

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

Board of Directors Special Meeting
Wednesday, December 2, 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*

This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Rod Sinks, called the meeting to order at 9:02 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, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, David Hudson, Davina Hurt, Tyrone Jue, Liz Kniss, Nate Miley, Katie Rice, Mark Ross, Jim Sperring, Brad Wagenknecht, Shamann Walton, Lori Wilson, and Shirlee Zane.

Absent: None.

CONSENT CALENDAR (ITEMS 2 – 9)

2. Minutes of the Board of Directors Meeting of November 18, 2020
3. Board Communications Received from November 18, 2020 through December 1, 2020
4. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of October 2020
5. Air District Personnel on Out-of-State Business Travel
6. Authorization to Execute Contract Amendments for Production System Office
7. Authorization to Execute Clean Cars for All Program Contracts
8. Authorization to Execute a Contract with U.C. Berkeley, Sponsored Research Office to Develop Advanced Modeling Tools
9. Proposed Regulatory Agenda for 2021

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Kniss made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar Items 2 through 9, inclusive; and the motion **carried** by the following vote of the Board:

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

COMMITTEE REPORTS

10. Report of the Climate Protection Committee of November 19, 2020

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

NOTED PRESENT: Director Rice was noted present at 9:08 a.m., and Director Ross was noted present at 9:13 a.m.

The Climate Protection Committee met on Thursday, November 19, 2020, and approved the minutes of September 30, 2020. This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

The Committee received and discussed the staff presentation Air District Regulation of Appliances.

The Committee then received and discussed the staff presentation Update on the State 2022 Building Energy Code Update.

Finally, the Committee received and discussed the guest presentation Residential Building Electrification in California, presented by Amber Mahone of Energy Environmental Economics, or E3.

The next meeting of the Climate Protection Committee will be held on Thursday, January 21, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom. This concludes the Chair report of the Climate Protection Committee.

Public Comments

No requests received.

Board Comments

The Committee thanked Air District staff for preparing such a content-rich meeting about building decarbonization. The Committee and staff discussed the Air District's recent focus on both the decarbonization of the existing natural gas systems and electrification of new construction; the request for a presentation on backup energy source options (during power outages) for buildings and homes that transition to electricity; and potential consequences that could result as more people convert their homes to electricity (versus remaining on fossil fuels and natural gas).

Board Action

None; receive and file.

11. **Report of the Budget and Finance Committee Meeting of November 23, 2020**

Budget and Finance Committee Chair, Carole Groom, read the following report:

The Budget and Finance Committee met on Monday, November 23, 2020, and approved the minutes of September 30, 2020. This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

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

The Committee then reviewed and discussed the staff presentation First Quarter Financial Report Fiscal Year Ending 2021.

The Committee then reviewed and discussed the staff presentation Request to Amend Fiscal Year Ending 2021 Budget to Increase Staffing. The Committee recommends the Board:

- 1. **Amend** the Fiscal Year Ending 2021 Budget to include funds for nine of the ten full-time regular positions that were previously approved by the Board, bringing the total full-time employees to 414.*

Finally, the Committee then reviewed and discussed the staff presentation Funding for Other Post-Employment Benefit Obligations. The Committee recommends the Board:

- 1. **Approve** the transfer of the \$4 million allocated to Other Post-Employment Benefits in the approved Fiscal Year Ending 2021 Budget to the existing Other Post-Employment Benefits investment trust.*

The next meeting of the Budget and Finance Committee will be held at the Call of the Chair. This concludes the Chair Report of the Budget and Finance Committee.

Public Comments

No requests received.

Board Comments

The Committee and staff discussed the concern of increasing fees when facilities are losing business during the COVID-19 pandemic.

Board Action

Director Groom made a motion, seconded by Director Wagenknecht, to **amend** the Fiscal Year Ending (FYE) 2021 Budget to include funds for nine of the ten full-time regular positions that were previously approved by the Board; **approve** the transfer of the \$4.0 million allocated to Other Post-Employment Benefits (OPEB) in the approved FYE 2021 Budget to the existing OPEB investment trust; and the motion **carried** by the following vote of the Board:

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

PRESENTATIONS

12. **Annual Progress Report on Owning Our Air: The West Oakland Community Action Plan**

NOTED PRESENT: Director Cutter was noted present at 9:23 a.m., and Directors Abe-Koga and Walton were noted present at 9:55 a.m.

Greg Nudd, Deputy Air Pollution Control Officer of Policy, introduced Alison Kirk, Principal Environmental Planner, and Joshua Abraham, Community Engagement Specialist, who gave the staff presentation *Owning Our Air: The West Oakland Community Action Plan Annual Report*, including: Owning Our Air: 2020 implementation; community-led subcommittees; implementation approach; early implementation wins; and looking forward. Two videos that were created to document the first year of implementation were also shown.

Following the presentation and videos, comments were given by Ms. Margaret Gordon and Brian Beveridge of the West Oakland Environmental Indicators Project (WOEIP), and Charles Tyrone Reed of in-advance, capturing their experiences from the first year of implementation.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Dr. Stephen Rosenblum, Palo Alto resident; and Andres Soto, Communities for a Better Environment (CBE).

Board Comments

The Board and staff discussed whether the City of Oakland or County of Alameda were engaged in this process; whether a similar program will be developed in East Oakland; the suggestion of creating a chronology of how the air quality has been improved in West Oakland over the years; how public health should be the core motivation of all Air District activities; upcoming implementation of measures; the

suggestion that this plan be packaged and shared with other organizations and institutions, especially public management agencies; the announcement that the WOEIP has been asked to talk about the Plan on National Public Radio's TED Radio Hour program; who the key Staff member for overseeing the strategy update will be; how often the Board will be updated on the status of the Plan; whether there is a roll for the Air District to help the City of Oakland and Alameda County with Assembly Bill (AB) 617 work outside of its authority, and the suggestion of coordinating with Director Cutter in her current capacity as the Chair of the Alameda County Transportation Commission; whether the proposed baseball stadium and mixed-use project at the Port of Oakland would continue to compromise air quality; and the request for an update on asthma data in the Bay Area.

Board Action

None; receive and file.

13. Update on Bay Area Hyperlocal Air Quality Mapping Project (OUT OF ORDER, ITEM 14)

Dr. Ranyee Chiang, Director of Meteorology and Measurement, gave the staff presentation *Update on Bay Area Hyperlocal Air Quality Mapping Project*, including: outline; hyperlocal air quality mapping complements other Bay Area monitoring efforts; goal and scope of Aclima project; data evaluation by Air District and Aclima; and potential uses and actions from data.

David Herzl, Chief Executive Officer of Aclima, gave the presentation *Aclima Progress Update*, including: built for good, catalyzing change; 2020 has made our work more relevant than ever; innovation workflows; data product collection; Year 1 baseline collection status; community job creation; our work together, by the numbers; end-to-end quality control operation; data product communication; Aclima Pro; public releases; maximizing data utility and value; from diagnosis to action; adding value beyond our scope with the Air District; contextual data for better decisions; deep investments in West Oakland and Richmond-San Pablo; free public app; California Air Resources Board (CARB) demonstration; and wildfire project development.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Tony Fisher, Coalition for Clean Air; Ken Szutu, Vallejo Citizen Air Monitoring Network; Andres Soto, CBE; Ms. Margaret Gordon, WOEIP; and Charles Davidson, Hercules resident.

Board Comments

The Committee and staff discussed whether AB 617 (Bay Area) candidate communities would benefit from having this project's data and Aclima's public app; when the data collected in Richmond-San Pablo data will be available to the Community Emissions Reduction Plan Community Steering Committee in Richmond-North Richmond-San Pablo, and whether the data will have been interpreted in a meaningful way for the Steering Committee and County Health Officers; and the request that the prevalence of cancer, hypertension, and heart disease be included in Aclima's data, moving forward.

Board Action

None; receive and file.

14. **Air District Board Composition and Compensation Discussion (ITEM 13)**

Alan Abbs, Legislative Officer, gave the staff presentation *Air District Board Members Composition and Compensation Discussion*, including: county representation; Board compensation; selection process; and other air districts.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; Steve Nadel, Sunflower Alliance; Richard Gray, 350 Bay Area; Dr. Stephen Rosenblum, Palo Alto resident; Andres Soto, CBE; Dr. Raymond Tomkins, Clean Air Health Alliance; Brian Beveridge, WOEIP; and Ms. Margaret Gordon, WOEIP.

Board Comments

The Committee and staff discussed whether to add external member seats to the Board; whether to collaborate with other California air districts if the Air District pursues legislation pertaining to Board composition or compensation; the suggestion that Board compensation be changed from “per day” to “per meeting”; whether it would be more effective to have designated seats for environmental justice representatives on the Board versus on an advisory council; whether to increase or eliminate the existing Board compensation maximum; various methods for compensating Board members who use carbon-free modes of transportation to get to meetings; the suggestion of allowing environmental justice representatives to serve on Board Committees; the suggestion of asking the environmental justice organizations what their preference is (serve on Board or advisory councils); concerns that one environmental justice member would not represent all burdened Bay Area communities; the suggestion of gradually decreasing the number of Board members; the request that Board compensation and composition issues be bifurcated and pursued separately, and the suggestion that staff drafts Board compensation bill language and secures a legislative sponsor before February 2021; and whether a Board compensation bill, were it to be passed first, could later be amended later to include revised Board composition changes.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Dr. Raymond Tompkins, Clean Air Health Alliance; Ladonna Williams, All Positives Possible; and Andres Soto, CBE.

BOARD MEMBERS’ COMMENTS

16. **Board Members’ Comments**

None.

OTHER BUSINESS

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

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, announced the following:

- Former Assistant Human Resources Manager, Terri Levels, has been promoted to the position of People and Engagement Officer, a newly created, director-level executive responsible for overseeing the Human Resources Office, programs and staff. This position is also known as Human Resources Officer.
- Former Deputy Air Pollution Control Officer of Technology, Damian Breen, has been promoted to the position of Deputy Executive Office of Operations, a newly created, executive-level position responsible for overseeing regular operational activities of the District.
- A consent decree lodged in 2019 in the U.S. District Court for the Eastern District of Pennsylvania by the Air District, U.S. Department of Justice, U.S. Environmental Protection Agency and other local agencies with Lehigh Cement and Lehigh White Cement to reduce harmful air emissions has been approved. Lehigh is required to meet more stringent emission limits of nitrogen oxide and sulfur dioxide, and will invest \$12 million in pollution control technology at 11 of their Portland cement manufacturing plants, one of which is located in the Bay Area. The installation and testing may take up to three years.

18. Chairperson's Report

Chair Sinks announced that On December 9, 2020, at 10:00 a.m., the Air District will host a moderated discussion, followed by Q&A with Dr. Ibram X. Kendi, professor, historian, and author of How to Be an Antiracist.

19. Time and Place of Next Meeting

Wednesday, December 16, 2020, at 9:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

20. Adjournment

The meeting adjourned at 2:03 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards