

Errata Sheet

Revised Agenda Board of Directors Regular Meeting Wednesday, October 7, 2020

Agenda Item #14 Action Item

14. Report of the Personnel Committee Meeting of October 5, 2020

CHAIR: J. Spring

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive the following report:

- A) **Conduct Interviews and Consider Recommending Board of Directors Approval of Candidates for Appointment to the Air District's Hearing Board Units**

1) *None; receive and file.*

is being changed to:

14. Report of the Personnel Committee Meeting of October 5, 2020

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J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will receive the following report:

- A) **Conduct Interviews and Consider Recommending Board of Directors Approval of Candidates for Appointment to the Air District's Hearing Board Units**

1) *Conduct interviews and consider recommending Board of Directors approval of candidates for appointment to the Air District's Hearing Board.*



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
REGULAR MEETING REVISED AGENDA
OCTOBER 7, 2020**

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST OF THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/86153546329>

(669) 900-6833 or (408) 638-0968

WEBINAR ID: 861 5354 6329

- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT CAN USE THE "RAISE HAND" FEATURE BY DIALING "*9". IN ORDER TO RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP TO DATE**

- **COMMENTS MAY ALSO BE SUBMITTED VIA EMAIL AT**

Comments@baaqmd.gov

BOARD OF DIRECTORS REGULAR MEETING REVISED AGENDA

WEDNESDAY
OCTOBER 7, 2020
9:30 A.M.

Chairperson, Rod Sinks

1. CALL TO ORDER - ROLL CALL

PUBLIC MEETING PROCEDURE

The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.

This meeting will be webcast. To see the webcast, please visit 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.

***Email Comment on Agenda Items:** The public may comment on each item on the agenda. Email Comments for items on the agenda must be submitted to Comments@baaqmd.gov prior to the Board taking up the particular item and indicate the agenda item to which the comment relates. Emailed comments will be considered as the agenda item is taken up by the Board. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.*

CONSENT CALENDAR (ITEMS 2-6)

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Meeting of September 16, 2020

Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Meeting of September 16, 2020

3. Board Communications Received from September 16, 2020 through October 6, 2020

J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from September 16, 2020 through October 6, 2020, if any, will be distributed to the Board Members by way of email.

4. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of August 2020

J. Broadbent/5052
jbroadbent@baaqmd.gov

In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the month of August 2020.

5. Authorization to Execute Contract with Regional Climate Protection Authority of Sonoma County

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider authorizing the Executive Officer/APCO to execute a contract with the Regional Climate Protection Authority of Sonoma County for \$80,000.

6. Consider Adopting Proposed Amendments to the Air District's Administrative Code, Division II: Fiscal Policies and Procedures, Section 4: Purchasing Procedures, Section 4.6: Contract, Section 4.6 (d): Bid Award

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adopting an amendment to the Air District's Administrative Code, Division II: Fiscal Policies and Procedures, Section 4: Purchasing Procedures, Section 4.6 Contracts, Section 4.6(d): Bid Award.

RESOLUTION

7. Consider Adopting Resolution No. 2020-10 Reaffirming the Bay Area Air Quality Management District's (Air District) Commitment to Diversity, Equity, Access, and Inclusion

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adopting Resolution No. 2020-10, reaffirming the Bay Area Air Quality Management District's commitment to Diversity, Equity, Access, and Inclusion. The Board of Directors will also in consideration of this resolution formally apologize to Dr. Henry Clark and recognize and honor Dr. Clark as a pioneer and advocate in the environmental justice movement.

COMMITTEE REPORTS

8. Report of the Community and Public Health Meeting of September 17, 2020

CHAIR: S. Zane

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Update on Owning Our Air: The West Oakland Community Action Plan

- 1) *None; receive and file.*

B) Assembly Bill (AB) 617 Community Emissions Reduction Plan Recommendation and Program Next Steps

- 1) *The Community and Public Health Committee will consider recommending the Board of Directors approve staff's recommendation of the Richmond-San Pablo area for a community emission reduction plan under Year 3 of the State's Community Air Protection Program.*

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

9. Report of the Mobile Source Committee Meeting of September 24, 2020

CHAIR: D. Canepa

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Projects and Contracts with Proposed Grant Awards Over \$100,000

- 1) *Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*
- 2) *Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) Amendments to the Transportation Fund for Clean Air's Regional Fund and County Program Manager Policies for Fiscal Years Ending 2018, 2019, 2020, and 2021

- 1) *Recommend the Board of Directors approve amendments to the Transportation Fund for Clean Air (TFCA) Regional Fund and County Program Manager (CPM) Policies for Fiscal Years Ending (FYE) 2018, 2019, 2020, and 2021, to allow up to 24 months for projects to commence and to remove restrictions regarding match funding requirements for the Existing Shuttle/Feeder Bus Service project category, as shown in Attachment A.*

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

10. Report of the Climate Protection Committee Meeting of September 30, 2020

CHAIR: T. Barrett

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Presentation on the Clean Building Compass

- 1) *None; receive and file.*

B) Outreach on Climate and Food

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

11. Report of the Legislative Committee Meeting of September 30, 2020

CHAIR: M. Abe-Koga

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following reports:

A) Recap of the 2020 Legislative Year

1) *None; receive and file.*

B) Federal Legislative Update

1) *None; receive and file.*

C) Consideration of Proposition 16 (2020)

1) *The Legislative Committee (Committee) will consider recommending the Board of Directors take a “Support” position on Proposition 16 (2020) to repeal Section 31 of Article I of the California Constitution.*

D) 2021 Legislative Activities

1) *The Legislative Committee (Committee) will receive a report from staff on potential legislative activities in 2021, providing direction as necessary.*

E) Overview of Governor’s Executive Order N-79-20

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

12. Report of the Budget and Finance Committee Meeting of September 30, 2020

CHAIR: C. Groom

J. Broadbent/5052
jbroadbent@baaqmd.gov

A) Update on Economic Impact of COVID-19

1) *None; receive and file.*

B) Review Fiscal Year Ending (FYE) 2021 Budget

1) *None; receive and file.*

For the full Committee agenda packet and materials, click on the link below:

www.baaqmd.gov/bodagendas

13. Report of the Stationary Source Committee Meeting of October 1, 2020

CHAIR: J. Bauters

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee received the following report:

**A) Update on the Development of Amendments to Regulation 6, Rule 5 (Rule 6-5):
Particulate Emissions from Petroleum Refinery Fluidized Catalytic Cracking Units**

1) *None; receive and file.*

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J. Broadbent/5052
jbroadbent@baaqmd.gov

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**A) Conduct Interviews and Consider Recommending Board of Directors Approval of
Candidates for Appointment to the Air District's Hearing Board Units**

1) *Conduct interviews and consider recommending Board of Directors approval of
candidates for appointment to the Air District's Hearing Board.*

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PRESENTATIONS

15. **CUT THE COMMUTE PROGRAM**

The Board of Directors will receive an update on the Air District's Cut the Commute program.

16. **OVERVIEW OF GOVERNOR'S EXECUTIVE ORDER N-79-20**

*The Board of Directors will receive an overview of Governor Newsom's September 23, 2020,
Executive Order N-79-20 related to climate change.*

CLOSED SESSION

17. CONFERENCE WITH LEGAL COUNSEL

EXISTING LITIGATION (Government Code § 54956.9(a))

Pursuant to Government Code Section 54956.9 (a), a need exists to meet in closed session with legal counsel to consider the following case:

Associated Industries Insurance Company v. Bay Area AQMD, U.S. District Court, N.D. Cal. No. 4:19-cv-05277-DMR

OPEN SESSION

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Emailed comments indicating the comment pertains to non-agenda matters will be considered under this item. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.

BOARD MEMBERS' COMMENTS

19. *Any member of the Board, 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)*

OTHER BUSINESS

20. Report of the Executive Officer/APCO

21. Chairperson's Report

22. Time and Place of Next Meeting:

Wednesday, November 18, 2020, at 10:00 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

23. Adjournment

The Board meeting shall be adjourned by the Board Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
yjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- 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 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.