

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

Board of Directors Meeting
Wednesday, February 4, 2026

APPROVED MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Lynda Hopkins, called the meeting to order at 10:04 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, 1st Floor Board Room, San Francisco, CA, 94105): Chairperson Lynda Hopkins; Vice Chairperson Vicki Veenker; and Directors Monica Brown, Noelia Corzo, Joelle Gallagher, Tyrone Jue, Bilal Mahmood, Gabe Quinto, Linda Sell, and Steve Young.

Present, In-Person Satellite Location (Office of Santa Clara County, 70 W. Hedding St, 10th Floor Conference Room, San Jose, CA 95110): Directors Margaret Abe-Koga and Otto Lee.

Present, In-Person Satellite Location (Alameda County Board of Supervisors District 3, 101 Callan Ave., Suite 103, San Leandro, CA 94577): Director Lena Tam.

Present, In-Person Satellite Location (San Mateo County Board of Supervisors' Office, 5th Floor, 500 County Center, Redwood City, CA 94063): Directors Rico E. Medina and Ray Mueller.

Present, In-Person Satellite Location (The Lodge at Torrey Pines, 11480 N Torrey Pines Rd., Charles Fries Conference Room, La Jolla, CA 92037): Director David Haubert.

Absent: Directors Dionne Adams, Brian Barnacle, Ken Carlson, Brian Colbert, John Gioia, Juan González III, Mark Salinas, Shamann Walton.

2. **PLEDGE OF ALLEGIANCE**

CLOSED SESSION (ITEMS 3 – 4) (10:16 a.m.)

Public Comments (Items 3 and 4)

Public comments were given by Kennieth McKellar and Monte DiPalma, in their capacities as President and Professional Class Steward, respectively; and Geraldina Grunbaum, a former Air District employee who provided comments in her personal capacity. All three comments pertained to Item 4.

NOTED PRESENT: Director Margaret Abe-Koga was noted present at 10:09 a.m.; Director Ray Mueller was noted present at 10:10 a.m.; and Director Tyrone Jue was noted present at 10:15 a.m.

3. CONFERENCE WITH LEGAL COUNSEL RE EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) AND (d)(1)

Pursuant to Government Code Sections 54956.9(a) and (d)(1), the Board of Directors met in Closed Session with Legal Counsel to discuss the following cases:

The Athletics Investment Group, LLC v. Bay Area Air Quality Management District et al., Alameda County Superior Court Case No. 22CV010930;

State of California et al. v. United States of America et al., Northern District of California Case No. 25-cv-04966-HSG;

Stephen (Rex) Sanders v. Bay Area Air Quality Management District, Northern District of California Case No. 23-cv-04416-RFL;

Terri Levels v. Bay Area Air Quality Management District, Northern District of California Case No. 23-cv-04432-RFL;

Lewis Letang v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-01316-RFL;

Rochele Henderson v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-01460-RFL; Page 2 of 392

Veronica Eady v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-07000-RFL;

Vanessa Johnson v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-06276-RFL; and

Jaswant Singh Binning v. Bay Area Air Quality Management District, Solano County Superior Court Case No. CU25-06371.

Reportable Action: Alexander Crockett, General Counsel, announced that there was no reportable action for this item.

4. **CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6**

Agency Designated Representatives:

Laura A. Izon, Atkinson, Andelson, Loya, Ruud & Romo

Hyacinth Hinojosa, Deputy Executive Officer of Finance and Administration

Lisa Baker, Director of Human Resources

Employee Organization: BAAQMD Employees Association

Reportable Action: Mr. Crockett announced that there was no reportable action for this item.

OPEN SESSION (11:31 a.m.)

5. **SPECIAL ORDERS OF THE DAY**

Chair Hopkins welcomed the following new employees: Antone Cruz, Air Quality Engineer 1 in the Engineering Division; Ana Beard, Senior Air Quality Specialist in the Regulatory Development Division; and Manuel Oliva, Manager II in the Planning and Climate Protection Division. Chair Hopkins also congratulated the following Air District employees on their recent promotions: John Chiladakis was promoted to Deputy Executive Officer of Information Management; and Rich Chien was promoted to Manager II in the Planning and Climate Protection Division.

CONSENT CALENDAR (ITEMS 6 – 19)

At this time, Mr. Crockett made the following announcement:

“I’d like to make a note for the record regarding Consent Calendar Agenda Item 14. Item 14 involves a proposed contractual agreement with Allison & Partners LLC, under which the Building Decarbonization Coalition will be a subcontractor. Director Barnacle has noted on his Form 700 Statement of Economic Interests that he has a financial interest in the Building Decarbonization Coalition because he receives a salary from that organization. As such, he would have to recuse himself from consideration of that contract – although he is not in attendance so there is no issue or need for recusal. But for the record, I want to note that Director Barnacle is not taking any part in the consideration of Item 14 and there are no conflict of interest concerns.”

6. Approval of the Draft Minutes of the Board of Directors Meeting of December 3, 2025
7. Board Communications Received from December 4, 2025, through February 3, 2026
8. 2026 Board of Directors Committee Appointments
9. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Months of November and December 2025
10. Personnel Out-of-State Business Travel Report for November-December 2025
11. Report of Claims Resolved Not Exceeding \$50,000
12. Authorization to Amend the Contract with Atkinson, Andelson, Loya, Ruud & Romo for Human Resources and Labor Relations-Related Outside Counsel Services

13. Authorization to Amend the Contract with the Marie Harrison Community Foundation in Support of the Marie Harrison Environmental Justice Scholarship
14. Authorization to Execute a Professional Services Agreement with Allison & Partners LLC for Advertising, Communications, and Outreach Services for the Building Appliance Rules
15. Amendments to the Administrative Code Regarding Personnel Policies and Procedures
[Click here to view Board Resolution No. 2026-01](#)
16. Report of the Advisory Council Meeting of December 8, 2025
17. Report of the Stationary Source Committee Meeting of December 10, 2025
18. Report of the Finance and Administration Committee Meeting of December 17, 2025
19. Report of the Policy, Grants, and Technology Committee Meeting of December 17, 2025

Public Comments

Public comments were given by Tony Sirna, Evergreen Action.

Board Comments

Director Young pulled Item 14 (Authorization to Execute a Professional Services Agreement with Allison & Partners LLC for Advertising, Communications, and Outreach Services for the Building Appliance Rules) from the Consent Calendar. Regarding Item 14, the Board and staff discussed when staff plans to bring the gas appliance rules (Rules 9-4 and 9-6) back to the Board for consideration of amendments; the intended scope of work that Allison & Partners is to complete between February and the Fall of 2026; concerns regarding Air District staff’s recommendation that the Board consider further definitions for low-income-qualified exemptions prior to rule implementation; the current status of adopted Rules 9-4 and 9-6; the obligation of the Air District to correct any misinformation that is being circulated about Rules 9-4 and 9-6; the Board’s desire for a status update and accurate information on these rules so that the Board members can serve as credible sources of information to the public; the need to engage with Bay Area jurisdictions (cities and counties) to help articulate correct information about Rules 9-4 and 9-6; the suggestion of polling the public as soon as possible (prior to implementation) regarding the general public consensus of Rules 9-4 and 9-6; and the importance of contractors understanding incentives that currently are, and will be, available (both non-Air District incentives, and Air District incentives).

Board Action

Director Young made a motion, seconded by Director Quinto, to approve Consent Calendar Items 6 through 13, and 15 through 19; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Brown, Corzo, Gallagher, Hopkins, Jue, Lee, Mahmood, Medina, Mueller, Quinto, Sell, Tam, Veenker, Young.
- ABSTAIN: None.
- NOES: None.

ABSENT: Adams, Barnacle, Carlson, Colbert, Gioia, González, Haubert, Salinas, Walton.

Director Gallagher made a motion, seconded by Director Lee, to approve Consent Calendar Item 14; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Brown, Corzo, Gallagher, Hopkins, Jue, Lee, Mahmood, Medina, Quinto, Sell, Tam, Veenker.

ABSTAIN: None.

NOES: Mueller, Young.

ABSENT: Adams, Barnacle, Carlson, Colbert, Gioia, González, Haubert, Salinas, Walton.

ACTION ITEM

20. 2026 LEGISLATIVE ACTIVITIES AND STATE LEGISLATIVE UPDATES

Alan Abbs, Legislative Officer, gave the staff presentation *2026 Legislative Activities and State Legislative Update*, including: Recommended Action #1; Recommended Action #2 and #2a; Recommended Action #3; abbreviations; key dates and deadlines; 2026 Legislative Session; proposed Legislative activities for 2026 (Recommended Action #1); California Air Resources Board air district Board Members compensation; California Environmental Quality Act streamlining; Air District Advisory Council (Recommended Action #2); air district board representation (Recommended Action #2 and #2a); heat pump permit streamlining (Recommended Action #3); air district permit streamlining; heat pump mitigation fee; housing/California Environmental Quality Act; indirect source regulation; State Budget; and recap of recommended actions.

AT THIS TIME, DUE TO AN UNEXPECTED EMERGENCY AT ONE OF THE REMOTE TELECONFERENCING LOCATIONS FROM WHICH SEVERAL BOARD MEMBERS WERE PARTICIPATING, THE BOARD RECESSED AT 12:24 P.M, AND RESUMED AT 12:35 P.M.

Public Comments

Public comments were given by Tony Fisher, Coalition for Clean Air; Patrick Messac; and Kristel Rietesel.

Board Comments

The Board and Air District staff discussed the use of population estimates for determining representation on the air district boards in California, and whether preliminary or final numbers should be considered; California elected officials' desire for accurate State deficit information; and whether the Legislature seems to be interested continuing the pursuit of high speed rail.

Board Action

Director Quinto made a motion, seconded by Director Mahmood, to do the following:

1. Approve the proposed legislative activities for the 2026 Legislative Session, as recommended by the Policy, Grants, and Technology Committee at its meeting on December 17, 2025;
2. Approve sponsorship of a proposed bill idea that would make changes to the structure of the Advisory Council, as well as clarify the use of final population estimates for determining representation on the Air District Board
 - a. Clarify that the Department of Finance's final population estimates should be used (~~preliminary or revised~~) will be used when determining representation on the Air District Board, as is the established practice of the Air District.
3. Confirm co-sponsorship of Senate Bill 222 (Wiener) – Heat Pump Access Act

Prior to the vote, Director Mueller asked the maker and seconder of the motion to revise the language for Recommended Action #2 and #2a, stating that the clarification that Air District staff would be pursuing to the relevant statute -- that the Department of Finance's final population estimates should be used to determine the number of Board seats a county can appoint -- reflects the established practice that the Air District has used. (See tracked changes above). The maker and seconder of the motion agreed to these revisions.

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

AYES: Abe-Koga, Brown, Corzo, Gallagher, Jue, Lee, Mahmood, Medina, Mueller, Quinto, Sell, Tam, Veenker, Young.
NOES: None.
ABSTAIN: Hopkins.
ABSENT: Adams, Barnacle, Carlson, Colbert, Gioia, González, Haubert, Salinas, Walton.

OTHER BUSINESS

21. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Patrick Messac; and Ken Ow-Wing.

22. BOARD MEMBER COMMENTS

None.

23. **REPORT OF THE EXECUTIVE OFFICER / APCO**

Dr. Philip M. Fine, Executive Officer / APCO, announced the following:

Upcoming Committee Agenda Items

1. Stationary Source - 2/11
 - a. Update on Regulation 9, Rule 6 - Options for Defining Low-Income Qualified for Affordability Amendments (informational)
 - b. Update on Socioeconomic Analysis Policy Development (informational)
2. Community Equity, Health, and Justice - 2/11
 - a. Update on East Oakland Air Monitoring Project (informational)
 - b. Bay Area Region Evaluation of Air Toxic Health Effects Study (informational)
3. Policy, Grants, and Technology - 2/18
 - a. Authorization to Participate in the Climate Heat Impact Response Program (consent calendar)
 - b. 2026 Legislative Platform and State and Federal Legislative Updates (action)
 - c. Report on Transportation Fund for Clean Air Projects Expenditures and Effectiveness for Fiscal Year Ending 2025 (action)
 - d. Data Center Overview and Considerations (informational)
4. Finance and Administration - 2/18
 - a. Hearing Board Quarterly Report: October through December 2025 (consent)
 - b. Fiscal Year 2025-2026 Second Quarter Financial Report, Ending December 31, 2025 (consent)
 - c. Fiscal Year 2025-2026 Second Quarter Reporting of Payments for Routine and Recurring Goods/Services Expenses and Contracts Executed Under Delegated Authority (consent)
 - d. Update on Air District Information Management Projects and Recommendation of Software Development and Maintenance Contracts for Permitting and Compliance Systems (action)
 - e. Overview of the Air District's Fleet Greening Strategy (informational)

24. **CHAIRPERSON'S REPORT**

Chair Hopkins made the following announcements:

- Thank you to the Air District's Executive Office administration team for planning the Board Retreat on January 28, 2026, in Oakland, which also served at the first joint meeting of the Air District's Board and Community Advisory Council (CAC).
- Because a quorum of Board members was lost at the January 28, 2026 Board retreat, the staff presentation that had been agendized but was unable to be presented (*Community Priorities for Rule Development*), will be agendized for the March 4, Board meeting. The CAC members will be invited to join the Board members for a joint discussion on this item the Board's March 4, 2026 meeting, as this item is to be a continuation of the retreat agenda.
- On October 15, 2025, the Solano County City Selection Committee reappointed Director Young to the Air District's Board for another 2-year term, from 12/31/25 to 12/31/27.

- On December 19, 2025, the San Mateo County City Selection Committee reappointed Director Medina to the Air District's Board for another 2-year term, from 1/1/26 to 12/31/27.
- On January 22, 2026, the Cities Association of Santa Clara County appointed Sunnyvale Councilmember, Linda Sell, to the Air District's Board for a 2-year term, from January 22, 2026 – January 22, 2028.
- Chair Hopkins and Vice Chair Veenker reported out on their experience at the 30th Conference of the Parties (COP30) to the United Nations Framework Convention on Climate Change, held in Belém, Brazil, from November 10-21, 2025.

25. TIME AND PLACE OF NEXT MEETING

Wednesday, March 4, 2026, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board of Directors members and members of the public will be able to either join in-person or via webcast.

26. ADJOURNMENT

The meeting was adjourned at 1:20 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards