



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
PERSONNEL COMMITTEE

COMMITTEE MEMBERS

JIM SPERING – CHAIR
TERESA BARRETT
CAROLE GROOM
DAVID HUDSON
NATE MILEY
KATIE RICE

BRAD WAGENKNECHT – VICE CHAIR
CINDY CHAVEZ
SCOTT HAGGERTY
TYRONE JUE
KAREN MITCHOFF

**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 BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE 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/89062665393>

669 900 6833 or 408 638 0968

WEBINAR ID: 890 6266 5393

- **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

**MONDAY
OCTOBER 5, 2020
9:00 A.M.**

AGENDA

1. CALL TO ORDER - ROLL CALL

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.

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 Committee 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 Committee. 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.*

Staff/Phone (415) 749-

2. APPROVAL OF THE MINUTES OF MAY 27, 2020

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of May 27, 2020.

3. CONDUCT INTERVIEWS AND CONSIDER RECOMMENDING BOARD OF DIRECTORS APPROVAL OF CANDIDATES FOR APPOINTMENT TO THE AIR DISTRICT'S HEARING BOARD

J. Broadbent/5052

jbroadbent@baaqmd.gov

The Committee will conduct interviews of candidates and consider recommending Board of Directors approval of candidates for appointment to the Air District's Hearing Board.

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

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.

5. **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)

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

At the Call of the Committee Chair.

7. **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

(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

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 MEETINGS

SEPTEMBER 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Climate Protection Committee	Wednesday	30	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	30	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee	Wednesday	30	1:30 p.m.	Webcast only pursuant to Executive Order N-29-20

OCTOBER 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source Committee	Thursday	1	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Personnel Committee	Monday	5	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Regular Meeting	Wednesday	7	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Advisory Council Meeting	Friday	9	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee	Monday	19	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Regular Meeting or Executive Committee	Wednesday	21	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee - CANCELLED	Thursday	22	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee – CANCELLED AND RESCHEDULED TO MONDAY, OCTOBER 19, 2020 AT 9:30 A.M.	Thursday	22	11:30 a.m.	Webcast only pursuant to Executive Order N-29-20

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: September 28, 2020

Re: Approval of the Minutes of May 27, 2020

RECOMMENDED ACTION

Approve the attached draft minutes of the Personnel Committee (Committee) meeting of May 27, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of May 27, 2020.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Committee Meeting of May 27, 2020

AGENDA: 2A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of May 27, 2020

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

DRAFT MINUTES

Summary of Board of Directors
Personnel Committee Meeting
Wednesday, May 27, 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.

1. CALL TO ORDER – ROLL CALL

Personnel Committee (Committee) Vice Chairperson, Brad Wagenknecht, called the meeting to order at 10:30 a.m.

Present: Vice Chairperson Brad Wagenknecht; and Directors Teresa Barrett, Cindy Chavez, Carole Groom, David Hudson, Tyrone Jue, Karen Mitchoff, and Katie Rice.

Absent: Committee Chairperson Jim Spring; and Directors Scott Haggerty and Nate Miley.

Also Present: Board Chair Rod Sinks.

2. APPROVAL OF THE MINUTES OF APRIL 15, 2020

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Director Barrett, to **approve** the minutes of April 15, 2020; and the motion carried by the following vote of the Committee:

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

NOTED PRESENT: Director Carole Groom was noted present at 10:34 a.m.

CLOSED SESSION (10:35 a.m.)

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

Agency Negotiators: Jack P. Broadbent, Executive Officer/Air Pollution Control Officer
Rex Sanders, Chief Administrative Officer

Employee Organizations: Bay Area Air Quality Management District Employees' Association, Management, and Confidential Employee Groups

REPORTABLE ACTION: None.

OPEN SESSION (11:28 a.m.)

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

No requests received.

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

None.

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

At the end of the meeting, Vice Chair Wagenknecht announced that the next meeting would be at the Call of the Chair. After the meeting adjourned, the next meeting was scheduled for Monday, October 5, 2020, at 9:00 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

7. **ADJOURNMENT**

The meeting adjourned at 11:30 a.m.

Marcy Hiratzka
Clerk of the Boards

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: September 28, 2020

Re: Conduct Interviews and Consider Recommending Board of Directors Approval of
Candidates for Appointment to the Air District's Hearing Board

RECOMMENDED ACTION

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

BACKGROUND

Pursuant to Section 40800 of the California Health and Safety Code, the Air District is required to maintain a Hearing Board consisting of five members including, one member who is a professional engineer registered as such pursuant to the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code), one member from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxicologic medicine, one member admitted to the practice of law in this state, and two public members. The Air District Board of Directors may also appoint one alternate for each member. The alternate shall have the same qualifications, specified in Section 40801, as the member for whom such person is the alternate. The alternate may serve only in the absence of the member, and for the same term as the member.

Pursuant to Division I, Section 8.6 of the Air District's Administrative Code, Hearing Board Member terms are limited to fifteen (15) consecutive years, with reappointment possible after a three-year absence.

DISCUSSION

The Principal “A” Hearing Board member in the Public Category resigned on January 6, 2020; the term of the Alternate “A” Hearing Board member in the Public Category expired on April 19, 2020; the term of the Principal “B” Hearing Board member in the Public Category expired on July 11, 2020; the term of the Alternate “B” Hearing Board member in the Public Category expired on July 11, 2020; the Alternate Hearing Board position in the Professional Engineer Category became vacant when the person who held that title was appointed to the Principal seat in the same category on September 18, 2019; the term of the Alternate Hearing Board member in the Medical Category expired on July 19, 2019. As a result, there are six positions to fill.

Position	Became Vacant	Reason for Vacancy	# of Candidates
<i>PUBLIC CATEGORY</i>			
Principal A	1/6/2020	Resignation	15
Alternate A	4/19/2020	Term Expired	
Principal B	7/11/2020	Term Expired	
Alternate B	7/11/2020	Term Expired	
<i>PROFESSIONAL ENGINEER CATEGORY</i>			
Alternate	9/18/2019	Promoted	0
<i>MEDICAL CATEGORY</i>			
Alternate	7/19/2019	Term Expired	1

Staff initiated a recruitment to fill these positions. After extensive recruitment and outreach efforts, staff received 16 applications, 15 for the Principal and Alternate Hearing Board member in the Public Category, and one (1) in the Hearing Board Alternate Member in the Medical Profession. Staff have assessed the candidates’ experience and education relative to the position for which the candidates applied and have top candidates with the most relevant qualifications to proceed to interviews with the Personnel Committee.

Interviews of the candidates will occur during the Personnel Committee meeting of October 5, 2020. The length of each interview will be approximately 15 minutes. The application materials submitted by the candidates will be provided to you for your review.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Terri Levels
Reviewed by: Rex Sanders