

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

Legislative Committee  
Wednesday, April 5, 2023

## **APPROVED MINUTES**

*This meeting was webcast, and a video recording is available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Legislative Committee (Committee) Chairperson, Margaret Abe-Koga, called the meeting to order at 10:58 a.m.

#### **Roll Call:**

Present, In-Person (375 Beale Street, Board Room, San Francisco, California, 94105): Board Chairperson John J. Bauters; Committee Vice Chairperson Tyrone Jue; and Director Juan Gonzalez.

Present, In-Person Satellite Location (Santa Rose Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Avenue, Santa Rosa, California, 95401): Director Brian Barnacle.

Present, In-Person Satellite Location (Palo Alto City Hall, 250 Hamilton Ave., 7th Floor, Palo Alto, California, 94301): Committee Chairperson Margaret Abe-Koga; and Directors Noelia Corzo and Ray Mueller.

Present, In-Person Satellite Location (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Avenue, Suite D, El Cerrito, California, 94530): Director Joelle Gallagher.

Absent: Directors Ken Carlson, Erin Hannigan, and David Hudson.

2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC MEETING PROCEDURE**

## **CONSENT CALENDAR**

### **4. APPROVAL OF THE MINUTES OF THE LEGISLATIVE COMMITTEE MEETING OF FEBRUARY 27, 2023**

#### **Public Comments**

No requests received.

#### **Committee Comments**

Director Gonzalez requested that the “Committee Comments” section of Item 5 (Approval of the Legislative Platform for 2023) of Draft Minutes of the Legislative Committee Meeting of February 27, 2023, be amended as follows:

“The Committee and staff discussed...concerns about unintended consequences of energy diversification” be changed to “...concern about lack of diversification.”

#### **Committee Action**

Director Gonzalez made a motion, seconded by Board Chair Bauters, to **approve** the Minutes of the Legislative Committee Meeting of February 27, 2023, as amended; and the motion **carried** by the following vote of the Committee:

AYES:	Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gonzalez, Jue, Mueller.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Carlson, Hannigan, Hudson.

## **ACTION ITEMS**

### **5. AIR DISTRICT-SPONSORED BILLS**

Alan Abbs, Legislative Officer, gave the staff presentation *Air District-Sponsored Bills*, including: outcome; outline; requested action; Assembly Bill (AB) 536 (Wilson); AB 953 (Connolly and Hart); AB 1465 (Wicks); and AB 1609 (Garcia).

#### **Public Comments**

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

#### **Committee Comments**

The Committee and staff discussed why the California Air Resources Board did not support this bill language in 2022, and how their concerns are being addressed within AB 1465 (Wicks); and the desire to see the increased vehicle registration fees, that would come from AB 1609 (Garcia), be allocated to disadvantaged communities.

### Committee Action

Director Gonzalez made a motion, seconded by Vice Chair Jue, to recommend the Board **adopt** the position of **co-sponsor**, regarding Assembly Bill 1609 (Garcia); and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gonzalez, Jue, Mueller.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Hudson.

### 6. **DISCUSSION AND CONSIDERATION OF BROWN ACT BILLS**

Mr. Abbs gave the staff presentation *Discussion and Consideration of Brown Act Bills*, including: outcome; outline; requested action; AB 557 (Hart); AB 817 (Pacheco); AB 1379 (Papan); Senate Bill (SB) 411 (Portantino); and SB 537 (Becker).

### Public Comments

No requests received.

### Committee Comments

The Committee and staff discussed how open public meetings, in which all voting members are in the same room, is transparent for the public, and how transparency can be compromised if the voting members are in multiple, separate rooms, and potentially coordinating their votes using telecommunication and mobile devices; the original purpose of the Ralph M. Brown Act; and concerns with AB 557 (Hart.)

### Committee Action

Board Chair Bauters made a motion, seconded by Director Gonzalez, to recommend the Board do the following:

1. **Support** Assembly Bill 817 (Pacheco) – Open meetings: teleconferencing: subsidiary body.
2. **Support** Senate Bill 537 (Becker) – Open meetings: local agencies: teleconferences

The motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gonzalez, Jue.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Hudson, Mueller.

## 7. CONSIDERATION OF NEW BILLS

Mr. Abbs gave the staff presentation *Consideration of New Bills*, including: outcome; outline; requested action; AB 504 (Reyes); AB 698 (Essayli); AB 1267 (Ting); AB 1464 (Connolly); SB 397 (Wahab); SB 415 (Durazo); SB 527 (Min); SB 674 (Gonzalez); and SB 768 (Caballero.)

### Public Comments

No requests received.

### Committee Comments

The Committee and staff discussed the request that AB 593 (Haney) - *Carbon emission reduction strategy: building sector*, SB 527 (Min) - *Neighborhood Decarbonization Program*, and AB 99 (Connolly) - *Department of Transportation: state roads and highways: integrated pest management* be considered by the Committee for support; concerns about AB 1267 (Ting) - *Zero-emission vehicle incentive programs: gasoline superusers*; whether the Committee may take action on bills that were not presented by staff; and whether the Committee may choose to not take recommended action on a given bill.

### Committee Action

Board Chair Bauters requested that AB 1267 (Ting) be voted on separately, and Chair Abe-Koga agreed.

Board Chair Bauters made a motion, seconded by Director Barnacle, to recommend the Board do the following:

1. **Oppose** Assembly Bill 698 (Essayli) – Energy; Gas stoves.
2. **Oppose Unless Amended** Senate Bill 415 (Durazo) – Air quality: rules and regulations: socioeconomic impacts assessment.
3. **Work with Author** on Senate Bill 768 (Caballero)- California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration.
4. **Support** Senate Bill 527 (Min) - Neighborhood Decarbonization Program.

The motion **carried** by the following vote of the Committee:

AYES:	Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gonzalez.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Carlson, Hannigan, Hudson, Jue, Mueller.

Taking up AB 1267 (Ting) again, Chair Abe-Koga asked whether any Committee members wished to make a motion regarding this bill. Director Barnacle moved that the Committee not take a position on AB 1267 (Ting) at the time, but then withdrew his motion, as no such action was required.

## **OTHER BUSINESS**

### **8. PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

### **9. COMMITTEE MEMBER COMMENTS**

None.

### **10. TIME AND PLACE OF NEXT MEETING**

At the end of the meeting, the next meeting of the Legislative Committee was to be held at the Call of the Chair. After the meeting adjourned, the next meeting was scheduled for Wednesday, June 7, 2023, at 10:30 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Committee members and members of the public will be able to either join in-person or via webcast.

### **11. ADJOURNMENT**

The meeting was adjourned at 12:24 p.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards