



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**BOARD OF DIRECTORS
MEETING
February 3, 2021**

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

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY
CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT'S AGENDA WEBPAGE
AVAILABLE AT**

www.baaqmd.gov/bodagendas

- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING
LINK OR BY PHONE**

<https://bayareametro.zoom.us/j/82536105598>

(408) 638-0968 or (669) 900-6833

WEBINAR ID: 825 3610 5598

- **THOSE PARTICIPATING BY PHONE WHO WOULD LIKE TO MAKE A COMMENT
CAN USE THE "RAISE HAND" FEATURE BY DIALING "*9". IN ORDER TO
RECEIVE THE FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR
APPLICATION IS UP TO DATE**

BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY
FEBRUARY 3, 2021
9:30 A.M.

Chairperson, Cindy Chavez

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

PLEDGE OF ALLEGIANCE

PUBLIC MEETING PROCEDURE

The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board 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.

***Public Comment on Agenda Items** The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda for the meeting, will have three minutes each to address the Board. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (ITEMS 2-4)

Staff/Phone (415) 749-

2. Minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021
Clerk of the Boards/5073

The Board of Directors will consider approving the draft minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021.

3. Board Communications Received from January 20, 2021 through February 2, 2021
J. Broadbent/5052
jbroadbent@baaqmd.gov

A copy of communications directed to the Board of Directors received by the Air District from January 20, 2021 through February 2, 2021, if any, will be distributed to the Board Members by way of email.

4. Consider Adopting Proposed Amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees
J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board of Directors will consider adopting amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees.

PRESENTATIONS, CONTINUATION OF JANUARY 13, 2021, BOARD OF DIRECTORS ORIENTATION

5. Air District Legal Authorities 101
B. Bungler/4797
bbunger@baaqmd.gov
J. Broadbent/5052
jbroadbent@baaqmd.gov

Staff will provide the Board of Directors with an overview of the Air District's legal authority.

6. Update on Core Programs
D. Breen/5041
dbreen@baaqmd.gov
J. Broadbent/5052
jbroadbent@baaqmd.gov

As part of this agenda item, staff will give a background on the core programs and their functions before briefing the Board of Directors on the major objectives in each of these programs for calendar year 2021.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Members of the public who wish to speak on matters not on the agenda for the meeting, will have three minutes each to address the Board.

BOARD MEMBERS' COMMENTS

8. *Any member of the Board, 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)*

OTHER BUSINESS

9. Report of the Executive Officer/APCO

J. Broadbent/5052
jbroadbent@baaqmd.gov

A. Update on Bay Area Hyperlocal Air Quality Mapping Project (Aclima) **R. Chiang/8621**
rchiang@baamd.gov

The Board of Directors will receive an update on Bay Area Hyperlocal Air Quality Mapping Project (Aclima).

B. Update on California and Other Parties' Challenges to Environmental Protection Agency's (EPA) Failure to Lower the National Ambient Air Quality Standard for Particulate Matter (PM) **B. Bungler/4797**

bbunger@baaqmd.gov

The Board of Directors will receive an update on California and other parties' challenges to Environmental Protection Agency's (EPA) failure to lower the National Ambient Air Quality Standard for particulate matter.

10. Chairperson's Report

11. Time and Place of Next Meeting:

Wednesday, March 3, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

12. Adjournment

The Board meeting shall be adjourned by the Board 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, Terri Levels, at (415) 749-4667 or by email at tlevels@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

FEBRUARY 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	3	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Thursday	4	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee – (Rescheduled for February 19, 2021 at 1:00 p.m.)	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Friday	19	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source & Climate Impacts Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

MARCH 2021

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	3	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Community Equity, Health & Justice Committee	Thursday	4	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Stationary Source & Climate Impacts Committee	Monday	15	9:00 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Administration Committee	Wednesday	17	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Legislative Committee	Wednesday	17	1:00 p.m.	Webcast only pursuant to Executive Order N-29-20
Board of Directors Mobile Source & Climate Impacts Committee	Thursday	25	9:30 a.m.	Webcast only pursuant to Executive Order N-29-20

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

Attachment 2A: Draft Minutes of the Board of Directors Special Meeting/Retreat of January 20, 2021

AGENDA 2A – ATTACHMENT

Draft Minutes - Board of Directors Special Meeting/Retreat of January 20, 2021

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

Board of Directors Special Meeting/Retreat
Wednesday, January 20, 2021

DRAFT MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

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.

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, Cindy Chavez, called the meeting to order at 1:02 p.m.

Roll Call:

Present: Chairperson Cindy Chavez; Vice Chair Karen Mitchoff; Secretary John Bauters; and Directors Margaret Abe-Koga, Teresa Barrett, David Canepa, Rich Constantine, Pauline Russo Cutter, John Gioia, Carole Groom, Erin Hannigan, David Haubert, Lynda Hopkins, David Hudson, Davina Hurt, Tyrone Jue, Nate Miley, Katie Rice, Mark Ross, Rod Sinks, Brad Wagenknecht, Shamann Walton, and Lori Wilson.

Absent: None.

COMMENDATIONS/PROCLAMATIONS/AWARDS

2. The Board of Directors recognized outgoing Board Chairperson Rod Sinks for his outstanding leadership as Chair of the Board of Directors in 2020, and Directors Scott Haggerty, Liz Kniss, Jim Spering, and Shirlee Zane for their service, leadership, and dedication to protecting air quality in the Bay Area. Ms. Kniss, Mr. Sinks, and Ms. Zane, who were present at the meeting, gave departing remarks.

Public Comments

Public comments were given by Dr. Raymond Tompkins, African American Community Health Equity Council.

Board Comments

Individual Board members thanked those leaving the Air District's Board for their service.

CONSENT CALENDAR (ITEMS 3 – 12)

3. Minutes of the Board of Directors Special Meeting of January 13, 2021
4. Board Communications Received from December 16, 2020 through January 19, 2021
5. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Months of November and December 2020
6. Air District Personnel on Out-of-State Business Travel
7. Quarterly Report of California Air Resources Board Representative – Hon. John Gioia
8. Authorization to Extend Audit Services Contract with Simpson & Simpson, LLP
9. Authorization to Amend Contracts with Fluxx Labs, Inc.
10. Authorization to Approve Recommended Projects and Contracts with Proposed Grant Awards Over \$100,000
11. Authorization to Participate in Year 23 of the Carl Moyer Program
12. Notice of Proposed Amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Wagenknecht made a motion, seconded by Director Hudson, to **approve** the Consent Calendar Items 3 through 12, inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hannigan, Haubert, Hopkins, Hudson, Hurt, Jue, Miley, Mitchoff, Rice, Ross, Sinks, Wagenknecht, Walton, and Wilson.
- NOES: None.
- ABSTAIN: Hopkins (Item 3 only).
- ABSENT: None.

BOARD OF DIRECTORS RETREAT

13. **Board Governance Structure**

Chair Chavez thanked the Board members who provided feedback on the proposed governance structure and committee management practices at the Board meeting on January 13, 2021. She also announced that the Board members' committee assignments will be released in February.

Public Comments

No requests received.

Board Comments

None.

14. A. Air District Equity Program

Veronica Eady, Senior Deputy Executive Officer of Policy and Equity, gave the staff presentation *Air District Equity Program – External and Internal Efforts*, including: outline; requested action; historical context; external: community exposure, health impacts and costs, about Assembly Bill (AB) 617, equity in community, and AB 617 Year 2021; and internal: demographics by race/ethnicity/gender, diversity, equity, and inclusion, employee engagement, and employee resource teams.

Board Comments

The Board and staff discussed whether “East Oakland”, which is listed as an AB 617 candidate community, includes San Leandro; the request that the Air District pursues legislation to ensure that Cap and Trade program offset projects remain within California; the status of the Bay Area hyper-local monitoring data collection from Aclima, how the data will be interpreted for communities and county staff, and the request for a future presentation on this topic; best practices regarding recruitment for the Air District’s Advisory Council, and the anticipated timeline for the recruitment; the Board’s acknowledgement of the public’s pleas for diversity and inclusivity; and the fact that the Board’s new Ad Hoc Committee on Governance will consider potential committee structures and whether community members may serve on those bodies.

B. Rulemaking Initiatives

Greg Nudd, Deputy Air Pollution Control Officer, gave the staff presentation *Rulemaking Initiatives*, including: presentation outcome; outline; requested action; Particulate Matter (PM) strategy – Advisory Council (AC) findings and recommendations; 2018 Bay Area emissions; Air District response – PM actions; rules for Board consideration in 2021; priority sources for 2021; and sources in impacted communities.

Board Comments

The Board and staff discussed how soon the Air District could ask the Biden Administration to ratify a new PM standard and how long such a ratification could take; whether the Air District’s regulations of stationary source air pollution aligns with those of the California Air Resources Board, which regulates mobile sources; land use decisions and California Environmental Quality Act guidelines in impacted communities updates; the number of data centers in the Bay Area and their locations, and the suggestion that reducing diesel PM emissions from data centers be prioritized by the Air District; anticipated rulemaking schedules in 2021, and the details of a public workshop regarding Draft Amendments to Regulation 6, Rule 5 (Particulate Emissions from Refinery Fluidized Catalytic

Cracking Units) on February 4, 2021; and the history of the crematorium in East Oakland (near 98th Ave. and the Nimitz Freeway).

C. Legislative Initiatives

Alan Abbs, Legislative Officer, gave the staff presentation *Legislative Initiatives*, including: presentation outcome; outline; requested action; and legislative overview: State Budget 2021-22, and state and federal legislation.

Board Comments

None.

Public Comments (on Items 14A – 14C):

Public comments were given by Jed Holtzman, 350 Bay Area; Ladonna Williams, All Positives Possible; Richard Gray, 350 Bay Area; Dr. Stephen Rosenblum, 350 Silicon Valley; Steve Nadel, Sunflower Alliance; Gabriel Goffman; Harlo Pippinger, San Francisco resident; Jennifer Feng, San Francisco resident; Tony Fisher, Coalition for Clean Air; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

PUBLIC COMMENT ON NON-AGENDA MATTERS

15. Public Comments on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Public comments were given by Dr. Raymond Tompkins, African American Community Health Equity Council; LaDonna Williams, All Positives Possible; and Jed Holtzman, 350 Bay Area.

BOARD MEMBERS' COMMENTS

16. Board Members' Comments

None.

OTHER BUSINESS

17. Report of the Executive Office/APCO

Jack P. Broadbent, Executive Officer, Air Pollution Control Officer, announced that a presentation on the Air District's legal construct and core programs will be presented at a future Board meeting. He added that Councilmember for the City of Sacramento, Katie Valenzuela, will be presenting to the Board at its February 3, 2021 meeting.

18. Chairperson's Report

Chair Chavez had nothing to report.

19. **Time and Place of Next Meeting**

Wednesday, February 3, 2021 at 9:30 a.m., via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

20. **Adjournment**

The meeting adjourned at 3:32 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Board Communications Received from January 20, 2021 through February 2, 2021

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from January 20, 2021 through February 2, 2021, if any, will be distributed to the Board Members by way of email.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflor
Reviewed by: Vanessa Johnson

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Consider Adopting Proposed Amendments to the Air District's Administrative Code,
Division I: Operating Policies and Procedures, Section 6: Board of Directors,
Committees

RECOMMENDED ACTION

The Board of Directors will consider adopting proposed amendments to the Air District's Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees.

BACKGROUND

In accordance with provisions of the Administrative Code governing amendments to the Code, notice was given at the January 20, 2021, Board of Directors (Board) meeting that the Board would consider at its next regular meeting, amendments to the Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees.

These amendments will consolidate the roles and change the names of several existing standing committees, as well as bring the work of the existing Ad Hoc Committee on Equity, Access, and Inclusion within the Board's standing committees. These changes are intended to streamline the Board's standing committees in the interests of good governance and consistency in the procedures of the committees to promote transparency and accessibility for public participation. These proposed amendments, if adopted, will replace the entirety of the existing text in Administrative Code, Division I: Operating Policies and Procedures, Section 6: Board of Directors, Committees.

DISCUSSION

Administrative Code Section 14.1, Amendments Mechanism, requires the noticing of proposed amendments at a preceding meeting of the Board of Directors before adoption can take place. These proposed amendments were noticed at the Board of Directors' meeting of January 20, 2021. Adoption of these proposed amendments can now be considered.

All amendments are reflected in the attached underline/strikethrough version of the Administrative Code. The proposed amendments to the Administrative Code are attached for your review and consideration.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bungler

Attachment 4A: Proposed Amended Air District's Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees

Attachment 4B: Proposed Amended Air District's Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees – Redline

Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

6.1 SPECIAL COMMITTEES.

All special committees shall be appointed by the Chairperson, unless otherwise directed by the Board.

6.2 STANDING COMMITTEES.

Standing Committees of the Board of Directors shall be the following:

- (a) Administration Committee, consisting of the Chairperson of the Board, who shall be Chairperson of the Committee, the Vice-Chairperson of the Board, the Board Secretary, the last past Chairperson and up to seven (7) other Directors appointed by the Chairperson.
- (b) Legislative Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (c) Mobile Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (d) Community Equity, Health, and Justice Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (e) Stationary Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (f) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- (g) Each Standing Committee shall have authority to make recommendations to the Board of Directors for action regarding matters within the scope of the Committee's jurisdiction. A standing committee may discuss but may not make recommendations to the Board of Directors regarding issues outside of its jurisdiction and shall refer such matters to the appropriate committee. Except as specified in this Division, or as otherwise specified by the Board of Directors, Standing Committees are not delegated decision-making authority.
- (h) In no event shall the number of members, including the Chairperson of the Board, appointed to a Committee, constitute a quorum of the Board of Directors.

6.3 ROTATION OF COMMITTEES.

The membership on committees shall ordinarily be rotated among the Counties so as to secure participation in the work of the District by as broad a representation as may be possible.

6.4 ADMINISTRATION COMMITTEE.

The Administration Committee will consider such matters of policy affecting the affairs of the District, as may arise from time to time when the Board of Directors is not in session. The Administration Committee shall consult with the officers of the District and, within the scope and limitations of resolutions or other policies adopted by the Board of Directors, shall implement and make more specific the policies and programs of the District and, within such limits determine policies for the officers of the District. The Administration Committee shall not have authority to authorize the expenditure of any moneys otherwise than is appropriated by the budget adopted by the Board of Directors or to alter, change, or reverse any policy established by the Board of Directors. (See Section I-6.7) The Administration Committee shall have the responsibility for overseeing and guiding staff activities relative to long range planning and for receiving short range and long range plan proposals submitted by the District staff, as well as goals and objectives of the District; and for endorsing each year a long-range plan to be submitted to the Board for its approval, and for its use in reviewing the Budget. The Administration Committee should review the goals and objectives, short- and long-range plans of the California Air Resources Board to the extent that they are known. The Administration Committee may receive and consider staff reports, presentations by staff members or other persons, and any other matter not requiring action by the Board. The Administration Committee shall subsequently report on such matters to the Board at a regular meeting of the Board.

The Administration Committee will also assist in the preparation of the annual budget for the District and to present the annual budget with recommendations to the District Board of Directors. The Administration Committee also is responsible for approving administrative policy proposed by the APCO in the area of finance, procurement, insurance, and related matters. At Budget review time each year, the Committee shall evaluate District goals and objectives and recommend to the Board of Directors any changes, deletions, and additions, which it determines to be appropriate.

The Administration Committee will also consider and recommend policies of the District relating to procurement of officers and employees, employment of officers and employees, discharge of officers and employees, salaries and working conditions, and the retaining of consultants. The Administration Committee shall keep itself informed as to the work of the Advisory Council and Hearing Board, to be informed about persons in the community who may be qualified to serve on the Advisory Council and Hearing Board, and to recommend to the Board of Directors selection of such persons whenever vacancies may, from time to time, occur in the Advisory Council and Hearing Board.

6.5 LEGISLATIVE COMMITTEE.

The Legislative Committee will consider and recommend legislative proposals for the District and consider and recommend a District position on all proposed legislation affecting the District. The Legislative Committee, in conjunction with District staff and the District Legislative Advocate, will keep itself informed on pending legislative matters and will meet and/or confer with appropriate legislators as necessary.

6.6 NOMINATING COMMITTEE. (Revised 10/4/95)

The Nominating Committee will consist of the Chairperson of the Board, the past Chairperson of the Board and three (3) appointees of the Chairperson of the Board, or in the event the past Chairperson of the Board is no longer serving on the Board, four (4) appointees of the Chairperson of the Board. The Nominating Committee shall be appointed no later than the second Board Meeting in November of each year and shall serve until the appointment of a new Committee. It is the function of the Nominating Committee to recommend to the Board the officers for each calendar year. In making its recommendation, the Committee shall not be bound by a recommendation of a previous Nominating Committee. The Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors. Additionally, the Committee shall take into account the provisions of Section I-2.7.

6.7 MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE.

The Mobile Source and Climate Impacts Committee will consider and recommend policies and positions of the District relating to transportation planning and funding, on-road and off-road mobile sources, and mobile source fuels. The Committee will keep itself informed on actions or proposed actions by local, regional, state, and federal agencies affecting air pollutant emissions from mobile sources.

The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and funding relative to mobile sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to mobile sources.

6.8 COMMUNITY EQUITY HEALTH AND JUSTICE COMMITTEE.

The Community Equity, Health, and Justice Committee will advise the Board of Directors regarding equitable and inclusive actions the Air District takes to create a healthy breathing environment for all people of the Bay Area, regardless of race, ethnicity, age, gender identity, national origin, immigration status, or sexual orientation. The Committee will oversee staff efforts in developing policies for both internal and external operations, which impact the Bay Area. Internal operations include applying an equity lens to programs, policies, practices, and procedures related to staffing, recruitment, promotions, inclusive practices in the workplace, contracting for capital projects and services, and continuous racial equity training. External operations include addressing disparities by applying an equity lens to Air District programs, policies, practices, and procedures. The Committee will prioritize traditionally marginalized and disinvested communities for investment opportunities to ensure communities highly impacted by air pollution receive program and policy prioritization.

The Committee will also recommend to the Board of Directors overall direction of the District's public engagement programs. In addition, the Committee hears proposals and makes recommendations to the Board of Directors regarding the selection of a contractor(s) to assist the District with aspects of the public engagement programs.

6.9 STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE.

The Stationary Source and Climate Impacts Committee will consider and recommend policies to the Board of Directors relating to stationary sources. The Committee shall recommend positions to the Board of Directors on stationary source policy issues affecting the implementation of the State and Federal Air Quality Management Plans and key planning policy issues, such as federal and state Air Quality Management Plan development and air quality and economic modeling. The Committee shall review and make recommendations to the Board of Directors regarding major stationary source programs, including: permitting, compliance, small business assistance, toxics, source education, and rule development. The Committee shall recommend to the Board of Directors positions concerning federal and state regulations that affect stationary sources. The Committee shall recommend policies to the Board of Directors for disbursal of supplemental environmental project grants.

The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and funding relative to stationary sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to stationary sources.

6.10 QUORUM FOR COMMITTEES. (Revised 12/6/06)

There is no quorum requirement for a Committee meeting to be held, except that, for the purpose of making a Committee recommendation to the Board of Directors, there is established a quorum of five (5) Committee members.

6.11 COMMITTEE PROCEDURE. (Revised 12/6/06)

(a) Voting. Only members of the Committee shall be allowed to vote on Committee recommendations.

(b) Minority Report. Any Committee member can submit a Minority Report to accompany the Committee recommendation submitted to the Board of Directors, but may not use District staff to prepare such report.

Proposed Amended Administrative Code, Division I, Operating Policies and Procedures, Section 6 Board of Directors Committees - Redline

SECTION 6 BOARD OF DIRECTORS, COMMITTEES

6.1 SPECIAL COMMITTEES.

All special committees shall be appointed by the Chairperson, unless otherwise directed by the Board.

6.2 STANDING COMMITTEES. ~~(Revised 3/6/2015)~~

Standing Committees of the Board of Directors shall be the following:

- (a) ~~Executive Administration~~ Executive Administration Committee, consisting of the Chairperson of the Board, who shall be Chairperson of the Committee, the Vice-Chairperson of the Board, the Board Secretary, the last past Chairperson and ~~five (5) up to seven (7)~~ other Directors appointed by the Chairperson.
- (b) ~~Budget and Finance~~ Legislative Committee, consisting of ~~nine (9) up to eleven (11)~~ Directors appointed by the Chairperson.
- (c) ~~Personnel~~ Mobile Source and Climate Impacts Committee, consisting of ~~nine (9) up to eleven (11)~~ Directors appointed by the Chairperson.
- (d) ~~Legislative~~ Community Equity Health and Justice Committee, consisting of ~~nine (9) up to eleven (11)~~ Directors appointed by the Chairperson.
- (e) ~~Mobile~~ Stationary Source and Climate Impacts Committee, consisting of ~~nine (9) up to eleven (11)~~ Directors appointed by the Chairperson.
- ~~(f) Public Engagement Committee, consisting of (9) Directors appointed by the Chairperson.~~
- ~~(g) Stationary Source Committee, consisting of nine (9) Directors appointed by the Chairperson. (f~~
- ~~(h) Climate Protection Committee, consisting of nine (9) Directors appointed by the Chairperson.~~
- (i) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- (j) Each Standing Committee shall have authority to make recommendations to the Board of Directors for action regarding matters within the scope of the Committee's jurisdiction. A standing committee may discuss but may not make recommendations to the Board of Directors regarding issues outside of its jurisdiction and shall refer such matters to the appropriate committee. Except as specified in this Division or as otherwise specified by the Board of Directors, Standing Committees are not delegated decision-making authority.
- (h) In no event shall the number of members, including the Chairperson of the Board, appointed to a Committee, constitute a quorum of the Board of Directors.

6.3 ROTATION OF COMMITTEES.

The membership on committees shall ordinarily be rotated among the Counties so as to secure participation in the work of the District by as broad a representation as may be possible.

6.4 ~~DUTIES OF EXECUTIVE ADMINISTRATION~~ COMMITTEE.

~~It is the function of the Executive~~ The Administration Committee ~~to will~~ consider such matters of policy affecting the affairs of the District as may arise from time to time when the Board of Directors is not in session. The ~~Executive Administration~~ Executive Administration Committee shall consult with the officers of the

District and, within the scope and limitations of resolutions or other policies adopted by the Board of Directors, shall implement and make more specific the policies and programs of the District and, within such limits determine policies for the officers of the District. The ~~Executive Administration~~ Committee shall not have authority to authorize the expenditure of any moneys otherwise than is appropriated by the budget adopted by the Board of Directors or to alter, change or reverse any policy established by the Board of Directors. (See Section I-6.7) The ~~Executive Administration~~ Committee ~~shall have~~ shall have the responsibility for overseeing and guiding staff activities relative to long range planning and for receiving short range and long range plan proposals submitted by the District staff, as well as goals and objectives of the District; and for endorsing each year a long range plan to be submitted to the Board for its approval, and ~~to the Budget and Finance Committee~~ for its use in reviewing the Budget. The ~~Executive Administration~~ Committee should review the goals and objectives, short- and long-range plans of the California Air Resources Board to the extent that they are known. The ~~Executive Administration~~ Committee may receive and consider staff reports, presentations by staff members or other persons, and any other matter not requiring action by the Board. The ~~Executive Administration~~ Committee shall subsequently report on such matters to the Board at a regular meeting of the Board.

~~6.5 BUDGET AND FINANCE COMMITTEE. (Revised 5/3/00)~~

~~It is the function of the Budget and Finance~~ The Administration Committee ~~to will also~~ assist in the preparation of the annual budget for the District and to present the annual budget with recommendations to the District Board of Directors. The ~~Budget and Finance Administration~~ Committee also is responsible for approving administrative policy proposed by the APCO in the area of finance, procurement, insurance and related matters. At Budget review time each year the Committee shall evaluate District goals and objectives and recommend to the Board of Directors any changes, deletions and additions which it determines to be appropriate.

~~6.6 PERSONNEL COMMITTEE.~~

~~It is the function of the Personnel~~ The Administration Committee ~~to will also~~ consider and recommend policies of the District relating to procurement of officers and employees, employment of officers and employees, discharge of officers and employees, salaries and working conditions, and the retaining of consultants. The ~~Personnel Administration~~ Committee shall keep itself informed as to the work of the Advisory Council and Hearing Board, to be informed about persons in the community who may be qualified to serve on the Advisory Council and Hearing Board, and to recommend to the Board of Directors selection of such persons whenever vacancies may from time to time occur in the Advisory Council and Hearing Board.

~~6.7~~ LEGISLATIVE COMMITTEE.

~~It is the function of the~~ The Legislative Committee ~~to will~~ consider and recommend legislative proposals for the District and ~~to~~ consider and recommend a District position on all proposed legislation affecting the District. The Legislative Committee, in conjunction with District staff and the District Legislative Advocate, will keep itself informed on pending legislative matters and will meet and/or confer with appropriate legislators as necessary.

~~6.8~~ NOMINATING COMMITTEE. (Revised 10/4/95)

The Nominating Committee will consist of the Chairperson of the Board, the past Chairperson of the Board and three (3) appointees of the Chairperson of the Board, or in the event the past

Chairperson of the Board is no longer serving on the Board, four (4) appointees of the Chairperson of the Board. The Nominating Committee shall be appointed no later than the second Board Meeting in November of each year and shall serve until the appointment of a new Committee. It is the function of the Nominating Committee to recommend to the Board the officers for each calendar year. In making its recommendation, the Committee shall not be bound by a recommendation of a previous Nominating Committee. The Committee need not follow a strict rule of rotation between supervisor and city members but may take into account their proportionate membership on the Board of Directors. Additionally, the Committee shall take into account the provisions of Section I-2.7.

6.97 MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE. ~~(Revised 3/18/98)~~

~~It is the function of the~~ The Mobile Source and Climate Impacts Committee ~~to~~ will consider and recommend policies and positions of the District relating to transportation planning and funding, on-road and off-road mobile sources, and mobile source fuels. ~~The Mobile Source~~ Committee will keep itself informed on actions or proposed actions by local, regional, state and federal agencies affecting air pollutant emissions from mobile sources.

~~**6.10 PUBLIC ENGAGEMENT COMMITTEE**~~ ~~(Revised 3/6/2015)~~

~~It is the function of the~~ The Committee ~~will also consider and recommend to give the~~ Board of Directors policies and positions of the District relating to climate protection activities and funding relative to mobile sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection relative to mobile sources.

6.8 COMMUNITY EQUITY HEALTH AND JUSTICE COMMITTEE

The Community Equity Health and Justice Committee will advise the Board of Directors regarding equitable and inclusive actions the Air District takes to create a healthy breathing environment for all people of the Bay Area, regardless of race, ethnicity, age, gender identity, national origin, immigration status, or sexual orientation. The Committee will oversee staff efforts in developing policies for both internal and external operations, which impact the Bay Area. Internal operations include applying an equity lens to programs, policies, practices and procedures related to staffing, recruitment, promotions, inclusive practices in the workplace, contracting for capital projects and services, and continuous racial equity training. External operations include addressing disparities by applying an equity lens to Air District programs, policies, practices, and procedures. The Committee will prioritize traditionally marginalized and disinvested communities for investment opportunities to ensure communities highly impacted by air pollution receive program and policy prioritization.

The Committee will also recommend to the Board of Directors overall direction ~~to~~ of the District's public engagement programs. In addition, the Committee hears proposals and makes recommendations to the Board of Directors regarding the selection of a contractor(s) to assist the District with aspects of the public engagement programs. ~~The Committee consists of Board members who vote on issues that come before the Committee.~~

6.119 STATIONARY SOURCE AND CLIMATE IMPACTS COMMITTEE. ~~(Revised 2/19/03)~~

~~It is the function of the~~The Stationary Source and Climate Impacts Committee ~~to~~will consider and recommend policies to the Board of Directors relating to stationary sources. The Committee shall recommend positions to the Board of Directors on stationary source policy issues affecting the implementation of the State and Federal Air Quality Management Plans and key planning policy issues such as federal and State Air Quality Management Plan development and air quality and economic modeling. The ~~Stationary Source~~ Committee shall review and make recommendations to the Board of Directors regarding major stationary source programs including: permitting, compliance, small business assistance, toxics, source education, and rule development. The ~~Stationary Source~~ Committee shall recommend to the Board of Directors positions concerning federal and state regulations that affect stationary sources. The ~~Stationary Source~~ Committee shall recommend policies to the Board of Directors for disbursement of supplemental environmental project grants.

~~6.12 CLIMATE PROTECTION COMMITTEE.~~

~~It is the function of the Climate Protection~~The Committee ~~to~~will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and funding. ~~The Climate Protection~~ relative to stationary sources. The Committee will keep itself informed on actions and proposed actions by local, regional, state, federal, and international agencies and organizations relating to climate protection. ~~relative to stationary sources.~~

6.1310 QUORUM FOR COMMITTEES. (Revised 12/6/06)

There is no quorum requirement for a Committee meeting to be held, except that, for the purpose of making a Committee recommendation to the Board of Directors, there is established a quorum of five (5) Committee members.

6.1411 COMMITTEE PROCEDURE. (Revised 12/6/06)

(a) Voting. Only members of the Committee shall be allowed to vote on Committee recommendations.

(b) Minority Report. Any Committee member can submit a Minority Report to accompany the Committee recommendation submitted to the Board of Directors, but may not use District staff to prepare such report.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Air District Legal Authorities 101

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Staff will provide information on aspects of the Air District's legal authority. This presentation will provide an overview of the topic.

DISCUSSION

Staff will discuss the legal framework in which the Air District operates, the legal authorities granted, and obligations imposed by that framework.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian C. Bunger

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Update on Core Programs

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Since its foundation in 1955, the Air District has relied on certain “core” programs to achieve its mission and objectives. Historically, that mission centered around attaining the federal ambient air quality standards and protecting local air quality.

The tools used in those efforts – monitoring ambient air quality, creating plans to attain ambient air quality standards, adopting regulations and then translating those regulations into facility permits that can be used to determine compliance – form the basis of the core programs: Compliance and Enforcement, Engineering, and Meteorology and Measurement.

We identify these as the core programs, as they are the beginnings of the air quality program. Their functions and activities are enshrined in federal, state, and local law and have been the center around which the agency has built over the last 65 years.

DISCUSSION

As part of this agenda item, staff will give a background on the core programs and their functions before briefing the Board of Directors on the major objectives in each of these programs for the calendar year 2021.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Pamela Leong, Ranyee Chiang, and Jeff Gove
Reviewed by: Veronica Eady, Damian Breen, and Greg Nudd

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 Memorandum

To: Chairperson Cindy Chavez and Members
 of the Board of Directors

From: Jack P. Broadbent
 Executive Officer/APCO

Date: January 28, 2021

Re: Update on Bay Area Hyperlocal Air Quality Mapping Project (Aclima)

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

On April 3, 2019, the Board of Directors authorized the Executive Officer/APCO to execute a contract with Aclima, Inc. to map air pollutants in all nine Bay Area counties. To gather air quality data over more than 5,000 square miles, fleets of low-emission cars have been equipped with sensing devices and software. Every publicly accessible block will be driven multiple times throughout a year. The data will then be combined to estimate the block-by-block average annual concentrations of critical air pollutants and greenhouse gases, including fine particulates, ozone, and nitrogen dioxide.

DISCUSSION

The driving and data collection for this project began in late 2019 and will be completed in early 2021.

County	Date for Completing Year of Driving
Alameda	November 30, 2020
Contra Costa	October 31, 2020
Marin	March 20, 2021
Napa	March 20, 2021
San Francisco	September 30, 2020
San Mateo	October 31, 2020
Santa Clara	February 28, 2021
Solano	March 20, 2021
Sonoma	March 20, 2021

Data from each county will be released through Aclima’s public web portal after it has been validated by Aclima and reviewed by Air District staff to ensure that the public can have high confidence in the results, which is expected within a few months of driving completion. However, this timeframe may be adjusted if there are remaining questions and uncertainty about the data.

This project is the first time that hyper-local air quality data is being collected over such a large area and over entire year. The COVID-19 pandemic and wildfires in 2020 also caused unanticipated challenges that required adjustments to the data collection, analysis, and review. Air District staff are reviewing the project methods and data, including:

- Sensor collocation at an Air District monitoring station to ensure data accuracy;
- Development of data visualization and analysis tools so data is accessible and understandable to community members;
- Reviewing driving coverage (by geography and time), potential biases, metrics, and uncertainty; and
- Reviewing impacts of shelter-in-place and wildfires on data and the correction factors that are being applied.

The high-resolution air quality data will be used to identify pollution hotspots for further investigation or to take emissions reduction actions. Further investigation may include follow-up monitoring or testing emissions from facilities. Emissions reduction actions, which can be taken by the Air District or other jurisdictions, include rule development, enforcement, incentives to switch to lower emissions technologies, planning, and land use decisions. The data will be shared with community members and local governments through Aclima’s public portal or summary reports to better understand air quality concerns and take data-driven actions to improve air quality.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jon Bower
Reviewed by: Ranyee Chiang

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Cindy Chavez and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: January 28, 2021

Re: Update on California and Other Parties' Challenges to Environmental Protection Agency's
(EPA) Failure to Lower the National Ambient Air Quality Standard for Particulate Matter
(PM)

RECOMMENDED ACTION

None; informational only.

DISCUSSION

Staff will provide a verbal update on California and other parties' challenges to Environmental Protection Agency's (EPA) failure to lower the National Ambient Air Quality Standard for particulate matter (PM).

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Justine Buenaflo
Reviewed by: Vanessa Johnson