

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

Board of Directors Special Meeting/Retreat
Wednesday, January 20, 2021

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, Cindy Chavez, called the meeting to order at 1:02 p.m.

Roll Call:

Present: Chairperson Cindy Chavez; Vice Chair Karen Mitchoff; Secretary John Bauters; and Directors Margaret Abe-Koga, Teresa Barrett, David Canepa, Rich Constantine, Pauline Russo Cutter, John Gioia, Carole Groom, Erin Hannigan, David Haubert, Lynda Hopkins, David Hudson, Davina Hurt, Tyrone Jue, Nate Miley, Katie Rice, Mark Ross, Rod Sinks, Brad Wagenknecht, Shamann Walton, and Lori Wilson.

Absent: None.

COMMENDATIONS/PROCLAMATIONS/AWARDS

2. The Board of Directors recognized outgoing Board Chairperson Rod Sinks for his outstanding leadership as Chair of the Board of Directors in 2020, and Directors Scott Haggerty, Liz Kniss, Jim Spering, and Shirlee Zane for their service, leadership, and dedication to protecting air quality in the Bay Area. Ms. Kniss, Mr. Sinks, and Ms. Zane, who were present at the meeting, gave departing remarks.

Public Comments

Public comments were given by Dr. Raymond Tompkins, African American Community Health Equity Council.

Board Comments

Individual Board members thanked those leaving the Air District's Board for their service.

CONSENT CALENDAR (ITEMS 3 – 12)

3. Minutes of the Board of Directors Special Meeting of January 13, 2021
4. Board Communications Received from December 16, 2020 through January 19, 2021
5. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Months of November and December 2020
6. Air District Personnel on Out-of-State Business Travel
7. Quarterly Report of California Air Resources Board Representative – Hon. John Gioia
8. Authorization to Extend Audit Services Contract with Simpson & Simpson, LLP
9. Authorization to Amend Contracts with Fluxx Labs, Inc.
10. Authorization to Approve Recommended Projects and Contracts with Proposed Grant Awards Over \$100,000
11. Authorization to Participate in Year 23 of the Carl Moyer Program
12. Notice of Proposed Amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Wagenknecht made a motion, seconded by Director Hudson, to **approve** the Consent Calendar Items 3 through 12, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hopkins, Hudson, Hurt, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Walton, and Wilson.

NOES: None.

ABSTAIN: Hopkins (Item 3 only).

ABSENT: None.

BOARD OF DIRECTORS RETREAT

13. Board Governance Structure

Chair Chavez thanked the Board members who provided feedback on the proposed governance structure and committee management practices at the Board meeting on January 13, 2021. She also announced that the Board members' committee assignments will be released in February.

Public Comments

No requests received.

Board Comments

None.

14. **A. Air District Equity Program**

Veronica Eady, Senior Deputy Executive Officer of Policy and Equity, gave the staff presentation *Air District Equity Program – External and Internal Efforts*, including: outline; requested action; historical context; external: community exposure, health impacts and costs, about Assembly Bill (AB) 617, equity in community, and AB 617 Year 2021; and internal: demographics by race/ethnicity/gender, diversity, equity, and inclusion, employee engagement, and employee resource teams.

Board Comments

The Board and staff discussed whether “East Oakland”, which is listed as an AB 617 candidate community, includes San Leandro; the request that the Air District pursues legislation to ensure that Cap and Trade program offset projects remain within California; the status of the Bay Area hyper-local monitoring data collection from Aclima, how the data will be interpreted for communities and county staff, and the request for a future presentation on this topic; best practices regarding recruitment for the Air District’s Advisory Council, and the anticipated timeline for the recruitment; the Board’s acknowledgement of the public’s pleas for diversity and inclusivity; and the fact that the Board’s new Ad Hoc Committee on Governance will consider potential committee structures and whether community members may serve on those bodies.

B. Rulemaking Initiatives

Greg Nudd, Deputy Air Pollution Control Officer, gave the staff presentation *Rulemaking Initiatives*, including: presentation outcome; outline; requested action; Particulate Matter (PM) strategy – Advisory Council (AC) findings and recommendations; 2018 Bay Area emissions; Air District response – PM actions; rules for Board consideration in 2021; priority sources for 2021; and sources in impacted communities.

Board Comments

The Board and staff discussed how soon the Air District could ask the Biden Administration to ratify a new PM standard and how long such a ratification could take; whether the Air District’s regulations of stationary source air pollution aligns with those of the California Air Resources Board, which regulates mobile sources; land use decisions and California Environmental Quality Act guidelines in impacted communities updates; the number of data centers in the Bay Area and their locations, and the suggestion that reducing diesel PM emissions from data centers be prioritized by the Air District; anticipated rulemaking schedules in 2021, and the details of a public workshop regarding Draft Amendments to Regulation 6, Rule 5 (Particulate Emissions from Refinery Fluidized Catalytic

Cracking Units) on February 4, 2021; and the history of the crematorium in East Oakland (near 98th Ave. and the Nimitz Freeway).

C. Legislative Initiatives

Alan Abbs, Legislative Officer, gave the staff presentation *Legislative Initiatives*, including: presentation outcome; outline; requested action; and legislative overview: State Budget 2021-22, and state and federal legislation.

Board Comments

None.

Public Comments (on Items 14A – 14C):

Public comments were given by Jed Holtzman, 350 Bay Area; Ladonna Williams, All Positives Possible; Richard Gray, 350 Bay Area; Dr. Stephen Rosenblum, 350 Silicon Valley; Steve Nadel, Sunflower Alliance; Gabriel Goffman; Harlo Pippinger, San Francisco resident; Jennifer Feng, San Francisco resident; Tony Fisher, Coalition for Clean Air; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Dr. Raymond Tompkins, African American Community Health Equity Council; LaDonna Williams, All Positives Possible; and Jed Holtzman, 350 Bay Area.

BOARD MEMBERS' COMMENTS

16. Board Members' Comments

None.

OTHER BUSINESS

17. Report of the Executive Office/APCO

Jack P. Broadbent, Executive Officer, Air Pollution Control Officer, announced that a presentation on the Air District's legal construct and core programs will be presented at a future Board meeting. He added that Councilmember for the City of Sacramento, Katie Valenzuela, will be presenting to the Board at its February 3, 2021 meeting.

18. Chairperson's Report

Chair Chavez had nothing to report.

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

Wednesday, February 3, 2021 at 9:30 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 3:32 p.m.

/s/ Marcy Hiratzka

Marcy Hiratzka
Clerk of the Boards