

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

APPROVED MINUTES

Community Advisory Council
Thursday, January 19, 2023

This meeting was conducted pursuant to procedures in accordance with Assembly Bill 361 (Rivas 2021). Members of the Community Advisory Council (Council) participated by teleconference.

1. CALL TO ORDER - ROLL CALL

Randolph Belle of Randolph Belle, Artist (RBA) Creative, called the meeting to order at 6:00 p.m.

Present: Council Co-Chairpersons Ms. Margaret Gordon, Kevin John Jefferson, and Latasha Washington; and Council Members Dr. Juan Aguilera, Fernando Campos, William Goodwin, Arieann Harrison, Joy Massey, Cecilia Mejia, Hana Mendoza, Rio Molina, Mayra Pelagio, Charles Reed, Dr. Jeff Ritterman, Kevin G. Ruano Hernandez, and Ken Szutu.

Absent: Council Member Violet Saena.

2. PUBLIC MEETING PROCEDURE

The Public Meeting Procedure video was played.

CONSENT CALENDAR

3. APPROVAL OF THE MINUTES OF NOVEMBER 17, 2022

Public Comments

No requests received.

Council Comments

None.

Council Action

Co-Chair Washington made a motion, seconded by Dr. Ritterman, to **approve** the Meeting Minutes of November 17, 2022, and the motion **carried** by the following vote of the Council:

AYES: Aguilera, Campos, Goodwin, Harrison, Jefferson, Massey, Mejia, Mendoza, Molina, Pelagio, Reed, Ritterman, Ruano Hernandez, Szutu, Washington.
NOES: None.
ABSTAIN: None.
ABSENT: Gordon, Saena.

Motion Approved

ACTION ITEMS

4. VOTE ON COMPENSATION POLICY AND PROCEDURES

Miriam Torres, Senior Advanced Projects Advisor, gave the staff presentation *Vote on Compensation Policy and Procedures*, including: requested action; overview; Compensation Policy; Council meetings; Co-chairs, committee, and other required meetings; other activities; reimbursements; and compensation procedures.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the origin of the proposed \$75/hour compensation rate (for Council Co-Chair or ad hoc committee meetings); why the proposed funding for “other activities” (up to \$1,000 per fiscal year) is only available to the Council members during the first *nine* months of the fiscal year, or until the amount budgeted in the Council’s Budget-approved budget is exhausted; whether the proposed maximum number of hours (6) per month for participation in each Council ad hoc committee and other required meetings can be negotiated; whether the proposed “other activities” funding can be used to fund Council members’ participation in and/or production of events and activities that fulfill the mission of the Air District and purpose of the Council; concerns that some Council members’ time spent preparing for and participating in Council and Council-related meetings may exceed the proposed 10 hours/month maximum; whether the Council will be provided a meal at Council meetings, once the Council begins to meet in person (after the Governor’s State of Emergency ends); the actual average number of hours that Council members currently spend per month to attend Council ad hoc meetings, and whether that data justifies the proposed maximum number of hours (6) per month for participation in each ad hoc committee and other required meetings; documentation that must be filled out by Council

members for them to receive the proposed funding for “other activities”; and whether compensation would be offered retroactively to applicable Council members, if the Board approves proposed Compensation Policy, and if so, how far back in time.

Public Comments

No requests received.

Council Action

Co-Chair Washington made a motion, seconded by Council member Reed, to recommend that the Board of Directors’ Community Equity, Health and Justice Committee **approve** the proposed Compensation Policy and Procedures, which formalizes practices to compensate members for their participation in the Community Advisory Council. The Community Equity, Health and Justice Committee will receive the Council’s presentation on this item on February 15, 2023 to consider recommending approval of the Compensation Policy and Procedures to the full Board of Directors.

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

AYES: Aguilera, Campos, Goodwin, Harrison, Jefferson, Massey, Mejia, Mendoza, Molina, Pelagio, Reed, Ritterman, Ruano Hernandez, Szutu, Washington.
NOES: None.
ABSTAIN: None.
ABSENT: Gordon, Saena.

Motion Approved

THE COUNCIL RECESSED AT 6:43 P.M., AND RESUMED AT 6:50 P.M.

5. SELECTION OF A COMMUNITY BENEFIT FUND (CBF) AD HOC COMMITTEE AND INTRODUCTION TO PARTICIPATORY BUDGETING

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, and Azibuke Akaba, Public Information Officer, gave the staff presentation *Selection of a Community Benefit Fund Ad Hoc Committee and Introduction to Participatory Budgeting*, including: requested action; outline; Community Benefit Fund overview; Community Benefit Fund Ad Hoc Committee; introduction to participatory budgeting and how it works; and participatory budgeting in North America.

NOTED PRESENT: Co-Chair Ms. Margaret Gordon was noted present at 7:46 p.m.

Public Comments

No requests received.

Council Comments

The Council and staff discussed when the CBF would be established and implemented; whether the Council could develop a workforce development program (regarding air pollution emission reduction) for community members; whether the CBF is intended to offer annual funding cycles; at what point penalty fees would be directed to the CBF, and the origin of the proposed \$500,000 amount of penalty fees; whether other sources of funding could be identified and directed to the CBF; whether CBF monies will be allocated to community projects and the training of Council members; whether the CBF Ad Hoc Committee would meet with stakeholders or foundations with similar programs and existing models to share ideas and lessons learned; whether the CBF Ad Hoc Committee would assist with designing grant guidelines, requirements, and deliverables, as well as selecting grantees; the request that a Board liaison to be assigned to the Council, and the desire that the Board be made aware of the Council's anticipation of continual CBF funding; whether a Council Co-Chair may sit on the CBF Ad Hoc Committee without being paid for that meeting time; whether the Council will be expected to meet for in-person meetings after March 2023; and the request that the Council be trained on budget fundamentals.

Council Action

Council member Reed made a motion, seconded by Co-Chair Washington, to **create** a Community Benefit Fund Ad Hoc Committee that will develop a plan for Board consideration on the programming of the Community Benefit Fund (created by the Board in 2021), consisting of the following Council members: Joy Massey, Cecilia Mejia, Hana Mendoza, Mayra Pelagio, and Dr. Jeff Ritterman. Council members Fernando Campos, William Goodwin, Ariann Harrison, Kevin Jefferson, and Charles Reed were selected to be considered by the Council Co-Chairs as alternate members of the CBF Ad Hoc Committee (maximum of three selected, for a total of 8 Ad Hoc Committee members.)

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

AYES:	Aguilera, Campos, Goodwin, Harrison, Jefferson, Massey, Mejia, Mendoza, Molina, Pelagio, Reed, Ritterman, Ruano Hernandez, Szutu, Washington.
NOES:	Gordon.
ABSTAIN:	None.
ABSENT:	Saena.

Motion Approved

THE COUNCIL RECESSED AT 8:28 P.M., AND RESUMED AT 8:34 P.M.

INFORMATIONAL ITEMS

6. DISCUSS THE DRAFT COMMUNITY ADVISORY COUNCIL CHARTER

The presentation, *Discuss the Draft Community Advisory Council Charter*, was given by Council Member William Goodwin, the lead writer of the draft charter. The presentation included: information only; Governance Ad Hoc Committee; Council Charter; Council members and appointments; meetings; compensation; and next steps.

Council Members have until February 10th to provide suggestions to the Governance Ad Hoc Committee to Air District staff. An updated version of the Council's draft charter will be scheduled for a vote during the Council's March meeting. The Council then will consider recommending the final version of the proposed Charter to the Board of Directors for approval.

Public Comments

No requests received.

Council Comments

The Council and staff discussed appreciation for Council member Goodwin's work drafting the charter; and whether the Air District will allow proxy votes at Council meetings.

Council Action

None; receive and file.

7. WORK PLAN AD HOC COMMITTEE UPDATE

Council member Szutu gave an update of the Council's Work Plan Ad Hoc Committee, including;

- The Work Plan Ad Hoc Committee has drafted potential future Council meeting agenda items, beginning from May 2023 to March 2024.
- The proposed Work Plan primarily addresses the issues of compliance, enforcement, and funding. These topics were suggested by Air District staff, Council members, and Council Co-Chairs. A matrix of the proposed topics was created to prioritize them. Topics include: Air District authority and enforcement ability, standing updates from the Compliance & Enforcement Division, funding overviews from the Strategic Incentives Division, and an overview of permit process from the Engineering Division.
- The Ad Hoc Committee hopes to present the final proposed Work Plan at the Council's March meeting.

Public Comments

No requests received.

Council Comments

The Council and staff discussed whether the Work Plan Ad Hoc Committee has proposed solutions regarding concerns about enforcement; the desire to see the Air District provide resources to the Bay Area's disproportionate communities that will improve the health of those communities; and the importance of addressing concerns about fossil fuel health impacts, wildfire smoke, and climate change.

Council Action

None; receive and file.

8. ENVIRONMENTAL JUSTICE POLICY AD HOC COMMITTEE UPDATE

Council member Ruano Hernandez gave an update on the Council's Environmental Justice Policy Ad Hoc Committee, including:

- The current focus of the Environmental Justice Policy Ad Hoc Committee is the Council's Environmental Justice Policy Action Plan. The Ad Hoc Committee has met with both Air District staff and selected consultant, Metropolitan Group, to develop the Council's Environmental Justice Policy Action Plan. Requested topics and questions from Council members are welcomed and will be considered as the AD Hoc Committee continues to develop the Council's Environmental Justice Policy Action Plan.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the request for both public and internal meetings with Incoming Executive Officer/Air Pollution Control Officer (APCO), Dr. Philip Fine, during which the Council may explain its core values, desires, and progress.

Council Action

None; receive and file.

OTHER BUSINESS

9. REPORT OF THE EXECUTIVE OFFICER / APCO

Interim Executive Officer/APCO, Sharon L. Landers, gave remarks on the following items:

- On December 21, 2022, the Board confirmed the appointment of Dr. Philip Fine, an internationally recognized expert in air quality science and policy, as the new Executive Officer/APCO, effective February 21.
- Damian Breen retired from the Air District, effective January 13, 2023. Veronica Eady will continue to oversee the activities of Operations/Enforcement.
- Updates about Community Emissions Reduction Plans in the AB 617 communities of Richmond and East Oakland; the Community Action Plan in West Oakland; and the proposed plan for Bayview Hunters Point (anticipated to be approved by the California Air Resources Board in February 2023.)
- Air District staff has released proposed amendments for Rules 9-4 and 9-6, which will reduce emissions of nitrogen oxides from residential and commercial furnaces and water heaters in buildings in the Bay Area. The Air District Board of Directors will conduct a public hearing to consider adoption of the proposed amendments and certification of the Environmental Impact Report on March 15, 2023, at 9:00 a.m.
- On February 28, 2023, the Governor's State of Emergency will expire, which will prompt the return to in-person public meetings at the Air District. Under AB 2449 (Rubio), the Air District is preparing new procedures for in-person meetings that will enable limited remote attendance at publicly accessible locations.
- The Governor's 2023-24 Budget was released on January 10, 2023. A budget deficit of \$22.5 billion is anticipated. Program cuts are anticipated to affect programs of interest to the Air District. Budget hearings will be held, leading up to the 2022-23 *May Revision* to the Governor's *Budget*.

10. PUBLIC COMMENT ON NON-AGENDA ITEMS

No requests received.

11. COUNCIL MEMBER COMMENTS / OTHER BUSINESS

Co-Chair Ms. Margaret Gordon gave remarks about how the work of the Council is helping to correct unfair situations, regarding health impacts within particular Bay Area communities. She encouraged everyone to remember Rev. Dr. Martin Luther King Jr.'s call for equality and the overturning of injustice. Several Council members acknowledged the longevity of Co-Chair Ms. Margaret Gordon's environmental justice advocacy work.

Council member Szutu expressed concerns about the fact that the bi-monthly community meetings, hosted by the Air District's Compliance & Enforcement Division, and endorsed by the Council in November 2022, have not yet occurred. Council member Szutu volunteered to work with Air District staff to officially begin this process.

Council member Ruano Hernandez expressed his desire to discuss with Air District staff how to engage more youth, regarding Air District related programs and initiatives.

Co-Chair Ms. Margaret Gordon suggested that she and Council member Ruano Hernandez assist Air District staff in planning the next Youth for the Environment and Sustainability (YES) Conference, which is a program of Spare the Air Youth, and partnership of the Bay Area Air Quality Management District and the Metropolitan Transportation Commission. She also requested to lead a workshop at the next YES Conference about the Council's efforts and the AB 617 (Community Health Protection Program), and suggested that the Air District hold countywide youth engagement opportunities. Co-Chair Ms. Margaret Gordon asked staff to make it happen.

Council member Reed encouraged Air District staff to reach out to youth organizations suggested by Council members.

12. TIME AND PLACE OF NEXT MEETING

Thursday, March 16, 2023, at 6:00 p.m. at a location to be determined.

13. ADJOURNMENT

The meeting was adjourned at 9:52 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards