

Bay Area Air Quality Management District

California State University East Bay  
1000 Broadway, Suite 109  
Oakland, CA 94607

**APPROVED MINUTES**

Community Advisory Council Meeting  
Thursday, September 19, 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 6:02 p.m.

**Roll Call:**

Present, In Person: Council Co-Chairperson Ken Szutu; and Council Members Dr. Juan Aguilera, Sejal Babaria, William Goodwin, Patrick Messac, Rio Molina, Dominick Ramirez, Dr. Jeff Ritterman, Kevin G. Ruano Hernandez, Violet Saena, Latasha Washington.

Absent: Council Co-Chairpersons John Kevin Jefferson and Mayra Pelagio; and Council Members Ms. Margaret Gordon and Arieann Harrison.

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

No requests received.

**CONSENT CALENDAR (ITEMS 3-4)**

**3. APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY ADVISORY COUNCIL MEETING OF JULY 25, 2024**

*The Council approved the Draft Minutes of the Community Advisory Council Special Meeting of July 25, 2024.*

**4. SELECTION OF ADDITIONAL MEMBERS TO THE COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE**

At its Special meeting on July 25, 2024, the Council formed the Compliance and Enforcement Ad Hoc Committee to collaborate with Air District staff and community stakeholders in developing an agenda of compliance and enforcement topics to be discussed during the 2025 Community Advisory Council meetings. The appointed Council members included: 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). Due to existing

membership in two other ad hoc committees, Co-Chair Jefferson will no longer serve as an alternate on this committee. With four seats open on the ad hoc committee, Council Member Goodwin will participate as a regular member and three seats become available for the new CAC members.

On September 19, 2024, the Council selected additional members who were interested in joining the Council's Compliance and Enforcement Ad Hoc Committee, including: Sejal Babaria, Patrick Messac, and Dominick Ramirez.

Public Comments

No requests received.

Council Comments

None.

Council Action

Council Member Ruano Hernandez made a motion, seconded by Council Member Goodwin, to **approve** the Consent Calendar, Items 3 to 4, inclusive; and the motion **carried** by the following vote of the Council:

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

Motion Approved.

**ACTION ITEM**

**5. COMMUNITY ADVISORY COUNCIL (CAC) RECOMMENDATION FOR THE NEW CAC MEMBER**

Council Member Kevin Ruano Hernandez, representing the Council's Member Selection Ad Hoc Committee, gave the presentation *Community Advisory Council (CAC) Recommendation for New CAC Member*, including: outcome; outline; requested action; creation; prior to first meeting; outreach; selected applicant.

Public Comments

No requests received.

## Council Comments

The Council and staff discussed appreciation for the wide range of diverse and valuable candidates.

## Council Actions

Council Member Ruano Hernandez made a motion, seconded by Co-Chair Szutu, to recommend the Board of Directors' Community Equity, Health, and Justice Committee recommend that the Board of Directors appoint Cynthia Prieto-Diaz to the vacant Alameda County seat on the Community Advisory Council; and the motion **carried** by the following vote of the Council:

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

Motion Approved

## **INFORMATIONAL ITEM**

### **6. COMMUNITY ADVISORY COUNCIL'S ENVIRONMENTAL JUSTICE (EJ) CALL TO ACTION**

Vernice Miller-Travis of The Metropolitan Group, and the Co-Chairs of the Council's EJ Policy Ad Hoc Committee, Council Member Rio Molina and Council Member Latasha Washington, gave the presentation *Community Advisory Council's Environmental Justice Call To Action*, including: outcome; requested action; outline; background of *A Call to Action*; summary of 9 CAC EJ priorities; testimonials from EJ Policy Ad Hoc Committee members; a *Call to Action* development; *A Call to Action* Table of Contents; Chapter 3: *At a Glance: The Air District's EJ Commitments*; Chapter 4 highlights: *Charting the Course: Actions in the Air District Will Take to Advance EJ*; and next steps.

NOTED PRESENT: Council Member Saena was noted present at 6:26 p.m., and Council Member Washington was noted present at 6:30 p.m.

## Public Comments

No requests received.

## Council Comments

The Council and staff discussed the suggestion of including national case studies regarding EJ issues; the suggestion of adding "resilience hubs", which are community-serving facilities augmented to support residents, coordinate communication, distribute resources, and reduce carbon pollution while enhancing quality of life, to Strategy 2.4 (Community Health Data); the need to establish authority over the quality of the polluters' data; appreciation for the focus on

prioritization of reinvestment in EJ communities; whether public comments that are received will be incorporated into the final version of *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*; whether the strategies listed in the Air District's recently-approved *2024-2029 Strategic Plan* have already been implemented; the suggestion of using more specific language that will help track progress, regarding legislative action; the manner in which the Air District and Council will track the progress of the priorities listed in *A Call to Action: Charting a New Course Towards Environmental Justice at the Bay Area Air Quality Management District*; and whether the Air District has maps that show the overlay of low-income communities, their levels of pollution, and the locations of petroleum refineries that can be added to the appendices.

#### Council Action

No action taken.

**THE COUNCIL RECESSED AT 7:23 P.M., AND RESUMED AT 7:33 P.M.**

#### **OTHER BUSINESS**

##### **7. COMMUNITY BENEFIT FUND (CBF) AD HOC UPDATE**

Council Member Goodwin provided the Council with an update from its Community Benefit Fund Ad Hoc Committee, including:

- The CBF Ad Hoc Committee is developing a proposal to use participatory budgeting for the allocation and distribution of the CBF, currently \$3M. The CBF Ad Hoc Committee will provide an overview of other considered options, when the proposal of the preferred option is presented to the Council.
- A skeleton plan has been developed, including implementation, facilitation of the process, types of eligible projects that can be awarded, award amounts, reporting requirements, etc.
- The CBF Ad Hoc Committee is planning to work with a consultant to assist with the development of the CBF Ad Hoc Committee's proposal. The Council will be updated regularly about this recruitment process.

#### Public Comments

No requests received.

#### Council Comments

None.

#### Council Action

No action taken.

## 8. COMPLIANCE AND ENFORCEMENT AD HOC COMMITTEE UPDATE

Co-Chair Szutu provided the Council with an update from its Compliance and Enforcement Ad Hoc Committee, including:

- The Compliance and Enforcement Ad Hoc Committee has met three times since its inception, and analyzed case study methods, what worked and what didn't work after air quality incidents have occurred, and the community's subsequent concerns.
- Cases are to be selected by data mining from the Air District's Air Quality Complaint program.

### Public Comments

No requests received.

### Council Comments

None.

### Council Action

No action taken.

## 9. REPORT OF THE EXECUTIVE OFFICER / AIR POLLUTION CONTROL OFFICER (APCO)

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

- Welcome to the three new Council Members who are serving at their first Council meeting today.
- The Air District observes Hispanic/Latin American Heritage Month from September 15 to October 15, recognizing the history, culture, and contributions of Hispanic and Latino Americans to society.
- On September 4, 2024, the Board of Directors approved the Air District's *2024-2029 Strategic Plan* for implementation. Thanks to the Council's EJ Policy Ad Hoc Committee and Council Members for their input and engagement in the process.
- On September 4, 2024, the Board of Directors heard a presentation on the new Diversity, Equity, and Inclusion Action Plan, which lists eight proposed actions to support diversity, equity, inclusion, and belonging.
- The Air District has announced its new Environmental Justice Law Fellowship Program. This is a two-year Fellowship program for new law school graduates to come work in the Air District's Legal Division working on equity and environmental justice issues. It will offer competitive pay, training, mentorship, and an opportunity to gain experience for a new lawyer looking to make a career doing this kind of work. The application deadline will be December 2, 2024, and there is more information available on the Air District's website at [www.baaqmd.gov/ej-fellow](http://www.baaqmd.gov/ej-fellow).

- The Legislature returned from recess on August 5, 2024, and concluded its 2-year session on August 31, 2024. Bills that have passed have been sent to the Governor, who has until September 30, 2024, to take action.
- Senate Bill (SB) 674 would strengthen monitoring at and around refineries and was supported by the Air District. This bill passed by Legislature and was sent to the Governor for signature; however, it was then vetoed.
- Air District-sponsored bill, AB 2298 (Hart) related to voluntary vessel speed reduction programs. This bill unfortunately did not make it to the Senate Floor for a final vote.
- Other bills that have currently passed the Legislature and are awaiting action by the Governor include two Air District-sponsored bills; AB 1465 (Wicks) that would raise penalty ceilings at Title V facilities for violating air quality laws, and SB 382 (Becker) which would establish disclosure requirements by Realtors during a home transaction related to any future local or state decarbonization requirements.
- Other significant bills awaiting the Governor’s signature include AB 2561 (Bonta) related to regulation of metal shredding operations, and SB 1193 (Menjivar) relating to phasing out leaded aviation gas.
- On September 30, 2024, the Air District will host a public workshop kicking off the process of creating a Regional Climate Action Plan for the Bay Area. Through a Climate Protection Planning Grant from the US EPA, the Air District has an unprecedented opportunity to work with many public agencies, stakeholders, and communities to develop practical and equitable strategies to reduce the region’s contribution to climate change. The public workshop will be held virtually on September 30, 2024, from 5:30 pm – 7:00 pm.
- The Air District’s (Technical) Advisory Council met this morning and continued discussions on cumulative impacts analysis within Air District policy development and programs. The Air District plans to hold joint meetings of the Council and the (Technical) Advisory Council in some fashion, as the (Technical) Advisory Council desires community input.
- On October 22, 2024, the Air District will host a virtual public forum to provide general education about the implementation of Air District Rules 9-6 and 9-4, our zero-NOx Building Appliance Rules. In the session, staff will provide an overview of the amended rules and their benefits, update attendees on the work of the Implementation Working Group, and answer questions from the public. The public learning session will be held virtually on October 22, 2024, from 6:00 pm – 7:30 pm.
- The Air District is working with Chair Hurt on Clean Air Talk events in non-AB617 cities and neighborhoods throughout the region. She has visited the City of San Carlos, San Jose in the Alum Rock neighborhood, and on October 5 will be at the Vallejo John F. Kennedy Library from noon to 1:00 p.m. to listen to resident’s air quality ideas, questions or concerns in the Vallejo community. On November 2, 2024, she will be at the East Palo Alto Library and on December 7 she will be at the San Lorenzo Public Library.

### Public Comments

Public comments were given by Alejandro Quintero.

## Council Comments

The Council and staff discussed how the Air District plans to utilize the findings of the (Technical) Advisory Council, regarding cumulative impacts analysis within Air District policy development and programs; the goal of the Regional Climate Action Plan and what will be required of Bay Area local jurisdictions; whether Assemblymember Wicks or sponsors of AB 1465 have reached out to the Governor since the bill has gone to him for consideration; and EJ Fellowship program outreach.

### 10. **COUNCIL MEMBER COMMENTS**

Council Member Ruano Hernandez asked to speak with Air District staff offline regarding opportunities for Council Members to attend meetings with legislators at the State Capitol, as well as appropriate conferences.

Co-Chair Szutu recommended that the Council Members watch the recording of the (Technical) Advisory Council meeting from this morning (September 19, 2024).

Co-Chair Szutu mentioned a bi-weekly refinery community meeting that he attended several days ago, set up by the Air District's Deputy Executive Officer of Public Affairs, Viet Tran. Co-Chair Szutu appreciated the fact that the participants spent half of the meeting time in an open discussion, without speaking time restrictions.

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

Thursday, November 21, 2024, at 6:00 p.m. at 375 Beale Street, San Francisco, CA 94105. 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.

### 12. **ADJOURNMENT**

The meeting was adjourned at 8:16 p.m.

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