

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

APPROVED MINUTES

Summary of Board of Directors
Executive Committee Meeting
Wednesday, April 1, 2020

This meeting was conducted under procedures authorized by executive order N-29-20 issued by Governor Gavin Newsom. Members of the committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Executive Committee (Committee) Chairperson, Rod Sinks, called the meeting to order at 9:32 a.m.

Roll Call:

Present: Committee Chairperson Rod Sinks; Committee Vice Chair Cindy Chavez; and Directors John Bauters, John Gioia, Scott Haggerty, David Hudson, Tyrone Jue, Karen Mitchoff, Katie Rice, Jim Spering, Brad Wagenknecht.

Absent: None.

Also Present: None.

2. APPROVAL OF THE MINUTES OF NOVEMBER 6, 2019

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Rice made a motion, seconded by Chair Sinks, to **approve** the minutes of November 6, 2019; and the motion carried by the following vote of the Committee:

AYES: Bauters, Gioia, Haggerty, Jue, Mitchoff, Rice, Sinks.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Hudson, Spering, Wagenknecht.

3. **HEARING BOARD QUARTERLY REPORT: OCTOBER 2019 – DECEMBER 2019**

Brian Bunger, District Counsel, presented this report. He noted that Shore Terminals LLC applied for two separate variances, regarding the facility's vapor recovery system, which was affected by the NuStar Fire that occurred on October 15, 2019.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

4. **BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE**

Allison Brooks, Executive Director of BARC, and Lucian Go, BARC Program Coordinator, gave the presentation *BARC Work Plan Update*, including: BARC Work Plan updates; climate resiliency; state legislative engagement; Assembly Bill (AB) 617: West Oakland Community Action Plan; building electrification; and community climate compass.

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

5. **CONTRACT AMENDMENTS FOR THE PRODUCTION SYSTEM OFFICE**

Damian Breen, Deputy Air Pollution Control Officer of Technology, gave the staff presentation *Production System Office Status Update*, including: My Air Online status overview; conceptual shift: feature migration; permitting and compliance system: current production features; legacy systems: migration status; remaining legacy features: permits and applications and Compliance/Enforcement; website demonstration; website design refresh: homepage; public data center: landing page and description pop-up; dynamic web maps; air quality forecast and facilities; website usage metrics; schedule overview: legacy transition; Request for Quotations results; and recommended actions.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the anticipated delivery date of the Air District’s website’s Public Data Center and dynamic web maps; and whether previous Board concerns about the website’s functionality will be addressed.

Committee Action

Director Hudson made a motion, seconded by Director Bauters, to **authorize** the Executive Officer/Air Pollution Control Officer to execute contract amendments with nine vendors in the total amount of \$2,429,258 for the My Air Online program for the 2019-2020 fiscal year; and the motion carried by the following vote of the Committee:

AYES: Bauters, Gioia, Haggerty, Hudson, Jue, Mitchoff, Rice, Sinks, Spring.
NOES: None.
ABSTAIN: None.
ABSENT: Chavez, Wagenknecht.

6. REMOTE MEETING PROTOCOL FOR SITUATIONS AFFECTING ACCESS TO AIR DISTRICT FACILITIES UPDATE

Mr. Bunger explained that this item was agendized prior to the COVID-19 pandemic, and that the proposed amendments to the Board’s policy on remote meetings for emergency situations were drafted prior to the Governor’s Executive Order N-29-20. After summarizing the current policy, Mr. Bunger said that the proposed amendments to the policy would apply only to public Board committee meetings that occur during situations deemed by the Air District’s Executive Officer/Air Pollution Control Officer and the Board Chairperson as emergencies. If a situation that affects a critically needed meeting arises and the Air District regular public meeting facilities are not accessible, remote participation by both phone and video conferencing would be allowed, while adhering to all applicable Brown Act requirements. (Currently, Brown Act requirements are suspended under the Governor’s Executive Order.)

Public Comments

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

Committee Comments

The Committee and staff discussed whether action is required for this item; the need to protect and enhance the public’s engagement at public meetings, and the request to flesh out the remote access language so that it is equitable and provides a high-quality experience for the public; ways in which the public can contact Air District staff if they need assistance during public meetings; whether the Air District anticipates identifying physical remote participation locations in each Bay Area county and how public comments from those locations would be handled; potential staffing and technological needs at remote locations; the request for stakeholder (public) input on this issue, rather than prioritizing the Board members’ convenience; and how to define what is “critical”. The Committee requested that staff flesh out the proposed modifications and bring them back to the Committee.

Committee Action

None; receive and file.

7. BOARD OF DIRECTORS COMMITTEE MEETING SCHEDULE

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer, stated that at the March 4, 2020 Board meeting, a discussion regarding back-to-back (stacked) meetings took place. He asked Vanessa Johnson, Manager of Executive Operations, to read aloud the proposed meeting schedule for April 2020.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the anticipated duration of the proposed April 15, 2020 Board meeting; the suggestion of designating several Board members (perhaps as an ad hoc committee) to work with Air District staff on streamlining meetings; potential short-term (interim) solutions to ensure meetings are conducted efficiently for members of the Board and public; and the request that any subsequent actions or policy decisions relative to meetings be made to advantage public participation.

NOTED PRESENT: Committee Vice Chair Chavez was noted present at 10:45 a.m.

Committee Action

None; receive and file.

8. WILDFIRE STRATEGIES

Mr. Broadbent introduced Wayne Kino, Deputy Air Pollution Control Officer of Operations, who gave the staff presentation *Wildfire Strategies*, including; major wildfires impacting the Bay Area; Wildfire Air Quality Response Program; 2019 Wildfire program accomplishments; and 2020 Wildfire program objectives.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed how the Air District is the first agency to be granted *region-wide* posting access on Nextdoor, a social networking service for the exchange of helpful information, goods, and services; whether the Air District's Wildfire Prevention Chipping Pilot program will be expanded; whether the Air District may utilize current or leverage additional monitoring conducted by Nextdoor; best uses of the anticipated, limited funding the Air District will receive for clean air shelters (Assembly Bill 836), when that funding would become available; criteria for facilities that could be designated as clean air centers, and which entities the Air District would like to see as recipients of that funding; and the need to develop priority locations for clean air shelters.

Committee Action

None; receive and file.

9. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Josie James, Marinwood resident; Brooke Haver; Giuseppe Ettienne, Noe Valley resident; and Jed Holtzman.

In response to public comments, Mr. Broadbent said the following:

- Air District staff will follow up with the individuals who raised specific incidents in their neighborhoods.
- The Board members will be briefed at the May 6, 2020 Board meeting as to the status of the Air District's rulemaking efforts.
- Several weeks ago, the Air District gave 20,000 respirators (masks) to the Association of Bay Area Health Officers and another 2,000 to Oakland first responders, which practically exhausted the Air District's supply.

10. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS

- Director Bauters acknowledged Santa Clara County for its exemplary leadership during the COVID-19 pandemic.
- Mr. Broadbent said that he issued a statement in response to the Trump administration's proposal to retain the National Ambient Air Quality Standard for particulate matter and that the Air District will be taking legal action to counter this.

11. TIME AND PLACE OF NEXT MEETING

At the conclusion of the meeting, it was announced that the next meeting would take place at the Call of the Chair. After the meeting adjourned, the next meeting was scheduled for Wednesday, July 29, 2020, at 12:30 p.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

12. ADJOURNMENT

The meeting adjourned at 11:20 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards