

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

APPROVED 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.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards