

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

Board of Directors Regular Meeting  
Wednesday, March 6, 2019

### **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](http://www.baaqmd.gov/bodagendas)*

#### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, Katie Rice, called the meeting to order at 9:34 a.m.

#### **Roll Call:**

Present: Chairperson Katie Rice; Vice Chair Rod Sinks; Secretary Cindy Chavez; and Directors Margaret Abe-Koga, Teresa Barrett, John J. Bauters, David J. Canepa, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, David Hudson, Tyrone Jue, Doug Kim, Liz Kniss, Karen Mitchoff, Mark Ross, Jim Spering, Brad Wagenknecht, Lori Wilson, and Shirlee Zane.

Absent: Directors Rafael Mandelman, Nate Miley, and Hillary Ronen.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

NOTED PRESENT: Director Kniss was noted present at 9:36 a.m.

#### **CONSENT CALENDAR (ITEMS 3 – 11)**

3. **Minutes of the Board of Directors Regular Meeting of February 6, 2019**
4. **Board Communications Received from February 6, 2019 through March 5, 2019**
5. **Air District Personnel on Out-of-State Business Travel**
6. **Notices of Violation Issues and Settlements in Excess of \$10,000 in the month of January 2019**
7. **Quarterly Report of California Air Resources Board Representative – Hon. John Gioia**

8. **Quarterly Report of the Executive Office and Division Activities for the months of October 2018 – December 2018**
9. **Consider Adopting Amendments to the Air District’s Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees, Section 6.2: Standing Committees and Section 6.10: Public Engagement Committee**
10. **Referral of Proposed Budget for Fiscal Year Ending (FYE) 2020 to the Budget & Finance Committee**

CHAIR RICE PULLED ITEM 11 FROM THE CONSENT CALENDAR

Public Comments on Items 3-10

No requests received.

Board Comments on Items 3-10

None.

Board Action on Items 3-10

Director Hudson made a motion, seconded by Director Canepa to **approve** the Consent Calendar Items 3 through 10, inclusive; and the motion **carried** by the following vote of the Board:

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

NOTED PRESENT: Vice Chair Sinks was noted present at 9:42 a.m.

11. **Projects with Proposed Grant Awards over \$100,000 (PULLED FROM CONSENT CALENDAR)**

Mobile Source Committee Chair, Director Canepa, introduced Damian Breen, Deputy Air Pollution Control Officer of Technology, who introduced Adam Shapiro, Acting Supervising Staff Specialist, who gave the staff presentation *Projects and Contracts with Proposed Grant Awards Over \$100,000*, including; Carl Moyer Program, Mobile Source Incentive Fund, and Community Health Protection Grant Program; project recommendations over \$100,000; status of Moyer incentive funds for FYE 2018 and 2019; and recommendations.

Public Comments

No requests received.

Board Comments

The Board and staff discussed whether the school bus retrofit projects being recommended will be compressed natural gas or zero-emission (electric); and the reason for recommending the funding of the Caltrans locomotive projects at a Board meeting without having first presented them to the Mobile Source Committee.

Board Action

Director Wagenknecht made a motion, seconded by Director Hudson, to **approve** Carl Moyer Program projects requesting grant funding in excess of \$100,000 and authorization for the Executive Officer/APCO to execute grant agreements for the recommended projects; and the motion **carried** by the following vote of the Board:

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

NOTED PRESENT: Secretary Chavez and Director Mitchoff were noted present at 9:47 a.m.

**COMMITTEE REPORTS**

**12. Report of the Personnel Committee Meeting of February 20, 2019**

Personnel Committee Chair, Jim Sperring, read the following Committee report:

*The Committee met on Wednesday, February 20, 2019, and approved the minutes of July 12, 2018.*

*The Committee then reviewed and discussed the reappointment of Dr. Peter Chiu, the Principal Member Incumbent in the Medical Category of the Air District’s Hearing Board. Dr. Chiu’s current three-year term will expire on April 20, 2019. The Committee and staff discussed the recruitment process and then interviewed Dr. Chiu. The Committee recommends the Board approve:*

- 1. The appointment of incumbent, Dr. Peter Chiu, as Principal Member in the Medical category of the Hearing Board, effective April 20, 2019.*

*The consensus of the Committee members present was to re-open the recruitment for the position of Alternate member in the Medical category of the Hearing Board, effective immediately. Several Committee members expressed their desire for a longer recruitment period than the duration of the previous recruitment.*

*The next meeting of the Personnel Committee will be held at the call of the Chair. I move that the Board approve the Personnel Committee recommendation. This concludes the Chair Report of the Personnel Committee.*

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Spring made a motion, seconded by Director Hudson, to **approve** the appointment of incumbent, Dr. Peter Chiu, as Principal Member in the Medical category of the Hearing Board, effective April 20, 2019; and the motion **carried** by the following vote of the Board:

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

13. **Report of the Public Engagement Committee Meeting of February 21, 2019**

Public Engagement Committee Chair, Shirlee Zane, read the following Committee report:

*The Committee met on Thursday, February 21, 2019 and approved the minutes of October 19, 2018.*

*The Committee reviewed and discussed the staff presentation 2019 Workplan for the Community and Public Health Committee. Jack P. Broadbent, Executive Officer and Air Pollution Control Officer, explained that at the next full Board of Directors meeting on March 6, 2018, the Board is expected to amend the Administrative Code to expand the function and change the name and the responsibilities of this committee. The **new Community and Public Health Committee** will review and provide input to staff on community outreach and engagement related to the implementation of Assembly Bill 617, wood smoke rules, clean air centers, Air District activities supporting local public health efforts responding to air quality events, etc., and will make recommendations on same to the Board when budget, formal policy, or other action is required, or as the committee determines important for the Board's review.*

*The Committee also reviewed and discussed the staff presentation Air Pollution and Public Health.*

*Finally, the Committee reviewed and discussed the staff presentation Prioritization Framework for School Air Filter Supplemental Environment Project. The Committee recommends the Board:*

- 1. Approve the Air District enter into contract with IQAir North America for the installation of air filtration systems in sensitive receptor facilities, specifically local schools, in Bay Area communities; and*
- 2. Approve criteria that will be used to select local schools for installation of air filtration systems.*

*The next meeting of the Committee will be held on Thursday, March 14, 2019, at 9:30 a.m. I move that the Board approve the Committee recommendations. This concludes the Chair Report.*

Public Comments

No requests received.

Board Comments

The Board and staff discussed the cost and funding source of the Prioritization Framework for School Air Filter Supplemental Environmental Project.

Board Action

Director Zane made a motion, seconded by Director Kniss, to **approve** the recommendations of the Public Engagement Committee; and the motion **carried** by the following vote of the Board:

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

NOTED PRESENT: Director Kim was noted present at 9:52 a.m.

**14. Report of the Budget & Finance Committee Meeting of February 27, 2019**

Budget & Finance Committee Chair, Director Groom, read the following Committee report:

*The Committee met on Wednesday, February 27, 2019, and approved the minutes of January 23, 2019.*

*The Committee reviewed and discussed the presentation Presentation of Audit Results, given by Simpson & Simpson, LLC.*

*The Committee then reviewed and discussed the staff presentation Second Quarter Financial Report – Fiscal Year Ending 2019.*

*The Committee then reviewed and discussed the staff presentation The Bay Area Economy Overview: Economic Growth, Jobs, and Housing.*

*Finally, the Committee reviewed and discussed the staff presentation Air District Financial Plan Overview.*

*The next meeting of the Budget and Finance Committee will be held on Friday, March 22, 2019, at 9:30 a.m. This concludes the Chair Report of the Budget and Finance Committee.*

Public Comments

No requests received.

Board Comments

None.

Board Action

None; receive and file.

**15. Report of the Legislative Committee Meeting of February 28, 2019**

Legislative Committee Chair, Director Kim, read the following Committee report:

*The Legislative Committee met on Thursday, February 28, 2019, and approved the minutes of January 14, 2019.*

*The Committee considered new bills introduced as part of this California Legislative Session, position suggestions by staff, and recommends that the Board of Directors adopts the following positions:*

- *Assembly Bill 40 (Ting): Requires the California Air Resources Board to develop a strategy to ensure all new motor vehicles and light-duty trucks are zero-emission by 2040 (SUPPORT IF AMENDMENTS INCLUDE MORE EXPLICIT AIR DISTRICT PARTICIPATION);*
- *Assembly Bill 210 (Voepel): Exempts from the Smog Check Program all motor vehicles manufactured prior to 1983 (OPPOSE); and*
- *Senate Bill 210 (Leyva): Creates a Heavy-Duty Vehicle Inspection & Maintenance Program and a “smog check” for non-gasoline vehicles in excess of 14,000 pounds gross vehicle weight. (SUPPORT).*

*Finally, the Committee discussed the Air District’s wildfire smoke public health bill, (Assembly Bill 836), which was introduced by Assembly member Buffy Wicks on February 20, 2019 and may be heard by the Assembly’s Committee on Natural Resources on March 23, 2019.*

*The next meeting of the Legislative Committee will be held on Wednesday, March 27, 2019, at 9:30 a.m. I move that the Board approve the Committee’s recommendations. This concludes the Chair’s report of the Legislative Committee.*

Public Comments

No requests received.

Board Comments

None.

## Board Action

Director Kim made a motion, seconded by Director Cutter, to **approve** the recommendations of the Legislative Committee; and the motion **carried** by the following vote of the Board:

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

## PRESENTATION

### 16. **Historical Health Inequities Associated with Air Pollution**

Dr. Judith Cutino, Health Officer, gave a presentation containing data provided by the Alameda County Department of Public Health, *Historical Health Inequities of Air Pollution*, including: what puts people at risk of health impacts from air pollution; air quality is influenced by multiple factors, including proximity to highways, railways, truck routes, seaport, and airports; cancer, heart disease, stroke and chronic lower respiratory disease are the top five leading causes of death; health inquiries did not happen overnight – they have deep historical roots; long-standing disinvestment and persistent poverty means fewer resources and weaker infrastructure to support health; racism impacts who has to live in high-poverty neighborhoods with barriers to good health; African Americans are especially exposed to and impacted by cumulative health risks; and to improve air quality and health, we must reduce air pollution exposures and maximize health co-benefits in our most impacted communities.

NOTED PRESENT: Director Abe-Koga was noted present at 9:59 a.m.

### Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area.

### Board Comments

The Board and staff discussed the request that “cancer” be broken down into types of cancer when the Air District lists leading causes of death in future presentations; the request that the Air District analyzes cumulative impacts of air pollution; the implications of legislation that supports transit-rich housing; the Air District’s legal history with housing developers; the suggestion for personalized public outreach to specific ethnic communities to increase their opportunity to understand how to best protect their health; the Children’s Health Study at the University of Southern California; the importance of the Air District’s collaboration with the Association of Bay Area Governments and Metropolitan Transportation Commission’s task force regarding housing policy reforms (CASA Compact); how top-down approaches coming from government agencies, though well-intentioned, can be harmful to communities; the suggestion of using AB 617 (Community Air Protection Program) to empower and unite disinvested communities, and how AB 617 provides the Air District an opportunity to improve methods of building capacity and equipping communities to help themselves; the history of health inequities in the Bay Area and consequences; redlining loan rating maps; and whether California

Environmental Quality Act guidelines are an appropriate tool to mitigate impacts of poor land use planning.

NOTED PRESENT: Director Ross was noted present at 10:37 a.m.; Director Haggerty was noted present at 10:42 a.m.

#### Board Action

None; receive and file.

#### **PUBLIC COMMENT ON NON-AGENDA MATTERS**

##### **17. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

No requests received.

#### **BOARD MEMBER COMMENTS**

##### **18. Board Member Comments**

- Director Hudson reported that he attended the Rethink Methane Symposium in Sacramento on February 26-27.
- Vice Chair Sinks reported that he attended the Architectural Intelligence Conference on March 1, hosted by the American Institute of Architects' Silicon Valley Chapter, and recommends that the Board request a presentation on building decarbonization from Panama Bartholomy.
- Director Kniss announced that climate change is the City of Palo Alto's primary initiative for 2019, and requested that other jurisdictions that have best practices, implementation strategies, or data and measurements regarding similar efforts contact her.
- Director Ross commented about how economic, not only racial decisions, can result in disinvestment of an area.

#### **OTHER BUSINESS**

##### **19. Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent reported the following:

- The Winter Spare the Air program concluded at the end of February; a summary of activity during the Winter Spare the Air season will be presented to the Executive Committee on March 20, 2019.
- Chevron refinery is experiencing flaring activity today, due to a power outage that is under investigation.
- Air District staff attended a City Council meeting at the City of Milpitas on March 5, 2019 and presented about the Air District's upcoming odor management study.
- Therese McMillan, the new Executive Director of the Metropolitan Transportation Commission, was introduced.



— Air District staff spoke about its response to 2017 and 2018 fires at the Air & Waste Management Association's Wildfires and Air Quality Conference in Santa Rosa on February 13-14, 2019.

20. **Chairperson's Report**

Chair Rice congratulated Director Haggerty on his recent appointment to the Board.

21. **Time and Place of Next Meeting**

Wednesday, April 3, 2019, at 375 Beale Street, San Francisco, CA 94105 at 9:30 a.m.

22. **Adjournment**

The meeting adjourned at 11:03 a.m.

*/s/ Marcy Hiratzka*

Marcy Hiratzka  
Clerk of the Boards