



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
ADMINISTRATION COMMITTEE

COMMITTEE MEMBERS

JOHN J. BAUTERS – CHAIR
MARGARET ABE-KOGA
JOHN GIOIA
TYRONE JUE
KATIE RICE
BRAD WAGENKNECHT

DAVINA HURT - VICE CHAIR
TERESA BARRETT
DAVID HUDSON
KAREN MITCHOFF
MARK ROSS

THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY ASSEMBLY BILL 361 (RIVAS 2021) ALLOWING REMOTE MEETINGS. THIS MEETING WILL BE ACCESSIBLE VIA WEBCAST, TELECONFERENCE, AND ZOOM. A ZOOM PANELIST LINK WILL BE SENT SEPARATELY TO COMMITTEE OR BOARD MEMBERS

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ADMINISTRATION COMMITTEE MEETING AGENDA

WEDNESDAY, DECEMBER 21, 2022

11:00 AM

1. **Call to Order - Roll Call**
2. **Pledge of Allegiance**
3. **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.

***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 two minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

CONSENT CALENDAR (Item 4)

4. Approval of the Minutes of the Administration Committee meeting of November 2, 2022

The Committee will consider approving the attached draft minutes of the Administration Committee meeting of November 2, 2022.

ACTION ITEM(S)

5. Consider Recommending the Board of Directors Authorize a Corrective Action Plan to Implement the Recommendations from the Human Resources Management Performance Audit

This is an action item for the Committee to consider recommending the Board of Directors authorize the Corrective Action Plan to implement recommendations from the Human Resources Management Performance Audit. This item will be presented by John Chiladakis, Acting Chief Administrative Officer.

6. Proposed Amendments to Administrative Code - Creation of New Finance & Administration Committee and Time Limits for Public Comment

This is an action item for the Committee to recommend to the Board of Directors that the Board (i) combine the existing Administration Committee and Budget & Finance Committee into a new Finance & Administration Committee, and (ii) revise the Administrative Code provision on time limits for public comment. This item will be presented by District Counsel Alexander Crockett.

OTHER BUSINESS

7. Public Comment on Non-Agenda Matters

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 two minutes each to address the Committee.

8. Committee Member Comments

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 Chair.

10. Adjournment

The Committee meeting shall be adjourned by the 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 Air 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, Suma Peesapati, at (415) 749-4967 or by email at speesapati@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

DECEMBER 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED	Monday	19	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	21	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	21	11:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Thursday	22	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee - CANCELLED	Wednesday	28	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

JANUARY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting - CANCELLED	Wednesday	4	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Finance & Administration Committee -CANCELLED	Wednesday	4	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee - CANCELLED	Monday	9	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED	Wednesday	11	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee - CANCELLED	Wednesday	11	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting - CANCELLED	Wednesday	18	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee - CANCELLED	Wednesday	18	1:00 p.m.	Webcast only pursuant to Assembly Bill 361

JANUARY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Community Advisory Council Meeting	Thursday	19	6:00 p.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	23	5:30 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Special Meeting	Wednesday	25	9:00 a.m.	1st Floor, Board Room (In person option available) <u>and REMOTE</u> pursuant to Assembly Bill 361

MV 12/16/2022 – 3:47 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson John J. Bauters and Members
of the Administration Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: December 21, 2022

Re: Approval of the Minutes of the Administration Committee meeting of November 2,
2022

RECOMMENDED ACTION

Approve the attached draft minutes of the Administration Committee meeting of November 2,
2022.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Administration Committee
meeting of November 2, 2022.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Administration Committee Meeting of November 2, 2022

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

DRAFT MINUTES

Administration Committee Meeting
Wednesday, November 2, 2022

This meeting was conducted under procedures authorized by Assembly Bill 361 (Rivas 2021), allowing remote meetings. Members of the Board of Directors participated by teleconference (via Zoom).

1. CALL TO ORDER – ROLL CALL

Administration Committee (Committee) Chairperson John J. Bauters called the meeting to order at 2:01 p.m.

Present: Committee Chairperson John J. Bauters; Committee Vice Chairperson Davina Hurt; and Directors Margaret Abe-Koga, John Gioia, David Hudson, Tyrone Jue, Karen Mitchoff, Katie Rice, and Brad Wagenknecht.

Absent: Directors Carole Groom and Mark Ross.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC MEETING PROCEDURE

CONSENT CALENDAR (ITEMS 4 - 7)

4. Approval of the Minutes Of June 15, 2022
5. Hearing Board Quarterly Report: April - June 2022
6. Hearing Board Quarterly Report: July - September 2022
7. Committee Authorization for Chair Bauters and Vice Chair Hurt to Attend United Nations Climate Change Conference (COP 27)

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Hudson made a motion, seconded by Director Wagenknecht, to **approve** the Consent Calendar (Items 4 – 7) inclusive; and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Bauters, Hudson, Hurt, Jue, Mitchoff, Rice, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Gioia, Groom, Ross.

ACTION ITEMS (ITEMS 8- 10)

8. PROPOSED AMENDMENTS TO ADMINISTRATIVE CODE – BOARD MEMBER COMPENSATION FOR MEETING ATTENDANCE AND BOARD MEETING START TIME

Alexander Crockett, District Counsel, and Greg Nudd, Deputy Air Pollution Control Officer (APCO) of Policy, gave the staff presentation *Proposed Amendments to Administrative Code – Board Member Compensation for Meeting Attendance and Board Meeting Start Time*, including: outcome; Assembly Bill (AB) 2721 (Lee); new Board compensation rates; definition of “active transportation travel”; active transportation reimbursement rates; reorganization and clarifications to Administrative Code Division III, Section 1.2; change to the start time for regular Board meetings; and action requested.

NOTED PRESENT: Director Gioia was noted present at 2:07 a.m.

Public Comments

No requests received.

Committee Comments

The Committee members discussed commute challenges for Board members who live the furthest from San Francisco (once in-person Board and committee meetings resume) and the preference for later meeting start times; the request for a status of potential regional satellite meeting locations that can be shared by all Bay Area Metro Center regional agencies and the public (once California’s COVID-19 State of Emergency is declared over), and the suggestion that, if the other regional agencies are not interested in/ready to explore this, Air District Board members form an ad hoc committee and provide an update to the Board by January 2023; and whether the act of taking public transit will be included in the Air District’s methodology of calculating active transportation.

Committee Action

Chair Bauters made a motion, seconded by Director Hudson, to recommend the Board **adopt** the proposed amendments below, **but the Board will receive notice on December 7, 2022 and then consider adoption of the amendments on December 21, 2022.**

1. Increase the compensation for Board member attendance at multiple meetings on the same day to \$200;
2. Provide compensation for Board members for active transportation travel to meetings in an amount of \$1.56 per mile for travel by bicycle and \$1.50 per mile for travel by foot or wheelchair;
3. Make various other non-substantive changes to reorganize and clarify the provisions for Board member meeting attendance compensation; and
4. The start time for regular Board meetings shall be from either 9:00 am or 9:30 am., at the discretion of the Board Chairperson.

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

AYES: Abe-Koga, Bauters, Gioia, Hudson, Hurt, Jue, Mitchoff, Rice, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Ross.

9. MANAGEMENT AUDIT REPORT ON AIR DISTRICT HUMAN RESOURCES DIVISION (ITEM 10)

Sharon L. Landers, Interim Executive Officer/APCO, introduced George Skiles of Sjoberg Evashenk Consulting, who gave the presentation *Performance Audit of Human Resources Functions*, including: project objectives; project approach; audit findings; compensation plan management; position management; and general Human Resources processes and controls.

Ms. Landers gave the staff presentation *Management Audit Report on Air District Human Resources Functions*.

Public Comments

Public comments were given by William Saltz, Bay Area Air Quality Management District Employees' Association; Rochele Henderson, Air District employee; Irma Salinas, Air District employee; Bob Brown, Western States Petroleum Association; and anonymous.

Committee Comments

The Committee and staff discussed current Air District Human Resources Division record retention practices; the desire to have all Air District employee performance evaluations administered annually; concern over employee files being located in multiple locations; whether this audit analyzed records from other Air District divisions; a request for a list of the auditor's recommendations that the Human Resources Division disagrees with and why, and the desire that the Board determines which of the auditor's recommendations are implemented; anticipated activities over the next 60 days; concerns over the lacking distinctions between management positions; the current relationship between the Human Resources Division, the Chief Administrative Officer, and the APCO; the request for a draft Air District employee compensation philosophy; and the request that strategic goals regarding hiring are added to the Work Plan.

Committee Action

Director Hudson made a motion, seconded by Vice Chair Hurt, to **direct** the Interim Executive Officer to do the following:

1. Prepare an action plan to address the Human Resources Audit Report’s recommendations and to present the action plan to the Administration Committee for approval within 60 days.

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

AYES: Abe-Koga, Bauters, Gioia, Hudson, Hurt, Jue, Mitchoff, Rice, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Ross.

10. MANAGEMENT AUDIT RECOMMENDATIONS ON AIR DISTRICT ORGANIZATIONAL STRUCTURE (ITEM 9)

Ms. Landers introduced Mr. Skiles, who gave the presentation *Organizational Structure Assessment*, including: project objective and approach; Observations #1-7; 2018 and 2022 organizational structures; percent change in positions across divisions Fiscal Years 2016-2023; and Recommendations #1-3.

Then Ms. Landers gave the staff presentation *Management Audit Recommendations on Air District Organizational Structure*.

Public Comments

Public comments were given by Jed Holtzman, San Francisco resident; Rochele Henderson, Air District employee; and Bob Brown, Western States Petroleum Association.

Committee Comments

The Committee and staff discussed which functions of the Diversity, Equity, and Inclusion recommendation would fall under the Human Resources Division; how the Air District plans to analyze and present the auditor’s recommendations to the Board; the recommendation of forming an Ombuds Office; and the need for additional staff within the Compliance & Enforcement Division.

Committee Action

Director Mitchoff made a motion, seconded by Director Wagenknecht, to **direct** the Interim Executive Officer to do the following:

1. Prepare and present to the Board of Directors for approval, within sixty (60) days, recommendations for position classifications and assignments of the twenty (20) vacant

and unassigned positions listed in Table 1 of Appendix H in the Fiscal Year Ending 2023 Budget.

2. Prepare an Action Plan to address the Organizational Structure Assessment’s restructuring recommendations and present the Plan to the Administration Committee as soon as practicable.

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

AYES: Abe-Koga, Bauters, Gioia, Hurt, Jue, Mitchoff, Rice, Wagenknecht.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Hudson, Ross.

OTHER BUSINESS

11. PUBLIC COMMENT ON NON-AGENDA MATTERS

No requests received.

12. COMMITTEE MEMBER COMMENTS

None.

13. TIME AND PLACE OF NEXT MEETING

Wednesday, December 21, 2022, at 11:00 a.m., via webcast, teleconference, or Zoom, pursuant to procedures in accordance with AB 361 (Rivas 2021).

CLOSED SESSION (4:28 p.m.)

14. CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION (GOVERNMENT CODE SECTIONS 54956.9(a) AND (d)(2))

Pursuant to Government Code sections 54956.9(a) and (d)(2), the Board will meet in closed session with legal counsel to discuss a significant exposure to litigation, based on facts and circumstances not known to a potential plaintiff or plaintiffs: Two cases.

Reportable Action: Mr. Crockett had nothing to report.

OPEN SESSION (4:59 p.m.)

15. ADJOURNMENT

The meeting adjourned at 4:59 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Administration Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: December 21, 2022

Re: Consider Recommending the Board of Directors Authorize a Corrective Action Plan
to Implement the Recommendations from the Human Resources Management
Performance Audit

RECOMMENDED ACTION

Recommend to the Board of Directors the authorization of the Corrective Action Plan to implement recommendations from the Human Resources Management Performance Audit.

BACKGROUND

On November 2, 2022, the Administration Committee heard the Management Audit Report on Air District Human Resources Functions. The report called for 22 recommendations to address multiple findings.

DISCUSSION

Today, staff will present the attached Corrective Action Plan for approval.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Portions of the Corrective Action Plan call for substantial outside services, which will require formal competitive procurements to be considered by the Board for authorizations and contract approvals.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: John Chiladakis

ATTACHMENTS:

1. Staff Report: Corrective Action Plan to Implement Recommendations from the HR Management Performance Audit

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

STAFF REPORT: CORRECTIVE ACTION PLAN TO IMPLEMENT RECOMMENDATIONS FROM THE HUMAN RESOURCES MANAGEMENT PERFORMANCE AUDIT

December 21, 2022

1. Background

On December 15, 2021, the Air District Board of Directors (Board) reviewed the scores for bids for management audit services and authorized the execution of a contract with the highest scoring vendor, Sjoberg Evashenk, for independent management audit services in an amount not to exceed \$250,000.

The initial task order under the contract called for a first deliverable in March 2022, to inform new Fiscal Year Ending (FYE) 2022 staffing authorization, and a second deliverable in May 2022, to provide information regarding Air District-wide risk and to rank the Air District's divisions for further audit priority.

Sjoberg Evashenk presented the FYE 2022 staffing authorization review to the Board on April 6, 2022. The Auditor presented the conclusion that (a) the allocation of additional positions in the FYE 2022 budget is reasonable and consistent with their independent analysis; (b) internal control weaknesses led to the filling of 10 of 26 of the positions at the end of February 2022; and (c) despite these weaknesses, it is evident that the need for the remaining 16 positions is supported by current workload demands and Air District priorities.

During the April 6, 2022, Board meeting, the Board directed staff to execute a second Task Order under the management audit services contract with Sjoberg Evashenk that would require the immediate commencement of a performance audit of Human Resources Management Functions at the Air District. The Human Resources audit is underway and was concluded in October 2022.

On November 2nd, 2022, the Board's Administration Committee heard the Management Audit Report on Air District Human Resources Functions. The report called for 22 recommendations to address multiple findings. After hearing the report, the Administration Committee of the Board directed staff to develop this action plan to address the recommendations within 60 days of that date (before January 3, 2023).

2. Action Plan Scope

This action plan outlines the activities and high-level scheduling estimates required to implement all recommendations called for in the November 2nd, 2022, Management Audit Report on Air District Human Resources Functions.

The recommendations in the report call for the introduction of policy, procedures, and processes that provide needed controls and transparency into Human Resources functions at the Air District. The report calls for 22 recommendations across the following three categories of findings:

- *Compensation Plan*
- *Position Control*
- *Processes and Controls*

3. Audit Recommendation Breakdown

Recommendations in each of the three categories have been further labeled to provide insight into their nature and scope. Labels were selected that indicate the likely level of executive guidance and the magnitude of cost that may be needed to implement the recommendation. The labels and their descriptions are:

- ***Administrative Policy and Procedures Developed by Staff***

Recommendations in this category are low-level policies and procedures that will be followed on a day-to-day basis to allow for appropriate controls to be exercised by staff. Staff will develop these internal policies and procedures.

- ***Outside Services Required***

Recommendations in this category require substantial resources and/or expertise that are not available utilizing current Air District staff. Implementing these recommendations will require engaging in outside services through a procurement and approval of the Board of Directors.

- ***Legal Opinion***

Two recommendations provided by the Management Performance Audit specifically call for legal opinions that will inform future decision making by the Board and the Executive team. District Counsel and outside labor counsel will be consulted for these recommendations.

- ***Organizational Structure***

Two recommendations provided by the Management Performance Audit specifically call for reorganization of District functions to provide for controls through segregation of duties. Implementing these recommendations will

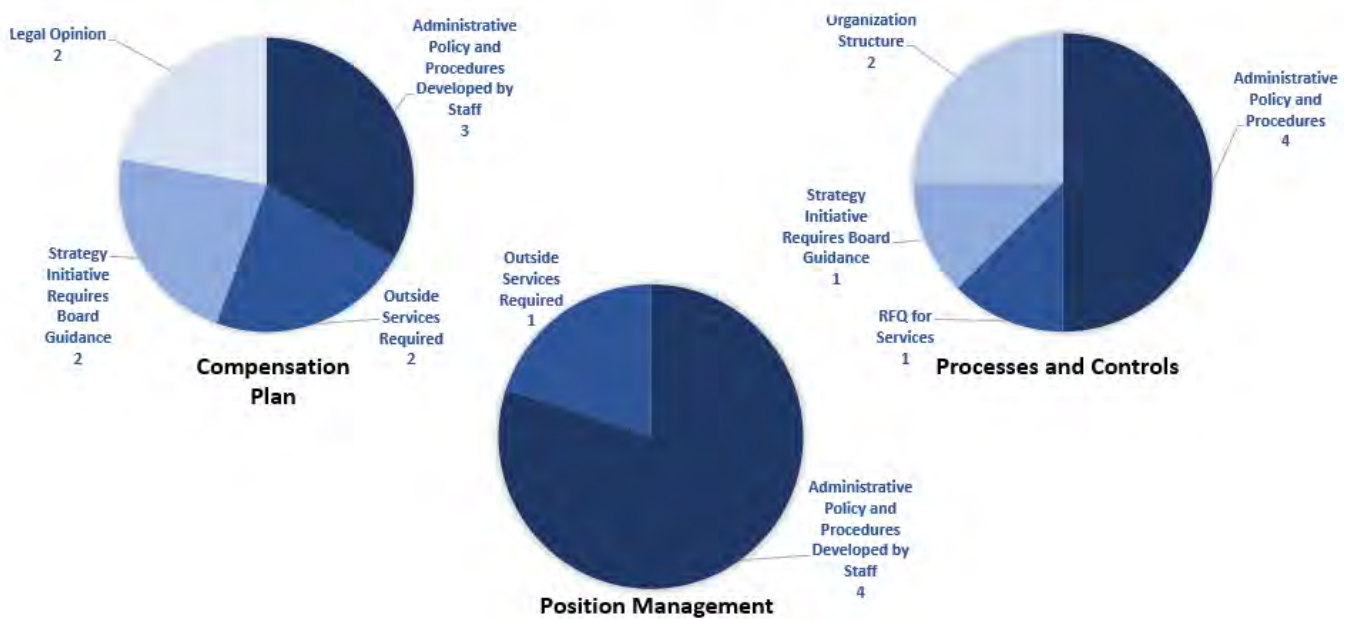
require transition planning with staff, and new processes that control the authorization of payroll functions across divisions.

- **Strategy Initiative Board Guidance Recommended**

These recommendations have the potential to cause strategic shifts and substantial change throughout the agency. It is likely that implementing these recommendations will require engaging in outside services through procurement, and Board guidance is recommended.

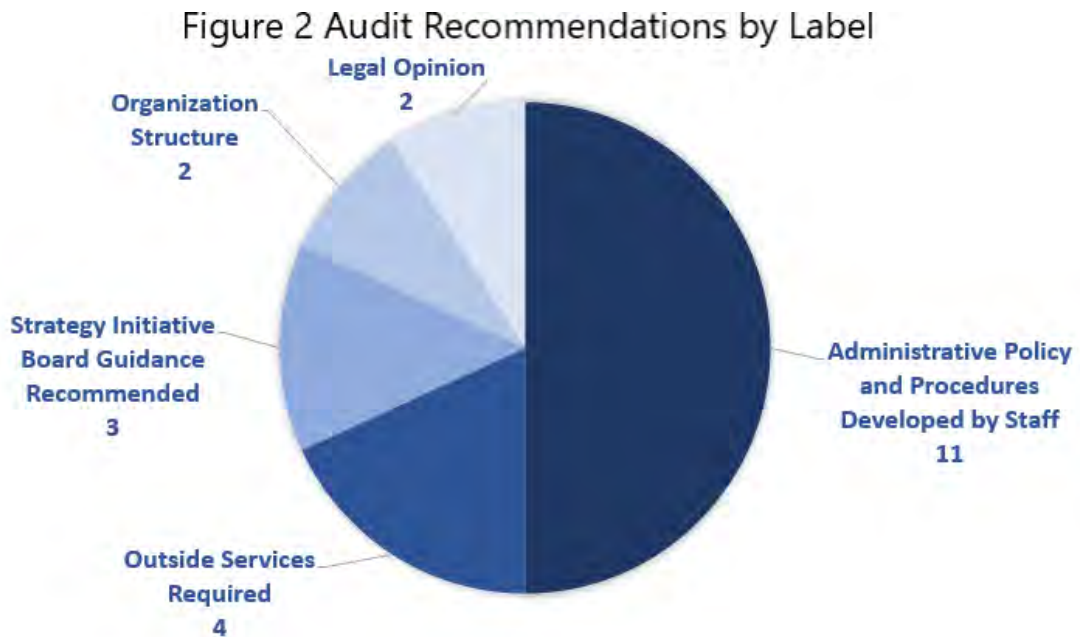
Breaking down the recommendations into the three main categories and labels yields the charts in Figure 1:

Figure 1 Audit Recommendations by Category and Label



The darkest shade in Figure 1 are **Administrative Policy and Procedures Developed by Staff** recommendations that affect day-to-day Human Resources processes. Other labels in the pie graphs denote recommendations that are more significant and lend themselves to more visibility and governance. As may be expected, the **Position Management** category contains many recommendations that affect day-to-day procedures and controls, whereas the **Compensation Plan** category contains recommendations that could affect agency-wide strategic goals, such as the Air District's ability to attract and retain employees.

Figure 2 shows all recommendations broken down by label and illustrates that half of all recommendations may be implemented by staff, while the other half are **Major Recommendations** that may require outside services and guidance by executive management or the Board of Directors.



4. Major Recommendations

The **Major Recommendations** corresponding to the labels and categories are summarized and listed below.

Legal Consultation Recommendations		Category
1.3	Investigate feasibility for recovering acting salaries paid to non-represented employees for acting assignments inconsistent with Administrative Code	Compensation Plan
1.9	Draft a resolution codifying succession protocols for Board appointed positions	Compensation Plan

Organizational Structure Recommendations		Category
3.7	Reassign all payroll-related activities currently performed by the Human Resources Office to the Finance Division.	Processes and Controls
3.8	Reassign the responsibility to administer the human resources information system (Dayforce) to Information Services.	Processes and Controls

	Strategic Recommendations	Category
3.4	Develop a workforce development plan that is informed by District-wide strategic planning	Processes and Controls
1.6	Define a District-wide compensation philosophy consistent with the District's strategic plan	Compensation Plan
2.4	Develop roadmap and protocols to establish and maintain compensation studies current for all District positions.	Compensation Plan

	Recommendations Requiring Outside Services	Category
1.2	Develop policies and procedures to implement the Districts compensation plan and ensure that the plan is consistent with MOU. Update Administrative Code. Board approval required.	Compensation Plan
1.4	Independent review of all position classifications to determine FLSA status of each position. Board approval required.	Compensation Plan
2.4	Conduct a comprehensive position classification study. Develop position descriptions and new classification specifications for management employees.	Position Management
3.5	Update all Human Resource policies and procedures to industry best practices.	Processes and Controls

5. Planned Actions

Each of the audit recommendations are listed in Tables 1-3 with the corresponding high-level activities that will be required to address each recommendation. At the commencement of each action, further work breakdown will be developed, if necessary, to provide better estimates of the resources required and delivery schedule. Figures 1-3 show high level approximate schedules to conduct the listed activity in the corresponding table.

Table 1 Compensation Plan Recommendations and Actions

Number	Audit Recommendation	Planned Action
1.1	Refrain from engaging in the determination of compensation of any Board-appointed employee absent the clear written direction from the Board of Directors.	Staff will establish policy and procedures and implement controls that require Board action and the Chair of the Board to authorize by signature the salary for individuals acting in Board-appointed positions.
1.2	Ensure all compensation practices are compliant with the MOU and Administrative Code.	Present compensation plan to the Board and recommend modifications of the Administrative Code. RFQ to engage services for Administrative Code.
1.3	Consult with District Counsel regarding the potential for recovering acting pay provided to non-represented employees in conflict with the Administrative Code.	Staff will consult with District Counsel regarding the potential for recovering acting pay provided to non-represented employees in conflict with the Administrative Code.
1.4	Determine and document FLSA status for all positions and obtain Board approval.	Initiate RFQ for outside services to conduct an independent review and documentation of FLSA status for every position. Seek Board approval.
1.5	Include in the performance evaluations of supervisors and management personnel the timely and quality completion of annual performance evaluations.	Short Term – Staff will develop a management policy that requires completion of timely and accurate performance evaluations. Long Term – Staff will engage with Employees' Association to develop RFQ for services to overhaul the performance evaluation system.
1.6	Prepare a compensation philosophy defining key parameters governing the Air District's compensation plan.	In consultation with the Board of Directors, initiate RFQ for service to facilitate strategic planning for the agency, strategic planning for Human Resources and setting of compensation philosophy and plan as part of the Human Resources strategic plan.
1.7	Continue conducting appropriate compensation studies on a periodic basis and report each study to the Board.	In consultation with the Board of Directors, develop compensation plan maintenance protocols consistent with the overall strategic plan.
1.8	Direct management personnel to complete appropriate performance evaluations on-time.	The Executive Officer sent a memo to all staff on 12/19/2022, establishing a new policy with default "Needs Improvement" rating for not completing evaluations when probation or salary increases are due.
1.9	Consult with District Counsel regarding adopting a succession resolution for Board appointees.	Develop Board direct reports succession resolution for Board authorization.

Figure 1 Compensation Plan Activities High Level Schedule

Audit Recommendation No.	Q4 2022	Q1 2023	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024
1.8							
1.3							
1.9							
1.1							
1.4							
1.2							
1.5							
1.6							
1.7							

Table 2 Position Management Recommendations and Actions

Number	Audit Recommendation	Planned Action
2.1.a	Develop position management protocols that verify Board authorization, funding of position, management authorization for filling and personnel selection, proper process documentation, and consistent with Human Resources guidelines and best practices.	Staff will develop governing policy and Administrative Operating Procedures (AOP) to assure proper controls listed in the recommendations.
2.1.b	Incorporate segregation of duties for recruitment authorizations through sign-off by Budget Officer.	Staff will include controls in the policy and procedures established under 2.1.a that require signature of Finance Division Director or designee.
2.2	Incorporate into the budget cycle—such as the preparation of the annual budget and mid-year adjustments—reporting procedures that require updates to the Board on the status of positions for budgetary, cost recovery, or other business purposes.	Staff will include the steps recommended in 2.2 in the annual budget process. Create an AOP for mid-year personnel budget adjustments.

2.3	Once developed, update position descriptions at points during which the status of the position undergoes change, such as being vacated or filled, evaluated for reclassification, transferred to another division, etc., to keep them as up to date as practical.	Staff will include the steps recommended in 2.2 into an AOP for position status changes.
2.4	Conduct a comprehensive classification study that adheres to Division III Section 5.1 of the Administrative Code. This should include a. The development of position descriptions; b. Sufficient detail as recommended by the Society for Human Resources Management and documented in this report; and c. Revising classifications for management personnel such that each provides clear characteristics that differentiate positions based on similarity of duties, responsibilities, and qualifications.	Staff will initiate a procurement for outside services to conduct an independent classification study that includes the scope listed under recommendation 2.4.
2.5	Once developed, update position descriptions at points during which the status of the position undergoes change, such as being vacated or filled, evaluated for reclassification, transferred to another division, etc., to keep them as up to date as practical.	Staff will include the steps recommended in 2.5 into an AOP for position status changes.

Figure 2 Position Management High Level Schedule

Audit Recommendation No.	Q4 2022	Q1 2023	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024
2.1.a,b							
2.2							
2.3							
2.4							
2.5							

Table 3 Processes and Controls Recommendations and Actions

Number	Audit Recommendation	Planned Action
3.6	Develop policy and procedures to implement background checks and include them in personnel files and re-conduct them upon staff promotion to management.	Staff will develop and implement policy and Administrative Operating Procedure (AOP) for the governance of background checks to include the recommendations in section 3.6 of the HR Audit Report.
3.7	Reassign all payroll-related activities currently performed by the Human Resources Office to the Finance Division.	Staff will migrate resources and tasks from Human Resources Division to the Finance Division in consultation with the employees responsible for the activities.
3.8	Reassign the responsibility to administer the Human Resources information system (Dayforce) to the Information Services Division.	Staff will migrate resources and tasks from Human Resources Division to Information Services Division in consultation with the employees responsible for the activities.
3.1a,b,c	Develop Human Resource records retention protocols that achieve the criteria specified in 3.1a , 3.1b and 3.1c.	Staff will develop and implement policy and AOP for the governance of paper and electronic records in accordance with audit recommendations 3.1, Secretary of State guidelines and the Air District's Administrative Code requirements.
3.2	Update the records retention schedule to reflect Federal and State law, limiting the extent to which confidential personnel information is retained longer than statutorily required.	Legal staff will review retention schedule and draft updates for board approval.
3.3	Re-examine building security protocols and the individuals that currently have access to the Human Resources file room, and promptly restrict access to only those who need it.	Staff will obtain a list of currently authorized personnel for the Human Resources file room from building security, assure that list conforms to need to know, and create Policy and AOP for maintaining that list.
3.4	Prepare a compensation philosophy defining key parameters governing the Air District's compensation plan.	In consultation with the Board of Directors, initiate RFQ for service to facilitate strategic planning for the agency, strategic planning for Human Resources and setting of compensation philosophy as part of the Human Resources strategic plan.
3.5	Update all Human Resources policies and procedures to reflect current best practices.	Staff will initiate a procurement for services to conduct an independent review and recommendations for all Human Resources policy and AOP updates.

Figure 3 Processes and Controls High Level Schedule

Audit Recommendation No.	Q4 2022	Q1 2023	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024
3.6							
3.3							
3.7							
3.8							
3.1 a,b,c							
3.2							
3.4							
3.5							

6. Overall Schedule and Delivery

In this section, the actions listed in the tables and schedules above have been consolidated to allow for the development of a high-level overall schedule that can inform final project delivery and the completion of key milestones. The activities were consolidated into the following groups:

- *Legal Review Activities*
- *Staff Developed Policy and Procedures*
- *Actions Requiring External Contracted Services*
- *Actions Requiring Strategic Initiatives*
- *Classification Studies and Compensation Maintenance Protocols*

The high-level schedule of consolidated actions is shown below in Figure 4, which shows the remediation efforts for the entire Action Plan projected as complete in the second quarter of 2024.

Figure 4 Consolidated High-Level Schedule

	Q4 2022	Q1 2023	Q2 2023	Q3 2023	Q4 2023	Q1 2024	Q2 2024
Legal Review Activities							
Staff Developed Policy and Procedures							
Actions Requiring External Contracted Services							
Actions Requiring Strategic Initiatives							
Classification Studies and Compensation Maintenance Protocols							

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John J. Bauters and Members
of the Administration Committee

From: Sharon L. Landers
Interim Executive Officer/APCO

Date: December 21, 2022

Re: Proposed Amendments to Administrative Code - Creation of New Finance &
Administration Committee and Time Limits for Public Comment

RECOMMENDED ACTION

Recommend to the Board of Directors that the Board revise the Administrative Code to (i) combine the current Administration Committee and Budget & Finance Committee into a new Finance & Administration Committee, which would take over the functions of those two existing committees; and (ii) revise the provision on time limits for public comment to specify that time limits will be established for each item on a meeting's agenda by the Director chairing the meeting.

BACKGROUND

The standing committees of the Board of Directors are provided for under Section 6 of Division I of the Administrative Code. There are currently six standing committees: Administration, Legislative, Mobile Source and Climate Impacts, Community Equity Health & Justice, Stationary Source and Climate Impacts, and Budget & Finance. In the past, the functions of the Budget & Finance Committee have at times been consolidated within the Administration Committee. The Administrative Code was amended most recently with respect to this issue on February 16, 2022, when the Budget & Finance Committee was re-established as a separate, stand-alone committee.

Section 4.9 of Division I of the Administrative Code sets forth time limits for public comment. Section 4.9 currently states that members of the public who wish to address the Board on non-agenda items shall have a limit of five minutes each and shall address the Board under a time reserved for "public presentation," and that members of the public who wish to speak on agenda items shall have a limit of three minutes each.

DISCUSSION

Staff recommend consolidating the functions of the Administration Committee and Budget & Finance Committee into a new Finance & Administration Committee. The recent management audit revealed a need for greater attention to staffing levels, the capacity and work of the agency, and strategic and long-term planning to meet the Board's goals and needs. Combining the work of the current Administration and Budget & Finance committees will allow for a concentrated focus on these policy, staffing and fiscal needs in a single, holistic committee. Doing so will provide for greater connectivity between the Air District's staff, personnel and management decisions and the agency's budget and finance considerations.

In addition, consolidating these committees will help integrate staff work and will save time, reduce bureaucracy, and improve overall agency efficiency. It will also reduce barriers to public participation by putting these related issues into one space for public engagement.

Combining these committees will also help enhance Board participation in committee work. Board member availability for multiple committees and filling committee vacancies has been challenging in the past few years. Conducting the Air District's business through fewer committees and fewer committee meetings will make it easier to fill out committee rosters by reducing the total number of committee seats that need to be filled.

Staff also recommend revising Section 4.9, regarding time limits for public comment. The current language of Section 4.9, which states that members of the public are allowed five minutes to comment on non-agenda items and three minutes to comment on agenda items, does not comport with the Board's current practice. Moreover, it is not sound policy to specify a set time limit to apply in all situations. Depending on the meeting and the topic, it may be prudent to allow more time or less time for public comment. A better approach would be to provide flexibility to allow the Director chairing the meeting (i.e., Board Chairperson, Committee Chairperson, or other Director standing in for the Board or Committee Chairperson) to establish the appropriate time limits for each item. Staff propose revising Section 4.9 to create such a flexible approach.

All of these recommended revisions are shown in the attached redline version of Section 4.9 (on time limits for public comment) and the relevant portions of Section 6 (on Board committees). A clean version showing what the proposed amendments would look like in final form is also attached.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. There would likely be a small cost savings by eliminating some committee meetings as a result of combining the Administration and Budget & Finance committees.

Respectfully submitted,

Sharon L. Landers
Interim Executive Officer/APCO

Prepared by: Alexander Crockett
Reviewed by: Sharon Landers

ATTACHMENTS:

1. DRAFT Admin Code revision to combine Administration and B&F Committees - Dec 21
Admin Committee meeting - Redline Version
2. DRAFT Admin Code revision to combine Administration and B&F Committees - Dec 21
Admin Committee meeting - Clean Version

Proposed Amendments to the Administrative Code - Redline

SECTION 4 BOARD OF DIRECTORS, CONDUCT OF BUSINESS

4.9 PRESENTATION TIME LIMITS. (Revised 4/_/5/202306)

~~Time limits for P~~persons addressing the Board ~~or a Board committee at a public meeting shall limit their remarks as follows:~~be established for each item on the meeting's agenda (including public comment on non-agenda matters) by the Director chairing the meeting.

- ~~(a) — Persons wishing to speak on items not on the agenda may do so under a time reserved for "public presentation" and shall be limited to five minutes for any single item. Although the Board may refer any issues raised by these speakers to District staff for review, no action may be taken by the Board on these items until they are agendized.~~
- ~~(b) — Persons speaking on agendized items shall be limited to three minutes or at the discretion of the Chair.~~

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 2/16/22)

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

- (1) Finance and 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.
- (2) Legislative Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (3) Mobile Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (4) Community Equity Health and Justice Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (5) Stationary Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- ~~(6) Budget and Finance Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.~~
- ~~(7)~~(6) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- ~~(8)~~(7) 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.
- ~~(9)~~(8) 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 FINANCE AND ADMINISTRATION COMMITTEE. (REVISED 7/20/22)

The Finance and Administration Committee will consider and recommend policies of the District relating to the administration of the District's programs and activities, including but not limited to 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, policies regarding finance, procurement, employment, salaries, working conditions, insurance, and the retaining of consultants. The Committee shall not have authority to authorize alter, change or reverse any

~~policy established by the Board of Directors. 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 Finance and Administration Committee shall have the responsibility for will overseeing and guiding guide staff activities relative to short-range and long-range planning regarding the and for receiving short range and long range plan proposals submitted by the District staff, as well as goals and objectives of the District. The Committee will recommend to the Board of Directors ; 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. In doing so, the Administration Committee should review the goals and objectives and; short- and long-range plans of the California Air Resources Board, to the extent that they are known. The Committee will use the long-range plan approved by the Board of Directors in reviewing and developing the budget each year.~~

~~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 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. The Finance and Administration Committee will assist in the preparation of the annual budget for the District and will present the annual budget with recommendations to the Board of Directors. At Budget review time each year, the Committee will evaluate District goals and objectives and will recommend to the Board of Directors any changes it determines are appropriate. The Committee shall not have authority to authorize the expenditure of any funds not appropriated in the budget adopted by the Board of Directors.~~

~~The Finance and Administration Committee will keep itself informed as to the work of the Advisory Council and Hearing Board, and of persons in the community who may be qualified to serve on the Advisory Council and Hearing Board. The Committee will recommend to the Board of Directors selection of such persons whenever vacancies may from time to time occur on the Advisory Council or Hearing Board.~~

~~The Finance and Administration Committee will consider and recommend updates or revisions to this Code as may from time to time become necessary.~~

~~The Finance and Administration Committee is the successor to, and performs all of the functions of, the Administration Committee, Budget & Finance Committee, Executive Committee and Personnel Committee as those committees existed prior to January 201, 2021-2023. Any function assigned to the Administration Committee, Budget & Finance Committee, Executive Committee or Personnel Committee under this Code shall be performed by the Finance and Administration Committee.~~

6.5 ~~[Reserved] BUDGET AND FINANCE COMMITTEE. (REVISED 2/16/22)~~

~~The Budget and Finance 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 Budget and Finance 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 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.

6.7 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.

6.8 MOBILE SOURCE AND CLIMATE IMPACTS COMMITTEE. (Revised 7/7/21)

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, mobile source fuels and equity for impacted communities related to these sectors. 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 climate equity for impacted communities 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.

6.9 COMMUNITY EQUITY HEALTH AND JUSTICE COMMITTEE. (Revised 7/7/21)

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, ability 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.

6.10 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 disbursement 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.

6.11 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.

6.12 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 Amendments to the Administrative Code - Redline

SECTION 4 BOARD OF DIRECTORS, CONDUCT OF BUSINESS

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- (2) Legislative Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
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- (5) Stationary Source and Climate Impacts Committee, consisting of up to eleven (11) Directors appointed by the Chairperson.
- (6) The Chairperson shall be an ex-officio member of all Standing Committees of the Board of Directors.
- (7) 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.
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The Finance and Administration Committee will oversee and guide staff activities relative to short-range and long-range planning regarding the goals and objectives of the District. The Committee will recommend to the Board of Directors each year a long-range plan. In doing so, the Committee should review the goals and objectives and short- and long-range plans of

the California Air Resources Board, to the extent that they are known. The Committee will use the long-range plan approved by the Board of Directors in reviewing and developing the budget each year.

The Finance and Administration Committee will assist in the preparation of the annual budget for the District and will present the annual budget with recommendations to the Board of Directors. At Budget review time each year, the Committee will evaluate District goals and objectives and will recommend to the Board of Directors any changes it determines are appropriate. The Committee shall not have authority to authorize the expenditure of any funds not appropriated in the budget adopted by the Board of Directors.

The Finance and Administration Committee will keep itself informed as to the work of the Advisory Council and Hearing Board, and of persons in the community who may be qualified to serve on the Advisory Council and Hearing Board. The Committee will recommend to the Board of Directors selection of such persons whenever vacancies may from time to time occur on the Advisory Council or Hearing Board.

The Finance and Administration Committee will consider and recommend updates or revisions to this Code as may from time to time become necessary.

The Finance and Administration Committee is the successor to, and performs all of the functions of, the Administration Committee, Budget & Finance Committee, Executive Committee and Personnel Committee as those committees existed prior to January 1, 2023. Any function assigned to the Administration Committee, Budget & Finance Committee, Executive Committee or Personnel Committee under this Code shall be performed by the Finance and Administration Committee.

6.5 [Reserved]

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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.

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The Committee will also consider and recommend to the Board of Directors policies and positions of the District relating to climate protection activities and climate equity for impacted communities 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.

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