



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
PERSONNEL COMMITTEE

COMMITTEE MEMBERS

JIM SPERING - CHAIR  
TERESA BARRETT  
JOHN GIOIA  
SCOTT HAGGERTY  
TYRONE JUE  
ROD SINKS

BRAD WAGENKNECHT – VICE CHAIR  
CINDY CHAVEZ  
CAROLE GROOM  
DAVE HUDSON  
KATIE RICE

WEDNESDAY  
FEBRUARY 20, 2019  
9:30 A.M.

1<sup>ST</sup> FLOOR BOARD ROOM  
375 BEALE STREET  
SAN FRANCISCO, CA 94105

AGENDA

1. **CALL TO ORDER - ROLL CALL**  
**PLEDGE OF ALLEGIANCE**  
**PUBLIC MEETING PROCEDURE**

*The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

**Public Comment on Agenda Items:** *The public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.*

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

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3** *For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have two minutes each to address the Board on matters not on the agenda. For the first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

Staff/Phone (415) 749-

3. **APPROVAL OF THE MINUTES OF JULY 12, 2018**

Clerk of the Boards/5073

*The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of July 12, 2018.*

4. **CONDUCT INTERVIEWS AND CONSIDER RECOMMENDING BOARD OF DIRECTORS APPROVAL OF CANDIDATES FOR APPOINTMENT TO THE AIR DISTRICT'S HEARING BOARD**

J. Broadbent/5052

[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will conduct interviews of candidates and consider recommending Board of Directors approval of candidates for appointment to the Air District's Hearing Board.*

**CLOSED SESSION**

5. **CONFERENCE WITH LABOR NEGOTIATORS** (Government Code § 54957.6(a))

*Agency Negotiators:* Jack P. Broadbent, Executive Officer/APCO  
Rex Sanders, Chief Administrative Officer

*Employee Organizations:* Bay Area Air Quality Employee's Association, Inc.  
Non-Represented Confidential Employees  
Non-Represented Management Employees

**OPEN SESSION**

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

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed two minutes each to address the Board on non-agenda matters.*

7. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**

*Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

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

*At the Call of the Chair.*

10. **ADJOURNMENT**

*The Committee meeting shall be adjourned by the Committee Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Members of the Personnel Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Committee meeting. Any correspondence received after that time will be presented to the Committee at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at [rsanders@baaqmd.gov](mailto:rsanders@baaqmd.gov).

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT ANTICIPATED MEETINGS

#### FEBRUARY 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Personnel Committee	Wednesday	20	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Public Engagement Committee	Thursday	21	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee	Wednesday	27	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Legislative Committee	Thursday	28	9:30 a.m.	1 <sup>st</sup> Floor Board Room

#### MARCH 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	6	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Advisory Council Mtg.	Monday	11	10:00 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Public Engagement Committee	Thursday	14	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Stationary Source Committee	Monday	18	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Executive Committee	Wednesday	20	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Climate Protection Committee	Thursday	21	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Budget & Finance Committee	Friday	22	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Technology Implementation Office Steering Committee	Monday	25	9:30 a.m.	1 <sup>st</sup> Floor Board Room
Board of Directors Legislative Committee	Wednesday	27	9:30 a.m.	1 <sup>st</sup> Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	28	9:30 a.m.	1 <sup>st</sup> Floor Board Room

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Jim Spering and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: February 5, 2019

Re: Approval of the Minutes of July 12, 2018

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RECOMMENDED ACTION

Approve attached draft minutes of the Personnel Committee (Committee) meeting of July 12, 2018.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of July 12, 2018.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Marcy Hiratzka  
Reviewed by: Vanessa Johnson

Attachment 3A: Draft Minutes of the Committee Meeting of July 12, 2018

# AGENDA: 3A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of July 12, 2018

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

## **DRAFT MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
Thursday, July 12, 2018

### **1. CALL TO ORDER – ROLL CALL**

Personnel Committee (Committee) Chairperson, Jim Spring, called the meeting to order at 9:33 a.m.

Present: Committee Chairperson Jim Spring; Committee Vice Chairperson Doug Kim; and Directors Teresa Barrett, David J. Canepa, David Hudson, Karen Mitchoff, and Brad Wagenknecht.

Absent: Director John Gioia, Carole Groom, Scott Haggerty, and Liz Kniss.

Also Present: None.

### **2. APPROVAL OF THE MINUTES OF MAY 7, 2018**

#### Public Comments:

No requests received.

#### Committee Comments:

None.

#### Committee Action:

Director Hudson made a motion, seconded by Director Mitchoff, to approve the minutes of May 7, 2018; and the motion carried by the following vote of the Committee:

AYES: Barrett, Canepa, Hudson, Kim, Mitchoff, Spring, and Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Gioia, Groom, Haggerty, and Kniss.

**3. CONSIDER REAPPOINTMENT OF THE INCUMBENT TO THE AIR DISTRICT'S (DISTRICT) HEARING BOARD; CONDUCT INTERVIEWS; AND CONSIDER RECOMMENDING BOARD OF DIRECTORS APPROVAL OF CANDIDATES FOR APPOINTMENT TO THE AIR DISTRICT'S HEARING BOARD**

Brian Bunger, Air District Counsel, gave the staff presentation *Hearing Board Interviews and Appointments*, including: overview; background; members; reappointment; recruitment; and interviews and discussion.

The Committee invited the Hearing Board Incumbent Principal member in the attorney category, Valerie Armento, to be interviewed, and then invited candidates for appointment to the Hearing Board to be interviewed. Candidate Tom Chiu was unable to attend the meeting, due to a last-minute scheduling conflict, but candidate Catherine Fortney was interviewed.

Public Comments:

No requests received.

Committee Comments:

The Committee and staff discussed whether a candidate's previous employment at the District might influence their decisions as a member of the Hearing Board; and whether the Committee thought it necessary to hold a second meeting to accommodate the schedule of the candidate who was not able to attend the meeting for his interview.

Committee Action:

Chair Spering made a motion, seconded by Director Canepa, to recommend that the Board reappoint Valerie Armento to serve on the Hearing Board as the Principal member in the attorney category for a three-year term, and the motion carried by the following vote of the Committee:

AYES: Barrett, Canepa, Hudson, Kim, Mitchoff, Spering, and Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Gioia, Groom, Haggerty, and Kniss.

Director Mitchoff made a motion, seconded by Director Canepa, to recommend that the Board appoint Catherine Fortney to the Hearing Board as the Alternate member in the Professional Engineer category for a three-year term; and the motion carried by the following vote of the Committee:

AYES: Barrett, Canepa, Hudson, Kim, Mitchoff, Spering, and Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Gioia, Groom, Haggerty, and Kniss.



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

No requests received.

5. **COMMITTEE MEMBER COMMENTS / OTHER BUSINESS**

None.

6. **TIME AND PLACE OF NEXT COMMITTEE MEETING**

At the Call of the Chair.

7. **ADJOURNMENT**

The meeting adjourned at 9:57 a.m.

Marcy Hiratzka  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Jim Spering and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: February 7, 2019

Re: Conduct Interviews and Consider Recommending Board of Directors Approval of  
Candidates for Appointment to the Air District's Hearing Board

**RECOMMENDED ACTION**

Conduct interviews and consider recommending Board of Directors approval of candidates for appointment to the Air District's Hearing Board.

**BACKGROUND**

Pursuant to Section 40800 of the California Health and Safety Code, the Air District is required to maintain a Hearing Board consisting of five members including, one member who is a professional engineer registered as such pursuant to the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code), one member from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxicologic medicine, one member admitted to the practice of law in this state, and two public members. The Air District Board of Directors may also appoint one alternate for each member. The alternate shall have the same qualifications, specified in Section 40801, as the member for whom such person is the alternate. The alternate may serve only in the absence of the member, and for the same term as the member.

Pursuant to Division I, Section 8.6 of the Air District's Administrative Code, Hearing Board Member terms are limited to fifteen (15) consecutive years, with reappointment possible after a three-year absence.

## DISCUSSION

The terms of office for the Principal and Alternate Hearing Board members in the Medical Profession category will expire on April 20, 2019. As a result, there are two positions to fill. Staff initiated a recruitment effort to fill the position. After extensive recruitment and outreach efforts, staff received a total of four applications. Staff have assessed the candidates' experience and education relative to the position for which the candidates applied and have determined that two of the candidates are eligible to serve.

Interviews of the candidates will occur during the Personnel Committee meeting of February 20, 2019. The length of each interview will be approximately 15 minutes. The application materials of the candidates will be provided to you for your review.

## BUDGET CONSIDERATION / FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Judy Yu  
Reviewed by: Rex Sanders