



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

**FRIDAY
SEPTEMBER 6, 2019
9:30 A.M.**

**1ST FLOOR YERBA BUENA ROOM #109
375 BEALE STREET
SAN FRANCISCO, CA 94105**

**VIDEO CONFERENCE LOCATION
SAN JOSE CITY HALL
200 E. SANTA CLARA STREET
18TH FLOOR, ROOM 1853
SAN JOSE, CA 95113**

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 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 FEBRUARY 20, 2019**

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of February 20, 2019.

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

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.

5. **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.

6. **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)

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

At the Call of the Chair.

8. **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

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
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 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.

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

SEPTEMBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting	Wednesday	4	9:30 a.m.	1 st Floor Board Room
Board of Directors Executive Committee	Thursday	5	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Personnel Committee	Friday	6	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Advisory Council Meeting - CANCELLED AND RESCHEDULED TO DECEMBER 9, 2019	Monday	9	10:00 a.m.	1 st Floor Board Room
Board of Directors Community & Public Health Committee	Thursday	12	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Stationary Source Committee	Monday	16	10:00 a.m.	Milpitas City Hall Council Chambers 455 E. Calaveras Blvd. Milpitas, CA 95035
Board of Directors Executive Committee - CANCELLED	Wednesday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Ad Hoc Building Oversight Committee	Wednesday	18	9:00 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting	Wednesday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Climate Protection Committee	Thursday	19	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	25	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	26	9:30 a.m.	1 st Floor Board Room

OCTOBER 2019

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting	Wednesday	2	9:30 a.m.	The Waterfront Hotel Spinnaker Room 10 Washington St. Oakland, CA 94607
Board of Directors Technology Implementation Office (TIO) Steering Committee	Friday	4	9:30 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee	Wednesday	9	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Executive Committee	Wednesday	16	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee	Wednesday	23	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee	Thursday	24	9:30 a.m.	1 st Floor Board Room
Advisory Council Meeting	Monday	28	10:00 a.m.	1 st Floor Board Room
Board of Directors Community & Public Health Committee	Wednesday	30	9:30 a.m.	1 st Floor Board Room

HL – 8/21/2019 – 10:05 a.m.

G/Board/Executive Office/Moncal

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: August 23, 2019

Re: Approval of the Minutes of February 20, 2019

RECOMMENDED ACTION

Approve attached draft minutes of the Personnel Committee (Committee) meeting of February 20, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of February 20, 2019.

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 February

AGENDA: 3A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of February 20, 2019

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
Wednesday, February 20, 2019

1. CALL TO ORDER – ROLL CALL

Personnel Committee (Committee) Chairperson, Jim Spering, called the meeting to order at 9:30 a.m.

Present: Committee Chairperson Jim Spering; Committee Vice Chairperson Brad Wagenknecht; and Directors Teresa Barrett, Carole Groom, Scott Haggerty, David Hudson, Tyrone Jue, Katie Rice, Rod Sinks.

Absent: Directors Cindy Chavez and John Gioia.

Also Present: None.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS

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

No requests received.

3. APPROVAL OF THE MINUTES OF JULY 12, 2018

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Haggerty made a motion, seconded by Director Hudson, to approve the minutes of July 12, 2018; and the motion carried by the following vote of the Committee:

AYES: Barrett, Groom, Haggerty, Hudson, Rice, Sinks, Sperring, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Gioia, Jue.

4. 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; recruitment; and interviews and discussion.

Two positions on the Hearing Board were under consideration: 1) Principal member in the medical category; and 2) Alternate member in the medical category. The current term for both positions expires on April 20, 2019.

Dr. Peter Chiu, Hearing Board Incumbent Principal member in the medical category, was interviewed by the Committee. Air District staff stated that candidate Lilian Uwuseba was unable to attend the meeting, due to a last-minute scheduling conflict.

Public Comments

No requests received.

NOTED PRESENT: Director Jue was noted present at 9:40 a.m.

Committee Comments

The Committee and staff discussed the timing of this particular recruitment; the request for longer recruitment periods, and the feasibility of requiring a minimum number of days for recruitment periods; the request that Air District staff inform candidates of their interview dates as early as possible, and Air District staff's plan to reopen the recruitment period for the second position.

Committee Action

Director Haggerty made a motion, seconded by Director Hudson, to recommend that the Board reappoint Dr. Peter Chiu to serve on the Hearing Board as the Principal member in the medical category for a three-year term, effective April 20, 2019, and the motion carried by the following vote of the Committee:

AYES: Barrett, Groom, Haggerty, Hudson, Jue, Rice, Sinks, Sperring, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez and Gioia.

CLOSED SESSION (9:52 a.m.)

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

REPORT OUT: Mr. Bungler reported that the Committee provided direction to Air District negotiators.

OPEN SESSION (10:41 a.m.)

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

No requests received.

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

None.

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

At the Call of the Chair.

9. **ADJOURNMENT**

The meeting adjourned at 10:42 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: August 23, 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 in the Principal Professional Engineer position.

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 Principal Hearing Board member in the Professional Engineer category resigned creating a vacancy in that category. As a result, there is one position to fill. Staff initiated a recruitment to fill this position. After extensive recruitment and outreach efforts, staff received three applications for the Professional Engineer position. Staff have assessed the candidates' experience and education relative to the position and have selected candidates with the most relevant qualifications to proceed to interviews with the Personnel Committee.

Interviews of the candidates will occur during the Personnel Committee meeting of September 6, 2019. The length of each interview will be approximately 15 minutes. The application materials submitted by 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: Terri Levels
Reviewed by: Rex Sanders