



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
PERSONNEL COMMITTEE

COMMITTEE MEMBERS

JIM SPERING – CHAIR
TERESA BARRETT
CAROLE GROOM
DAVID HUDSON
NATE MILEY
KATIE RICE

BRAD WAGENKNECHT – VICE CHAIR
CINDY CHAVEZ
SCOTT HAGGERTY
TYRONE JUE
KAREN MITCHOFF

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY
EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

- **MEMBERS OF THE BOARD OF DIRECTORS MAY PARTICIPATE BY
TELECONFERENCE**
- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST
OF THE MEETING BY CLICKING THE LINK AVAILABLE ON THE AIR
DISTRICT'S AGENDA WEBPAGE FOR THE MEETING AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS
FOR THIS MEETING MAY BE SUBMITTED BY EMAIL TO**

Comments@baaqmd.gov

**PLEASE INDICATE THE AGENDA ITEM TO WHICH YOUR EMAILED
COMMENT IS ADDRESSED**

EMAILED COMMENTS WILL BE CONSIDERED DURING THE MEETING

WEDNESDAY
APRIL 15, 2020
1:00 P.M.

AGENDA

1. **CALL TO ORDER - ROLL CALL**

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.

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.

***Email Comment on Agenda Items:** The public may comment on each item on the agenda. Email Comments for items on the agenda must be submitted to Comments@baaqmd.gov prior to the Committee taking up the particular item and indicate the agenda item to which the comment relates. Emailed comments will be considered as the agenda item is taken up by the Committee. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.*

Staff/Phone (415) 749-

2. **APPROVAL OF THE MINUTES OF SEPTEMBER 6, 2019**

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of September 6, 2019.

3. **APPROVAL OF THE MINUTES OF FEBRUARY 5, 2020**

Clerk of the Boards/5073

The Committee will consider approving the attached draft minutes of the Personnel Committee meeting of February 5, 2020.

CLOSED SESSION

4. 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 Management District Employees' Association, Management, and Confidential Employee Groups*

5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)

Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the Executive Officer.

6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)

Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the District Counsel.

OPEN SESSION

7. PUBLIC COMMENT ON NON-AGENDA MATTERS

Emailed comments indicating the comment pertains to non-agenda matters will be considered under this item. Emailed comments containing 250 words or less will be read aloud by staff. Emailed comments exceeding 250 words may be summarized during the meeting, if feasible.

8. 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 Committee 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

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

- 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 MEETINGS

APRIL 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Legislative Committee	Wednesday	15	8:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Ad Hoc Building Oversight Committee	Wednesday	15	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Regular Meeting	Wednesday	15	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Personnel Committee	Wednesday	15	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee - CANCELLED & RESCHEDULED TO WEDNESDAY, APRIL 22, 2020 AT 3:00 P.M.	Thursday	16	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee	Wednesday	22	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	22	10:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source Committee	Wednesday	22	12:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee	Wednesday	22	2:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Climate Protection Committee	Wednesday	22	3:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee - CANCELLED & RESCHEDULED TO WEDNESDAY, APRIL 22, 2020 AT 2:00 P.M.	Thursday	23	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

MAY 2020

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Special Meeting Budget Hearing	Wednesday	6	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Special Meeting	Wednesday	6	10:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community & Public Health Committee – CANCELLED & RESCHEDULED TO WEDNESDAY, MAY 27, 2020 AT 12:30 P.M.	Thursday	7	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Technology Implementation Office (TIO) Steering Committee	Friday	15	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Budget & Finance Committee - CANCELLED	Wednesday	27	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	27	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source Committee	Wednesday	27	11:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community & Public Health Committee	Wednesday	27	12:30 p.m.	Webcast only pursuant to Executive Order N-29-20

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: April 8, 2020

Re: Approval of the Minutes of September 6, 2019

RECOMMENDED ACTION

Approve attached draft minutes of the Personnel Committee meeting of September 6, 2019.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of September 6, 2019.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Committee Meeting of September 6, 2019

AGENDA: 2A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of September 6, 2019

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

Video Conference Location
San Jose City Hall
200 E. Santa Clara Street
18th Floor, Room 1853
San Jose, CA 95113

DRAFT MINUTES

Summary of Board of Directors
Personnel Committee Meeting
Friday, September 6, 2019

1. CALL TO ORDER – ROLL CALL

Personnel Committee (Committee) Vice Chairperson, Brad Wagenknecht, called the meeting to order at 9:34 a.m. Director Chavez was participating via videoconference from San Jose City Hall.

Present: Committee Vice Chairperson Brad Wagenknecht; and Directors Teresa Barrett, Cindy Chavez (remote), Scott Haggerty, David Hudson, Tyrone Jue, Katie Rice, and Rod Sinks.

Absent: Chairperson Jim Spring; and Directors Carole Groom and Nate Miley.

Also Present: Director John Gioia.

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 FEBRUARY 20, 2019

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Barrett made a motion, seconded by Director Haggerty, to approve the minutes of February 20, 2019; and the motion carried by the following vote of the Committee:

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

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

Rex Sanders, Chief Administrative Officer, gave the staff presentation *Hearing Board Interviews and Appointments*, including: overview; background; members; recruitment; and interviews and discussion.

Mr. Sanders explained that two different Hearing Board appointments had originally been agendaized for consideration at this meeting, but that the candidate who was invited to interview for the Alternate position in the Medical category had a last-minute scheduling conflict; consideration of that appointment is postponed.

Two candidates, Catherine Fortney, and Sokcheat Chet Monh, had been selected to interview for the Principal position in the Professional Engineer category. Ms. Fortney held the position of Alternate member in the Professional Engineer category at the time of the meeting. The Committee asked whether Mr. Monh could be appointed to the Alternate position in the Professional Engineer category, provided that Ms. Fortney was appointed to the Principal position, and that the Committee deemed Mr. Monh appropriate for the position. Air District staff said that Mr. Monh could be appointed to the Alternate position, under those circumstances.

Ms. Fortney and Mr. Monh were then interviewed by the Committee.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed the observation that current Hearing Board membership consists of residents in the peninsula and Santa Clara County, and the request for enhanced recruitment for Hearing Board vacancies in the other parts of the Bay Area; and whether it is appropriate to address multiple absences of Principal Hearing Board members.

NOTED PRESENT: Director Hudson was noted present at 9:47 a.m.

Committee Action

Director Barrett made a motion, seconded by Director Hudson, to recommend that the Board appoint Catherine Fortney to serve on the Hearing Board as the Principal member in the Professional Engineer category for a three-year term, and the motion carried by the following vote of the Committee:

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

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS

None.

7. TIME AND PLACE OF NEXT COMMITTEE MEETING

At the Call of the Chair.

8. ADJOURNMENT

The meeting adjourned at 10:17 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: April 8, 2020

Re: Approval of the Minutes of February 5, 2020

RECOMMENDED ACTION

Approve attached draft minutes of the Personnel Committee (Committee) meeting of February 5, 2020.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of February 5, 2020.

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 5, 2020

AGENDA: 3A – ATTACHMENT

Draft Minutes – Personnel Committee Meeting of February 5, 2020

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 5, 2020

1. CALL TO ORDER – ROLL CALL

Personnel Committee (Committee) Chairperson, Jim Spering, called the meeting to order at 9:32 a.m.

Present: Chairperson Jim Spering; Committee Vice Chairperson Brad Wagenknecht; and Directors Teresa Barrett, Cindy Chavez, Scott Haggerty, David Hudson, Tyrone Jue, Nate Miley, Karen Mitchoff, and Katie Rice.

Absent: Director Carole Groom.

Also Present: Board Chairperson Rod Sinks.

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 OCTOBER 16, 2019

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Vice Chair Wagenknecht, to **approve** the Minutes of October 16, 2019; and the motion carried by the following vote of the Committee:

AYES: Barrett, Chavez, Hudson, Jue, Mitchoff, Rice, Spring, and Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Haggerty, Jue.

CLOSED SESSION (9:33 a.m.)

4. PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS - (Government Code Section 54957 and 54957.6)

Pursuant to Government Code Section 54957 and 54957.6, the Committee met in Closed Session to conduct performance evaluations of the Executive Officer and General Counsel.

NOTED PRESENT: Director Haggerty was noted present at 9:34 a.m., and Director Miley was noted present at 9:41 a.m.

Public Comments

No requests received.

Committee Comments

None.

Reportable Action: Chair Spring explained that the Committee members were seeing the evaluations for the first time in Closed Session, and that the Board members had offered a lot of comments, some at the last minute. He stated that once the evaluations have been finalized, he would give them to Mr. Broadbent and Mr. Bunger to review, and then he and Vice Chair Wagenknecht would meet with Mr. Broadbent and Mr. Bunger individually to discuss next steps. Mr. Broadbent and Mr. Bunger will be offered the opportunity to return to the Committee, if they have anything they would like addressed. Board Chair Sinks added that the Committee would like to develop a constructive process that is responsive to the Board members' comments.

OPEN SESSION (10:49 a.m.)

5. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

6. COMMITTEE MEMBER COMMENTS / OTHER BUSINESS

Vice Chair Wagenknecht acknowledged the work of Chair Spering in his capacity as Chair of this committee, and thanked Air District staff for their patience as the Committee develops a new process of conducting performance evaluations.

7. TIME AND PLACE OF NEXT COMMITTEE MEETING

At the conclusion of the meeting, it was announced that the next meeting would take place at the Call of the Chair.

8. ADJOURNMENT

The meeting adjourned at 10:55 a.m.

Marcy Hiratzka
Clerk of the Boards