

Bay Area Air Quality Management District

Bay Area Metro Center
1st Floor Board Room
375 Beale Street
San Francisco, CA 94105

APPROVED MINUTES

Community Advisory Council Special Meeting
Thursday, July 25, 2024

1. **CALL TO ORDER - ROLL CALL**

The meeting Facilitator, Randolph Belle of Randolph Belle, Artist (RBA) Creative, called the Community Advisory Council (Council) in-person meeting to order at 6:12 p.m.

Roll Call:

Present, In Person: Council Co-Chairpersons John Kevin Jefferson, Mayra Pelagio, and Ken Szutu; and Council Members Dr. Juan Aguilera, William Goodwin, Joy Massey, Rio Molina, Dr. Jeff Ritterman, Violet Saena, Latasha Washington.

Participated Remotely, via Zoom via Assembly Bill (AB) 2449 (remote presence does not count for quorum, but votes are counted for all action items): Council Members Arieann Harrison and Kevin G. Ruano Hernandez and (just cause).

Absent: Council Members Fernando Campos and Ms. Margaret Gordon.

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

No requests received.

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY ADVISORY COUNCIL MEETING OF MAY 16, 2024**

Public Comments

Public comments were given by Ms. Margaret Gordon.

Council Comments

None.

Council Action

Dr. Ritterman made a motion, seconded by Council Member Harrison, to **approve** the Draft Minutes of the Community Advisory Council Meeting of May 16, 2024, and the motion **carried** by the following vote of the Council:

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

Motion Approved

ACTION ITEMS

4. **SELECTION OF A COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE**

Dr. Meredith Bauer, Deputy Executive Officer of Engineering and Compliance and Brian Butler, Senior Air Quality Engineer, gave the staff presentation *Selection of a Compliance and Enforcement Ad Hoc Committee*, including: outcome; requested action; outline; Air District Compliance and Enforcement leadership and programs; background on Council Compliance and Enforcement topics; and purpose and process of the Compliance and Enforcement Ad Hoc Committee.

NOTED PRESENT: Co-Chair Jefferson was noted present at 6:30 p.m.

Public Comments

No requests received.

Council Comments

The Council and staff discussed concerns about whether Environmental Justice (EJ) policy priorities that are being incorporated into the Strategic Plan and potential priorities of the Compliance and Enforcement Ad Hoc Committee may be duplicated; the desire for a more specific purpose of the Compliance and Enforcement Ad Hoc Committee than what was proposed; the desire to use the Compliance and Enforcement Ad Hoc Committee as a means to have Air District staff expeditiously address concerns and questions from impacted communities and get them to Air District staff; whether Compliance and Enforcement staff will report to just the Compliance and Enforcement Ad Hoc Committee or the full Council; whether the potentially incoming Council Members (who the Board will consider for appointment in September 2024) have expressed interest in serving on the Compliance and Enforcement Ad Hoc Committee; the anticipated installment of the Compliance and Enforcement Ad Hoc Committee, and its anticipated longevity (ad hoc committees aim to complete their tasks within six months of assignment, per the Council's Charter); whether the Compliance and Enforcement Ad Hoc Committee will have a role or influence during an air quality incident; whether the Compliance and Enforcement Ad Hoc

Committee will provide recommendations to the Council that will lead to Board recommendations that change policies and processes regarding settlements; and the anticipated meeting schedule of the Compliance and Enforcement Ad Hoc Committee.

Council Actions

Co-Chairs Jefferson and Szutu, and Council Members Goodwin, Gordon, and Ritterman, expressed their interest to be on the Compliance and Enforcement Ad Hoc Committee.

Dr. Aguilera made a motion to form a Compliance and Enforcement Ad Hoc Committee consisting of the five forementioned Council Members (no one seconded the motion), but then Dr. Aguilera was asked if he wished to amend his motion to include Councilmembers Harrison and Ruano Hernandez, who also expressed their interest. Mr. Belle clarified that the addition of both Councilmembers Harrison and Ruano would exceed the maximum of members on the Compliance and Enforcement Ad Hoc Committee, and that one of them would need to withdraw their desire to be on the Compliance and Enforcement Ad Hoc Committee entirely. Subsequently, Council Member Harrison withdrew her name from the list.

Dr. Aguilera made amended his original motion, seconded by Co-Chair Jefferson, to **form** a Compliance and Enforcement Ad Hoc Committee consisting of:

Co-Chair Szutu
Council Member Ms. Gordon
Council Member Dr. Ritterman
Council Member Ruano Hernandez
Co-Chair Jefferson (as an alternate)
Council Member Goodwin (as an alternate)

to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 Council meetings; and the motion **carried** by the following vote of the Council:

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

Motion Approved

THE COUNCIL RECESSED AT 7:35 P.M., AND RESUMED AT 7:55 P.M.

5. COUNCIL MEMBER COMMENTS (OUT OF ORDER, ITEM 8)

Dr. Ritterman requested that the Air District arrange a presentation from the company QuitCarbon for the Council regarding just transition.

Council Member Massey announced her resignation from the Council, effective July 26, 2024. She thanked the Council and read an excerpt of her application to the Council that she had submitted, noting that her experience on the Council exceeded her expectations. The Council thanked her for her service.

INFORMATIONAL ITEM

6. STRATEGIC PLAN UPDATE (ITEM 5)

Dr. Philip M. Fine, Executive Officer / Air Pollution Control Officer (APCO) gave the staff presentation *Strategic Plan Update*, including: overview; Strategic Plan purpose and scope; a vision for change; EJ solutions and EJ priorities are the foundation of the Strategic Plan; partnership with the Council; EJ priorities and goals; partnership with the Council's EJ Policy Ad Hoc Committee; reflections on the benefit of collaboration; accountability: resource alignment and progress and action plans; examples of actions already underway; next steps.

Dr. Fine then asked the EJ Ad Hoc Committee Co-Chair Molina and Dr. Bauer to reflect on their experiences during the EJ Ad Hoc meetings.

Public Comments

No requests received.

Council Comments

The Council and staff discussed the Council's EJ goals of seeking appropriate legal remedies, collaborating and coordinating with EJ communities on those remedies, imposing high enough penalties, and reaching deterrence-based outcomes with violators; whether the Air District monitors reductions in carbon, methane, and nitrogen oxides; the suggestion of revising the language of the EJ goal, "Be an effective, accountable, and customer-oriented organization" to specify whether the "customers" are industry or the EJ community; the suggestion that Air District staff takes the Draft Strategic Plan to Bay Area overburdened communities (or at least each of the nine Bay Area Counties) to make sure they understand what is being proposed, to ensure those communities that the Air District is addressing their air quality-related concerns; the request that Strategic Plan-related items come to the full Council instead of the Council's EJ Policy Ad Hoc Committee; and why the Air District is evaluating Purple Air's monitoring data for location-specific information.

Council Actions

No action taken.

7. COMMUNITY BENEFIT FUND (CBF) AD HOC COMMITTEE UPDATE (ITEM 6)

Council Member Goodwin provided this update, including:

- The CBF Ad Hoc Committee has selected participatory budgeting as its process for the allocation and distribution of the CBF, currently \$3M. A skeleton plan has been developed, including implementation, facilitation of the process, types of eligible projects that can be awarded, reporting process.)
- The CBF Ad Hoc Committee has met with Arsenio Mataka, Deputy Executive Officer of Equity & Community Programs, regarding the hiring of a consultant to assist with the participatory budgeting proposed recommendation.
- The CBF Ad Hoc Committee is developing the scope of work for the consultant. The Council will receive updates regarding this process at the Council's next meeting.

Public Comments

No requests received.

Council Comments

None.

Council Action

No action taken.

OTHER BUSINESS

8. (REPORT OF THE EXECUTIVE OFFICER / AIR POLLUTION CONTROL OFFICER (APCO) (ITEM 7)

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

- Acknowledgement of Joy Massey's contributions and two and a half years of service as a Council Member.
- The Assembly approved Senate Bill 674 to strengthen monitoring at and around refineries. The bill includes requirements for monitoring, notifications, third-party auditing, and root-cause analysis. The bill is heading to the Senate for a concurrence vote in August, and then to the Governor's desk for approval.
- We've begun operating a new air monitoring station in Benicia, to improve the monitoring in communities near refineries.
- Other bills currently active include SB 1234 (Allen) and AB 2561 (Bonta) related to regulation of metal shredding operations, SB 1193 (Menjivar) relating to phasing out leaded aviation gas, District-sponsored AB 1465 (Wicks) related to refinery penalties, and District-sponsored AB 2298 (Hart) related to oceangoing vessel speed reductions.
- The Legislature returns from recess on August 5, and has until August 31 to send bills to the Governor.
- The Electric Charging Infrastructure Solicitation for Heavy-duty Vehicles & Equipment is currently open through noon on August 1 and aims to award \$35 million to help accelerate electrification in the heavy-duty sector, including trucks, buses, locomotives, marine vessels, commercial lawn and garden equipment, construction equipment, and

other off-road equipment. At least 80% of the funds will support projects benefiting air quality in Air District priority communities (DAC, LIC, and AB 617 communities).

- The Clean HEET Program is designed to reduce particulate matter being emitted from residential woodburning stoves and fireplace inserts. The current application cycle will close on July 18th, and we will immediately reopen this program and continue to accept applications through September 24th. At least 60% of the funds will support projects benefiting air quality in Air District priority communities (DAC, LIC, and AB 617 communities).
- On July 1st the incentive amount paid to participants in the Air District's Vehicle Buy-Back program increased to \$1500 (up from \$1200). The Vehicle Buy-Back Program pays Bay Area owners of 1998 and older cars and light-duty trucks \$1,500 for selling their vehicle at a participating dismantler. We aim to award over \$7 million through this program to residents to help remove the oldest and dirtiest vehicles from our roads.
- Please join Air District staff who will be tabling at the Zero-Emissions Showcase + Ride & Drive on August 14th at the Oakland Coliseum. This event is hosted by the California Air Resources Board (CARB) and CALSTART and will feature zero-emissions medium- and heavy-duty trucks (Class 2b-8), heavy-duty off-road equipment, school and transit buses, and commercial vans. This is an opportunity to get behind the wheel of these vehicles and to learn about funding programs offered by the state and Air District. Registration is free. <https://zeroemissiontrucks.org/>

Public Comments

No requests received.

Council Comments

The Council and staff discussed a desire for the Council to host town hall meetings throughout the Air District's nine-county jurisdiction; and the Air District's lack of authority to grant permits to mobile sources, but financial incentives for projects that reduce criteria pollutants and greenhouse gases through mobile source and low- or zero-emission transportation projects.

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

Thursday, September 19, 2024, at 6:00 p.m. at the California State University East Bay Oakland Professional Development and Conference Center, Trans Pacific Center, 1000 Broadway, Suite 109, Oakland, CA 94607. The meeting will be in-person for the Community Advisory Council members and members of the public will be able to either join in-person or via webcast.

10. **ADJOURNMENT**

The meeting was adjourned at 9:06 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards