

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

APPROVED MINUTES

Advisory Council Executive Committee Meeting
9:00 a.m., Wednesday, May 11, 2005

1. **Call to Order – Roll Call.** 9:04 a.m. Present: Brian Zamora, Chairperson, Elinor Blake, Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Victor Torrealano. Absent: Kraig Kurucz.
2. **Public Comment Period.** There were none.
3. **Approval of Minutes of March 9, 2005.** Mr. Glueck moved approval of the minutes as submitted; seconded by Dr. Holtzclaw; carried, with Ms. Blake abstaining.
4. **Update of Advisory Council By-Laws.** Chairperson Zamora summarized the changes in the By-Laws and called for discussion. Dr. Holtzclaw suggested that “and” be added after “September” in Article I and moved adoption of the By-Laws as further amended; seconded by Mr. Hayes; carried unanimously. Chair Zamora directed that today’s correction and the other tracked changes be incorporated into the By-Laws for review at the next Regular meeting.
5. **Code of Conduct.** Chairperson Zamora called for discussion on the first draft of the “Code of Conduct for Public Officials” as it might be applied to a Code of Conduct for the Advisory Council. The following comments were offered by the Committee members:
 - The first draft is an excellent overview from which to consider and address a wide variety of issues. However, the extensive detail should be reduced and the direction of the document be revised to reflect a more general orientation. There is no need for a clause referencing the matter of “confidentiality” as the Council performs an advisory function. (Holtzclaw)
 - The text should identify which Council positions are the responsible spokespersons for the Council or a Committee. When Council members are contacted by groups, there should be clear direction as to whom to refer the inquiry: whether to the Air District staff or the Council Chair, or a Committee Chair if it concerns a guest speaker at a Committee meeting. Such direction should be placed into a single section and entitled “Council representation.” It should identify the Council’s duties, and explain that the membership must vote on a matter before it goes to the Governing Board. It should also note that Council recommendations are made only to the full Council, and that the Chair alone speaks for the Council unless a member is designated by the Chair to represent an issue. (Glueck, Holtzclaw)
 - There are some underlying assumptions in the draft document that differ from the principles that govern the operation and purpose of the Council. The California Health & Safety Code establishes the Advisory Council as representing diverse interest groups and a variety of stakeholders, and any references in the Code of Conduct to incompatible interests and neutrality should be considered in light of the statutory mandate. A member should not feel that being active politically outside the Council is limited by the Code of Conduct. (Hayes)

- The meaning of “loyalty” in Article V is unclear. The reference to “public confidence” in Article IX is commendable. References to conflict-of-interest should be brief and incorporate any references to “misuse of position.” (Blake)
- The document should provide a baseline that educates any new member on the expectations that concern proper conduct on an advisory panel. (Zamora)
- The text does not affect business activities outside the Advisory Council. It is a template that offers guidance that can be edited over time. (Torreano)

Suggestions were made by Committee members that the following articles should be deleted: 18, 19, 20, 22, 24, 25, 26, 27 and sections 3 and 4 of Article 28. Article 21 should be reworked to include the issue of Advisory Council representation, and Article 10 revised to deal with use of resources without reference to “discretionary powers.” Chairperson Zamora requested Committee member assistance in incorporating the suggestions made at today’s meeting into a second draft of the Code. Messrs. Holtzclaw and Hayes volunteered to so assist the Chair.

- 6. Work Plan Review with Committee Chairs.** Mr. Hayes stated that the Technical Committee is reviewing the Community Air Risk Evaluation (CARE) program and focusing on the source apportionment for air toxics and particulates. In its review of climate change, the Committee is evaluating the connection between the regulation of criteria and greenhouse gas emissions.

Dr. Holtzclaw reported that the Air Quality Planning Committee received a presentation on the Governor’s Hydrogen Highway Blueprint from Dr. Shannon Baxter-Clemmons of the California Environmental Protection Agency. The Committee will consider adopting recommendations on this Blueprint at its next meeting. Messrs. Holtzclaw and Hayes agreed that on June 8, 2005 their respective Committees will meet jointly. The agenda will contain three items: the CARE program, the hydrogen highway blueprint and greenhouse gas emissions. The full Council’s discussion of a resolution on climate change later today will provide the baseline for discussion at the Committee level on next steps.

Mr. Torreano reported that the Public Health Committee received a presentation from California Air Resources Board staff on indoor air quality. At its next meeting, the Committee will consider crafting recommendations based on previous presentations and discussions at both the Committee and Council level. In discussion, several Executive Committee members suggested that the Public Health Committee examine the linkage between indoor and outdoor pollutants and the ability of the District to conduct public outreach and education on indoor air quality.

- 7. Committee Member Comments/Other Business.** There were none.
- 8. Time and Place of Next Meeting.** 9:00 a.m., Wednesday, July 13, 2005, 939 Ellis Street, San Francisco, CA 94109.
- 9. Adjournment.** 9:56 a.m.

James N. Corazza

James N. Corazza
Deputy Clerk of the Boards