

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

Board of Directors Regular Meeting
Wednesday, November 7, 2018

APPROVED MINUTES

*Note: Audio recordings of the meeting are available on the website of the
Bay Area Air Quality Management District at
www.baaqmd.gov/bodagendas*

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, David Hudson, called the meeting to order at 9:32 a.m.

Roll Call:

Present: Chairperson David Hudson; Vice Chair Katie Rice; Secretary Rod Sinks; and Directors Margaret Abe-Koga, David Canepa, Cindy Chavez, John Gioia, Scott Haggerty, Tyrone Jue, Doug Kim, Liz Kniss, Rafael Mandelman, Karen Mitchoff, Mark Ross, Jim Spering, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Teresa Barrett, John J. Bauters, Pauline Russo Cutter, Carole Groom, Nate Miley, Hillary Ronen, and Pete Sanchez.

CONSENT CALENDAR (OUT OF ORDER, ITEMS 3 -7)

2. Minutes of the Regular Board of Directors Meeting of October 17, 2018
3. Board Communications Received from October 17, 2018 through November 6, 2018
4. Authorization to Execute Purchase Orders in Excess of \$100,000 Pursuant to Administrative Code Division II Fiscal Policies and Procedures Section 4.3 Contract Limitations
5. Authorization to Execute Contract Amendments for Air District (District) History Display Project
6. Consider Approval of Hiring Recommendation at Step D of Salary Range 156M for the Legislative Officer Position

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Haggerty made a motion, seconded by Director Canepa, to **approve** the Consent Calendar Items 3 through 7, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Canepa, Gioia, Haggerty, Hudson, Kniss, Mitchoff, Rice, Sinks, Spring, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Barrett, Bauters, Chavez, Cutter, Groom, Jue, Kim, Mandelman, Miley, Ronen, Ross, and Sanchez.

NOTED PRESENT: Director Jue was noted present at 9:34 a.m., and Director Ross was noted present at 9:35 a.m.

COMMITTEE REPORTS

7. Report of the **Public Engagement Committee** Meeting of October 19, 2018 (**ITEM 8**)

Public Engagement Committee Chair, Director Brad Wagenknecht, read the following Committee report:

The Committee met on Friday, October 19, 2018 and approved the minutes of April 2, 2018.

The Committee reviewed and discussed the staff presentation Update on the 2018/2019 Winter Spare the Air Season Outreach Program.

The Committee also reviewed and discussed the staff presentation Bay Area Air Quality Management District History Display Tour, before visiting the 6th floor, to see the display.

The next meeting is at the call of the Chair. This concludes the Chair Report of the Public Engagement Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

8. **Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3 (ITEM 2)**

Public comments were given by Kushal Vepa, Denna Kwong, Gerald Chan, Lei Xia, Shengbo Xu, Xiang Wang, and Ding Luo. The speakers were all parents of students attending The Stratford School and E.M. Grimmer Elementary School in Fremont and gave further testimony that dust from Tri-City Rock, a building materials and landscaping supply company located adjacent to both schools, is impacting both campuses.

NOTED PRESENT: Director Kim at 9:38 a.m., and Director Abe-Koga was noted present at 9:47 a.m.

Board Comments

The Board and staff discussed the Air District's current enforcement investigation of the facility; the reiteration that Director Haggerty and the Mayor of Fremont be present at any meeting with the parties conducted by the Air District; the Air District's current observation that the facility is not out of compliance of *existing* Air District regulations, but could be in violation of future regulations; and the fact that the City of Fremont and owners of the schools are partly responsible for allowing the construction to commence.

COMMITTEE REPORTS

9. Report of the **Mobile Source Committee** Meeting of October 25, 2018 (**ITEM 10**)

Mobile Source Committee Chair, Director Scott Haggerty, read the following Committee report:

The Committee met on Thursday, October 25, 2018, and approved the minutes of September 27, 2018.

The Committee reviewed and discussed the staff presentation, Projects and Contracts with Proposed Grant Awards Over \$100,000. The Committee recommends the Board:

- 1. Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

The Committee then reviewed and discussed the staff presentation Transportation Fund for Clean Air County Program Manager Fund Policies for Fiscal Year Ending 2020. The Committee recommends the Board:

- 1. Approve the proposed Fiscal Year Ending 2020 Transportation Fund for Clean Air County Program Manager Fund Policies; and*
- 2. Approve a policy waiver to allow San Francisco County Transportation Agency to use Fiscal Year Ending 2019 Transportation Fund for Clean Air County Program Manager Funds for an electric vehicle charging station project.*

The Committee then reviewed and discussed the staff presentation Electric Vehicle Infrastructure and Fleet Incentive Programs.

Finally, the Committee reviewed and discussed the staff presentation Update on National Highway Traffic Safety Administration and Environmental Protection Agency Proposed Safer Affordable Fuel-Efficient Vehicles Rule.

The next meeting of the Mobile Source Committee will be held on Monday, December 17, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District office, 375 Beale Street, San Francisco, CA 94105. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Haggerty made a motion, seconded by Director Wagenknecht, to **approve** recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Canepa, Gioia, Haggerty, Hudson, Jue, Kniss, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Barrett, Bauters, Chavez, Cutter, Groom, Kim, Mandelman, Miley, Ronen, and Sanchez.

10. Report of the **Advisory Council** Meeting of October 29, 2018 (**ITEM 11**)

Advisory Council Ex-Officio Board Liaison, Secretary Rod Sinks, read the following Committee report:

The Council met on Monday, October 29, 2018 and approved the minutes of July 19, 2018.

The Council then received the staff presentation Assembly Bill 617: Community Health Protection Program.

The Council then received the staff presentation Update on the Air Sensor International Conference.

The Council then received the staff presentation Assembly Bill 617: Strategic Targets.

Finally, the Council was invited by staff to discuss and consider the Council's election of its Chairperson and Vice Chairperson. The four Council members that were present requested that the full Council discuss this item in detail at its next meeting.

The next meeting of the Council will be at the call of the Chair. This concludes the Chair Report of the Advisory Council.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

11. Report of the **Nominating Committee** Meeting of November 7, 2018 (**ITEM 12**)

2018 Nominating Committee member, Director Wagenknecht, read the following Committee report:

The Committee met on Wednesday, November 7, 2018 and approved the minutes of November 15, 2017.

The Committee considered nomination of Board Officers for the 2019 Term of Office and recommends Katie Rice as Chairperson, Rod Sinks as Vice-Chairperson, and Cindy Chavez as Secretary.

I move that the Board of Directors approve recommendations of the Nominating Committee.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the ways in which staff alerted Board members about the opening of nominations for the 2019 Board Officer positions; whether geographical distribution of Board members, and city versus county jurisdiction should be included in the criteria by which candidates are considered; the suggestion for an ad-hoc subcommittee to help define and clarify the nomination and selection process; and staff's intention of bringing revised language of Section 6.8 of the District's Administrative Code to the Board for consideration, regarding the nomination and selection process.

NOTED PRESENT: Director Chavez was noted present at 10:13 a.m., and Director Mandelman was noted present at 10:15 a.m.

Board Action

Director Wagenknecht made a motion, seconded by Director Kniss, to **approve** the following 2019 Board Officers: Katie Rice as Chair, Rod Sinks as Vice Chair, and Cindy Chavez as Secretary; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Canepa, Gioia, Haggerty, Hudson, Jue, Kim, Kniss, Mandelman, Mitchoff, Rice, Sinks, Spering, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Barrett, Bauters, Chavez, Cutter, Groom, Miley, Ronen, Ross, and Sanchez.

12. Report of the **Technology Implementation Office Steering Committee** Meeting of October 22, 2018 (**ITEM 9**)

Technology Implementation Office Steering Committee Chair, Director Cindy Chavez, read the following Committee report:

The Committee met on Monday, October 22, 2018, and approved the minutes of June 21, 2018.

The Committee reviewed and discussed the staff presentation Technology Implementation Office Steering Committee Composition.

The Committee then reviewed and discussed the staff presentation Technology Assessment and Outreach.

The Committee then reviewed and discussed the staff presentation Loan Program Agreement.

Finally, the Committee reviewed and discussed the staff presentation Electric Vehicle Infrastructure and Fleet Incentive Programs.

The next meeting of the Technology Implementation Office Steering Committee will be held at the call of the Chair. This concludes the Chair Report of the Technology Implementation Office Steering Committee.

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

PRESENTATION

13. ANNIVERSARY OF THE 2017 NORTHERN CALIFORNIA WILDFIRES AND UPDATE ON WILDFIRE PROGRAM DEVELOPMENT

Directors Zane and Wagenknecht gave opening remarks, describing the wildfire events that occurred in their jurisdictions in Sonoma and Napa Counties, as well as lessons learned. Jack P. Broadbent, Executive Officer/Air Pollution Control Officer (APCO), introduced four staff members to give this presentation. Wayne Kino, Deputy APCO of Operations, Eric Stevenson, Director of Meteorology and Measurement, Dr. Judith Cutino, Health Officer, and Lisa Fasano, Communications Officer, gave the staff presentation *Anniversary of the 2017 Northern California Wildfires and Update on Wildfire Program Development*, including: overview; outline; 2017 North Bay Wildfires; Yolo County fire in June 2018; statewide fires on Sunday, July 19, 2018; summaries of daily average Particulate Matter (PM)_{2.5} concentrations from those incidents; fires visible from space; wildfire smoke compared to ambient PM_{2.5}; smoke health impacts; studies on health effects; improving understanding and communication; 2018 wildfire season; summer 2018 CalFire incidents; lessons learned; actions to date and example; and next steps.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the lack of the rebuilding of damaged homes in certain areas of Sonoma County; the establishment of Sonoma County's Office of Recovery and Resiliency with a mandate to develop a post-fire recovery and resiliency plan; the level of effectiveness the Air District's health messages and methods of delivery; the estimated duration of smoke health impacts in the human body; how and when temporary air monitors are deployed during wildfire season and wildfire incidents; the fact that clean rooms in homes and commercial buildings depend on electricity, which is not reliable in emergency situations; the fact that any and all counties are at risk of wildfire damage; the need to educate the public on how wood smoke and PM affects human health, specifically touching on impacts that are not widely mentioned, such as cerebral effects; the need for clean air centers in civic buildings, and the suggestion that the Air District partners with state fire agencies and California Building Standards Commission code to enforce that need; the need to clearly define the roles of emergency response teams, as multiple agencies and organizations are involved in emergency situations; the need for the Board members to clearly understand the Air District's role and objectives so that the Board members can effectively and accurately communicate them to their jurisdictions; the suggestion of the creation of a health guidance document that focuses on wood smoke recommendations for residents, prior to the adoption of anticipated District regulation regarding wood smoke; the efficacy of the Association of Bay Area Public Health Officers, and ways to improve the circulation of information between County Public Health Officers; the need for forest-thinning to reduce wildfire risk; the suggestion that the Board creates a Health Care Services Committee; the Air District's anticipation of hosting a health conference; and the Air and Waste Management Association's Wildfires and Air Quality Conference, scheduled for February 14, 2019 in Santa Rosa, and the possibility of Director Zane hosting or giving a keynote address.

Board Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

14. Public Comments on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Public comments were given by Gerald Chan, resident of Fremont; and Tony Fisher, Coalition for Clean Air.

BOARD MEMBERS' COMMENTS

15. Board Members' Comments

- Vice Chair Rice announced that Marin County adopted an ordinance prohibiting the sale or offer for sale of flavored tobacco products and amending all existing Marin County Code Sections that define "Tobacco" or "Tobacco Product".

OTHER BUSINESS

16. Report of the Executive Officer/Air Pollution Control Officer

Mr. Broadbent announced the following:

- Congratulations to Chair Hudson for being reelected to another four-year term on the San Ramon City Council.
- The District's Winter Spare the Air season began on November 1, 2018, and public outreach is forthcoming.
- The District welcomes Alan Abbs, newly appointed Legislative Officer, and former Executive Director of the California Air Pollution Control Officers Association.
- Although Mr. Broadbent did not present the summary of ozone seasons, this presentation is posted on the District's website.

17. Chairperson's Report

Chair Hudson congratulated Directors Jue and Ross on their recent reappointments to the Board, and congratulated Directors Barrett, Cutter, and Mandelman for winning their November 6, 2018 elections. Chair Hudson added that Chairperson-Elect Rice will begin considering committee assignments for 2019 and that Board members who have not yet indicated their preferences must let Vanessa Johnson know by November 13, 2018.

18. Time and Place of Next Meeting

Monday, November 19, 2018, at 375 Beale Street, San Francisco, CA 94105 at **10:00 a.m.**

19. Adjournment

The meeting adjourned at 12:08 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards