

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

Board of Directors Regular Meeting
Wednesday, March 3, 2021

APPROVED 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 9:31 a.m.

Roll Call:

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

Absent: Directors Erin Hannigan and Lori Wilson.

CONSENT CALENDAR (ITEMS 2 – 13)

2. **Minutes of the Board of Directors Meeting of February 3, 2021**
3. **Board Communications Received from February 3, 2021 through March 2, 2021**
4. **Air District Personnel on Out-of-State Business Travel**
5. **Quarterly Report of the Executive Office and Division Activities for the Months of October 2020 – December 2020**
6. **Quarterly Report of California Air Resources Board Representative – Hon. John Gioia**
7. **Referral of Proposed Budget for Fiscal Year Ending (FYE) 2022 to the Administration Committee**
8. **Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of January 2021**
9. **Consider Establishing a New Classification of Principal Human Resources Analyst and Amending Classification Title of the Executive Secretary Series**
10. **Consider Establishing a New Classification of Administrative Assistant I/II and Principal Air Quality Meteorologist**

11. **Report of the Administration Committee Meeting of February 17, 2021**

The Board approved the following:

A) **Hearing Board Quarterly Report: October 2020 – December 2020**

1) *None; receive and file.*

B) **Advisory Council Recruitment**

1) *None; receive and file.*

C) **Second Quarter Financial Report – Fiscal Year Ending (FYE) 2021**

1) *None; receive and file.*

D) **Air District Financial Plan Overview**

1) *None; receive and file.*

E) **Update on Spare the Air Advertising and Messaging Campaigns**

1) *Approve Allison+Partners as the selected contractor for the Spare the Air Campaigns, Advertising, Communications, and Evaluation Services; authorize the Executive Officer/Air Pollution Control Officer (APCO) to execute a contract with Allison+Partners, in an amount not to exceed \$1,950,000 per contract year, during Fiscal Year Ending (FYE) 2022 and FYE 2023, and \$2,019,000 for FYE 2024, to be broken down as follows:*

- *Spare the Air Summer Campaign*
 - *Advertising* \$600,000
 - *Media Relations* \$200,000
 - *Social Media* \$75,000
 - *Employer Program* \$200,000
 - *Public Opinion Surveys* \$50,000

- *Spare the Air Winter Campaign*
 - *Advertising* \$600,000
 - *Media Relations* \$100,000
 - *Social Media* \$75,000
 - *Public Opinion Surveys* \$50,000
 - *In-Language Option Surveys* \$69,000 (3rd year of contract only)

F) **Proposed Contract Extension for Climate Tech Finance Program**

1) *Authorize the Executive Officer/APCO to negotiate and execute an agreement with the California Infrastructure and Economic Development Bank to continue to support loans and loan guarantees under the Air District's Climate Tech Finance program.*

G) **Ad Hoc Governance Committee – Next Steps**

1) *None; receive and file.*

12. **Report of the Legislative Committee Meeting of February 17, 2021**

The Board approved the following:

A) State Legislative Budget Update

1) None; receive and file.

B) Air District-Sponsored Bill

1) None; receive and file.

C) Consideration of New Bills

1) Oppose positions on the following bills:

- *Assembly Bill (AB) 220 (Voepel) – Smog Check: exemption*
- *AB 467 (Grayson) – Smog Check: exemption: historic vehicles*
- *AB 363 (Medina) – Carl Moyer Air Quality Standards Attainment Program*

D) 2021 Legislative Platform

1) The Legislative Committee reviewed and discussed the draft legislative platform for 2021 and based on discussion and feedback, staff will provide a revised platform for the March 2021 meeting.

E) Federal Legislative Update

1) None; receive and file.

13. Report of the Mobile Source & Climate Impacts Committee Meeting of February 25, 2021

The Board approved the following:

A) Projects and Contracts with Proposed Grant Awards Over \$100,000

- 1) Approve recommended projects with proposed grant awards over \$100,000 as shown in Attachment 1, including a policy waiver to allow the Transportation Fund for Clean Air Regional Fund to be used as match for a recommended school bus project;*
- 2) Waive Policy #2, regarding Cost-Effectiveness, of the Transportation Fund for Clean Air Regional Fund to allow the replacement of two diesel buses with electric zero-emission buses to be fully reimbursable with Air District grant funding; and*
- 3) Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects.*

B) Report on Air District Grant Programs and Funds Awarded in 2020

1) None; receive and file.

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Hudson made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar Items 2 through 13, inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Hopkins, Hudson, Hurt, Jue, Melgar, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Walton.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Hannigan, Haubert, Miley, Wilson.

COMMITTEE REPORT

14. Reports of the Community Equity, Health & Justice Committee Meetings of February 4, 2021 and February 19, 2021

Chair Chavez clarified that there were two meetings of the Community Equity, Health & Justice Committee in February, resulting in two separate actions for the Board to consider. Community Equity, Health & Justice Committee Co-Chair, Davina Hurt, gave an explanation of what topics were discussed at those two meetings.

Greg Nudd, Deputy Air Pollution Control Officer (APCO) of Policy, explained to the Board the Community Equity, Health & Justice Committee’s decisions on the structure of the proposed Richmond-North Richmond-San Pablo (Path to Clean Air) Community Emissions Reduction Plan (CERP) Community Steering Committee. These decisions included: number of seats; percent of residents who live in Richmond, North Richmond, and San Pablo; Co-Chairperson structure; role of industry; how the Steering Committee will report to the Board; and the Steering Committee’s Rules of Order.

NOTED PRESENT: Directors Haubert and Miley were noted present at 9:38 a.m.

Public Comments

Public comments were given by Andres Soto, Communities for a Better Environment (CBE); LaDonna Williams, All Positives Possible; Jed Holtzman, 350 Bay Area; and Dr. Raymond Tompkins, African-American Community Health Equity Council.

Board Comments

The Board and staff discussed concern regarding the fact that the members of the Richmond-North Richmond-San Pablo CERP Community Steering Committee “Design Team” were not considered by the Board for membership on the actual Steering Committee; the reason for 30 recommended members in the proposed slate, when an odd number had been previously decided upon by the Board; the request for the Board’s guidance (by Air District staff) on the “Contra Costa County Public Health” seat on the Steering Committee, and the reason why it is currently empty; claims from a member of the public alleging Steering Committee member candidates consuming alcoholic beverages during a past Assembly Bill (AB) 617-related meeting in Richmond; how proposed revisions to the existing slate of recommended members would be processed; and the role and activities of the former Richmond-San Pablo Area Community Air Monitoring Plan Steering Committee.

Board Action

Director Hudson made a motion, seconded by Director Cutter, to:

A. RESOLUTION

Adopt the following resolution, establishing a Community Steering Committee for the AB 617 Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan, establishing criteria for membership on the Community Steering Committee:

Resolution No. 2021-02: A Resolution of the Board of Directors of the Bay Area Air Quality Management District Establishing a Community Steering Committee for the AB 617 Richmond-North Richmond-San Pablo (Path to Clean Air) Area Community Emissions Reduction Plan, Establishing Criteria for Membership on the Community Steering Committee, and Appointing Initial Slate of Members.

B. SLATE OF CANDIDATES

Appoint the initial members for the Richmond-North Richmond-San Pablo (Path to Clean Air) Community Emissions Reduction Plan (CERP) Community Steering Committee:

Alfredo Rafael Angulo-Castro	Gloria Ruiz	Lucia Castillo
Amanda Booth	Hakim Johnson	Micaela Zaragoza-Soto
Arto Rintella	Heidi V Swillinger	Nancy Aguirre
Bret Andrews	Henry Clark	Omoniyi Omotoso
Darlena David	Jeffrey L Kilbreth	Patricia A. Daniels
Darlene Rios Drapkin	Jessica Range	Phillip Mitchell
Dave Severy	Jim Holland	Roberta Feliciano
Erika Ramirez	Kevin Ruano Hernandez	Suzanne Coffee
Fabiola Reyes	Lizbeth Ibarra	Vernon Whitmore
Francisco Avila	Lizette Bernal	Yanad Burrell

The motion **carried** by the following vote of the Board:

- AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Constantine, Cutter, Gioia, Groom, Haubert, Hopkins, Hudson, Hurt, Jue, Melgar, Miley, Mitchoff, Rennie, Rice, Ross, Wagenknecht, Walton.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Hannigan, Wilson.

PRESENTATION

15. The Role of Environmental Justice and Community in Air Quality Policy Making

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, introduced Sacramento City Councilmember and environmental justice advocate, Katherine Valenzuela, who gave the presentation “*The Role of Environmental Justice and Community in Air Quality Policy Making*,” including: about me; legislative authority for air districts; AB 617 Community Air Protection Program; AB 617 monitoring and

Community Emissions Reduction Plans; what does environmental justice look like; focus; low-income and disadvantaged communities; process; outcomes; what does 2045 look like; and from one elected to another.

Public Comments

Public comments were given by LaDonna Williams, All Positives Possible; Andres Soto, CBE; Jed Holtzman, 350 Bay Area; and Richard Gray, 350 Bay Area.

Board Comments

The Board and staff discussed the importance of educating members of communities on air quality issues and learning from other communities' experiences; the desire of some Board members for a designated representative from the Environmental Justice community as a voting member of the Board, and the legislative action that would require; how the Air District implements metrics to measure the reduction of air pollution in a given area; and concerns about low-income households who may not be able to afford transitioning from burning fossil fuel to electrification (in their homes.)

Committee Action

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

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

Public comments were given by Jed Holtzman, 350 Bay Area; and Andres Soto, CBE.

BOARD MEMBERS' COMMENTS

17. Board Members' Comments

Director Barrett reported that on March 1, 2021, the City of Petaluma adopted an ordinance to prohibit new gas station land uses and enact new regulations for zero-emission vehicles. She also requested that the Air District assist with the installation of Level 3 Electric Vehicle Charging stations.

OTHER BUSINESS

18. Report of the Executive Officer/APCO

A. Update on Chevron Incident and Phillips 66 Refineries

Jack P. Broadbent, Executive Officer/APCO, introduced Damian Breen, Senior Deputy Executive Officer of Operations, who gave staff presentations: *Chevron Oil Spill Summary from February 9, 2021*; and *Phillips 66 Refinery Hydrogen Sulfide Release from February 23, 2021*.

Public Comments

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

Board Comments

The Board and staff discussed the suggestion that the Air District requests a third-party, root cause analysis for each of these two refinery incidents; the Air District's Compliance & Enforcement Division's investigations of these incidents; cumulative impacts on the affected fenceline communities; and how to ensure that the refinery facility operators are properly maintaining their infrastructure.

19. **Chairperson's Report**

Chair Chavez announced the following:

- The San Francisco County Board of Supervisors appointed Supervisor Myrna Melgar, to the Air District's Board on February 23, 2021. Her four-year term expires February 1, 2025.
- The Santa Clara County Board of Supervisors reappointed Mountain View City Councilmember, Margaret Abe-Koga, to the Air District's Board on February 9, 2021, for a four-year term, expiring on February 12, 2025.
- The San Francisco County Board of Supervisors reappointed Supervisor Shamann Walton to the Air District's Board on February 23, 2021, for a four-year term, expiring on February 1, 2025.
- The Sonoma County Cities Selection Committee reappointed the Mayor of Petaluma, Teresa Barrett, to the Air District's Board on February 11, 2021, for a two-year term, expiring on February 11, 2023.

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

The next Board of Directors meeting was originally scheduled for Wednesday, April 7, 2021 at 9:30 a.m. After the meeting concluded, the next meeting was scheduled for Wednesday, April 7, 2021 at 8:30 a.m. via webcast, pursuant to procedures authorized by Executive Order N-29-20 issued by Governor Gavin Newsom.

21. **Adjournment**

The meeting adjourned at 11:51 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards