



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
PERSONNEL COMMITTEE

COMMITTEE MEMBERS

JIM SPERING – CHAIR  
TERESA BARRETT  
CAROLE GROOM  
DAVE HUDSON  
NATE MILEY  
ROD SINKS

BRAD WAGENKNECHT – VICE CHAIR  
CINDY CHAVEZ  
SCOTT HAGGERTY  
TYRONE JUE  
KATIE RICE

WEDNESDAY  
OCTOBER 16, 2019  
9:30 A.M.

1<sup>ST</sup> FLOOR BOARD ROOM  
375 BEALE STREET  
SAN FRANCISCO, CA 94105

AGENDA

1. **CALL TO ORDER - ROLL CALL**  
**PLEDGE OF ALLEGIANCE**  
**PUBLIC MEETING PROCEDURE**

*The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

**Public Comment on Agenda Items:** *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3** *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For the first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF SEPTEMBER 6, 2019**

Clerk of the Boards/5073

*The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of September 6, 2019.*

**CLOSED SESSION**

4. **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.  
Management, Confidential, and Limited Term Employee  
Groups*

5. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the Executive Officer and General Counsel.*

**OPEN SESSION**

6. **REQUEST TO AMEND THE FISCAL YEAR ENDING (FYE) 2020 BUDGET TO INCREASE STAFFING**

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will consider recommending the Board of Directors amend the Fiscal Year Ending (FYE) 2020 budget to authorize the creation of ten (10) additional full-time regular positions.*

7. **PUBLIC COMMENT ON NON-AGENDA MATTERS**

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.*

8. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**

*Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

9. **TIME AND PLACE OF NEXT MEETING**

*At the Call of the Committee Chair.*

10. **ADJOURNMENT**

*The Committee meeting shall be adjourned by the Committee Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Personnel Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Committee meeting. Any correspondence received after that time will be presented to the Committee at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@baaqmd.gov).

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

#### OCTOBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee - CANCELLED	Wednesday	16	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Personnel Committee	Wednesday	16	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	23	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	24	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Meeting	Monday	28	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Community & Public Health Committee	Wednesday	30	9:30 a.m.	1 <sup>st</sup> Floor Board Room

#### NOVEMBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Legislative Committee	Monday	4	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Nominating Committee - CANCELLED AND RESCHEDULED TO WEDNESDAY, NOVEMBER 20, 2019	Wednesday	6	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Regular Meeting - CANCELLED	Wednesday	6	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Executive Committee	Wednesday	6	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee – CANCELLED AND RESCHEDULED TO MONDAY, DECEMBER 16, 2019	Monday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Nominating Committee	Wednesday	20	9:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Regular Meeting	Wednesday	20	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Climate Protection Committee - CANCELLED	Thursday	21	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee	Monday	25	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Mobile Source Committee - CANCELLED	Thursday	28	9:30 a.m.	1 <sup>st</sup> Floor Board Room

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Jim Spering and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: October 9, 2019

Re: Approval of the Minutes of September 6, 2019

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RECOMMENDED ACTION

Approve attached draft minutes of the Personnel Committee (Committee) meeting of September 6, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of September 6, 2019.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of September 6, 2019

## AGENDA: 3A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of September 6, 2019

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

Video Conference Location  
San Jose City Hall  
200 E. Santa Clara Street  
18<sup>th</sup> Floor, Room 1853  
San Jose, CA 95113

### **DRAFT MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
Friday, September 6, 2019

#### **1. CALL TO ORDER – ROLL CALL**

Personnel Committee (Committee) Vice Chairperson, Brad Wagenknecht, called the meeting to order at 9:34 a.m. Director Chavez was participating via videoconference from San Jose City Hall.

Present: Committee Vice Chairperson Brad Wagenknecht; and Directors Teresa Barrett, Cindy Chavez (remote), Scott Haggerty, David Hudson, Tyrone Jue, Katie Rice, Rod Sinks.

Absent: Chairperson Jim Spring; and Directors Carole Groom and Nate Miley.

Also Present: Director John Gioia.

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

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

No requests received.

#### **3. APPROVAL OF THE MINUTES OF FEBRUARY 20, 2019**

##### Public Comments

No requests received.

##### Committee Comments

None.

Committee Action

Director Barrett made a motion, seconded by Director Haggerty, to approve the minutes of February 20, 2019; and the motion carried by the following vote of the Committee:

AYES: Barrett, Chavez, Haggerty, Jue, Rice, Sinks, Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Groom, Hudson, Jue, Spering.

**4. CONDUCT INTERVIEWS AND CONSIDER RECOMMENDING BOARD OF DIRECTORS’ APPROVAL OF CANDIDATES FOR APPOINTMENT TO THE AIR DISTRICT’S HEARING BOARD**

Rex Sanders, Chief Administrative Officer, gave the staff presentation *Hearing Board Interviews and Appointments*, including: overview; background; members; recruitment; and interviews and discussion.

Mr. Sanders explained that two different Hearing Board appointments had originally been agendized for consideration at this meeting, but that the candidate who was invited to interview for the Alternate position in the Medical category had a last-minute scheduling conflict; consideration of that appointment is postponed.

Two candidates, Catherine Fortney, and Sokcheat Chet Monh, had been selected to interview for the Principal position in the Professional Engineer category. Ms. Fortney held the position of Alternate member in the Professional Engineer category at the time of the meeting. The Committee asked whether Mr. Monh could be appointed to the Alternate position in the Professional Engineer category, provided that Ms. Fortney was appointed to the Principal position, and that the Committee deemed Mr. Monh appropriate for the position. Air District staff said that Mr. Monh could be appointed to the Alternate position, under those circumstances.

Ms. Fortney and Mr. Monh were then interviewed by the Committee.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the observation that current Hearing Board membership consists of residents in the peninsula and Santa Clara County, and the request for enhanced recruitment for Hearing Board vacancies in the other parts of the Bay Area; and whether it is appropriate to address multiple absences of Principal Hearing Board members.

NOTED PRESENT: Director Hudson was noted present at 9:47 a.m.

Committee Action

Director Barrett made a motion, seconded by Director Hudson, to recommend that the Board appoint Catherine Fortney to serve on the Hearing Board as the Principal member in the Professional Engineer category for a three-year term, and the motion carried by the following vote of the Committee:

AYES: Barrett, Chavez, Haggerty, Hudson, Jue, Rice, Sinks, Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Groom, Miley, Spering.

**5. PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

**6. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

None.

**7. TIME AND PLACE OF NEXT COMMITTEE MEETING**

At the Call of the Chair.

**8. ADJOURNMENT**

The meeting adjourned at 10:17 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Jim Sperring and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: October 9, 2019

Re: Request to Amend the Fiscal Year Ending (FYE) 2020 Budget to Increase Staffing

RECOMMENDED ACTION

Recommend the Board of Directors (Board) amend the Fiscal Year Ending (FYE) 2020 budget to authorize the creation of ten (10) additional full-time regular positions.

BACKGROUND

The Air District is currently authorized for staffing at 405 regular full-time positions in the FYE 2020 Budget. During budget discussions, staff advised the Board that there would be a mid-year staffing augmentation request once resources and funding related to Assembly Bill (AB) 617 were assessed.

DISCUSSION

As a result of resources required to support AB 617, staff is proposing to augment its staffing numbers to increase by ten (10) full-time regular positions. These positions include support for AB 617 and backfilling staffing resources previously diverted to support AB 617 from the Air District's Engineering and Enforcement Divisions. As part of this agenda item, staff will discuss the proposed new positions and current and future staffing needs.

BUDGET CONSIDERATION / FINANCIAL IMPACT

The addition of the ten positions will add approximately \$1,830,000 in Personnel Expenditures to the FYE 2020 Budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rex Sanders