

Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Board of Directors Special Meeting  
Wednesday, July 31, 2019

### **APPROVED MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Katie Rice, called the meeting to order at 10:09 a.m.

#### **Roll Call:**

Present: Chairperson Katie Rice; Vice Chairperson Rod Sinks; Secretary Cindy Chavez; and Directors Margaret Abe-Koga, Teresa Barrett, John J. Bauters, David J. Canepa, John Gioia, Carole Groom, David Hudson, Tyrone Jue, Gordon Mar, Nate Miley, Karen Mitchoff, Mark Ross, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Pauline Russo Cutter, Scott Haggerty, Doug Kim, Liz Kniss, Jim Spering, and Lori Wilson.

### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

2. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Tyler Earl, Communities for a Better Environment (CBE); Rhoda Fry, Cupertino resident; Janet Gieger, Cupertino resident; Steve Nadel, Sunflower Alliance; Jed Holtzman, 350 Bay Area; Richard Gray, 350 Bay Area; Jan Warren, Interfaith Climate Action Network of Contra Costa; Grace McGee, Generation Our Climate; Milo Wetherall, Generation Our Climate; Cemre Gonen, Youth vs. Apocalypse; Ellen Sweet, 350 Marin; Janet Pygeorge, Rodeo Citizens Association; Charles Davidson, Rodeo Citizens Association; Ernesto Arevalo, CBE; Esther Goolsby, CBE; Greg Karras, CBE; Zolboo Namkhaidorj, CBE; Ella Winchester, CBE; and Isabella Zizi, Stand.Earth.

**NOTED PRESENT:** Director Miley was noted present at 10:17 a.m.

The Board and staff discussed past Air District refinery regulation; the Air District's upcoming regulatory schedule; the Air District's efforts to address concerns of environmental justice

organizations; and why Air District staff choose not to include Air District Regulation 9-1 (Inorganic Gaseous Pollutants – Sulfur Dioxide) in the Air District’s expedited Best Available Retrofit Control Technology implementation schedule.

## **PRESENTATION**

### **3. Presentation from the Government Alliance on Race and Equity (GARE) Co-Director**

Chair Rice introduced Dwayne Marsh, Vice President of the Local and Regional Government Alliance on Race and Equity, who gave the presentation *Advancing Racial Equity: The Role of Government*, including: why we are all here; the message; is America possible; racial inequity in the United States; structural racism; why we lead with race; impacts of racism; current context; theory of change; national effective practice; types of racism; history of government and race; our five functions; GARE network; learning cohorts to advance racial equity; key components; benefits of jurisdictions’ participation; national best practice; core lessons; progress; what has worked; and what’s next.

Following Mr. Marsh’s presentation, Mary Ann Okpalaugo, Manager of the Office of Diversity, Equity, and Inclusion, along with Air District employees, Tim Williams, Katherine Hoag, and Derek Tang, gave the staff presentation *Overview of the Air District’s Racial Equity Initiative*, including: outline; internal capacity building; building a framework for racial equity; workforce development; community health; public investment; operations; and emerging work: getting to impact.

### **Public Comments**

Public comments were given by Ernesto Arevalo, CBE; Esther Goolsby, CBE; Greg Karras, CBE; Tyler Earl, CBE; and Cemre Gonen, Youth vs. Apocalypse.

### **Board Comments**

The Board and staff discussed the anticipated increase in Air District employees’ participation in the GARE program; the need to remember gender inequity, as well as racial; whether other regional agencies, especially those that are tenants at 375 Beale Street, offer similar programs or are involved with GARE; how concepts learned in the GARE program can bolster the Air District’s partnerships with environmental justice organizations; the request to prioritize workforce development and leadership training in racial equity at the Air District; and the importance of listening to the stories of those who have experienced marginalization.

## **COMMENDATION / PROCLAMATION / AWARD**

### **4. Board Recognition of Air District employees who participated in the 2018 GARE Program**

Chair Rice invited the thirteen members of the Air District’s 2018 GARE introductory and implementation cohort to be recognized.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

Board Comments

None.

Board Action

None.

**CLOSED SESSION** (12:13 p.m.)

**5. CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6(a))**

***Agency Negotiators:***        *Jack P. Broadbent, Executive Officer/APCO*  
   *Rex Sanders, Chief Administrative Officer*

***Employee Organizations:***   *Bay Area Air Quality Employees' Association, Inc. (EA)*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; the Board will consider approving the proposed Memorandum of Understanding between the Air District and the EA on the Consent Calendar (Item 12).

**6. CONFERENCE WITH LEGAL COUNSEL**

**EXISTING LITIGATION (Government Code Section 54956.9(a))**

*Pursuant to Government Code Section 54945.9(a), a need exists to meet in closed session with legal counsel to consider the following case:*

Michael Bachmann and Sarah Steele v. Bay Area AQMD, Contra Costa County Superior Court, Case No. C17-01565.

Public Comments

Public comments were given by Greg Karras and Tyler Earl, CBE.

Board Comments

None.

Board Action

None.

**OPEN SESSION** (12:51 p.m.)

**CONSENT CALENDAR (ITEMS 7 – 15)**

7. **Minutes of the Board of Directors Regular Meeting of June 5, 2019**
8. **Board Communications Received from June 5, 2019 through July 30, 2019**
9. **Air District Personnel on Out-of-State Business Travel**
10. **Notices of Violations Issued and Settlements in Excess of \$10,000 in the months of May and June 2019**
11. **Authorization to Execute Contract Amendment for Spare the Air Program Website Enhancements**
12. **Consider Approving the Proposed Memorandum of Understanding between the Bay Area Air Quality Management District and the Bay Area Air Quality Management District Employees' Association**
13. **Authorization of a Purchase Order in Excess of \$100,000 for Public Notice Expenses**
14. **Authorization to Execute Contract Amendments for Production System Office**
15. **Authorization to Amend Contract with MIG Inc. for community engagement and facilitation services for the Assembly Bill (AB) 617 Richmond-San Pablo Area Community Air Monitoring Plan Development**

Public Comments

No requests received.

Board Comments

None.

Board Action:

Director Wagenknecht made a motion, seconded by Director Canepa, to **approve** the Consent Calendar Items 7 through 15, inclusive; and the motion **carried** by the following vote of the Board:

AYES:	Abe-Koga, Barrett, Bauters, Canepa, Gioia, Groom, Hudson, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Zane.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Chavez, Cutter, Haggerty, Kim, Kniss, Mar, Spering, and Wilson.

## **COMMITTEE REPORTS**

### **16. Report of the Mobile Source Committee Meeting of July 25, 2019 (OUT OF ORDER, ITEM 19)**

Mobile Source Chair, David Canepa, read the following Committee report:

*The Committee met on Thursday, July 25, 2019, and approved the minutes of May 23, 2019.*

*The Committee reviewed and discussed the staff presentation Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:*

- 1. Approve recommended projects with proposed grant awards over \$100,000; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

*The Committee then reviewed and discussed the California Air Resources Board's presentation Senate Bill 1: Truck and Bus Regulation Enforcement Through Department of Motor Vehicles Registration.*

*The Committee then reviewed and discussed the staff presentation Approval of Contract for Clean Cars for All Program Case Managers. The Committee recommends the Board:*

- 1. Authorize the Executive Officer/Air Pollution Control Officer to amend the Air District's contract with GRID Alternatives to include an additional \$300,000 in funds to perform case management services for the Clean Cars for All Program as it expands to all residents of the Bay Area.*

*Finally, the Committee then reviewed and discussed the staff presentation Update on the 32<sup>nd</sup> International Electric Vehicles Symposium EVS32.*

*The next meeting of the Mobile Source Committee will be on Thursday, September 26, 2019, at 9:30 a.m. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.*

### **Public Comments**

No requests received.

### **Board Comments**

None.

### **Board Action**

Director Canepa made a motion, seconded by Director Sinks, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Gioia, Groom, Hudson, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Chavez, Cutter, Haggerty, Kim, Kniss, Mar, Spering, and Wilson.

**17. Report of the Climate Protection Committee Meeting of June 10, 2019 (ITEM 16)**

In the interest of time, the reading of the Climate Protection Committee Chair Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

**18. Report of the Community and Public Health Committee Meeting of June 20, 2019 (ITEM 17)**

In the interest of time, the reading of the Community and Public Health Committee Chair Report was waived.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

**19. Report of the Stationary Source Committee Meeting of July 8, 2019 (ITEM 18)**

In the interest of time, the reading of the Stationary Source Committee Chair Report was waived.

Public Comments

No requests received.

#### Board Comments

None.

#### Board Action

None; receive and file.

#### **20. Report of the Advisory Council Meeting of July 29, 2019**

In the interest of time, the reading of the Advisory Council Ex-Officio Report was waived.

#### Public Comments

No requests received.

#### Board Comments

None.

#### Board Action

None; receive and file.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

#### **21. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

Public comments were given by Bob Brown, Western States Petroleum Association.

#### **BOARD MEMBERS' COMMENTS**

#### **22. Board Members' Comments**

- Directors Hudson, Ross, Gioia, Canepa, Bauters, and Vice Chair Sinks, reported on their experiences at the Air & Waste Management Association's 112<sup>th</sup> Annual Conference and Exhibition in Quebec City, Canada.
- Director Hudson reported on his experience at the 32nd International Electric Vehicle Symposium in Lyon, France.
- Director Zane spoke about her participation in a senate briefing sponsored by Senator Kamala Harris regarding extreme weather events and climate change.
- Vice Chair Sinks, in his capacity as Ex-Officio member on the Advisory Council, talked about the Council's development of the upcoming Particulate Matter Symposium.
- Vice Chair Sinks, in his capacity as Chairperson of the Stationary Source Committee, announced that the next Stationary Source Committee meeting will be held at Milpitas City Hall on Monday, September 16, 2019 at 10:00 a.m.

## **OTHER BUSINESS**

### **23. Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent stated that, in the interest of time, he would waive his presentation and send it to the Board members via the biweekly report.

### **24. Chairperson's Report**

Chair Rice reported on her experience at the Air & Waste Management Association's 112<sup>th</sup> Annual Conference and Exhibition in Quebec City, Canada.

### **25. Time and Place of Next Meeting**

Wednesday, September 4, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

### **26. Adjournment**

The meeting adjourned at 1:08 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards