

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

Board of Directors Regular Meeting
Wednesday, March 4, 2020

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*

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Rod Sinks, called the meeting to order at 9:31 a.m.

Roll Call:

Present: Chairperson Rod Sinks; Vice Chairperson Cindy Chavez; Secretary Karen Mitchoff; and Directors Margaret Abe-Koga, Teresa Barrett, John Bauters, David Canepa, John Gioia, David Hudson, Davina Hurt, Tyrone Jue, Liz Kniss, Katie Rice, Mark Ross, Jim Spering, and Brad Wagenknecht.

Absent: Directors Pauline Russo Cutter, Carole Groom, Scott Haggerty, Nate Miley, Shamann Walton, Lori Wilson, and Shirlee Zane.

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 Claire Valerdama-Wallace and Yan Luo, California State University, East Bay (CSUEB).

CONSENT CALENDAR (ITEMS 3-7)

3. Minutes of the Board of Directors Meeting of February 19, 2020
4. Board Communications Received from February 19, 2020 through March 3, 2020
5. Quarterly Report of California Air Resources Board Representative – Hon. John Gioia
6. Consider Approval of Amendment to Bay Area Transportation Conformity and Interagency Consultation Procedures in the State Implementation Plan
7. Referral of Proposed Budget for Fiscal Year Ending (FYE) 2021 to the Budget and Finance Committee

NOTED PRESENT: Directors Ross and Jue were noted present at 9:38 a.m.

Public Comments

No requests received.

Board Comments

Chair Sinks asked Director Gioia, in his capacity as a Governing Board member of the California Air Resources Board (CARB), to supplement Item 5 by highlighting recent CARB activity. Director Gioia spoke about the following:

- CARB’s Governing Board is considering various emission reduction (Assembly Bill (AB) 617) programs throughout the state. The processes and best practices borne out of the partnerships between the Air District and the communities of West Oakland and Richmond-San Pablo have served as models for other air districts in California, and AB 617 communities are able to share emission-reducing measures with non-AB 617 communities across the state.
- Proposed Advanced Clean Trucks Regulation and the suggestion that the Air District’s Board of Directors receives a presentation about this CARB rulemaking.
- Proposed Control Measure for Ocean-Going Vessels at Berth.
- The status of the litigation between the U.S. Environmental Protection Agency and CARB regarding the revocation of California’s waiver to establish vehicle emissions standards for greenhouse gas emissions and standards to require manufacturers to sell zero emissions vehicles.

Board Action

Director Bauters made a motion, seconded by Director Hurt, to **approve** the Consent Calendar Items 3 through 7, inclusive; and the motion **carried** by the following vote of the Board:

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

COMMITTEE REPORTS

8. Report of the Climate Protection Committee Meeting of February 20, 2020

Climate Protection Committee Chair, Teresa Barrett, read the following Committee report:

The Climate Protection Committee met on Thursday, February 20, 2020, and approved the minutes of December 2, 2019.

The Committee received and discussed the staff presentation Climate Change and Food – An Overview.

The Committee then received and discussed the presentation Food Waste Reduction in Alameda County, presented by Cassie Bartholomew, from StopWaste.

Finally, the Committee received and discussed the staff presentation Regional Food and Climate Event.

The next meeting of the Climate Protection Committee will be held Thursday, April 16, 2020, at 9:30 a.m. This concludes the Chair report of the Climate Protection Committee.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the suggestion that the Air District considers co-hosting food events with various Bay Area counties.

Board Action

None; receive and file.

9. Report of the Budget and Finance Committee Meeting of February 26, 2020

Budget and Finance Committee Vice Chair, John Bauters, read the following Committee report:

The Committee met on Wednesday, February 26, 2020, and approved the minutes of November 25, 2019.

The Committee reviewed and discussed the presentation Air District Audit Results for Fiscal Year Ending 2019, presented by Joseph Moussa, Senior Audit Manager of Simpson & Simpson LLP.

The Committee then reviewed and discussed the staff presentation Second Quarter Financial Report – Fiscal Year Ending 2020.

The Committee then reviewed and discussed the staff presentation Air District Financial Plan Overview.

Finally, the Committee reviewed and discussed the staff presentation Options to Prefund Pension Liabilities – Analysis of Provider Returns and Costs to Invest.

The next meeting of the Budget and Finance Committee will be held on Wednesday, March 25, 2020, at 9:30 a.m. This concludes the Chair Report of the Budget and Finance Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

10. Report of the Stationary Source Committee Meeting of February 26, 2020

Stationary Source Committee Chair, John Bauters, read the following Committee report:

The Committee met on Wednesday, February 26, 2020, and approved the minutes of December 16, 2019.

The Committee reviewed and discussed the staff presentation Air District Legal Authorities 101.

The Committee then reviewed and discussed the staff presentation Major Facility Projects Update.

Finally, the Committee and staff discussed Chair Bauters' proposed schedule of Stationary Source Committee meeting topics and dates for 2020.

The next meeting of the Stationary Source Committee will be held on Wednesday, April 22, 2020 at 12:00 p.m. This concludes the Chair report of the Stationary Source Committee.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the concept of “just transition” - a facilitated shift in employment for workers in the fossil fuels industry to jobs in a carbon neutral sustainable economy - which of the Board committees is the most appropriate to address this, and with which agencies the Air District should partner to address this.

NOTED PRESENT: Director Canepa was noted present at 9:49 a.m.

Board Action

None; receive and file.

11. **Report of the Mobile Source Committee Meeting of February 27, 2020**

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

The Committee met on Thursday, February 27, 2020, and approved the minutes of December 18, 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 staff presentation Participation in Year 22 of the Carl Moyer Program. The Committee recommends the Board:

- 1. Adopt a resolution authorizing the Executive Officer/Air Pollution Control Officer to execute all necessary agreements with the California Air Resources Board relating to the Air District's receipt of Carl Moyer Program funds for fiscal year 2019-2020 (Program Year 22);*
- 2. Allocate \$3 million in Mobile Source Incentive Funding to provide the required match funding and additional monies for projects eligible for funding under the Carl Moyer Program guidelines; and*
- 3. Authorize the Executive Officer/Air Pollution Control Officer to execute Grant Agreements and amendments for projects funded with Carl Moyer Program and Mobile Source Incentive Funds, with individual grant award amounts up to \$100,000.*

The Committee then reviewed and discussed the staff presentation Clean Cars for All Program. The Committee recommends the Board:

- 1. Adopt a resolution authorizing the Executive Officer/Air Pollution Control Officer to accept, obligate, and expend up to \$5 million from the California Air Resources Board for the Bay Area Clean Cars for All Program; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all agreements necessary to accept, obligate, and expend this funding.*

Finally, the Committee reviewed and discussed the staff presentation Air District Grant Programs Overview.

The next meeting of the Mobile Source Committee will be on Thursday, March 26, 2020, 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

The Board and staff discussed whether the Air District has implemented a year-in-review process to determine whether awarded grants were diversified appropriately between disadvantaged and affluent communities; and public outreach methods regarding various grant opportunities.

Board Action

Director Canepa made a motion, seconded by Director Rice, 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, Chavez, Gioia, Hudson, Hurt, Jue, Kniss, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Cutter, Groom, Haggerty, Miley, Walton, Wilson, Zane.

CLOSED SESSION (9:57 a.m.)

12. **PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS - (Government Code Section 54957 and 54957.6)**

Pursuant to Government Code Section 54957 and 54957.6, the Board will meet in closed session to conduct performance evaluations of the Executive Officer and General Counsel.

Reportable Action: Chair Sinks announced that performance evaluations of the Executive Officer and General Counsel were conducted and discussed in Closed Session.

OPEN SESSION (11:17 a.m.)

13. **Board of Directors Committee Meeting Schedule**

Chair Sinks explained how Board members have been expressing interest in consolidating committee meeting days, and how Air District staff were asked to propose such a schedule. A consolidated meeting schedule, proposed by Air District staff, was distributed. Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, said that on several occasions Board meetings will need to be held on third Wednesdays (Public Hearing on Fees on April 15, 2020, and Public Hearing on Proposed Budget on May 20, 2020, or June 17, 2020).

Public Comments

No requests received.

Board Comments

The Board and staff discussed concerns about impacted schedules that may result from holding Board meetings on the third or fourth Wednesday of a given month; reductions in vehicle miles traveled that would result from a compressed meeting schedule; the need to adjust Board compensation rules, if the compressed meeting schedule is implemented, and how Board members and Air District staff can promote this idea in an attractive manner to legislators; Air District staff's preferred method of receiving feedback about this issue from Board members; Board Room scheduling difficulties that may arise; how the timing would work for multiple back-to-back meetings, and Public Notice requirements for those meetings; the preference for a predictable schedule upon which the public and Board members can rely; the feasibility of moving the proposed meetings on the third Wednesday of the month to the second Wednesday of the month; the suggestion of starting (the first) meetings (of the day) at 9:00 a.m. instead of 9:30 a.m.; the suggestion of Air District staff utilizing Doodle (online calendar tool) to poll Board members' availability; conflicting meetings of other regional agencies in the building; the suggestion of imposing a maximum number of Air District committee meetings per day; and why the current meeting schedule is not working.

Board Action

None; receive and file.

PRESENTATIONS

14. The Legal Framework for the Air District

This item was continued until April 1, 2020.

15. Air Quality and Air District Overview

Dr. Ranyee Chiang, Director of Meteorology and Measurement, and Henry Hilken, Director of Planning and Climate Protection, gave the staff presentation *Air Quality and Air District Overview*, including: outline; mission; basics - impacts of climate change, emissions reductions, global commitments and what is needed, climate change solutions, and air pollutants and their (health) impacts; measurement and modeling - multiple monitoring strategies throughout the Bay Area, air quality forecasting, emissions inventory, and understanding pollutant behavior, exposure, and impacts; focus on communities – collaborative relationships to support the Air District mission; plans - 2017 Clean Air Plan and AB 617 (plans go local); toolkit – rule development, permits, compliance and enforcement, and collaborating statewide, regionally, and with cities and counties; Bay Area greenhouse gas (GHG) emissions – examples; toolkit: Climate Protection Program, incentives for clean air and climate solutions, incentives: innovative financing for innovative technologies, and communications: prompting behavior change; and contact the Air District.

Public Comments

Public comments were given by Dennise Cuasay, CSUEB.

Board Comments

The Board and staff discussed a request for a legend for the chart of “Air Pollutants and Their Impacts” on slide 8; whether the Air District considers odor an impact from a given pollutant; the request that “regulatory process” be added to “Focus on Communities: Collaborative Relationships to Support Air District Mission” (slide 14); the need for electric vehicle charging infrastructure at multi-family housing; whether the Air District has considered funding community-level regulation of the public’s activity, especially regarding wood-burning, and the suggestion of using Santa Clara County’s Office of Labor Standards as a model for this; the need for an incentive program that will assist people with the costs of electric bikes, and Bikes for the World, an organization that makes affordable, good-quality, used bicycles available to low-income communities in developing countries; how educating girls can affect climate change, according to climate change mitigation project “Project Drawdown”; the demand for respirators due to the rising coronavirus pandemic; and whether the Air District’s authority encompasses airborne infectious diseases and if not, whether the role of air districts will evolve in that capacity.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Tony Fisher, Coalition for Clean Air.

BOARD MEMBERS’ COMMENTS

17. Board Members’ Comments

None.

OTHER BUSINESS

18. Report of the Executive Officer/Air Pollution Control Officer

Mr. Broadbent reported the following:

- The Air District’s Annual Youth for the Environment and Sustainability (YES) Conference will be taking place on Saturday, March 28, 2020, at El Camino High School in South San Francisco from 9:00 a.m. to 3:00 p.m.
- The Air District will host the second Particulate Matter (PM) symposium focusing on health impacts of fine PM on Tuesday, March 24, 2020, at the Oakland Marriott City Center from 9:00 a.m. to 4:30 p.m. This will also serve as a meeting of the Air District’s Advisory Council. At this symposium, community groups will share information on the local environmental and health impacts of fine particulate matter and potential strategies to reduce PM_{2.5} in the future.

- The Air & Waste Management Association's 113th Annual Conference and Exhibition will be held from June 29, 2020 to July 2, 2020, at the Hyatt Regency in San Francisco. Board members are encouraged to attend.
- The Air District's Executive Office has hired new Executive Assistant, Amanda Balneg.

19. **Chairperson's Report**

Chair Sinks announced the following:

- Board members who wish to attend the Air & Waste Management Association's 113th Annual Conference in San Francisco are to let Vanessa Johnson know by March 20, 2020.
- Many Board members have indicated in interest to serve on the Board's new Ad Hoc Committee on Equity and Environmental Justice. Board member, Davina Hurt, has been selected to Chair the Committee, which will first meet on Wednesday, March 25, 2020.

20. **Time and Place of Next Meeting**

Wednesday, April 1, 2020, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

21. **Adjournment**

The meeting adjourned at 12:55 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards