

# Richmond - San Pablo Community Emissions Reduction Plan

## Community Design Team

Meeting #8: November 11, 2020

List of Appendices:

- Meeting Agenda
- PowerPoint Presentation
- Video Recording Transcript

## Path to Clean Air Community Emissions Reduction Plan (CERP)

### Community Design Team (CDT) Meeting #8

November 17, 2020 ~ 6:00 pm - 8:00 pm

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## AGENDA

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- 6:00 pm    I.    **Welcome and Introductions**
- Agenda review
  - Virtual participation tools and principles
- 6:10        II.    **Brown Act: Questions, Discussion, and Decision**
- Presentation: Answers to CDT Questions on the Brown Act
  - Discussion: Brown Act
  - Action: Vote to Recommend Brown Act
- 6:55        III.    **Discussion: Equity Access & Inclusion Board Committee on Steering  
Committee Composition**
- 7:20        IV.    **Discussion: Richmond-North Richmond-San Pablo AB617 Budget**
- 7:45        V.    **Public Comments**
- 7:55        VI.    **Closing Comments**
- 8:00 pm                    *Close...*

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**Community Emission Reduction Plan (CERP)**

**Community Design Team (CDT) Meeting #8**

November 17, 2020

# Today's Agenda

- I. Welcome & Introductions
- II. Brown Act: Questions, Discussion & Decision
- III. Discussion: Equity Access & Inclusion Board Committee on Steering Committee Composition
- IV. Discussion: Richmond-North Richmond-San Pablo AB 617 Budget
- V. Public Comments
- VI. Summary & Next Steps



# How to Use Video Conferencing

## Black menu bar at top or bottom of screen:



**Video**

**Participants**

- See Others
- Rename Yourself (Name & Group/Agency Affiliation if applicable)
- Raise Hand (remember to lower after)

**View**

Gallery/Speaker  
View of videos and screen share can be changed in top right corner



# Virtual Participation Principles

- **One** person speaks at a time.
- Be **respectful** of one another's opinions.
- **Share video** so we can stay visually connected.
- Technology happens – please be **flexible and patient**.
- Remember this is just one meeting in a longer **process**.

# CDT Operating Principles

- Transparency
- Equal Participation
- Inclusivity
- Respectful Engagement
- Facilitated Meetings
- Decision Making



# Steering Committee Application & Conflict of Interest Form are Live!

Congratulations to all!

Application Dates and Link:

- Released November 12, 2020
- Due December 12, 2020
- <https://www.baaqmd.gov/Publications/AB617/2020/Richmond-SP-Steering-Committee-Application-111220>





# Brown Act: Questions, Discussion, and Decision

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# Brown Act Q&A

**Q:** To what extent will the Air District Board, and their respective Committees, consider recommendations from the Community Design Team (CDT), regarding a slate of recommended Steering Committee members?

**Response:** This will depend on the Committees and the Board. While they would likely give deference to a CDT recommendation, we cannot guarantee the slate of recommended members will be selected.

# Brown Act Q&A

**Q:** What is the specific process and timeline for a Board appointed Steering Committee?

**Response:** This may be a four-step process:

Step 1 (December 2020): Equity, Access & Inclusion (EA&I) Committee would consider the request from the CDT for a Board appointed Steering Committee and make a recommendation to the Board

Step 2 (January 2021): The Board would act on the recommendation from the EA&I Committee



# Brown Act Q&A

**Q:** What is the specific process and timeline for a Board appointed Steering Committee?

**Response (cont.):** This may be a four-step process:

Step 3 (January 2021): The Personnel Committee would select the Steering Committee and make a recommendation to the Board

Step 4 (February 2021): The Board would appoint the Steering Committee. Once a Community Steering Committee is appointed the Board may want to approve the Charter.



# Brown Act Q&A

**Q:** How would the Chair and Vice Chair of the Steering Committee be Selected?

**Response:** We are assuming that the Steering Committee, once formed, can select a Chair and Vice Chair, but the Board may want to weigh in on this.

# Brown Act Q&A

**Q:** Will the Approved Steering Committee Application and Conflict of Interest Form Suffice for the Steering Committee, if it is a Legal Brown Act Committee?

**Response:** The CDT approved application is being used to recruit applicants. Additional information may be requested by the Board or Board Committee to support selection and appointment. The Conflict of Interest and Financial Disclosure form will likely need to be supplemented by Form 700.

# Brown Act Q&A

**Q:** Could the Steering Committee Adopt Pieces of the Brown Act into their Charter?

**Response:** Yes, the Steering Committee can incorporate pieces of the Brown Act into the Charter. The Steering Committee would be responsible for enforcing these pieces.

# Brown Act Q&A

**Q:** What can be Included in the Steering Committee Charter?

**Response:** This will largely be up to the Steering Committee, within reason. Specifically, the Charter could:

- Include pieces of the Brown Act
- Reflect the partnership between the Air District and Community
- Include community facilitation, budget transparency, agenda-setting, and Rosenberg's Rules



# Discussion Format

The CDT will **discuss and vote** on recommending the CERP Steering Committee as a Brown Act Committee. The CDT will first vote on whether they would like to vote on recommending the Brown Act today.

- Up to **three minutes** per person to speak
- **Verbal roll call** vote

# Roll Call Vote: Brown Act Vote

Are you **ready to vote** on whether to recommend the CERP Steering Committee be a Brown Act Committee?

- A. Yes
- B. No
- C. I abstain



# Roll Call Vote: Brown Act Vote

**Do you recommend to the Air District that the CERP Steering Committee be a Brown Act Committee?**

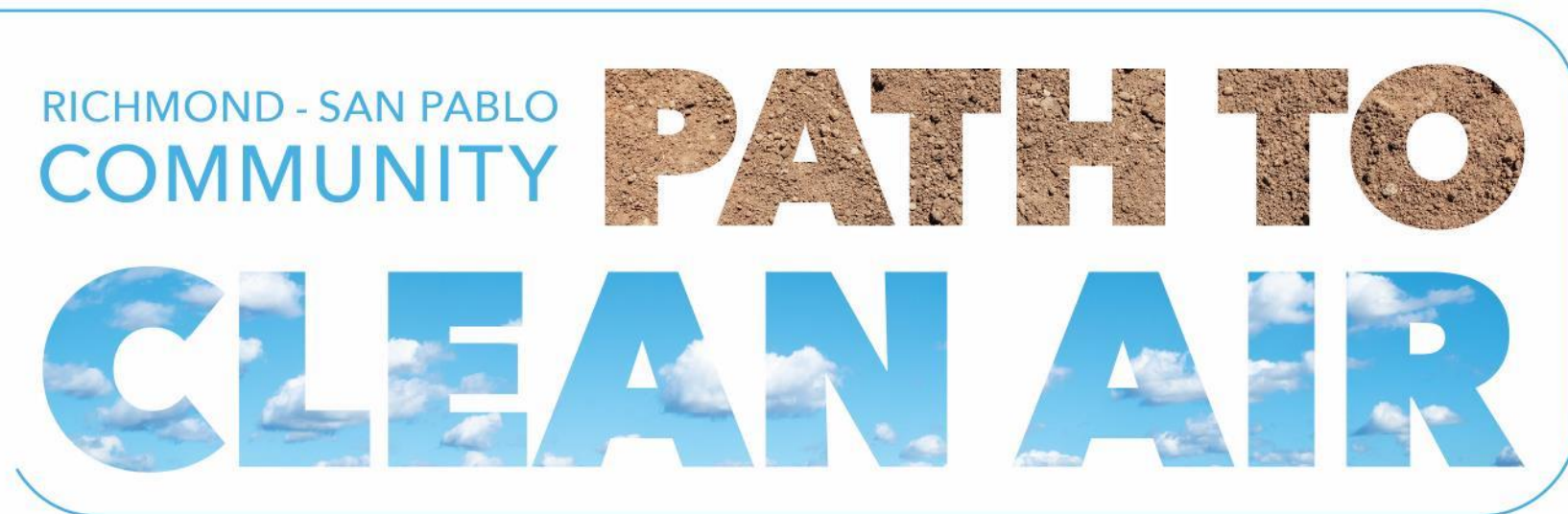
- A. Yes
- B. No
- C. I abstain



# Equity Access & Inclusion Committee discussion on Steering Committee balance and composition

December 14, 2020 at 9:30am

<https://www.baaqmd.gov/news-and-events/board-meetings>



# Discussion Format

The Air District will share information about the Equity, Access and Inclusion Committee meeting. The CDT will **discuss** this feedback.

- Up to **two minutes** per person to speak

# Richmond-North Richmond-San Pablo AB617 Budget

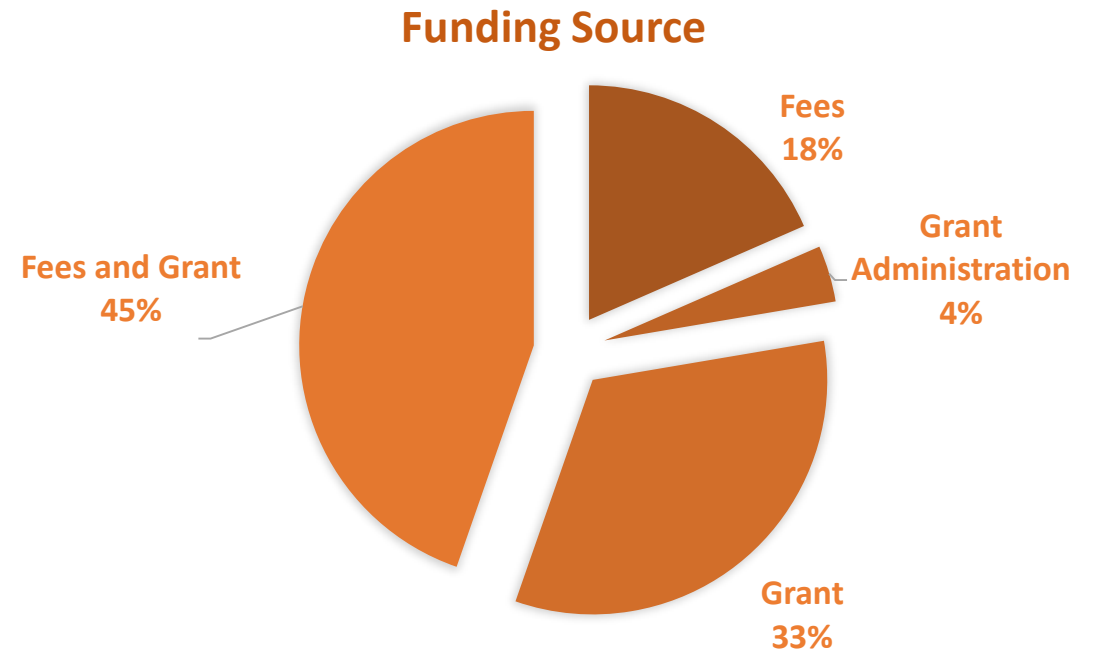
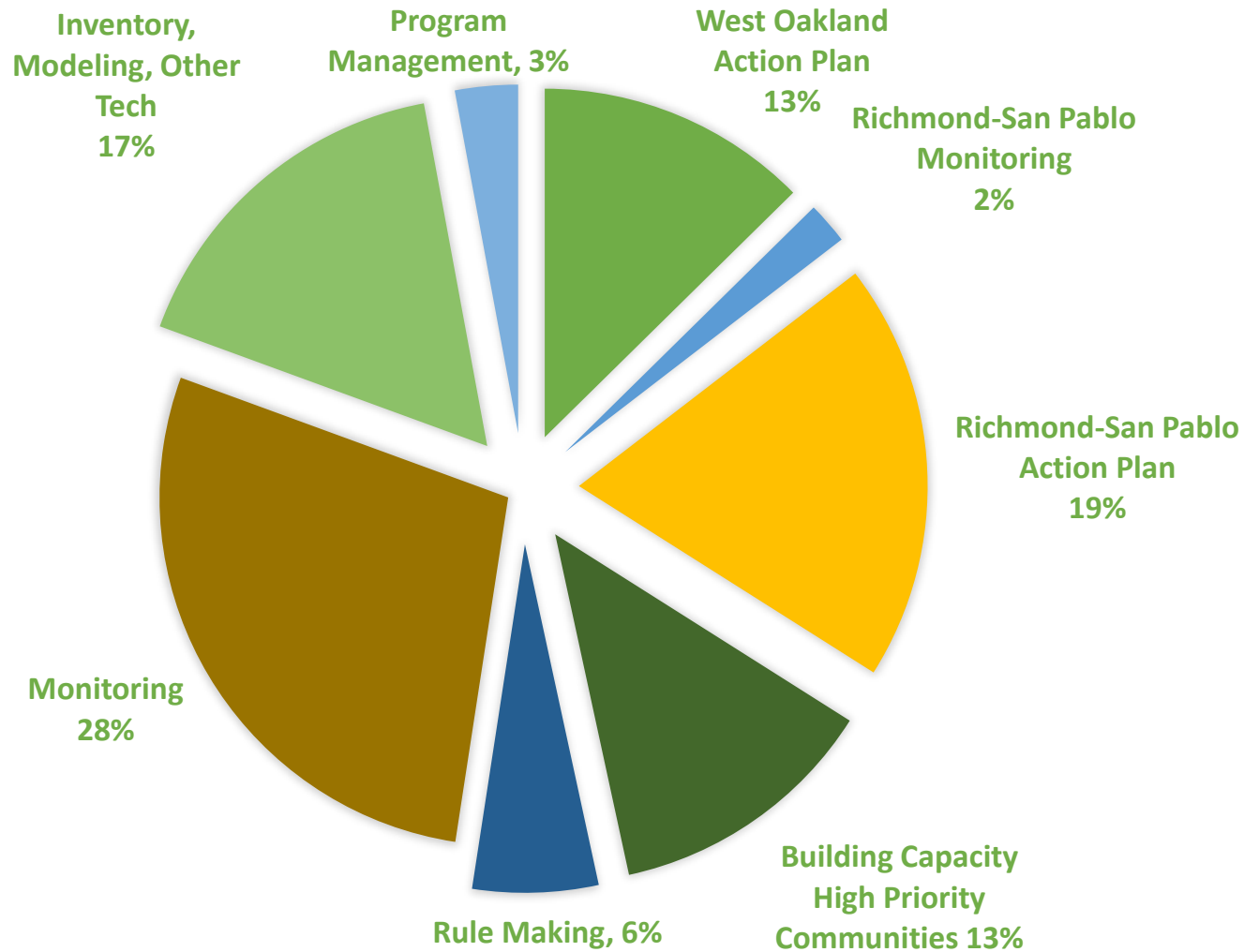


# AB 617 Budget



Work Area	Total Program Costs	Grant/Fees
Implement West Oakland Action Plan	\$1.3 Million	Grant
Implement Richmond-San Pablo Monitoring Plan	\$0.2 Million	Grant and Fees
Develop Richmond-San Pablo Action Plan	\$2.0 Million	Grant and Fees
Build Capacity in High Priority Communities (incl. grants)	\$1.3 Million	Grant
Rule Making	\$0.6 Million	Fees
Regional and Community Monitoring	\$2.9 Million	Grant and Fees
Emissions Inventory, Modeling, and Other Technical Work	\$1.7 Million	Grant and Fees
Overall Program Management	\$0.3 Million	Grant
<b>Total Costs</b>	<b>\$10.5 Million</b>	

# AB 617 Budget: Current Fiscal Year





# Additional Funds: Incentives



- About \$150 million available for equipment replacement
- Most of these funds in programs that require cost sharing by equipment owners.
- Millions of dollars intended specifically for AB 617, so some flexibility in statute, i.e. can fund projects identified in CERP. Will require CARB approval.

# Richmond-San Pablo Budget



Work Area	Estimated Cost
Implement Monitoring Plan	\$0.2 Million
Develop and Manage Community Decision Making Process	\$0.4 Million
Collect and Summarize Community Data	\$0.1 Million
Total Air Pollution in Community	\$0.6 Million
Which Sources Cause Most Health Impacts	\$0.6 Million
Prepare Action Plan and Draft EIR, including Enforcement Plan	\$0.4 Million
Direct Support to Community (stipends, venues, childcare, etc.)	\$0.3 Million
Implement Action Plan*	\$1.4 Million
<b>Total Costs</b>	<b>\$3.9 Million</b>

*\*Estimated costs*

*\$1.5 to \$2 Million remains unallocated from \$10 Million CARB grant.*

# Richmond-San Pablo Work Efforts



Implement Monitoring Plan \$0.2 M

**Community Partnership**

**\$0.4 M**

- Agree upon decision making protocols
- Establish and manage steering committee
- Develop plan vision, boundary and principles



**Challenges and Solutions**

**\$1.3 M**

- Collect, summarize community data
- Understand total community air pollution
- Know which sources cause health impacts
- Set pollution reduction targets
- Develop strategies to reduce pollution/exposure



**Develop & Implement Plan**

**\$1.8 M\***

- Develop plan, environmental report
  - Work with gov't agencies to implement strategies
  - Measure progress against metrics
  - Prepare annual reports
- \*Plan implementation costs estimated*

Direct Support to Communities (stipends, venue, childcare, etc.) \$0.3 M

\$1.5 to \$2 Million remains unallocated from \$10 Million CARB grant.

# Discussion Format

The Air District will share information about the Richmond-North Richmond-San Pablo AB617. The CDT will **discuss** this information.

- Up to **two minutes** per person to speak



# Public Comment

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# Participation Guidelines

- For public comment, participants are invited to ask questions or make comments related to the Richmond-San Pablo Community Emissions Reduction Plan
  - Participants will have up to **3 minutes** to ask their questions and/ or state their comment

# Summary and Next Steps

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# Summary and Next Steps

Next CDT Meeting: December 8<sup>th</sup>

- Application Review Process
- Charter

EA&I Committee Meeting: December 14<sup>th</sup>





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**Community Design Team (CDT) Meeting #8**

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# EXTRA BROWN ACT SLIDES

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# Brown Act Overview

- For the Brown Act to be **legally binding** it only applies to committees **appointed by the BAAQMD Board**
- Requirements from the Brown Act can be incorporated into the Charter **without full adoption** of a legally-binding Brown Act

# Process: Legally-Binding Brown Act

District staff would work with the CDT on a **recommendation that would go to the appropriate BAAQMD Committee(s) and Board for consideration:**

- Size of the committee
- Conflicts of interest
- Level of industry/business participation
- Recusal procedures
- How the Chair will be determined
- Steering Committee appointments

# CERP Design Team Meeting #8: Video Recording Transcript

November 17, 2020

- And it looks like we're still waiting on a few CDT members to join. So we're gonna give them a couple more minutes so that we have a full house. And we'll get started as soon as we can. Thank you so much. Okay, so it looks like we have a few more CDT members have joined us, but we're not quite there yet. So of our 10 members, we have about seven here in the Zoom room tonight. We know Naama will not be joining. So eight with Matt now. And we're missing just Linda. So we'll give just another minute and then we'll go ahead and get started everyone. Thanks for your patience.

- Hey, sometimes my emails end up in Linda's junk mail, so I did try to follow up with her to make sure that she got the information for the meeting tonight. But I haven't heard back from her. So just wanted to put that out there.

- Okay. Well, we're at about 6:05 now, everyone, so we wanna be respectful of everyone's time. We have a full agenda as always, and so we're gonna go ahead and get started. And to kick us off with just some welcome and opening remarks, I'd like to invite Veronica Eady to the floor.

- [Veronica] Hi, Jamillah, and everybody, I'm sorry. video today. Comcast has gone out in Berkeley all day today. So I'll just say briefly. Welcome to everybody. We've made, I feel like people have been really working together and collaborative and so I hope that we can continue that and make some more good progress so that we can get a steering committee onboard as soon as possible so that we can get started on the work of reducing emissions in Richmond-San Pablo. So thanks, Jamillah.

- Thank you so much, Veronica. So with that, everyone, we're gonna do just a quick round of introductions, a roll call, if you will. And I'm gonna just call off names and then I'm going to invite Kristen to just introduce a new colleague of the Air District that they're excited, we're excited to have him on board. And I see folks coming online. Oh, there's Linda. Alright, so we have a full house here, everybody. So let's go ahead. I'm gonna do a roll call vote here, excuse me, a roll call. And we'll just go ahead and get started. So Oscar Garcia,

- [Oscar] Oscar Garcia, President of the Iron Triangle, born and raised in Richmond.

- Thank you, Oscar. Let's go to Janis Hashe.

- Janis Hashe, resident of Atchison village and obviously Richmond resident.
- Thank you. Matt Holmes.
- Matt Holmes, struggles with unmuting himself. Part time Richmond resident and citizen science, community air monitoring person.
- Linda Jackson Whitmore
- Linda Whitmore, Santa Fe Neighborhood Council, resident of Richmond.
- Okay, thank you. Janet Johnson.
- Hi, Janet Johnson, Coordinator of Sunflower Alliance and I'm a resident of the Richmond Anex. Nice to be here.
- Randy Joseph.
- [Randy] Here.
- Thank you, Randy. Naama Raz-Yaseef. Naama is not present today, as the group is aware. She has sent in her votes via email. So that'll be reflected for the record but Naama is absent today. Let's go to Willie Robinson.
- I'm here.
- Thank you, Willie. Let's go to Andrea Soto.
- Good evening, everybody. Andrea Soto, CBE and a 57 year resident of Richmond.
- Okay. Julie Walsh. One moment, Julie, it looks like you're still muted.
- I apologize. You would think that after six months of doing this or more, I would remember to unmute. But, still I don't. But yes, I'm here representing the No Coal in Richmond.
- Thank you, Julie. And thank you, everyone. Good evening. I'm Jamillah Jordan with MIG. I'm joined by several of my colleagues here as well. So I'll be facilitating tonight's discussion. It's great to be with you. I wanna now pass it over to Kristen Law for a special introduction. Kristen.
- Hey, everyone. Thanks for that Jamillah. And, oh, you all know my cat by now, let me move him out of the way. So yeah, so I'm really excited to introduce all of you. I think you received the email a few weeks ago, that we hired a new person on to our community engagement team. So Kevin Olp joined us last Monday on the ninth and he's a senior community engagement specialist with the Air District. He has a wonderful history working in environmental justice communities throughout California and the nation and has done wonderful work with CalEPA and US EPA, and we're just really excited to bring him on board. I know we have a packed agenda, so I don't wanna take up too much time. But I know he wanted to also say a few words and introduce himself. He will be taking on the work as primary community engagement lead for the Richmond-San Pablo CERP process. So I'm

really excited about being able to sort of transition him on. I will still be very present. But he will be the face for the community engagement team working with the planning team and others at the Air District to move this great work forward. So I'll hand it over to Kevin to introduce himself to all of you.

- Hello, everyone. It's an honor to be able to work with you all and I'm really excited to meet you today. And I'll keep my bio brief cause I'll share more about me when I get a chance to meet with each and every one of you. But I've worked for the last decade on environmental justice issues to US EPA, though recently at CalEPA managing an Environmental Justice Enforcement Task Force, where we did very similar work targeting different sources of pollution within overburden communities across California. So I'm coming into this very humbly, I know a lot of work has already been done. I know, you all have been working on these issues in the community, many of you for decades. So just looking forward to meeting you. And I'll be emailing each of you individually tomorrow morning, and hopefully I'll get a chance to have virtual coffee with each and every one of you, meet with you as groups, and just be there to be supportive and as helpful as I possibly can be. So thanks so much, Kristen, for the warm introduction. And I'm excited to be here. So thanks everyone.

- All right. Thank you, Kevin, and welcome to you. Welcome to the CDT members. And I also wanna welcome our members of the public of which we have quite a few here tonight. So this is a full house that we have. And we appreciate everyone's time tonight. So we're gonna go ahead and get started everyone. And I'm gonna pull up my screen. All right. Can I get a thumbs up if you can see this? Excellent. So again, welcome, everyone. Today's agenda, we will be discussing the Brown Act. And I know that you all have sent in some questions, comments and the Air District has prepared some responses to that, we'll have a discussion that Veronica Eady will lead and then move to a vote around the Brown Act. So we'll have two voting options tonight and two voting questions rather. And that'll determine your decision around moving forward with the Brown Act, or the steering committee. From there, we'll have a brief discussion around the Equity Access and Inclusion Board Committee on the fact that they have, they will be discussing the steering committee composition and one of their upcoming meetings. And so Air District wants to make sure that this group is really well informed about the purpose of that meeting in conversation and for you all to share any insights or comments about that. And then we'll move into, if time allows, we'll move into a discussion around the Richmond-North Richmond-San Pablo, AB 617 budget that Greg Nudd will lead and Greg's on the line here today with us. And so we welcome your feedback and ideas about that particular agenda topic. And then we wanna invite our members of the public to share any comments that they have about the process or about other happenings and announcements in the Richmond-San Pablo community. From there, we'll wrap it up the next step. So our goal is to get out of here on time, eight o'clock, and we're gonna ask for your help in doing so. We're gonna be keeping time as we have been for the last couple of meetings to help us stay on track here tonight. As a refresher here, I know this is old hat for most of us here but these are some of the key features of Zoom, we invite you all to join us via video if you'd like, it helps us to see faces and for you all to see one another as we move

through the conversation. You can also see who's here tonight from the participant list, I invite you to rename yourselves if you need to. You can also see the gallery view of all the different speakers and everything as well. And so just a couple of quick notes on the participation principles. We wanna ask that one person speaks at a time and the muting and unmuting will help make sure that that happens. You know, as always, we ask for y'all to be respectful of one another's opinions. We have a lot of diverse ideas and thought leaders here tonight. And so please be mindful and respectful of one another. Sharing your videos, I mentioned is great, we'd love to see you and stay visually connected if that works for you. Technology happens sometimes, we want you to please be flexible and patient. Veronica has already mentioned the Comcast issue in the Berkeley area. And so we'll be mindful of that and do our best to make sure everything runs smoothly. And then lastly, this is one meeting in a longer process. So please keep that in mind. Some quick operating principles that we cover in every meeting, transparency, equal participation, inclusivity, respectful engagement, facilitated meetings and decision making. So with that, everyone I want to just take a moment and celebrate with all of you. This has been a long time coming but you all have approved the steering committee application and the Conflict of Interest form. I know you all have been working together for some months now and it hasn't always been easy, but big kudos and congratulations to all of you for your work in getting us this far. These forms are live, outreach is happening. They were released on November 12, 2020 and we're asking that they come back by December 12, 2020, so about a month to complete those forms and documents and they're available on the website as you can see there, the link to it. I know Kristen has already sent out a couple of different announcements to with this information. So it's coming at you in different ways. So spread the word, we wanna cast a wide net and have a really balanced and diverse steering committee. So just big love to you all. Congratulations, this is a huge accomplishment and a huge milestone in this process. We wanna keep that energy moving as we go forward. So just a big, big congratulations to everyone. So with that, we're gonna move into the Brown Act. And I'm going to invite my colleague, Veronica Eady to lead us through this discussion. And Veronica, you just let me know when you want me to click the slides through.

- Okay. And Jamillah because of my logistical challenges, I've been offline all day today, although it does look like my internet is back up. But Greg Nudd is gonna walk us through this while I try to get myself Bri situated to being online.

- Okay, no problem, Veronica. Thank you. So Greg, take it away, please.

- Thanks a lot, Jamillah. So let's go ahead and go to the first Q&A. So, the question here really has to do with how will the kind of the power of selecting the committee be divided between the CDT and the board? If the committee is to be a Brown Act, then it's got to be a board appointed committee. That's for the Brown Act to be legally required. As we said before, we can always adopt or y'all can adopt whatever portions of the product you think are applicable and useful into your charter. But in order for it to be legally enforceable, it would have to be appointed by the board. So if you are wanting that, then that's giving up a level of authority to



the board that the CDT had in the previous process for the monitoring plan. My guess is from working with the board that they would be very amenable to the CDT recommendation, I think they would look to the community for some guidance on who should be on the steering committee, but there's, you know, the final action still is from the board and they may have other people talking to them and they may come to a different conclusion based on all of the available information than the CDT recommended. So while we do think that the board members would give the CDT a lot of deference, it would still be their final decision. So things might come out differently than the CDT recommended. Next question, please. So here's our best guess, at the timeline. So there's a couple of questions that I think you wanna separate out when you take this to the board committees. The first question is the makeup of the steering committee. To what level is industry gonna be represented? What constitutes a valid community voice versus one that folks might think is overly tainted by alliance with or participation with industry? And so that overall question, I think you wanna get that structure set by the board before you come in with a slate of candidates for the committee. So what we assumed here is there'd be two touches to the board here. The first would be in December, to talk about whether or not the committee should be appointed by the board. And so that would be a recommendation out of the December Equity Access and Inclusion Committee. And then in January, the board would act on the recommendation of the committee. Normally, we don't have board decisions in January, but maybe we could do a special meeting or incorporate this into the board retreat. Typically the board retreat is just kind of an update for the year as opposed to a decision making. But right now we're assuming given the urgency of getting this going, that we would ask the board for a recommendation, would ask the board to act on this idea of having a board appointed committee for the steering committee for the Richmond-North Richmond-San Pablo process. Next slide, please. So like I said, I think it's gonna take a couple of touches to the board. My recommendation based on kind of knowing these two, the main committees involved, is I think the board would prefer to hear from the Equity Access and Inclusion Committee on something like the structure of the steering committee, especially this issue of steering committee composition, which is one that I know this group has some strong opinions on, on both sides. So the idea was, you'd have that touch base with equity access and inclusion to talk about the composition and then the general idea of this being a board appointed committee. And then, right now the Personnel Committee is the one that makes the selections on things like the hearing board, the advisory committee. So we'd anticipate that the Personnel Committee would get the applications, get the community design teams recommendations, consider the guidance from the full board result revolving around the composition of the committee. And then they would recommend a slate of steering committee members, that would then have to be approved by the full board in February. Next slide, please. So regarding the selection of the chair and the vice chair, we're assuming that the steering committee once formed would select their own chair and vice chair, but there's no guarantee, the board might wanna set a little bit more of the structure in the process of setting up the steering committee. Next slide, please. So we have circled back with our legal department on this and they're okay with using the approved application and Conflict of Interest form for the steering committee, that would

probably have to be augmented by standard Form 700, which is the Conflict of Interest form that's required from all significant government bodies in California. So it would be likely the application and Conflict of Interest form that y'all put together plus the Form 700 on top of that. Next slide, please. And yeah, so you know, we talked about whether you want the Brown Act to be legally enforceable and if that's the case, then it would need to be appointed by, the steering committee would need to be appointed by the board. And I guess the advantage there, maybe from some people's perspective is that, that puts legal requirements on Air District staff that we wouldn't have otherwise. But if you wanna take the pieces of the Brown Act that you think makes sense, in terms of transparency and meeting organization and all of those kinds of things, those things can be adopted into the charter. And then you'd also wanna have some kind of enforcement process built into the charter as well that the steering committee could act on to make sure that the charter was followed by the members. Next slide, please. So what can be included in the steering committee charter? I think this is largely up to the steering committee. Based on prior experience and looking at other communities, we wanna make sure that there was, you know, in the charter, you'd wanna lay out clear roles and responsibilities and levels of authority. And then we'd also, you know, we'd wanna talk about how the facilitation would work, budget transparency, how agendas would be set, and kind of the rules of operation of the committee, whether we wanted to follow Rosenberg's Rule or Robert's Rule of Order or whatever kind of standard meeting process rules that the CDT would like the steering committee to incorporate. Next slide, please. All right, so I guess here is where I pass it back to Jamillah.

- Okay, thank you so much, Greg. I appreciate you providing the CDT with that overview and in context and responses to their key questions. And as we have been doing, the CDT will discuss and vote on recommending the CERPs steering committee as a Brown Act committee tonight. And the CDT will first vote on whether they would like to vote on recommending the Brown Act. So it's a vote to vote that goes first and then if you all choose to move forward, then it'll be vote on whether or not the steering committee is a Brown Act committee. So as we have been doing, everyone will have up to three minutes for each person to speak. And we will be closely keeping time. And from there we'll have a verbal roll call vote. And so we're gonna go in order of, alphabetical order here, everyone, and I see a hand from Andres, but we're gonna go ahead and go in alphabetical order. So the first one up is Oscar Garcia. Oscar, your time starts now.

- Can we go in reverse order? Cause I went first every time in the last meeting and I think it's only fair if we reverse the order, perhaps.

- That's a good point, Oscar, you know, I've gotten some feedback to that end. And so that sounds fair. Let's go ahead and go with Julie Walsh first. Julie.

- Awesome. Thank you.

- And, Julie, I'm gonna ask you to unmute in just a moment. There we go.

- I don't have any questions at this point. I think I'm in favor of the Brown Act. But what bothers me is that since it has to go through, the selection process has to go through so many committees and the board twice and a couple of different committees, that I'm concerned that our selection for members of the steering committee would not make it through. But I assume that there's a very transparent process, because at each of these steps, so that a CERP, CDT member or members would be in on the, could listen in on and maybe ask questions at the time of the board or the various committees considering potential members of the steering committee. So that's the question. So I do have a question.

- Okay. And, Julie, just to clarify, well, can you repeat that question, we're gonna ask the Air District to respond. Just wanna clarify that question.

- Since one of the reasons why we are interested in becoming or thinking about or interested in becoming a Brown Act committee is to ensure transparency. And I would also expect, and I'm wondering is if,

- We lost you there, Julie. So it looks like Julie may be having some technical difficulties on her end, Julie

- Would all be open and transparent so that members of the committee of the CERPs, CDT could understand what's happening and could ask questions.

- Okay, so you cut out there for a moment, Julie. But I believe that, you know, hopefully the Air District has enough to respond, if not, then you can repeat the question. But I'm gonna ask Greg or Veronica to give a response.

- Hi, Julie. Yeah, the the process for sure, would be open and transparent and broadcasted and there'd be opportunities for folks to watch it happen, to provide public comments. And I think in a lot of cases, like the discussion of board composition, we might wanna, we'll try and find a way actually to have CDT members speak directly to the board and in a format, hopefully, outside of the public comment. My recommendation would be to have some time set aside for CDT members to make presentations on their positions alongside the staff presentation. So we would definitely want to make sure that we provided maximum opportunity for the CDT members to make their wishes known to the board committees.

- Thank you, Greg. Julie, any other comments from you?

- Not at this time.

- Okay, thank you very much.

- Thank you.

- We're gonna go to our next CDT member and that's Andres Soto. Andres if you can go ahead and let us know if you have any comments, questions or thoughts you wanna share?

- Sure, first of all, I will be supporting the idea to vote on the Brown Act. And later on, I will be voting to make the steering committee a Brown Act committee. You know, We did some examination internally in CBE with our legal staff and the League of California Cities has a document which the district referred to, and particularly under the Chapter two that deals with legislative bodies, not only does it say, we should probably make it a steering committee, it's a practice tip that they encourage that it be that way, primarily for transparency and reducing the possibility of misunderstandings and controversy by making these open public meetings. So, I think the question about whether or not we should go before these two committees, I have no problem in discussing what our ideas and proposals are to these two committees, I do understand the chair of the Personnel Committee is hostile to me personally but I don't think that would be an overriding consideration for a slate of recommendations that we may come up with for that steering committee. I also think that when we talk to the equity and inclusion committee, that we really, I mean, I'm open to sharing ideas with them but I think I'm more concerned about looking to support from them to drive this move towards transparency, community control and authority because we want a charter that does give the direct power and authority over the committee to committee members without third party facilitation. And whether the staff like any other advisor, as your committee, or board or commission provides support to the committee members in a self driven process. Certainly staff would be able to contribute materials, ideas, and that sort of thing as part of their role. So it's not reinventing the wheel, it's really merely coming into conformity with what has already been described by the law. So yeah, thank you.

- Okay, thank you, Andres. And our next CDT member will be Willie Robinson. Willie.

- Excuse me, yes, good evening, everyone. I'm starting to feel that what I thought it was really a way to get the community involved in making decisions about the air they breathe, and the environment that they have to contend with, is moving more toward a process that's very heavily has a lot of bureaucracy. One point that just pops out at me very clearly, is that rather than just accepting Form 700, we had to go through and waste and spend a lot of time, not waste, spent a lot of time on dealing with a conflict of interest. And it sounds like we're gonna have two now to deal with, in addition to the Conflict of Interest that we have spent all this time putting in, we are ultimately gonna wind up abiding by Form 700, which was very simple and straightforward to me. So this whole process, I'm working hard to make sure that it stay in this community. I didn't beat myself on the chest, saying that I'm from Richmond, I am from Richmond, I live on the other side of the freeway in El Sobrante. I spent a lot of time in Richmond, in North Richmond, et cetera. So I have a life, not a full life, but a big portion of my life invested in this community, where the voice of the community has been incorporated or pulled into a process of bureaucracy that the voice gets sounded out, get missed, just get missed out. I am President of the Richmond branch NAACP. I'm gonna be here for the long haul. And I'm gonna be pushing for less bureaucracy but more community involvement and understanding, that yes, we need bureaucracy to help guide us. But when you start taking this thing to a point where you're saying in order to be a Brown Act compliant, we can't do it half we have to do it all. I'm not for going that for at least that's where my mind is right now.

So I'm pushing for more community involvement, so we can keep this as much as we can a community process. Thank you.

- Okay, thank you, Willie. And our next CDT member is Naama Raz--Yaseef and we know that Naama is not present today, so we'll go to our next CDT member, which is Randy Joseph. Randy.

- Yes, fucking stupid, for the simple fact that now we've made this process even more complicated. And now we put the hands not in the community but into a board. And this process is even more convoluted. This is, we've wasted our time, I agree with Willie, we did all this work for conflict of interest form. And if we do a Brown Act, do you want to fill out this Form 700 anyway. So we literally wasted months, for no damn reason and we're sitting here, this is no longer in community control, they made the process convoluted and it's been a complete waste of time. Pretty much, plain and simple, complete and utter waste of damn time. Because this whole thing has been controlled and manipulated. And now it's being put on our hands, we're supposed to be a community to make this all decisions and now it's being taken out of our hands to put in these Brown Act hands. It's a complete joke. It's complete waste of time, this is idiocy on a highest form. We can look over there at West Oakland and see how they did a process and none of their staff got involved. And if you look at what they did, and all the work they've done, and you see all the success they had, they had to go through none of this process. This is pure lunacy, pure idiocy and I don't know, I can't be nice about it, like this is idiocy on a highest form, like we've wasted time and time, we have a perfect example not far from us. Perfect example and we're wasting our time doing this. And now we're gonna go back to step one, and all this bickering and fighting and all this stuff, and we're back in the same place. It just makes no sense. It's pure stupidity at its highest form. And this just shows how certain few people can recoup up the process, take it out of community's hands, and now make this more convoluted and more of a mess than it had to be in that form. And that's my statement. Take the rest of my time.

- Okay, thank you, Randy. And just to remind everyone about our operating principles in the respectful engagement piece here. So let's keep our language civil, but appreciate your comments, Randy. So let's go to our next CDT member and that is Janet Johnson.

- Thank you. I just wanted to reply a little bit to Randy before I make my comments about the Brown Act. West Oakland and Richmond are not the same. West Oakland had a 20 year history of WOEIP being a community organizing entity. They don't have a refinery, the refinery has polarized this community there are, I won't go into these. I won't go into it any further but I just want to make clear that these are apples and oranges. I had a chance to look at the League of Cities document on the Brown Act and I was impressed by its clarity. And it was created to enhance public participation, transparency, democracy. And these are the issues that are most important to me. And for this reason, I think it's a good idea and I urge the other members of the committee to take a look at that document. I'm happy to circulate the URL. And, I think you will be, I think some of your concerns will be allayed if you take a look. Thanks. And I'll yield the rest of my time. Thank you very much.

- Okay, thank you, Janet. And let's go on to our next CDT member and that's Linda Whitmore.

- Good evening. I don't have a lot to say, I just want to make sure that whatever we do, that it is transparent, that we stay with the idea of what's behind the whole idea of AB 617 is that the community was in charge. It wasn't the air quality or the bureaucracy that was in charge, it was the committee in charge, I really felt that we were in charge. So I don't know if the Brown Act is the right way to go. It's gonna make sure that whatever we do, I think it's gonna be out of our hands if we do the Brown Act. I wish they are just a cat set in the beginning. If you do another COI, you will still have to do the one that's, the 700. We spent months debating, going back and forth about a Conflict of Interest that really they're saying now is not going, really isn't needed. Because we're gonna have to do the 700 anyway. It really was a waste of time, months, months of debating and polarizing everything else because of this, wish they had said in the very beginning, if you do this, you still have to do the 700. But no one said anything until tonight about that. I'm not sure the Brown Act is the right way to go. If anything, we need the Brown Act with this committee. So we wouldn't have these caucuses going on, a caucus going on. But you know, be it whatever it is. It's gonna make sure that we have something that's going so that we have community, control what we're doing, it's supposed to be a community driven decisions, community. And it doesn't sound like if we do the Brown Act it's gonna take it out of our hands. We can suggest members, but Greg said no guarantee that the members we suggest we're the ones who will be on the steering committee. I think what would be better to do is take a few points from the Brown Act that we were told and put it in our, my mind's gone blank, my mind's going right now, the contract. But I don't think we should do the entire Brown Act. It seemed like to me, it's gonna tie our hands. It's not gonna make it really the community. But we'll see what happens. And someone, I forgot what I want to, we're doing it next the, not the contract, the charter, charter. Okay. Thank you.

- Okay, thank you, Linda. We're going to go to our next CDT member, and that's Matt Holmes. Matt.

- Oh, yeah, sorry, I didn't mean to, I was actually giving a thumbs up to Linda, I wished we could do, you know, a modified rigorous charter. And I agree with everybody that just spoke. You know, we did lose a bunch of time. And that was really because we were chasing this unicorn of consensus. We weren't allowed to govern. We weren't allowed to deliberate. We ended up with a situation for seven months where we had minority rule. I do think the Brown Act will extend the process. But I can't forget that for seven months we weren't able to be decisive on this committee. And I won't doom the next committee to that fate. So Form 700, just an additional form, we have a rigorous Conflict of Interest policy, I think that's a good policy. I wish we could walk into this like West Oakland or Comite Civico. But my experience on this design team has convinced me that this needs tons of oversight and tons of regulatory transparency. So I'm prepared to vote.

- Okay, thank you, Matt. Let's go to our next speaker. We have two more CDT members, Janis Hashe is next, followed by Oscar Garcia. Janis.

- Hi, Originally when I was looking at the contingencies of adopting the Brown Act, I did have some misgivings because of presenting a slate of candidates that could not necessarily be guaranteed to be accepted. However, in doing the research and in looking at various other documents, my fears have basically been allayed on this point. And I believe that for full transparency and making sure that legal procedures are followed and are not subverted by committee members, that going to a Brown Act is in fact the way to go. I yield the rest of my time.

- Okay, thank you, Janis. And next up, last but not least, we'll go to Oscar Garcia. Oscar.

- So I think there are some interesting things about potentially using or operating under the Brown Act. I think the primary one would be the residency question, I think, I continue to have concerns of non Richmond-San Pablo residents being involved as sort of voting individuals, including as part of the design team, just because they're not invested. They're not involved in the community. And you know, at least we're I'm involved and so it's very easy to make decisions in a bubble when you don't see or realize the implications of your delays, of your tactics, and the impacts those things have on my community. So I think the residency part is interesting there. But the only law that pertains to this whole process is the AB 617 Statute and there's no mention about the Brown Act. So this notion that the law says that it needs to be a Brown Act is false. The only applicable law, like I said, has no mention and the only what it doesn't mention, it needs to be community driven, and we definitely would lose that, as indicated by some of the design team members if we were to go under the Brown Act. And I also wanted to respond to, I think Janet's comment about this being democratic, democracy stems, or its origin is from Greek and it means power to the people. The people in this case are the people of Richmond, in my case, I'm born and raised here and I can definitely attest to my people not having a strong voice in this process. So, democracy definitely doesn't include, backroom discussions, subverting opinions in this group indefinitely, which is my biggest concern, is just the lack of diversity in some of these opinions. The lack of people who look like me in making some of the most important decisions in this process. And so I think it'd be interesting if the diversity and inclusion committee can potentially address that, because it continues to be a thorn, at least on my side, that people like me who look like me are not directly making the decisions in this process.

- Okay, thank you, Oscar. So I wanna thank everyone for sharing their thoughts and ideas. And I'm gonna ask Ana to stop her share. And now I'm going to bring our screen back up here. And everyone, as I mentioned here, we will now move into a verbal roll call vote. Everyone's had a chance to share their thoughts. And now it's time to move into the vote. So the first question that we have for you is, are you ready? Are you ready to vote on whether to recommend the CERPs Steering Committee be a Brown Act Committee? Are you ready? Okay. So that's our question on hand. It's three options for you. Yes, no, and abstain. Yes, no,

and abstain. So I'm going to go again through our roll call and I'm gonna go in the last order of the alphabet. So I'm gonna start again with Julie Walsh. So Julie?

- Yes, I am ready to vote on the Brown Act.

- All right. I hear yes from Julie. Thank you, Julie. Our next CDT member who's up is Andres followed by Willie Robinson. Andres.

- Yes, it is a brown man, I'm ready to vote yes.

- Okay. Thank you, Andres. And let's go to Willie.

- Yes.

- Okay, thank you, Willie. Next up, we have Naama, and Naama is absent today, as we said, but she sent in her vote via email and she voted yes. She voted yes. Okay, let's go to our next CDT member and that's Randy.

- No.

- No. Okay. I hear no, from Randy. Let's go to our next CDT member and that's Janet Johnson.

- Yes.

- Okay. I hear yes from Janet. Let's go to Linda.

- Yes.

- All right. And let's go to Matt.

- The host is. Can you hear me? Yes.

- That's a yes for Matt. Okay. Let's go to Janis.

- Yes.

- Yes from Janis. And Oscar.

- Yes.

- Yes. Okay. Everyone has voted. Absolutely. And I see that we have on my tally here, we have nine yeses and we have one no. So the vote passes and their CDT is ready to vote on the Brown Act tonight. Thank you, everyone. So let's go ahead and go to our next question. And I'll pull my screen back up for everyone to see. All right. So the question that you're voting on here tonight is, do you recommend to the Air District, do you recommend to the Air District that the CERP steering Committee be a Brown Act Committee? I'm gonna read it one more time for you. Do you recommend to the Air District that the CERPs Steering Committee be a Brown Act Committee? You have three choices again, yes, no, and abstain. We're gonna



follow the similar process to what we just did. The first person who will be giving their vote is Julie Walsh. Julie.

- Sure, I, yes. But, Jamillah, I got a notification on my Zoom that you had started screen sharing. But the actual words that, what we were supposed to be voting on, never came up. And I was just wondering if there was a technical problem, but I am sorry about that. But yes, I am voting yes for becoming, yeah, I don't want, when you start to do that, I don't see the question. I just see a statement that says Jamillah Jordan has started screen sharing.

- Do others see the screen? Okay, so I'm getting nods that everyone else is seeing it, Julie. I'm not sure what the issue is but it looks like it might be on your end. But I can read the question if that's helpful?

- No, I just wanna make sure that if I vote yes, it means that I want the steering committee to become a Brown Act.

- That's correct.

- Thank you.

- And just to repeat again, Julie, for clarification, that was a yes that I heard from you.

- Yes it was. Yes.

- Okay, thank you, just want to confirm. All right. The next speaker, next CDT member that we're gonna go to is Andres followed by Willie.

- Yes.

- Okay. I hear yes from Andres. Willie.

- No.

- I hear no from Willie. We're gonna go to Naama, who as we know isn't present. Naama sent vote in via email and Naama voted yes. All right. So next up, we're gonna go to Randy.

- No.

- Okay, I hear no, from Randy. Let's go to the next CDT member it'll be Janet followed by Linda. Janet.

- Yes.

- Okay. I hear a yes from Janet. Let's go to Linda please.

- No.

- I hear no from Linda. Next up we have Matt followed by Janis. Matt.

- Yes.

- Yes from Matt. Okay, let's go to Janis, please.

- Yes.

- Okay, I hear a yes, from Janis. And our last CDT member will be Oscar.

- I just wanna quickly mention, I still don't think it's allowed for folks to vote when they're not present. And I think that's gonna put every vote up for challenge, the rest of the evening, if that continues. So I just wanted to make that note. And so my vote is no, there's no need for Brown Act. But I also wanted to make that note, because even under the Brown Act it's not allowed to vote if you're not present.

- And Oscar just to confirm that I hear a no, from you.

- Correct.

- Okay. Thank you. All right, everyone. So based on the tally that I have here, I have six yeses, I have four nos. So based on those results, the vote passes, and the committee will be a Brown Act committee. Okay, so thank you everyone for participating in that. I do see that we have a hand or two. So I'm gonna go to Willie to just share. Willie, go ahead. Hold on Willie, we're gonna get you off mute. There you go.

- Is it clear that regardless of this vote, that the full board will ultimately make the decision?

- That's a good question, Willie. I'm gonna ask Greg or Veronica to respond.

- Yes, Willie, the full board will make the decision but I would not, I'd be very surprised if the full board decided to go against the recommendations of the majority of this group.

- But there was some discussion about the board's open to lobbying. Did I also hear that in the earlier discussion?

- People will lobby the board members.

- Thank you.

- Okay, everyone. So again, we thank you for participating in that discussion and in that vote process. Big decisions were made here tonight. We're gonna discuss now how that decision will be impacted by the Equity Access and Inclusion Committee. So we're gonna now move into that portion of the agenda, everyone. All right. And so I wanted to invite Veronica, and I think she may be not able to join at this moment. And so Greg, I hope that you're gonna take this section for us.

- Looks that way. I'm checking my notes, seems like Veronica is still trying to get back online. Actually, she's on as a member of the public, so maybe if we can get her moved up, that would be helpful. But I'll start and then maybe Veronica can take over when she gets in. So when we had set up this item, we were uncertain which way the vote was gonna go with respect to the Brown Act. So now we have a couple of issues to discuss at the Equity Access and Inclusion Committee. When the Personnel Committee reviews the applications and

makes their recommendations to the board of directors about the slate of individuals who are on the steering committee, they're gonna wanna have some guidance about the composition of the committee. There was, a lot of folks have expressed concerns about the level of industry participation in the monitoring committee. One of the reasons why we decided to form a new steering committee for the emission reduction plan was to address that issue a new and so the, one of the key questions, as you all know, since this is something that is really under, been the undercurrent of a lot of the disagreements that have been on the subcommittee on this community design team has to do with the extent to which industry participate on the steering committee and how many votes they would have, whether they have voting rights, or what constitutes a true community voice. We've heard other concerns about activists that are interested in participating in the process, but may not live within the plan area, and whether they should be on the steering committee, we've had some concerns about the ethnic diversity of the steering committee. And so this is something that we would like to have the Equity Access and Inclusion Committee weigh in on, this is very much in their lane. And so that would be our recommendation. And, Jamillah, I don't know if there's another slide for this or not, is there?

- No, there isn't Greg. I see Veronica is back with us here. So, Greg unless you have any other comments, I'm gonna pass it to Veronica.

- Sounds good to me.

- Thanks, Greg. And thanks, everybody for being patient. I don't know that there's a lot more to add, Greg laid this out pretty well. But basically, one of the things that I would like to impart on the group is that the Equity Access and Inclusion Committee are a resource for us. They are committed to pushing equity within the agency and so this is an opportunity for us to have a discussion about whether and how we want to engage them with some of the questions that have been persistent here. Namely, as Greg laid out, one, how does industry representation look on the steering committee? And two, who is a member of that community? I think those were the two questions that we wanted to get out there and get some conversation on whether or not people are on board and interested in using the Equity Access and Inclusion Committee as a resource.

- Okay, thank you, Veronica. And as you see on the slide here, everyone, the meeting is on December 14, 2020 at 9:30am. And I know the Air District understands that's fairly early for some and so if you would like to send comments via email, I know that the Air District will accept that. Okay. So I would like to just go ahead and open it up to the CDT to provide some additional comments or questions, things of that nature. Again, we're gonna go in alphabetical order here, I see some hands up. We're gonna go first to Julie Walsh. Julie, and I'm gonna ask my colleague, Ana to set up a timer. We'll have two minutes for this, everyone, just cause we still have other items to discuss. So let's go to Julie first, please. Julie, take it away.

- I don't have a comment at this point. Can I wait and if I have a comment a little later, or a question then speak?

- Okay, let's go to our next speaker then, the next speaker will be, let's see here, It'll be Andres, followed by Willie. Andres.

- Yeah, thank you. I have no problem with having a discussion with the committee and committee members. I think the meeting itself, the format of the meeting, may be stuck on whatever challenge because of the time restrictions per speaker unless, of course, board members ask follow up questions and that sort of thing. So I think, just so other members of the design team who have not attended one of those committee meetings would be aware of that. And I would once again reiterate my point that I think we're looking for this committee, which has been an Ad hoc committee, I don't know if they've made it into a permanent committee yet, perhaps that will happen next year. But this is the kind of committee where we would want to have them, support us and support the recommendations that we've made. And I think we should be able to explain to them and have enough time to explain to them why we fought so hard to try to establish this Conflict of Interest document in detail because most of them don't know Richmond. They come from other communities that may be aware of some of the bigger issues in Richmond, but I think that would be my only concern is how the presentation to the committee is done, if it's done solely by staff is saying, well, here's what we heard, as opposed to allowing us to make presentations, either pro or con is my only concern. Thank you.

- Okay, thank you, Andres. Let's go to Willie.

- Yeah, I don't know, this is taking me off of path, taking me down a path in which I was hoping I didn't really have to go. The fact that we, on this CDT team should have been coming with open mind and looking at what has worked in this area, as it relates to pulling together community voices and helping to make the proper decision and give input from where we sit, where we stand and what we've lived. I don't see us going in that direction. So I think the equity, access and inclusion subcommittee need to look seriously at how we will come into, how we've come together and what we are doing, if we're going to have a process that's gonna be aligned with the understanding that I have of the legislation, and the impact of environment, and just downright privilege that exists in this community. So that's the path I'm gonna take going from this point on, because I thought it was gonna be a little bit more open, and a little bit more inclusive, or really including people from the community. And I'm looking at a path that's really excluding the average person from ever wanting to participate in this because it's becoming too bureaucratic. And as the bureaucracy build up, many of us are not gonna take the time to come and pay attention. And just getting us to pay attention in the first place is a challenge. So I'm defining my path as we deliberate over these matters. And I'm deciding the one I'm gonna take. Thank you.

- Okay, thank you, Willie. Naama is not present. So we'll move on to Randy. Randy.

- Yeah, I think another question that needs to be brought out that I feel like still hasn't been answered is how a committee formed. And that three black people on the committee weren't involved in the process or weren't when told about the process, that still hasn't been addressed, whether unknowingly or knowingly, something like that happened, it happened. It happened. That's what happened, whether it was done on purpose or not, it happened. And that still hasn't been addressed. And I'm still trying to figure that out. And I still don't have any answer for that. I also wanna say that part of this process is frustrating to me but I've heard that all this whole monitoring process was taken over by corporate people. But yet I have not seen any evidence and nobody's been left to the table to show where exactly did that happen. All we've been doing is talking about, oh, this is what happened. Nobody's brought something forward to say this exactly where it happened at. So we've been hijacked in that way. And I like seriously want that diversity and inclusion group to look at that, because we were left out not told about it until it happened the day of the final that this one happened. Whether knowingly or unknowingly that's what happened. I yield my time.

- Okay, thank you, Randy. Let's go to Janet next.

- Thank you. I think it's a good idea. I've been in on some of those, I've attended the meetings of that committee, the equity, access and inclusion committee and these are really smart, and very sensitive people. And I think that we can, I think it's, to echo what Andres said, if there's something approaching a dialog I think that would be a great place to begin to heal this committee because frankly, we need a truth and reconciliation process with this committee. And it couldn't be any clearer than from some of the comments we're hearing tonight. So, yeah, that's, I'm in favor. Thank you.

- Okay, thank you, Janet. Let's go to Linda please. Linda.

- Okay. I don't see any harm. And, I think might be good for us to talk to the Equity Access and Inclusion Committee, just to make sure that they hear both sides of what's going on with this design CDT. And understand the community side of it a why we really are insisting that this be a community involved committee. This is one thing I'm right now, this is proof of what I was saying about bureaucracy. We shouldn't have to do this. We shouldn't have to go to them to have them fight for us, make sure we get the right people on our steering committee or be on our side or speak up for us. We should be able to do it on our own. We did it before. And we should be able to do it now. But you're kicking it out of our hands and make this not a community involved committee anymore. I mean, I don't even know why we're voting. You know, because the committee members who are on here are not being heard. And that's all I have to say.

- Thank you, Linda. Let's go to our next CDT member. And that is Matt.

- Let's see. Am I unmuted yet? There I am. Yeah, I think Sunlight is a good disinfectant. I think it's a great place for everybody to air their concerns. I think we can all see how much, having to meet in parallel caused a lot of distrust on this committee. And I think that's a direct result of the mismanagement of this process. And that had we been allowed to have an adult

conversation and be in dialogue, instead of having for seven months, be told that comments weren't submitted in time, caused all of this. Nobody had any secrets. As for the the purity test that we're hearing about, I challenge anybody to bring out their neighborhood and take a look at the process. I'm confident in what I've done.

- Okay, thank you, Matt. Let's go to Janis, followed by Oscar.

- Yes, I would definitely be in favor of listening to and having input into this committee. I do think, again, echoing some of the things that Andres said, that it would be very important for the members of this committee who are not fully familiar with Richmond and are not familiar with the process of what this design team has gone through to familiarize themselves with those things in a very thorough way, so that they can comment intelligently, and competently and fairly on what is being done.

- Okay, thank you, Janis. Let's go to Oscar.

- So I actually look forward to speaking with this committee because I feel like it sounds like they may actually be empowered to address the concerns that I keep repeating about my people, The Iron Triangle, the Latino community not having an adequate voice in this process of being shut out, not being included in this majority block and it's very troubling. This is not a community led process. And I think it would be very helpful for them to hear that because this is just getting, you know, it's not community led and we need to get back to what the charters and the applicable statutes, all are guided by which is, it should be community led. And until that happens, the process will continue to be delayed. People in my neighborhood, people that look like me, will continue to not reap the benefits. And its just, it's just frustrating to sit here and just listen to these layers of bureaucracy, which to me just means delay. So, I'm looking forward to speaking to this committee and making sure that they're fully aware of how astray recently this process has gone and hopefully they can bring in and bring it back to its original intent. Thank you.

- Okay, thank you, Oscar. So everyone, as a reminder, I'm gonna pull up that slide again, just so you can all see when this conversation is happening. And if you are able to take part and join in real time, that would be great. If not, as I mentioned, you can also share your comments through other forums, and that's via email, I know Kristen will be sending out an update on how you can do so. And so rest assured that that information will get to you. But again, it's on December 14, at 9:30am. And there's the link to it. I see a quick hand from from Willie. Willie, go ahead.

- Yeah, I just wanna be clear. We, the 10 members, has become the stumbling block of us just processing things through in our discussion, as we come together as a group, I don't have a problem with dealing with Air District, the staffing, et cetera. I have a problem that the 10 of us or now become a block to not even entertain an open discussion openly and much of this is happening as we are told in caucuses.

- Okay, thank you for that, Willie. And everyone, I'm looking at the time here, so appreciate everyone's feedback. I'll take one more hand on this and then we're gonna move forward, Andres.

- Yeah, just to be clear, this idea emerged from Air District staff, it did not come out of our caucus. And per the ground rules and as a matter of fact, I think it's quite unproductive for people to try to assert some purity tests about who is community and who is not community. And the sooner we get over that, stop that kind of name calling and insinuation, the better off we'll all be.

- Okay. All right, everyone. So we're gonna go ahead and shift into the next piece of our conversation here, which is the AB 617 budget. And I know Greg is going to lead us through this. So Greg, I'm gonna ask you to go ahead and unmute and then I'll click through the slides for you.

- Thanks, Jamillah, let's start with the first slide.

- Okay. There you go.

- Thanks. There's been a lot of questions about, what's the budget for the Richmond-San Pablo process? What authority will the steering committee have over the spending of that budget? So let's start with the overall AB 617 budget. And AB 617 is, thank you, so this is the kind of the big picture budget of the AB 617 program for this current fiscal year at the Air District. And it's funded by a state grant. There was \$50 million appropriated by the legislature, the Bay Area got 9 million of that. We're also augmenting that with a fee on industry, and industry fees we're kind of limited in our ability to impose fees on industry under Prop 26 that passed several years ago. Industry fees can only cover costs to us to regulate them. So for example, in a place like West Oakland, where there's very few permitted facilities contributing to air pollution exposure, we can't really recover the costs of doing the West Oakland plan through fees. In Richmond on the other hand, our best estimates is that permitted facilities account for about 20% of the exposure. So a lot of the work in Richmond that we're doing, we think we can charge industry fees for. So this is a mix of state money and fees. The total budget so far that we've allocated is 10.5 million, that leaves, and then you can see a number of items here are paid purely from fees like rulemaking, enforcement, anything that has to do with direct regulation of stationary sources. We can recover 100% through fees on those sources. So everything all told here, this is what we've got allocated into the budget so far, there's between one and a half and \$2 million left on allocated and we're cleaning up some reporting on the last round of grants to figure out exactly how much is left. So let's go to the next slide. This is another view of that same information. So you can see kind of more clearly where the money is going. A lot of it is going into monitoring, that is a fairly expensive thing to do in terms of equipment and people, as Matt can tell you, and you can see some other big slices, there are inventory, figuring out what the sources of pollution are and where they are and how that translates into exposure. And then you can see on the other pie chart, kind of where all the money is coming from.

And so some stuff, we can only pay with the state grant, some stuff we can recover completely through fees and some is a mix of that grant and fees. Next slide, please. So there's also a whole other body of money that we call incentives. And this money is it's passed through state money that we get. And it gets invested primarily in high priority communities, whether they're AB 617, or care or low income, high impact communities as identified in . And these are divided up into a number of different kinds of programs. Most of those programs are pretty well established and have been used for years, a familiar one, one you may also, may have heard of, is Carl Moyer, and that money goes to like replacing trucks and other kind of heavy equipment, ships. For example, we've replaced about seven of the nine tugboats that are operating in the Bay right now and replace their engines with this funding. There is a another pot of money that's specifically for implementing AB 617 plans. And if you have, if the steering committee approves a control measure in the plan, let's say that the steering committee approved a control measure to put on air pollution controls on all the charbroilers and smokers in the study area, because those are pretty high impact sources. But usually, the companies can't afford to put on air pollution control, usually small mom and pops can afford to put on expensive air pollution control. So it's possible we could see a line item in the AB 617 plan for Richmond, North Richmond-San Pablo that said, put filters on all of the charbroilers, we could, under the statute, pay for that with some of this money. But we'd have to get explicit permission from CARB for that. We have been working with the California Resources Board to implement a similar item in the West Oakland plan, to put controls on backup generators, to use the money to put controls on backup generators and we've been working that for about six months and haven't made a lot of progress. But so I you know, there is some flexibility on the incentive side but there's a lot of hoops we got to jump through. But I just wanna put that out there as an option, in terms of putting money directly into the community to immediately reduce pollution, incentives is a clean way to do that. Next slide, please. So what we've tried to do is take the kind of our internal planning budget, and translate it into something that would make sense to people in the community. So, these work areas are kind of our best shot and y'all are kind of our guinea pigs tonight. So if these don't make sense to you or you need some clarity on him, please let us know. And we'll go back and try and make them more clear and kind of less inside baseball, right we, I've been doing this kind of work since 1992. So I throw a lot of terms around, that I'm very familiar with that somebody outside of my business may not understand. So we tried to implement, tried to set these up in a way that folks will hopefully resonate with folks in the community. So implement the monitoring plan, that's pretty straightforward. Y'all know what that's about. Develop and manage the community decision making process. So that is not just time to organize meetings, pay for venues, food venues, child watch, get announcements out draft minutes, that's what, and also tied up in that I don't think, okay, we broke out to direct community support. So that's develop and manage community decision making process. Next is collect and summarize community data. If you're familiar with the West Oakland plan, there's a community profile there that talks about the history of West Oakland, the demographics of the area, the existing health conditions there. So that's something that typically we work with the county health departments, we gather whatever demographic data



we can from the planning department, the census, things like that, we also go in and interview community members to kind of get that community history captured. And so that's what we mean by collect and summarize community data. Total air pollution in the community, what we're trying to do here is come up with a very highly refined, geographically refined map of exposure. So what's the air quality in your neighborhood? What's the air quality in the Iron Triangle versus North Richmond versus down by the Marina? What is it that people are breathing every day? So that's what we mean by total air pollution in the community. Now, what sources caused the most health impacts? So that's, if you look at the the West Oakland plan, what you can see, not only is that kind of, that high geographic resolution map of what people are breathing, but for particular locations in West Oakland, those high impact areas that were identified by the community, we apportioned the exposure, right, so if you know, let's say the average.

- And Greg, I'm gonna interrupt for just a moment we lost you there, you kind of went out for a second. So if you could just recap that last, maybe 10 seconds, that'd be great.

- Okay, so picture a neighborhood, a couple of blocks between the freeways in Richmond, let's say that the annual average particulate matter exposure there is eight micrograms per cubic meter. How much of that is due to cars on the street? How much of it is due to cars on the freeway? How much of it is due to Chevron? How much of it is due to local sources? So that's what we mean by what sources cause the most health impacts. And so you can think about kind of, if you're gonna reduce emission, what are the big sources? And it varies a lot, neighborhood to neighborhood, especially in a place like Richmond. And then the next step, the next act, next kind of been here is, prepare the action plan, draft environmental impact report and enforcement plan. So that's actually the work of putting the plan together, drafting the documents, doing the environmental impact review, that sort of thing. And so we've also broken out direct support to the community. This is changing statewide now. But right now, only the Bay Area provides direct support to the community. And so that stipends for participating in meanings that, stipends for the the co leads, in the case of West Oakland, that was support directly to the West Oakland environmental indicators project for the work that they did, as part of putting the plan together. And then the implement action plan, we're kind of projecting this based on lessons learned in West Oakland. And if you've been following the process, they're in the implementation phase. That's weekly meetings with the community co leads, monthly meetings with the steering committee, a lot of time working with City of Oakland, ACTC, all the people who were kind of named in the plan as needing to take actions, kind of other than the Air District and CARB. So total costs for the Richmond-San Pablo, we estimate to be around \$4 million. And as I said before, there is about one and a half to \$2 million left unallocated from the CARB grant. As we were putting this work plan together, we knew that we were gonna have a new boss come in and so we didn't want to allocate all the funds until Veronica was on board and had a chance to weigh in. So there's still a lot of money kind of floating around that we look to our community partners to help us figure out the best way to allocate. And I don't know, is that the last slide Jamillah? Okay, and here's kind of the same view of the table, but kind of broken up into the phases that y'all have

been working with in terms of the steps of putting the plan together. And I think that's the last slide.

- Okay, thank you so much, Greg, for sharing their, for that update and all that information. And I see a couple of hands in the queue, we didn't anticipate that the whole team would wanna respond, this is more of an update. So we're just gonna take these few hands. And we're gonna go from there. So I saw, I believe it was Matt first, then Andres, and then Janet. Matt.

- There we go and now we're clear. Yeah, thanks for that. That's super helpful. So many questions, will we be able to get a copy of this presentation? I guess it's on the recording. And I might actually like to ask some follow up questions after the fact, for sort of a broader question for a CARB meeting next week. So I was just hoping to get my hands on this and maybe run it, well, I know who to ask the questions of, but I'd like a copy.

- Okay, thanks, Matt. Yes. And we'll be providing this as we do for all of the presentations after the meeting. So be on the lookout for it being posted to the website and sent out as well in the summary documentation. Let's go to, Andres, was next please.

- Yeah, thank you, Greg, for the presentation. I have a few questions. You mentioned permitted facilities. How many permitted facilities are within the study area, Richmond-San Pablo, Montalvin? And then incentive funds, what qualifies, I mean, you gave some examples, mostly small businesses, about how incentive funds are distributed and of course, we're looking at the cat cracker rule right now as it applies particularly to Chevron and the PBF and since we're talking about Richmond and Chevron, wouldn't they be eligible to receive some of the funding for the incentive funds to deal with cat crackers since they're crying about being too poor to afford it? And then the unallocated funds, you kind of answered that question that you're leaving that up to the committee to provide guidance on that, which is even more of a case for the Brown Act. But I'm also curious, you mentioned consulting with the county health department and I'm curious as to how often that occurs, who are you talking to in the health department? Is it epidemiology? Those kind of questions that, obviously in a presentation like this, you're given an overview. But those are some of my questions coming up. And I think also, certainly under Brown Act committee with a chair and co chair and not needing being third party facilitation, that money could be folded into project funds as well. Thank you.

- Okay, thank you, Andres. I see next up is gonna be Janis followed by Janet.

- Hi, Greg, and everybody else. Thank you so much for that presentation. it was very informative. I do have a question. And maybe I am not clear on this. But the section where it's indicated what sources caused the most health impacts, that would be dependent, of course on the monitoring, correct? In other words, if we're looking at Richmond, we would need to know exactly is cold dust coming off live in Richmond terminal, which is never been scientifically proved we need to know that information, we need to know what is coming from Chevron, we need to know what is coming from the freeways. So the monitoring has to come

first, is that correct? In other words, how can we identify the health impacts, we don't know that? That would be my question.

- Okay. Thank you for that. And so these questions are being noted. I do wanna invite the Greg to respond if you'd like.

- Thanks. And I apologize. I've had some internet stability problems here, so I may have missed some of Andres questions. But Janis, to your question about identifying what sources are causing the most health impacts. It's a combination of modeling and monitoring. And it kind of depends on the source. Some sources, we know pretty well what their emissions are, and how to translate those emissions into exposure. Some sources, cold dust being one of them, it's hard to kind of capture that impact because it's diffuse and intermittent. And so figuring out a way to monitor for that is gonna be important. But given the timelines that we have for the development of the emission reduction plan, it's going to be, we may have to make some assumptions and move forward. I don't know that we'll have enough time to get, for example, all of the monitoring in. To Andres question about who are we working with in the county health departments? Well, y'all know Rohan from the monitoring steering committee. We work with him a fair amount. It is the epidemiologists, though, that kind of track the data that we're looking at. And we're wanting to find out things like asthma rates, asthma hospitalizations, heart attacks, and stroke rates, the kind of things that are associated with air pollution, get some baseline health data that we can track over time. If you look at the West Oakland plan, again, you can get a really good idea of what kind of data we're looking for and what we would likely track. Alameda County Department of Public Health has done a really good job of tracking this data over time and coming up with pretty finely detailed data and we are limited in kind of how the state reports it. A lot of times we can only get it at the zip code level, which as you know, there can be a big differences in health within a particular zip code. So I think I may have missed some questions due to my stability. I don't know I look to Jamillah to see if I have left anybody out?

- No, you covered it, covered it really well, Greg, thank you for that. I saw the next hand was. Go ahead, Andres, you wanna repeat the part that wasn't covered?

- Yeah, I asked specific questions about the number of permitted facilities in Richmond. And as well as regarding the distribution of the incentive funds. And would that apply at all to Chevron and the cat cracker, should the hydro scrubber versus the electrostatic precipitator be recommended? Particularly because the refineries are crying poor. And so if there's incentive funding, with, for example, Chevron be eligible to apply some of those incentive funds to the cat cracker? Frankly, I think they got more than enough money, but if it's there, I can see them trying to get some of that.

- So as far as the number of permanent facilities, I do not have that off the top of my head. We do have a list and we could certainly distribute that to the CDT, not just the number but the actual names and locations and we've been in the process of validating those locations and putting it on a map, we may even have a map available, so. And we'll get the best data that

we have whether it's the table or whether the maps aren't long to distribute. With respect to the incentive funding, the particular flavor of incentive funding that the steering committee could have a lot of influence on how it gets supplied, anybody who pays into cap and trade is explicitly excluded from using that money. So, it would not be possible for somebody like Chevron, or anybody that's big enough to pay into the cap and trade program to make use of that money, it would more likely go to, kind of the mom and pop facilities that might be very impactful, like at the block by block scale, but maybe really low margin and not be able to pay for controls.

- Okay, thank you very much, Greg. So everyone, we're nearing the end of our time on this agenda item, I saw a couple of more hands. The next one that I see was Janet, followed by Linda, who's lowered her hand, and followed by Willie. So Linda is saying no. So we're gonna go Janet, and Willie, and then we have public comment. We have quite a few people here. So we wanna make time to hear them. So Janet, you're up next, please. We're going to unmute Janet. There we go.

- Thank you. Thank you. Yeah, I wanted to maybe get a couple of things in here. First of all, Greg, you mentioned that with coal dust, you characterize it as diffuse and intermittent, is your staff in touch with the coal monitoring, the coal and pet coke monitoring project? And are we going to be able to see some results from that study? Or is the CERP steering committee going to be able to see some source some of that information? The second thing I wanted to just basically briefly allude to is the community budgeting process that our steering committee, if it has autonomy, if it has relative autonomy, would be able possibly to participate in a process that would allow them more control over the way the money is allocated? And so we're hoping that, we're hoping we can have the CERP steering committee, can have that kind of process available to them. Thank you. That's my time.

- Okay. Thank you for that Janet. Greg, any response needed on that one?

- Thanks, Janet, we had some kickoff meetings with the CARB grantees that we're implementing that cold dust monitoring project. So we have been working with them a little bit. But we kind of haven't had much contact with them since the beginning of the pandemic. So we'll circle back and see where they are and kind of what their schedule is these days. I know that some of the monitoring that we wanted to do with the monitoring van has kind of been, we haven't figured out how to do that safely yet. So that's been slowed down a bit. But hopefully, since most of the work that they're doing is outside, they've been able to continue doing that. One of the things that would concern me just as the timeline because it's hard to get a good number for emissions with less than a year's worth of monitoring. Because of all the impacts of weather has on these things. If you're not monitoring today, you're not gonna find anything, but that doesn't mean that it's not happening. So we'll have to look and see what their schedule is and see how that fits into the schedule for the CDT. With respect to the steering committee having some ability to advise on how the funding is allocated, staff is completely open to that. And so, we'll make our recommendations, talk through why we're recommending what we recommend and then get your feedback on it and get the steering

committees feedback on it. If the steering committee has particular things they would like to do that kind of is not in the staffs plan, then we could find a way to make that happen. I think the key though, is to try and have those discussions as soon as possible. So that we can get that figured out, we don't find ourselves jammed up by the schedule.

- Excellent. Thank you so much, Greg. So in the interest of time, we're gonna take two more, I see, Willie was next followed by Oscar. Willie.

- Yeah, mine is more related to, and I guess having that budget to kind of see, get a better understanding of it. But as a to those consultants contractors that came on as a part of our monitoring, I'm not so sure in those line items, was any of those costs into that three point or whatever million dollar budget that is or those are separate funds that are going and that monitoring is still going on? I'm not running on but we've been tied down to this process, and this is to the full team, when did we get some kind of an update in terms of what's happening with our monitoring, things that we've identified?

- Thank you, Willie. Okay, Greg, any response on that one? Get you unmuted here. There we go.

- Thank you. Yeah, thanks, Willie. The work that was being done, like, physicians and science for social responsibility, and Groundwork Richmond, all of that work was funded by CARB grants. So that's above and beyond what's in this budget. And in the second question, you had, I'm sorry, escapes me, would you mind? Maybe Jamillah could remind me?

- I think it's better for Willie to speak to it directly.

- Well, it's more or less, wouldn't necessarily be answered now but just some kind of an update in terms of what it is that we are getting from what we've already have out there in terms of things we've identified at that should be monitoring telling us what the conditions are? Almost block by block, I'm assuming.

- Right. Thank you for reminding me that I was just, we've been working on a schedule for when we're gonna deliver kind of data products from the monitoring plan. And I think there's an initial data product due either this month or next month. And so I need to go back and check that but the idea is to give kind of monthly reports, monthly updates, and that'll go through the monitoring operations team, but we'll also post them online and stuff so people can track it.

- Okay, thank you for that, Greg. And we're gonna close out here with Oscar and then move into public comment. Let's unmute Oscar, please.

- Yeah, I think I'm unmuted. Thank you. I just had a quick question. I'm also involved in the MOT or MOD, I didn't see exactly where that funding is good, do you mind maybe putting the slide up of where it falls under the budget? Or if it's even budgeted yet? It could fall under something else.

- Okay, thanks, Oscar. Let's go to Greg for a response on that.

- Sure. And Jamillah would you mind throwing up that slide again?

- Sure. That's the budget slide, Greg?

- Yeah. So let's go with number 24.

- Okay.

- So I think implement monitoring plan is what you're looking for Oscar. So that covers, getting the van out, doing the study, and the whole kind of monitoring operations team reporting out all of that, and the data assessment for the data that's coming in from Aclima and from the sensor networks is all part of that implement monitoring plan.

- Good. It looks like Eleanor has a decent budget. So glad to see that. Thank you.

- All right. Thank you so much, everyone. I see one final comment here from Matt. We'll take it Matt. We do wanna leave time for the public. So let's go to Matt quickly.

- Yeah, just curious if you can give us a little more detail about, you mentioned Aclima data. Will they be doing another driving ritual in Richmond? I thought their work was done. Sorry.

- Greg. It looks like you're unmuted Greg. Greg, we can hear you, if you can go ahead.

- Thank you. I'm glitching tonight. I'm sorry.

- Okay, that's okay.

- Matt, I heard the first part of your question, which was is Aclima gonna be doing some more driving? And the question is, yeah, they did that three month drive, and they're continuing to drive. So they did that quarterly baseline in Richmond and they're doing a complete one year baseline for the whole Bay Area. And so we're gonna be evaluating that data. Dan, and Kate and company will be looking at those results and kind of merging them with the sensor network data to come up with as complete a picture as we can, for pm 2.5. exposure along with the community monitoring that industry put up in our monitors, kind of get all that data together in one place, try and get the best kind of baseline map that we can.

- Excellent. Thank you so much for that, Greg. So everyone, appreciate all of the input, ideas, comments, questions that were shared here tonight. What we're gonna do now is shift into public comment. And I'm going to just share my screen briefly to recap some of the guidelines around public comment. So we simply ask that the members of the public who wish to speak that they share comments related to the Richmond-San Pablo process, the CERP process and or the monitoring plan process, and that you have three minutes or less to speak, to ask your question or to state a comment, we won't be responding. But we certainly are taking it for the public record. So with that, I'm going to stop my share here and see if we have any members of the public who wish to share any comments. You can simply raise your hand and that'll indicate if you would like to share any comments. Raise your virtual hand.

Okay. So we know that there were a lot of questions that were discussed here tonight. So you might have had already had yours answered, thanks to the great discussion from the CDT members and in our Air District colleagues who were responding. So that's okay, if there isn't any public comment here tonight, if not, I'm gonna go ahead and move us into the summary and next steps. All right, everyone. So we're gonna wrap it up here, with just one more slide everyone and just a couple of quick reminders for you all that the next CDT meeting will be on December 8, that's December 8. And in that meeting, we'll be discussing the application review process and the charter. So two really important topics. So please make yourselves available. And then lastly, a reminder that the Equity Access and Inclusion Committee meeting will be taking place on December 14 at 9:30 in the morning, if you'd like to share comments, you can do so via email, Kristen will send out some information to that effect later on in the week. So with that, everyone, I wanna thank you all so much for your time for being with us tonight. Another really productive set of conversations that we had here. Appreciate everyone and looking forward to the next meeting. I wanna just invite the Air District, any other final comments from our leadership team before we close out?

- Jamillah, just to thank everybody for a really productive meeting. And we look forward to seeing everybody on the eighth. Thanks for your time.

- Excellent. Thanks so much, everybody. Be well. We'll see you soon. Take care.