work of the Air District and the new Council vision makes sense in conjunction with the potential community council; the possibility of Council committees that can address more focused topics; the desire to avoid a silencing of community voices as a result of this transition; the ongoing Air District challenge of finding how best to translate air quality science to policy and community action as a driving force behind this change; the importance of Board and staff direction guiding Council work but also that an opportunity exists for the Council to determine its own direction; the importance of the Council including common sense solutions as well as scientific ones; the new Council structure being one that emulates a similar model at the U.S. Environmental Protection Agency; and concerns about geographic and general diversity among the members of the new Council.

NOTED PRESENT: Board Chairperson Miley was noted present at 9:48 a.m. and Director Haggerty was noted present at 9:49 a.m.

Public Comments: No requests received.

Committee Action: None; receive and file.

**5. Consider Recommending Board Approval of Incumbent Reappointments to the Air District's Council**

Jean Roggenkamp, DAPCO, delivered the staff report *Consider Recommending Board of Directors Approval of Incumbent Reappointments to the Air District's Advisory Council*.

Committee Action:

Director Hudson made a motion, seconded by Director Spring, to recommend Board approval of incumbent reappointments to the Air District's Council.

Committee Comments:

The Committee and staff discussed the nominees' understanding of the unusual term of their proposed appointments and the attendance record of the nominees.

Public Comments: No requests received.

Committee Action (continued):

The motion carried by the following vote of the Committee:

AYES: Adams, Groom, Haggerty, Hudson, Mar, Miley, Spering and Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Klatt and Piepho.

**6. Presentation of the Air District's Administrative Code Division III Personnel Policies and Procedures – Section 2 Equal Employment Opportunity Policy (EEOP) and (2) Equal Employment Opportunity Plan**

Mr. Broadbent introduced Rex Sanders, Director of Executive and Administrative Resources, who gave the staff presentation *EEOP*, including the purpose of EEOPs; the history of the EEOP at the Air District; Air District recruitment process; and other equal employment opportunity-related provisions at the Air District.

Committee Comments:

The Committee and staff discussed whether staff conducts a diversity analysis by department and rank and, if so, the frequency of the analysis and what is done with the results; plans to offset potential mass retirements, as being experienced in local jurisdictions; why “affirmative action” was not edited out of Air District policies until 2011 when SB 209 was adopted in 1996; what features of the new processes will assure equal opportunity at promotions in a way that avoids favoritism; the Committee desire to continue discussing this aspect to better ensure all involved remain attentive to its importance; what is meant by and done with surveys of the constitution of the Bay Area; the adequacy of and flexibility relative to deadlines for the filing of discrimination complaints; what is meant by “Employers with over 150 employees” in the Air District’s EEOP; that the Human Resources Officer should be overseeing and monitoring all Air District training programs, if not doing so already; staff efforts to establish a pool of qualified candidates and experts to pull from for future recruitments, as needed; the importance of enhancing transparency whenever possible; the form and substance of employee educational opportunities; the importance of a workforce that represents the diversity of the region; and a concern about the use of the term “unwelcome sexual advances” unless borrowed from related state or federal material.

Public Comments: No requests received.

Committee Action: None; receive and file.

**7. Committee Member Comments/Other Business:**

Director Adams bid the Committee and staff farewell.

**8. Time and Place of Next Committee Meeting:** At the call of the Chairperson.

**9. Adjournment:** The meeting adjourned at 10:35 a.m.

*/s/ Sean Gallagher*

Sean Gallagher  
Clerk of the Boards