

Bay Area Air Quality Management District
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APPROVED MINUTES

Summary of Board of Directors
Administration Committee Meeting
Wednesday, March 17, 2021

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

Administration Committee (Committee) Co-Chairperson, Cindy Chavez, called the meeting to order at 9:30 a.m.

Present: Co-Chairpersons Cindy Chavez and Carole Groom; Vice Chairperson Karen Mitchoff; and Directors Margaret Abe-Koga, John Bauters, Rich Constantine, Erin Hannigan, Tyrone Jue, Katie Rice, Mark Ross, and Brad Wagenknecht.

Absent: None.

Also Present: None.

2. APPROVAL OF THE MINUTES OF FEBRUARY 17, 2021

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Wagenknecht made a motion, seconded by Director Bauters to **approve** the Minutes of February 17, 2021; and the motion carried by the following vote of the Committee:

AYES: Abe-Koga, Bauters, Chavez, Constantine, Groom, Hannigan, Jue, Mitchoff, Ross, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Rice.

3. BAY AREA REGIONAL COLLABORATIVE (BARC) UPDATE

Allison Brooks, Executive Director, gave the presentation *BARC Work Plan Update*, including: updates; climate resiliency (state legislative engagement); and Assembly Bill (AB) 617 (West Oakland Community Action Plan).

Public Comments

No requests received.

Committee Comments

None.

Committee Action

None; receive and file.

4. DISCUSSION OF PROPOSED BUDGET FOR FISCAL YEAR ENDING (FYE) 2022

Dr. Jeff McKay, Chief Financial Officer, gave the staff presentation *Discussion of Proposed Budget for FYE 2021-2022*, including: outcome; outline; requested action; financial history actual reserves and policy trends, General Fund revenue and expenditure trends, staffing trends, cost recovery trends, and fees and cost recovery overview; current FY Budget overview; FY 2021-2022 Proposed Budget overview; breakdown of FYE 2022 General Fund revenues and expenditures; breakdown of \$10.5 million budget increase; new staffing requests (General Fund and grant funded); staffing augmentation from Engineering, Technology Implementation Office, Compliance & Enforcement, Finance, Community Engagement, Rules, Strategic Incentives, and Meteorology and Measurement Divisions; capital budget detail; funding of retirement liabilities; community benefit funding; reserve designations; FY 2021-2022 Proposed Budget summary; and feedback requested/prompt.

Public Comments

Public comments were given by Jed Holtzman, 350 Bay Area; LaDonna Williams, All Positives Possible; Jan Warren, Interfaith Climate Action Network of Contra Costa County; Frances Keeler, California Council for Environmental and Economic Balance; Dr. Raymond Tompkins, African-American Community Health Equity Council; and Lonnie Mason, Bayview Hunter's Point resident.

NOTED PRESENT: Director Rice was noted present at 10:40 a.m.

Committee Comments

The Committee and staff discussed General Fund reserves compared with policy and why reserves are typically much higher than policy; how much the Air District's revenue might have increased, had Air District fees been increased in the current FY; whether the Air District plans to reinstate a cost of living adjustment for FYE 21-22; whether "New Woodsmoke Incentive

Grant Reduction in Use of Reserves”, under “Breakdown of \$10.5 million Budget increase” means that the Air District’s existing Woodsmoke Reduction Incentive Program has a new funding cycle; whether the Air District’s Rules Division’s request for one new staff member is adequate; whether the Community Benefits Fund will be partially funded by monies from Air District fines and penalties, and how the discussion that was held during the March 4, 2021 Community Equity, Health & Justice Committee Meeting about how the Air District should budget for the Fund is factored into the current proposal; the suggestion to adjust the Air District’s cost recovery policy and fee schedule as staffing is increased; concerns about increasing staff during a pandemic, and whether all staffing needs have been identified; whether the grant-funded staff positions that were requested are dependent upon the grant monies being allocated to the Air District; limitations set within the Air District’s General Fund Reserves Policy; the request that Air District staff explain the funding horizon for grant-funded positions and whether those could be limited-term positions; and how the Air District plans to improve its metrics on Particulate Matter emissions modeling and monitoring.

Committee Action

None; receive and file.

5. PROPOSED AMENDMENTS TO AIR DISTRICT REGULATION 3: FEES

Fred Tanaka, Air Quality Engineering Manager, gave the staff presentation *Draft Amendments to Regulation 3, Fees*, including: outcome; outline; requested action; cost recovery background; trends in cost recovery from regulatory fees; Draft Fee Amendments (proposed changes to fee schedules); other proposed amendments; impact on large facilities and small businesses; rule development schedule; and feedback requested/prompt.

Public Comments

Public comments were given by Bob Brown, Western States Petroleum Association; Jed Holtzman, 350 Bay Area; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

Committee Comments

The Committee and staff discussed annual percentage permit fee increase and decrease in 2022, and the request that Air District staff differentiates what was budgeted/projected versus what was collected for the year; the acknowledgment that the industry is requesting to know how the Air District’s community monitoring fees are being used; and Air District staff’s position on increasing the Air District’s current cost recovery policy to closer to 100 percent versus the current 85 percent, and the procedure for doing so.

Committee Action

None; receive and file.

6. AUTHORIZATION TO EXECUTE CONTRACT AMENDMENTS FOR PRODUCTION SYSTEM OFFICE

Blair Adams, Information Systems Officer, gave the staff presentation *Authorization to Execute Contract Amendments for Production System Office*, including: outcome; outline; requested action; Permitting and Compliance System (current features in production and recent accomplishments); remaining permitting features; Device Input forms; Permit Application form; material usage information; device emission train information and operation location; remaining compliance features; IRIS reports; web traffic; online payment adoption; legacy transition roadmap summary; budget; and feedback requested/prompt.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether this request is built into the FYE 2022 Budget and whether it was foreseeable.

Committee Action

Director Wagenknecht made a motion, seconded by Director Constantine, to recommend the Board **authorizes** the Executive Officer/Air Pollution Control Officer to execute contract amendments for the Production System Office with the following vendors:

Vendor	Amount	Service Description
Avantpage	\$25,255	Spanish, Chinese, Tagalog, and Vietnamese language translation services to support the Air District’s equity goals.
C&G Technology Services	\$345,760	Software testing services for the permitting and compliance system.
Clay Tablet	\$39,234	Language translation integration and automation software for content transmission, editing, and management.
ClearSparc, Inc.	\$604,755	Software development services for the permitting and compliance system.
Cylogy	\$214,437	Website content management system integration, customization, and support.
Dell	\$173,188	Microsoft value-added reseller of Azure cloud infrastructure services.
Farallon Geographics	\$28,678	Geospatial software development services.

ITDependz	\$479,525	Business analysis and design services for the permitting and compliance system.
Malinda Lai	\$28,678	Web content management and infrastructure support.
Support Focus	\$54,718	Data extract, transform and load services for legacy systems.
TOTAL	\$1,991,565	

The motion carried by the following vote of the Committee:

AYES: Abe-Koga, Bauters, Chavez, Constantine, Hannigan, Jue, Mitchoff, Rice, Ross, Wagenknecht.
 NOES: None.
 ABSTAIN: None.
 ABSENT: Groom.

7. PROPOSED NEW COMMUTER PROGRAM

Lisa Fasano, External Affairs Manager, gave the staff presentation *Flex Your Commute*, including: outcome; outline; requested action; umbrella program; Flex Your Commute; Bay Area commutes; budget; next steps; and feedback requested/prompt.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed how much from the Air District’s General Fund will be allocated to initiate this program; an explanation of the “umbrella program” and the types of tools and resources within it; whether active transportation will be an element of this program; who was consulted in the development of this program; the linkage between Spare the Air and this new program regarding commute practices; whether free transit is possible; and whether this program could be something that the Metropolitan Transportation Commissions’ Blue Ribbon Transit Recovery Task Force should review, as it was created to guide the future of the Bay Area’s public transportation network as the region adjusts to new conditions created by the COVID-19 pandemic.

Committee Action

None; receive and file.

8. AIR DISTRICT COMMUNITY FUNDING ALLOCATIONS REPORT

Co-Chair Chavez said that she and Director Bauters met with environmental justice community members to discuss this item, and now request and recommend that the Committee give Air District staff direction to do the following by the May 2021 Committee meeting:

1. Compile a comprehensive spreadsheet or other suitable document for public consumption that contains the following information:
 - a. The sources of revenue, public and private, that the Air District received and used for community monitoring and affiliated work;
 - b. Any restrictions, limitations, or other requirements placed on those funds, or their subparts, that guide, require, or otherwise direct the Air District in the expenditure of those funds;
 - c. Information that identifies whether the funding source is ongoing or one-time in nature;
 - d. A breakdown of fund expenditure by county, accompanied by baseline population details about the communities served;
 - e. The type of expenditure that was made in each county, including but not limited to capital investments, staff time, contract services, or operations and supplies, that illustrate how the investments were expended; and
 - f. Any additional information staff deems necessary and appropriate to providing a holistic picture as to how district revenues are expended for the community's benefit.

Public Comments

Public comments were given by LaDonna Williams, All Positives Possible; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

Committee Comments

None.

Committee Action

None; receive and file.

9. DISCUSSION ON ADMINISTRATION COMMITTEE WORKPLAN FOR 2021

In the interest of time, this item was *continued* until April 21, 2021.

10. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by La Donna Williams, All Positives Possible.

11. COMMITTEE MEMBERS' COMMENTS

Co-Chair Chavez, Vice Chair Mitchoff, and Director Rice briefly discussed LaDonna Williams' request for names of public meeting participants to be displayed during meetings. Director Bauters raised a point of order, stating that this issue should not be debated, as the topic was not

on the agenda. Brian Bunger, District Counsel, agreed and further indicated that the Ralph M. Brown Act prohibits a public agency from requiring attendees to identify themselves in order to attend a meeting, and thus without permission from each attendee, that might impede the sharing of attendee names.

12. TIME AND PLACE OF NEXT MEETING

Wednesday, April 21, 2021, at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

13. ADJOURNMENT

The meeting adjourned at 12:28 p.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards