



Consider Authoriz tion 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	Χ	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	Χ	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 payback. 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	Χ	Χ	Χ
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	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	Х		
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	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 nonrepresented staff to continue until the comprehensive compensation plan is authorized by the Board.





BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Consider Approving the Executive Officer's Employment Agreement

Board of Directors Meeting December 21, 2022

John J. Bauters Board Chairperson

Recruitment Schedule for Permanent APCO/Executive Officer



Complete		JUNE	JULY	AUG	SEP	ОСТ	NOV	DEC
√	Obtain Recruiter Bids							
✓	Adhoc Committee Meets for Kickoff and to Interview Recruiters		JULY 1					
√	Full Board Approves Recruiter		JULY 6					
✓	One-On-One Meetings with Recruiter Offered to Any Board Member		JULY 7	AUG 15				
✓	Brochure and Advertising Plan Provided to Committee			AUG 22				
✓	Adhoc Committee Meets to Approve Brochure/Advertising Plan			AUG 29				
✓	Full Board Approves Advertising Plan and Brochure				SEP 7			
✓	Job Opens – Postings Live				SEP 7			
✓	Form Community and Peer Committees							
✓	Job Closes - No More Applications (6 weeks)					OCT 19		
✓	Recruiter sends Ranked Candidate Materials to committee					OCT 22		
✓	Adhoc Committee Meets to Select Candidates for Recruiter Screening Interview					OCT 26		
✓	Screening Interviews Complete						NOV 01	
✓	Adhoc Committee Meets to Select Candidates Moving Forward						NOV 02	
✓	Interview Day						NOV 09	
✓	Adhoc Committee Meets to Discuss input from Advisory Committees and Select Finalists						NOV 16	
✓	Finalists Interviewed by Board and Board Discussion							DEC 7
✓	Potential Board Action to Appoint New EO/APCO							DEC 21





Motion that the board approves the contract to appoint Philip Fine as Executive Officer for a three-year term with an annual salary of \$370,000, \$60,000 for relocation expenses, a 6-month severance provision, family health benefits, \$600,000 life insurance, 21 days of annual leave, 15 days of management leave, and other regular District non-represented executive staff employee benefits.



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
jchiladakis@baaqmd.gov

Requested Action



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



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 as Meeting	(1) Manager(1) Systems Analyst	2

Board of Directors M. December 21, 2022

FYE 2023 Budget Appendix H



Table Tabl	For Tal Bu cla	rmanent full-time position scal Year Ending (FYE) in the 1 shall require appro- adget contains twenty (20 assification and division.	APPENDIX H listed in Table 1, below, countri ross and division assignments at 2023. Effective immediately, a val by the District's Board of D 3 additional positions which as These positions are listed in T al allocation of these positions s	the designat my changes to brectors. If e not yet allo able 1 as "U	ed classific the informapproved, to cated to a nassigned	nations for mation lists the FYE 23 job . The Boa	d in		Communications Total Community Engagement	Manager Public Information Officer I/II Senior Public Information Officer Administrative Assistant I/II Assistant Manager	148 130/134 138 114/118 147	1 10	1 5 1 10	0	0	Engineering	Administrative Assistant I/II Air Quality Engineer I/II Air Quality Permit Technician I/II Air Quality Specialist I/II Air Quality Technician I/II Assistant Manager Director/Officer	114/118 112/136 112/126 110/134 112/126 147 156	4 18 2 2 5 1	4 18 21 2 2 5 1	
Maintenname			Table 1 FVE 2023 Authorized	Staff						Director/Officer	156	1	1	0			Principal Air Quality Engineer	148 144	4	4	
Second	-1-			Salary	med to	0.511				Public Information Officer I/II	130/154	î	1	0			Advisor		1	1	
The control of the co	A	dministrative Resources			PW 22	PHI ZI	Difference	- 7		Senior Staff Specialist	138	5	5	0			Senior Air Quality Technician	130	2	2	
Manufacture			Director/Officer Facilities Maintenance Worker		1 1	1	0		Community Engagement	Staff Specialist I/II	130/154	15	45.3Z	02	165		Engineer	144	11	41 <u>12</u>	
Margine Marg			Menager Senior Advanced Projects	148	1	1	0										Specialist		1	1	
Secure of the function of the control of the cont			Advisor		9	1	1 0								70				1	1	
## Communications (Communication)			Senior Staff Specialist	136	1	0-	4	10		Administrative Assistant I/II Air Quality Engineer I/II	132/156	1	1	0					69	60 <u>/3</u>	
Advanced from the Control 19 19 19 19 19 19 19 1			Supervising Staff Specialist	142	1	3-	2			Air Quality Specialist I/II Air Quality Technician I/II	130/134 122/126	6 6		0		Executive			1	1	
Management Man			**Principal Staff Specialist	142	12	13,13	01			1/8	122/126	0	2	2			Assistant Manager	147	1	1	
## And Control Programs Challed ## And Control Programs Challe	Te	A SECURITY						1		Director/Officer Manager	156	1 5	5	0			Clerk of the Boards Deputy Air Pollution Control		1	1	
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Second Control (Program 180 3 3 0 0 0 0 0 0 0			Air Quality Meteorologist I/II Atmospheric Modeler	131/135	1	1	0			Senior Advanced Projects		0	1.	4			Executive Officer/Air Pollution		1	1	
Province of column of plants of pl			Director/Officer Manager	156 148	1 2	1 2	0			Senior Air Quality Engineer	140	3	3	0			Manager		3	3	
Married Married Part 14			Principal Air Quality Engineer	144	3	3	0			Senior Air Quality Technician	150	2		0			Planner	142	1	1	
Second Columb Figure Account part Account par			Senior Advanced Projects		2	2	0	17	Completes 8	Specialist County	142	9	9	0			Advisor		2	2	
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Content College 156 1 1 0	C	ommunications							Diversity, Equity &	Staff Specialist I/II	130/134	2	2	0			Director/Officer	156	1	1	
***Section Accounts at ***138			Assistant Staff Specialist I/II Director/Officer	122/126	1	1	0		Inclusion Total								**Fiscal Services Supervisor Manager	142	1	2*	
Name Recourse Office			**Senior Accountant	**138	0	0,2	0,2		-	Air Quality Engineer I/II	132/136	2	43	01			Principal Environmental				
Discrept/Officer 156 1 1 0	Fi	inance Office Total	Senior Staff Specialist Staff Specialist I/II Supervising Staff Specialist	138 130/134 142	0 1 2 1 1	1 3* 1	0 1 0 0	1		Air Quality Laboratory Technician (III Air Quality Meteorologist (III Air Quality Specialist (III Air Quality Technical Assistant	122/126 131/135 130/134	1 2	1 2 10*	01 0 0 6 -1			Planner Senior Advanced Projects Advisor Senior Air Quality Engineer Senior Air Quality Specialist	.48 .40 .38	2 1 1 1 1 1	2 1 1 1 1 1	_
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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
AIR QUALITY
MANAGEMENT
DISTRICT

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

Board of Directors Meeting December 21, 2022

Kate Hoag, Ph.D.
Assistant Manager, Ambient Air Quality Analysis
Meteorology and Measurement Division
khoag@baaqmd.gov

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/m³	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

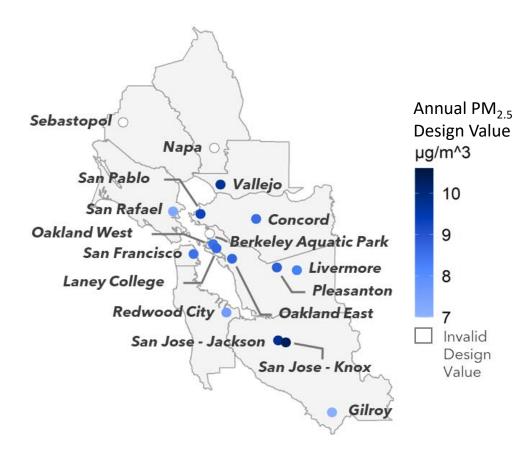
*State Implementation Plan (SIP)



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)

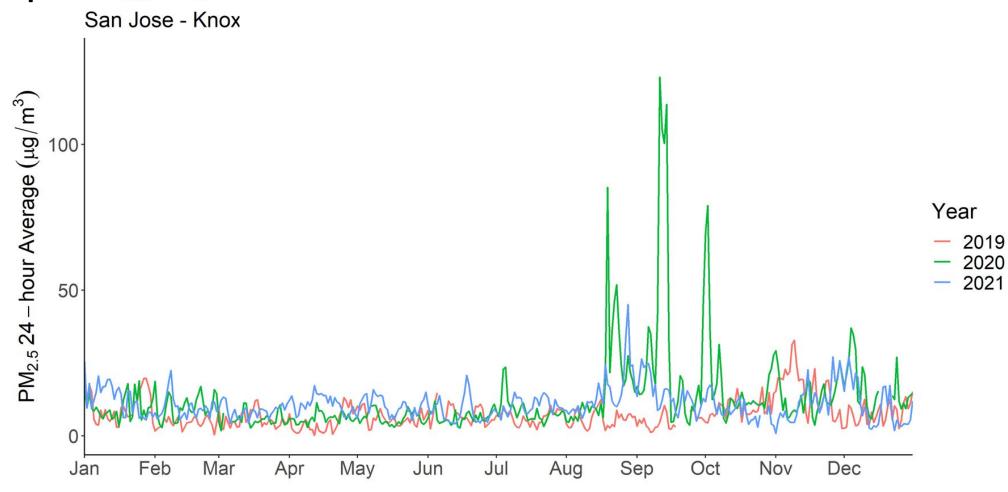


Bay Area PM_{2.5} Monitoring Stations

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



Example: PM_{2.5} Daily Trends



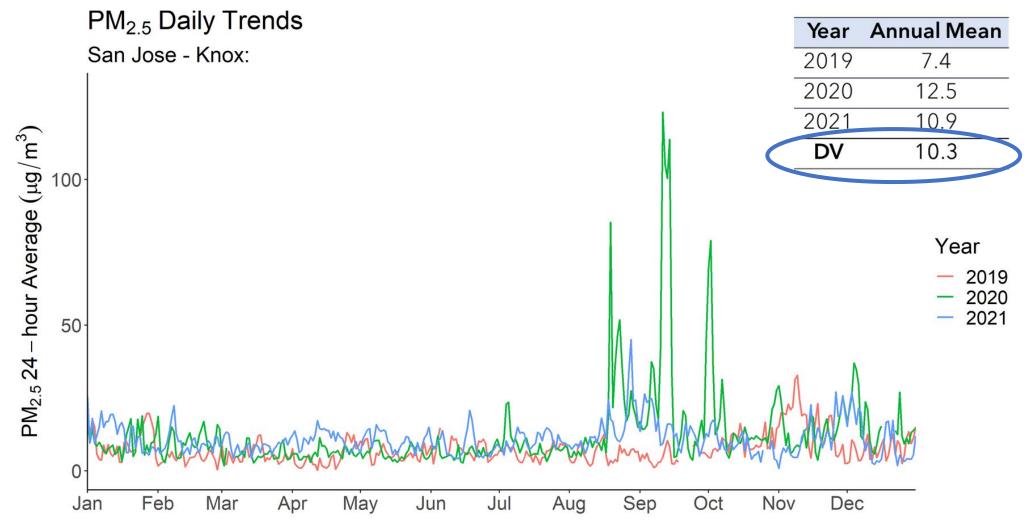
Design Value (DV): A Statistic to Summarize Air Monitoring Data to Compare to NAAQS



- 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.

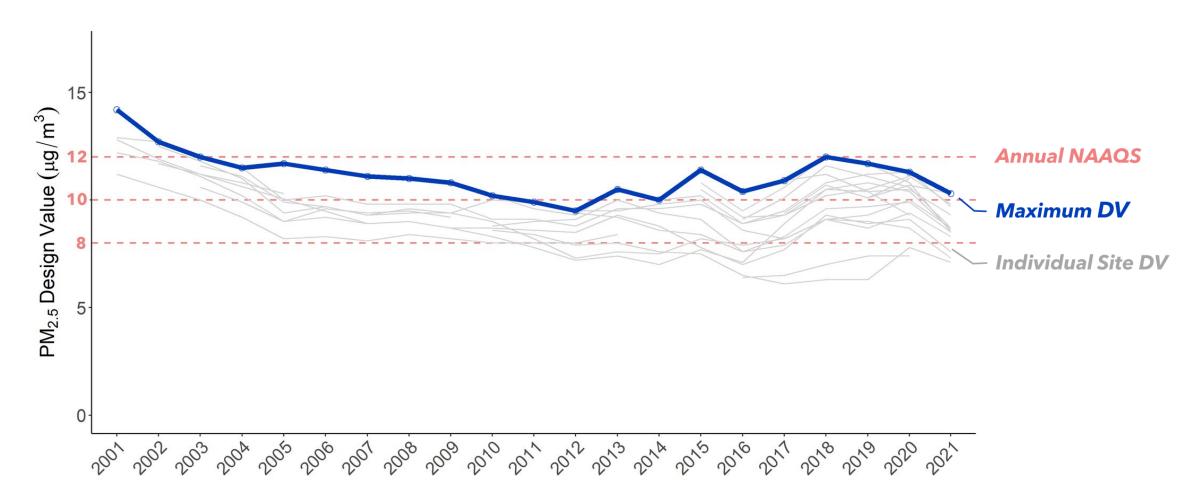
Example: DV for a Monitoring Site





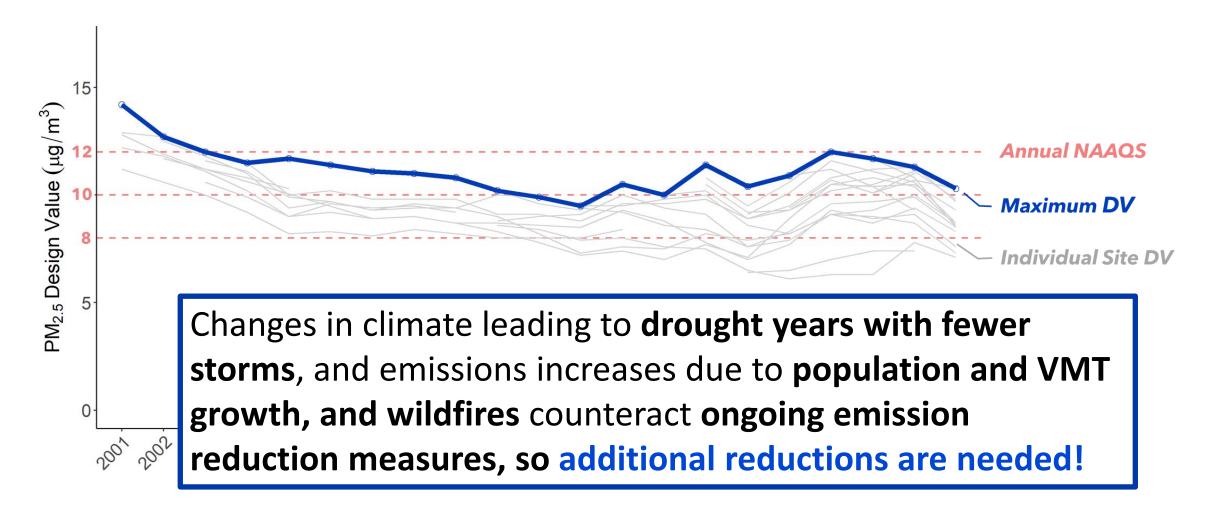
Annual PM_{2.5} Design Value Trends





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 μg/m³ at most, which may matter more if the proposed NAAQS is 10 μg/m³ and may matter less if the proposed NAAQS is 9 or 8 μg/m³

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

NAAQS Revision

Designations

SIP Development SIP Implementation

- 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

Regulatory

Incentives

Partnerships

USTICE

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