



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 21

Consider Authorization of Non-Represented Employee Benefits

**Board of Directors Meeting
December 21, 2022**

John Chiladakis
Acting Chief Administrative Officer
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Sharon L. Landers
Interim Executive Officer/APCO
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Requested Motion



- Direct staff to develop a compensation philosophy, conduct a compensation study, and develop a comprehensive compensation plan for Board approval and in accordance with Human Resource Management Performance Audit recommendations.
- Authorize the employee benefit package currently provided to non-represented employees until a new comprehensive compensation plan is approved by the Board.

Background



HR Performance audit found:

- 2002 resolution of the Board provided management and confidential employees the same salary and fringe benefit increases as those negotiated for represented staff for only one year
- Best practice is to present comprehensive benefit package to the Board annually and not codify them in an Administrative Code.
- Insufficient updates of the District's Administrative Code has led to inconsistencies between the Administrative code and the benefits provided.

Background (cont.)



HR Performance audit recommended:

- Staff develop a compensation philosophy for Board approval in accordance with Human Resource Performance Audit Recommendation 1.6.
- Staff to conduct a compensation study and develop a comprehensive compensation plan for Board approval that is based on the compensation philosophy and in accordance with the Human Resources Performance Audit Recommendation 1.7.

Compensation Practices - Benefits



	Benefit	Represented	Confidential	Management	Executive*
CalPERS Retirement	Employees pay their own mandatory contribution	X	X	X	X
Money Purchase Plan	\$112.62 per month In lieu of Social Security	X	X	X	X
Flexible Benefits Allowance (Cafeteria Plan)	Includes Health, Dental, Vision and supplemental life insurance. Current maximum value is \$2,209 mo. for family	X	X	X	X
Retiree Health	Same benefit as active employee for employees who retire with 10 years + service (note, for those hire after 2010, they are subject to vesting schedule from 10-15 years of CalPERS service; for those hire prior to 2010, no vesting schedule; the fringe benefit allowance is frozen at the time of retirement)	X	X	X	X
Life Insurance	Up to \$500K District paid. Additional \$100K available for cost. Continues at retirement when dollar amount decreases with age.	X	X	X	X
Long Term Disability	\$6500 per month maximum	X	X	X	X
Vehicle Allowance	Assigned Vehicle or \$500 per month Directors and above			X	X
Sick Leave	12 days per year no accrual limit	X	X	X	X
Transit Subsidy	Transit subsidy up to \$280/month	X	X	X	X

*Executive classifications are Deputy Air Pollution Control Officer and Deputy Executive Officer. Executive Officer and Counsel benefits are approved separately by the Board of Directors

Compensation Practices – Benefits (cont.)



	Benefit	Represented	Confidential	Management	Executive*
Educational Reimbursement	Maximum \$2,000 per fiscal year for employee educational pursuits. Maximum \$1,500 for skill enhancement pursuits, up to \$1,000 per year per employee for student loan payoff. Total annual amount paid to all employees can not exceed \$30,000	X	X	X	X
Dependent Care Assistance	Ability to set aside \$5,000 pre-tax income per year	X	X	X	X
Medical Care Account	Ability to set aside \$2,850 pre-tax income per year	X	X	X	X
Deferred Compensation	457 plan available. Employees may set aside up to the legal pre-tax maximum (up to \$22,500 per employee per year for 2023) \$30K includes age 50 catch up	X	X	X	X
Holidays	14 paid holidays	X	X	X	X
Floating Holidays	Hours per year of Leave given July 1	36	72	72	72
Annual Leave	From 12 to 30 days per year depending on length of service. Maximum 550 hours expires June 30, 2023. Thereafter, maximum 460 hours accrual each January 1. Annual cash out of up to 40 hours allowed.	X	X	X	X
Management Leave	Hours per year of Leave given July 1 (annual cash out allowed)			80	120

*Executive classifications are Deputy Air Pollution Control Officer and Deputy Executive Officer. Executive Officer and Counsel benefits are approved separately by the Board of Directors

Compensation Practices



	Practice	Represented	Confidential	Management	Executive
Overtime Pay	Eligibility for 1.5 times hourly salary (or 2 times if working on holiday) for working hours more than 80 hours per pay period	X	X		
Acting Assignment Pay	Eligibility for a pay increase during an assignment where an employee is temporarily acting in a higher paying position	Eligible for assignments longer than 40 hours. Increased pay starts on hour 1	Eligible for assignments longer than 15 days. Increased pay starts on day 16	Eligible for assignments longer than 15 days. Increased pay starts on day 16	Eligible for assignments longer than 15 days. Increased pay starts on day 16
Covid Hazard Pay	2.5% pay to employees who are deemed essential and are directed to work in the Air District offices or the field during Covid State of Emergency. Governor announced the Covid State of Emergency will end on 2/28/23.	X	X	X	X
Regular Hazard Pay	2.5% pay to employees who perform hazardous duties, including: 1) climb 30 feet or more; 2) wear Self-Contained Breathing Apparatus (SCBA) or safety harness; 3) perform confined space entries	X	X	X	X

*Executive classifications are Deputy Air Pollution Control Officer and Deputy Executive Officer. Executive Officer and Counsel benefits are approved separately by the Board of Directors

Recommendation for Motion



- Move that the Board Direct staff to develop a compensation philosophy, compensation study, and comprehensive compensation plan for Board Approval, and in accordance with the Human Resource Performance Audit Recommendation 1.6 and 1.7.
- Authorize the current compensation practices for non-represented staff to continue until the comprehensive compensation plan is authorized by the Board.



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

Consider Authorizing the Allocation, Classification, and Recruitment of the 20 Unclassified Vacant Positions included in the Fiscal Year Ending (FYE) 2023 Budget

Board of Directors Meeting
December 21, 2022

Sharon L. Landers
Interim Executive Officer/APCO
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John Chiladakis
Acting Chief Administrative Officer
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Requested Action



- Recommend approval for the allocation, classification and recruitment of 20 unclassified positions authorized in the Fiscal Year Ending 2023 Budget

Background



The Air District's Management Audit found:

- The 20 positions authorized in the FYE 2023 budget are reasonable to fill to address understaffing.
- There are multiple options for allocation of the positions.
- Appendix H to the FYE 2023 budget was developed to increase visibility of the classification and allocation of each position.

Staffing Allocation Recommendation



Table 1 from Staff Report

Divisions/Offices	Auditor's Initial Allocation of Unfilled Positions	District and Auditor Revised Allocation of Unfilled Positions
Executive	2 (Public Affairs & Ombuds)	0 *Use consultant for Ombuds
Operations		
Compliance & Enforcement	4	4
Engineering	4	4
Finance	2	2
Policy & Equity		
Community Engagement	2	2
Rules	1	0
Meteorology & Measurement	0	3
Strategic Incentives and Technology Implementation	0	Future Authorization Request
Administration	2 (CTO, Chief of Staff- Hold)	2 (CTO, Chief of Staff- Hold)
Administrative Resources	1	1
Information Services	2	2

Staffing Allocation Recommendation (cont.)



Table 2 from Staff Report

Divisions/Offices	Recommended Class/Paygrade	Total Count
Operations		
Compliance & Enforcement	(2) Air Quality Specialist I/II (2) Assistant AQS I/II	4
Engineering	(1) Supervising AQE (3) Air Quality Engineer I/II	4
Finance	(1) Manager (1) Senior Accountant	2
Policy & Equity		
Community Engagement	(2) Staff Specialist I/II	2
Meteorology & Measurement	(2) Senior AQ Specialist (1) Air Quality Engineer I/II	3
Strategic Incentives and Technology Implementation	Staff Specialist I/II	Future Authorization Request
Administration	(2) Deputy Air Pollution Control Officers	2 (CTO, Chief of Staff)
Administrative Resources	(1) Senior Advanced Projects Advisor	1
Information Services	(1) Manager (1) Systems Analyst	2

FYE 2023 Budget Appendix H



APPENDIX H				
TABLE 1: The positions listed in Table 1, below, constitute the entirety of authorized permanent full-time positions and division assignments at the designated classifications for Fiscal Year Endline (FYE) 2023. Effective immediately, any changes to the information listed in Table 1 shall require approval by the District's Board of Directors. If approved, the FYE 23 Budget contains newly (N) additional positions which are not yet allocated to a job classification and division. These positions are listed in Table 1 as "Classified". The Board of Directors will consider final allocations of these positions at a future Board meeting.				
Table 1 FYE 2023 Authorized Staff				
Division	Position Classification	Salary Range ID	FYE 22	FYE 23 Difference
Administrative Resources	Director/Officer	156	1	1
	Facilities Maintenance Worker	108	1	1
	Manager	148	1	1
	Senior Advanced Projects Advisor	148	0	1
	Senior Executive Assistant	134	1	0
	Senior Staff Specialist	138	1	0*
	Staff Specialist (N)	130/134	6	5*
	Supervising Staff Specialist	142	1	2
	**Principal Staff Specialist	142	0	2
Administrative Resources Total			12	14.1
Assessment, Inventory & Modeling	Advanced Projects Advisor	144	2	2
	Air Quality Engineer (N)	132/136	2	2
	Air Quality Meteorologist (N)	132/135	1	1
	Atmospheric Modeler	140	1	1
	Director/Officer	156	1	1
	Manager	148	2	2
	Principal Air Quality Engineer	144	3	3
	Research Analyst	130	1	1
	Senior Advanced Projects Advisor	148	2	2
	Senior Air Quality Engineer	140	1	1
	Senior Atmospheric Modeler	144	1	1
	Statistician	137	1	1
Assessment, Inventory & Modeling Total			18	18
Communications	Assistant Staff Specialist (N)	122/126	2	2
	Director/Officer	156	1	1
Finance Office	**Senior Accountant	**138	0	0.2
	Senior Staff Specialist	138	1	1
	Staff Specialist (N)	130/134	2	3*
	Supervising Staff Specialist	142	1	1
	Systems Analyst	135	1	1
Finance Office Total			17	14.2
Human Resources Office	Assistant Manager	147	1	0*
	Director/Officer	156	1	1
	Human Resources Analyst (N)	130/134	1	1
	Manager	148	1	2*
	Principal Human Resources Analyst	142	1	1
	Senior Human Resources Analyst	138	5	5
Human Resources Office Total			10	10
Information Services	Air Quality Specialist (N)	130/134	1	1
	Assistant Air Quality Specialist (N)	122/126	1	1
	Assistant Manager	147	1	1
	Director/Officer	156	1	1
	Manager	148	2	2.3
	Programmer Analyst (N)	127/131	1	1
	Staff Specialist (N)	130/134	1	1
	Supervising Systems Analyst	139	2	2
	Systems Analyst	135	2	2.3
Information Services Total			12	12.18
Legal Services	Assistant Counsel (N)	149/153	8	8
	Counsel	0	1	1
	Legal Office Services Specialist	124	1	1
	Senior Assistant Counsel	157	2	2
	Staff Specialist (N)	130/134	4	4
Legal Services Total			16	16
Legislative	Director/Officer	156	1	1
	Staff Specialist (N)	130/134	1	1
Legislative Total			2	2
Meteorology & Measurement	Administrative Assistant (N)	114/118	1	1
	Advanced Projects Advisor	144	1	1
	Air Quality Engineer (N)	132/136	2	2.3
	Air Quality Laboratory Technician (N)	122/126	1	1
	Air Quality Meteorologist (N)	132/135	2	2
	Air Quality Specialist (N)	130/134	16	10*
	Air Quality Technical Assistant	118	0*	-1
	Assistant Air Quality Specialist (N)	122/126	8	5*
	Assistant Manager	147	2	2
	Assistant Staff Specialist (N)	122/126	2	2
	Director/Officer	156	1	1
	Manager	148	5	5
	Principal Air and Meteorological Monitoring Specialist	143	1	1
	Principal Air Quality Chemist	142	3	3
	Principal Air Quality Engineer	144	1	1
	Principal Air Quality Meteorologist	143	1	1
	Principal Air Quality Specialist	142	4	4
	Senior Air Quality Chemist	138	2	2
	Senior Air Quality Engineer	140	2	2
	Senior Air Quality Specialist	138	2	2*
	Staff Specialist (N)	130/134	1	1
	Supervising Air Quality Engineer	144	1	1
	Supervising Air Quality Specialist	142	5	5
	Systems Analyst	135	2	2
Meteorology & Measurement Total			67	67.3
My Air Online	Assistant Manager	147	4	4
	Director/Officer	156	1	1
	Supervising Systems Analyst	139	1	1
	Systems Analyst	135	1	1
	Web Master	135	1	1
My Air Online Total			8	8
Planning & Climate Protection	Administrative Assistant (N)	114/118	1	0*
	Advanced Projects Advisor	144	1	1
	Assistant Manager	147	2	2
	Assistant Staff Specialist	126	0	1*
	Director/Officer	156	1	1
	Environmental Planner (N)	130/134	3	3
	Manager	148	2	2
Engineering	Administrative Assistant (N)	114/118	1	1
	Air Quality Engineer (N)	112/116	18	18.21
	Air Quality Permit Technician (N)	112/126	2	2
	Air Quality Specialist (N)	130/134	2	2
	Air Quality Technician (N)	112/126	5	5
	Assistant Manager	147	1	1
	Director/Officer	156	1	1
	Manager	148	5	5
	Principal Air Quality Engineer	144	4	4
	Senior Advanced Projects Advisor	148	1	1
	Senior Air Quality Engineer	140	10	10
	Senior Air Quality Technician	130	2	2
	Supervising Air Quality Engineer	144	11	11.12
	Supervising Air Quality Specialist	142	1	1
	Supervising Systems Analyst	139	1	1
	Toxicologist	144	1	1
Engineering Total			69	69.23
Executive	Administrative Assistant (N)	114/118	1	1
	Air Quality Technician (N)	112/126	1	1
	Assistant Manager	147	1	1
	Clerk of the Boards	132	1	1
	Deputy Air Pollution Control Officer	160	3	3.5
	Deputy Executive Officer	169	3	3
	Director/Officer	156	3	3
	Executive Assistant (N)	118/132	2	2
	Executive Officer/Air Pollution Control Officer	Contract	1	1
	Manager	296	3	3
	Principal Environmental Planner	142	1	1
	Senior Advanced Projects Advisor	148	2	2
	Senior Executive Assistant	134	3	3
Executive Total			25	25.22
Finance Office	Accountant (N)	**130/134	5	4*
	Accounting Assistant (N)	**122/126	3	3
	Assistant Manager	147	1	0*
	Director/Officer	156	1	1
	**Fiscal Services Supervisor	142	1	1
	Manager	148	1	2*
	Principal Environmental Planner	42	2	2
	Senior Advanced Projects Advisor	48	1	1
	Senior Air Quality Engineer	40	1	1
	Senior Air Quality Specialist	38	1	1
	Senior Environmental Planner	38	4	4
	Senior Policy Advisor	48	1	1
Planning & Climate Protection Total			20	20
Rules	Assistant Manager	47	1	1
	Director/Officer	56	1	1
	Manager	48	1	1
	Senior Air Quality Engineer	40	3	3
	Senior Air Quality Specialist	38	3	3
Rules Total			11	11
Strategic Incentives	Administrative Assistant (N)	118/118	1	1
	Assistant Staff Specialist (N)	122/126	3	3
	Director/Officer	156	1	1
	Manager	48	4	4
	Senior Staff Specialist	58	5	5
	Staff Specialist (N)	118/134	13	13
	Supervising Staff Specialist	42	4	4
Strategic Incentives Total			31	31
Technology Implementation	Assistant Staff Specialist (N)	122/126	3	2*
	Director/Officer	56	1	1
	Manager	48	1	1
	Senior Staff Specialist	38	1	1
	Staff Specialist (N)	118/134	4	5*
	Supervising Staff Specialist	42	1	1
Technology Implementation Total			11	11
Unassigned	Unassigned	10A	0	20
Unassigned Total			0	20
Grand Total			445	465

Recommendation for Motion



Move that the Board of Directors adopt a resolution for the allocation, classification, and recruitment of the 20 unclassified vacant positions included in the FYE 2023 budget, and for updating Appendix H of the FYE 2023 budget in accordance with the position designations provided in attached Table 2.



BAY AREA
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AGENDA: 24

Revision of the PM_{2.5} National Ambient Air Quality Standard: The Role of Air Monitoring Data

Board of Directors Meeting
December 21, 2022

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Presentation Outcome



To provide background information to help understand upcoming proposals from U.S. Environmental Protection Agency (EPA), Air District staff will provide an overview of how air monitoring data is compared to the NAAQS.

Presentation Outline



- National Ambient Air Quality Standards (NAAQS)
- Role of air monitoring data
- What is a design value?
- Example: PM_{2.5} trends
- Next steps for PM NAAQS, designations, and planning

Presentation for Information Only



No action required.

National Ambient Air Quality Standards (NAAQS)



- U.S. Environmental Protection Agency (EPA) sets health-based limits for concentrations of six pollutants in ambient (outdoor) air according to the Federal Clean Air Act
 - Carbon monoxide, ozone, lead, nitrogen dioxide, particulate matter (PM), and sulfur dioxide
 - Primary NAAQS: Health-based, to an adequate margin of safety
 - Secondary NAAQS: Welfare based, e.g. visibility, damage to crops, vegetation, buildings, and animals
- EPA is required to review NAAQS every five years

PM NAAQS (Primary)



Indicator	Averaging Time	Level	Form	Bay Area Status
PM _{2.5}	Annual	12.0 µg/m ³	Annual average , averaged over 3 years	Unclassifiable/ Attainment
PM _{2.5}	24-Hours	35 µg/m ³	98th percentile , averaged over 3 years	Nonattainment
PM ₁₀	24-Hours	150 µg/m ³	Not to be exceeded more than once per year on average over a 3-year period	Unclassifiable/ Attainment

What Happens After EPA Revises a NAAQS?



NAAQS
Revision

Initial
Designations

SIP*
Development

SIP
Implementation

This process includes a lot of work and decisions we haven't had to make in the Bay Area in a long time

We'll be planning conversations over the next year to outline, update, and bring decisions to the Board

We'll start today with a review of the PM NAAQS and designations, which both are linked to air monitoring data

*State Implementation Plan (SIP)

**GOAL
&
OBJECTIVE**

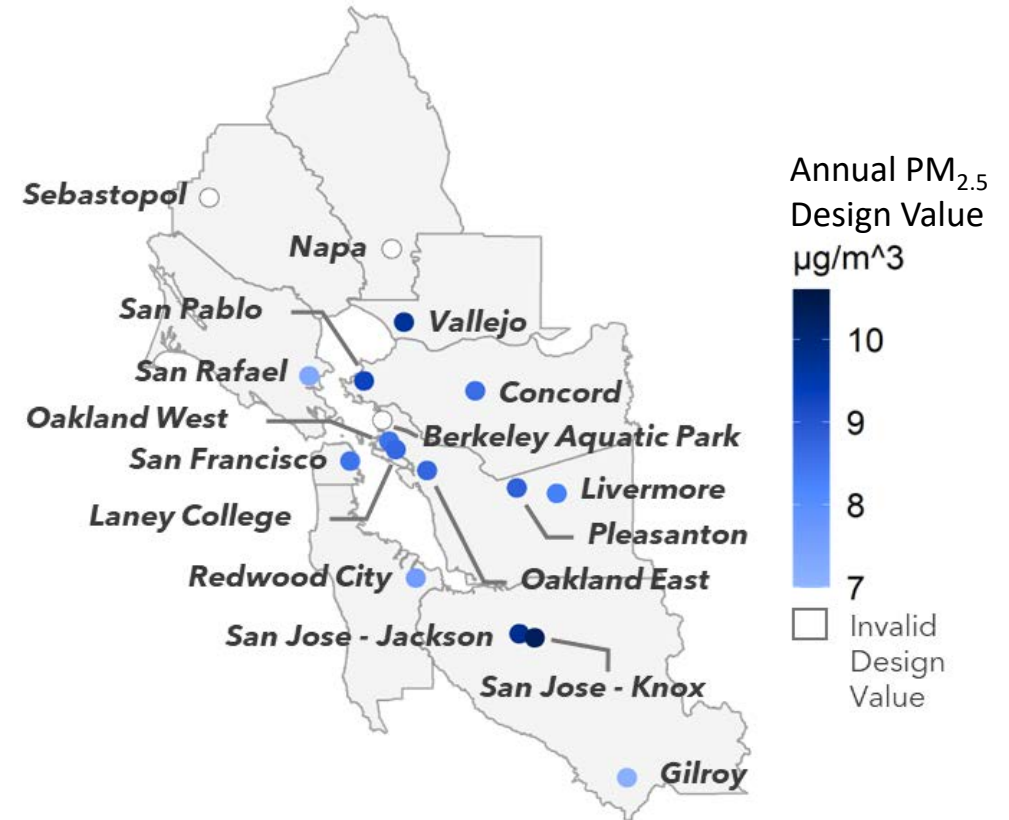


ATTAINMENT & MAINTENANCE OF THE NAAQS

Goals for Air Monitoring



- Timely public information
- **Demonstrate compliance with NAAQS**
- Other supporting technical uses, like developing or assessing emission control strategies (long-term trends)
- Provide information about air quality in overburdened communities, and about impacts from nearby sources (near road)
- Air pollution research studies (atmospheric processes or health effects/exposure)



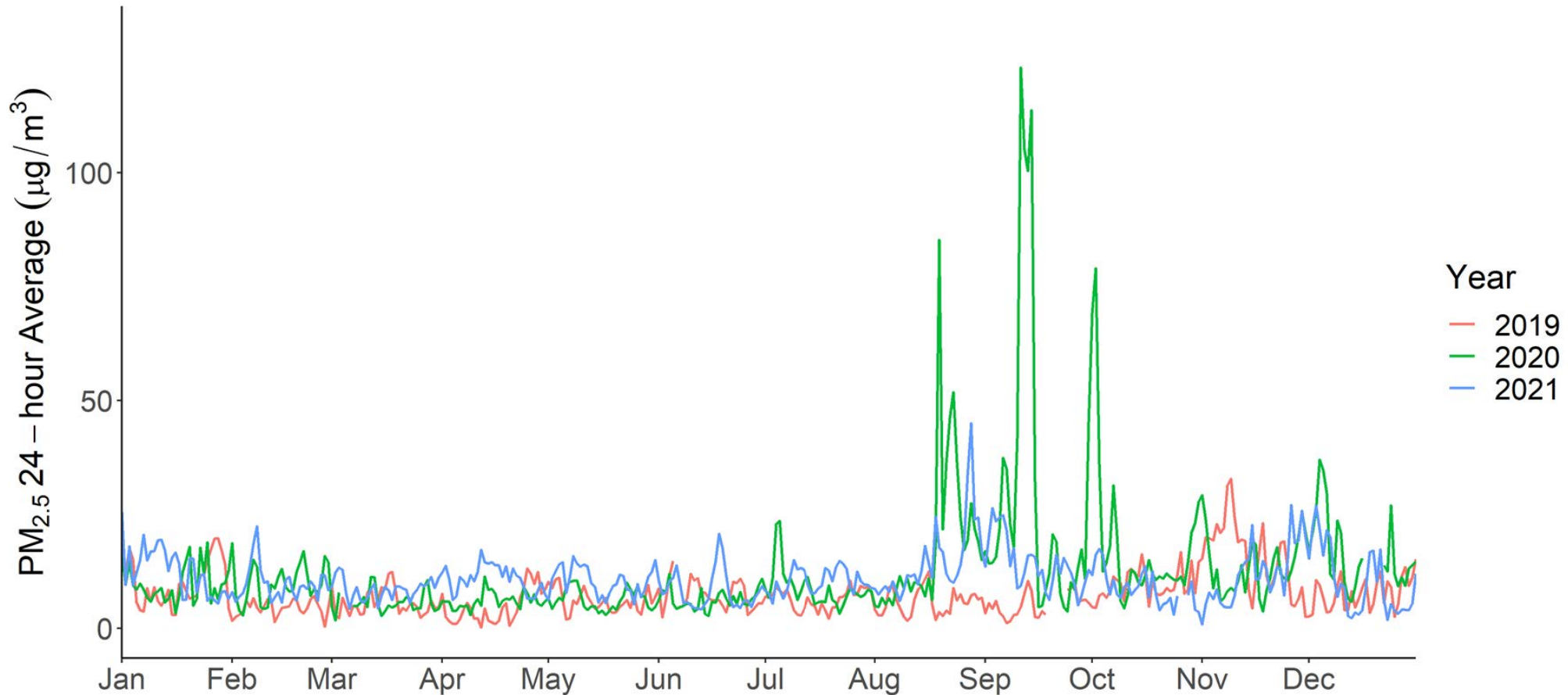
Bay Area PM_{2.5} Monitoring Stations

How Should We Compare a Highly Variable Dataset (Air Monitoring Data) To One Number (NAAQS)?



Example: PM_{2.5} Daily Trends

San Jose - Knox



Design Value (DV): A Statistic to Summarize Air Monitoring Data to Compare to NAAQS



- For each monitoring site for each year, a DV is calculated using data from the past three years (e.g. 2021 DV uses data from 2019, 2020, and 2021).
- The monitoring site with the highest DV determines the DV for the San Francisco Bay Area planning area.
- For our planning area to be attaining the standard, our area DV needs to be below the NAAQS.

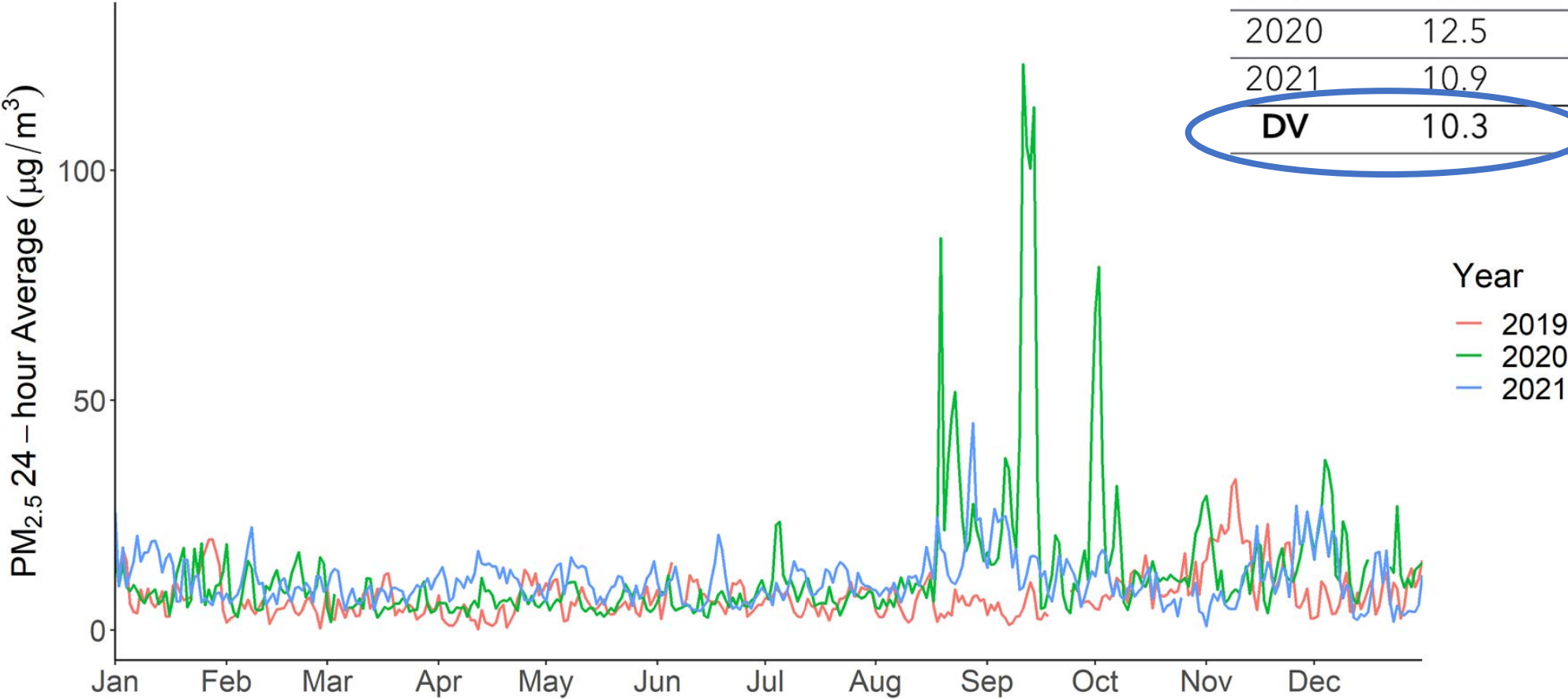
Example: DV for a Monitoring Site



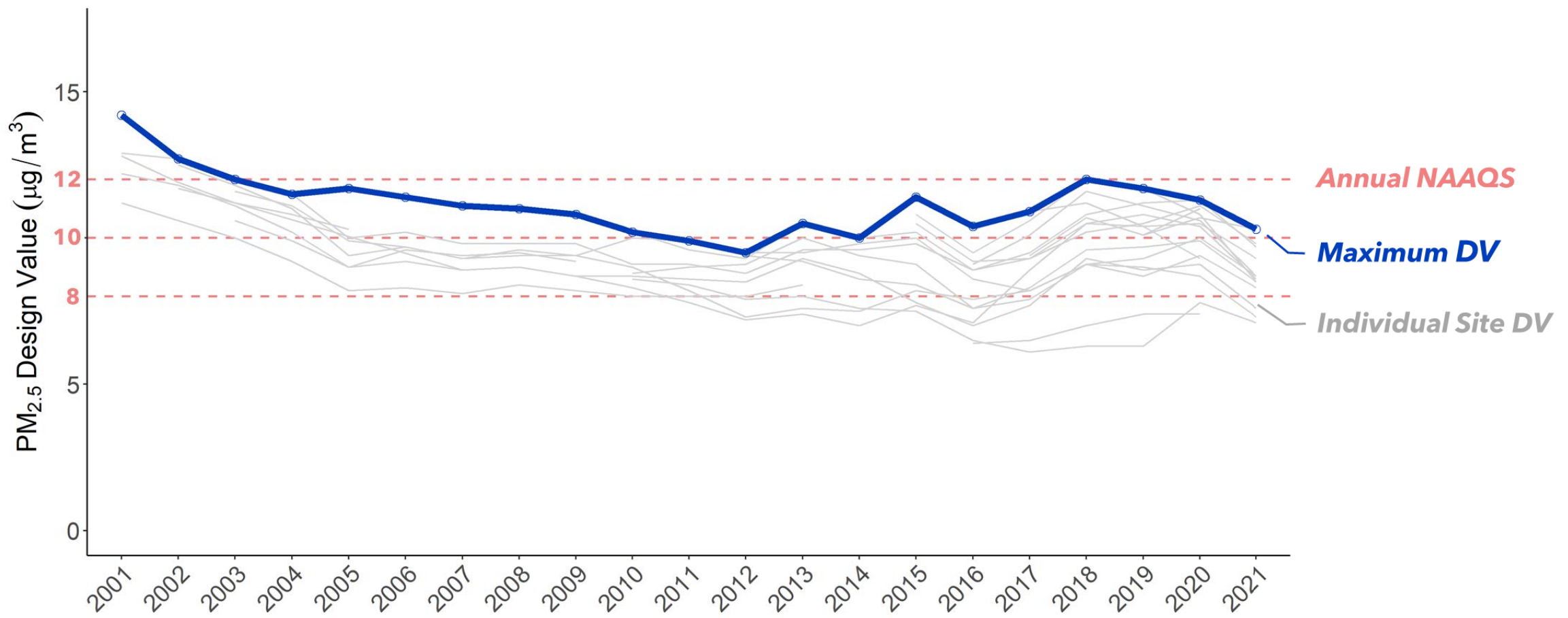
PM_{2.5} Daily Trends

San Jose - Knox:

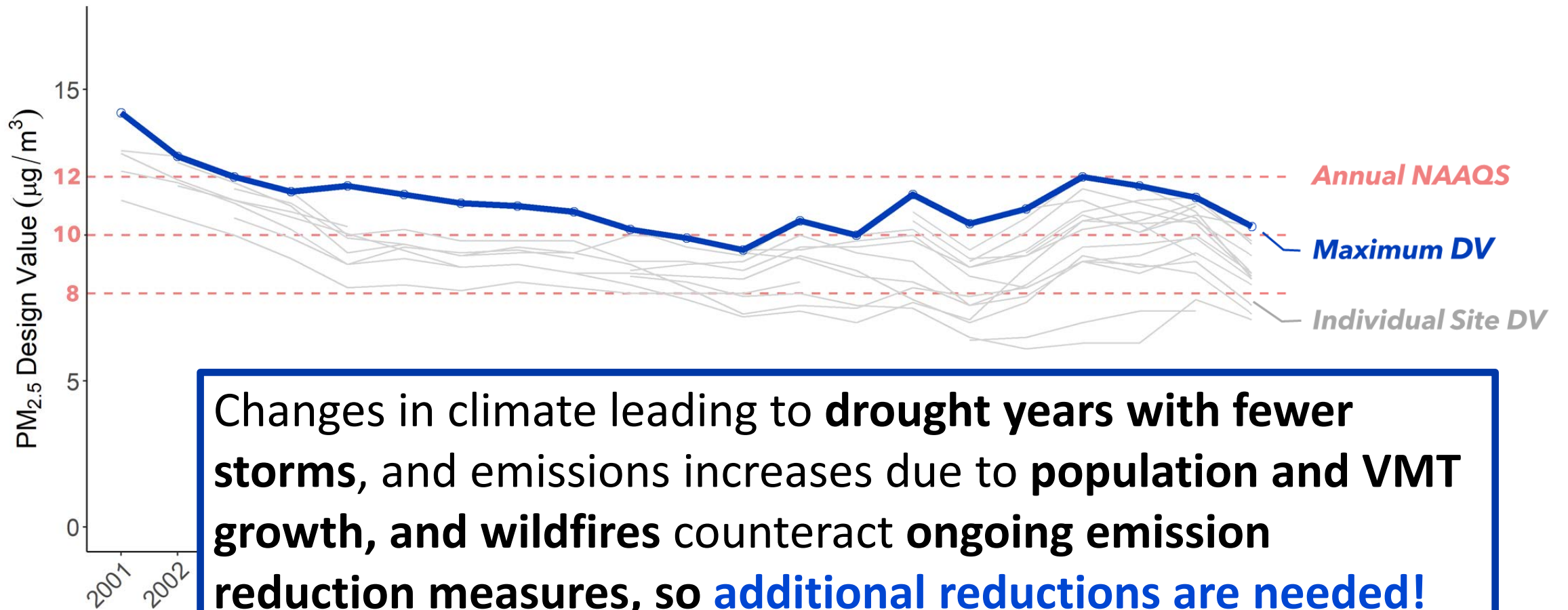
Year	Annual Mean
2019	7.4
2020	12.5
2021	10.9
DV	10.3



Annual PM_{2.5} Design Value Trends



Annual PM_{2.5} Design Value Trends (cont.)



PM_{2.5} Trends: Wildfire Impacts



- Air District can request that EPA remove data from the DV calculations if data are affected by emissions that are not reasonably controllable or preventable.
- Removing smoke days may only change a site's annual DV by 1-2 $\mu\text{g}/\text{m}^3$ at most, which may matter more if the proposed NAAQS is 10 $\mu\text{g}/\text{m}^3$ and may matter less if the proposed NAAQS is 9 or 8 $\mu\text{g}/\text{m}^3$

Example: San Jose – Knox

	All data	Without wildfire smoke days (preliminary)
2019	7.4	7.4
2020	12.5	9.9
2021	10.9	10.8
DV	10.3	9.4

NAAQS Designations & Implementation



NAAQS
Revision

Initial
Designations

SIP
Development

SIP
Implementation

Where are we now and what does it mean for work over the coming months and years?

Finalizing the NAAQS



Now – early 2023

NAAQS
Revision

Initial
Designations

SIP
Development

SIP
Implementation

- EPA will propose a revised particulate matter (PM) NAAQS soon (proposed rulemaking)
- Agencies and the public reviews the proposal and submit comments about the proposed NAAQS and associated program changes
- Expect EPA to finalize the NAAQS in early 2023

Initial Area Designations



Now – early 2025

NAAQS
Revision

Initial
Designations

SIP
Development

SIP
Implementation

- Review data and prepare exceptional events demonstrations if needed
- Work with California Air Resources Board (CARB) to prepare the state recommendation information for the Bay Area
- Work with CARB and EPA on air monitoring data for EPA's technical report

Developing a State Implementation Plan (SIP)



Now – mid 2026



- Evaluate inventory, modeling, and monitoring data to assess the combination of emissions we will need to reduce
- Develop a comprehensive strategy to meet the standard and address racial inequities and environmental injustice



Next Steps



NAAQS
Revision

Initial
Designations

SIP
Development

SIP
Implementation

- Review the NAAQS Rulemaking once published
- Continue conversation with the Board about NAAQS designation and implementation
- Share updated technical information about the drivers of PM_{2.5} levels and our path to attainment

Feedback Requested/Questions



- Questions and Comments