

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

Board of Directors Regular Meeting  
Wednesday, April 5, 2023

### **APPROVED MINUTES**

*This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, John J. Bauters, called the meeting to order at 9:04 a.m.

#### **Roll Call:**

Present, In-Person (375 Beale Street, Board Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Juan Gonzalez, Tyrone Jue, Sergio Lopez, Myrna Melgar, Katie Rice, and Shamann Walton.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor John Gioia, Conference Room, 11780 San Pablo Avenue, Suite D, El Cerrito, California, 94530): Directors Joelle Gallagher, John Gioia, Mark Ross, and Steve Young.

Present, In-Person Satellite Location: (City of Palo Alto City Hall, 250 Hamilton Avenue, 7<sup>th</sup> Floor, Palo Alto, California, 94301): Directors Margaret Abe-Koga, Noelia Corzo, Otto Lee, Ray Mueller, and Vicki Veenker.

Present, In-Person Satellite Location: (Office of Alameda County Supervisor David Haubert, 4501 Pleasanton Avenue, Pleasanton, California, 94566): Director Nate Miley.

Present, In-Person Satellite Location: (Santa Rosa Junior College Campus, Doyle Library, Room 148, 1501 Mendocino Avenue, Santa Rosa, California, 95401): Secretary Lynda Hopkins; and Director Brian Barnacle.

Absent: Directors Ken Carlson, Erin Hannigan, David Haubert, and David Hudson.

2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC MEETING PROCEDURE**

#### 4. SPECIAL ORDERS OF THE DAY

Chair Bauters congratulated Erin Kelly on her promotion to Air Quality Specialist 1 in the Air District's Compliance & Enforcement Division.

#### CONSENT CALENDAR (ITEMS 5 – 21)

5. Approval of the Minutes of the Board of Directors Special Meeting/Retreat of March 1, 2023 and the Board of Directors Meeting of March 15, 2023
6. Board Communications Received from February 15, 2023 through April 4, 2023
7. Personnel Out-of-State Business Travel Report for February 2023
8. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of February 2023
9. Quarterly Report of California Air Resources Board (CARB) Representative - Honorable Davina Hurt
10. Quarterly Report of the Executive Office and Division Activities for the Months of October 2022 - December 2022
11. Authorization to Execute a Contract Amendment with Renne Public Law Group
12. Authorization to Execute Contract with CallTower, Inc.
13. Authorization to Amend Contract with Pick-n-Pull, Clean Cars for All Program Dismantler
14. Authorization to Execute Contract Amendments with West Oakland Environmental Indicators Project, Beth Altshuler Muñoz Consulting, Inc., and RBA Creative, LLC
15. Report of the Community Equity, Health and Justice Committee Meeting of February 15, 2023
16. Report of the Legislative Committee Meeting of February 27, 2023
17. Report of the Richmond Area Community Emissions Reduction Plan Steering Committee Meeting of February 27, 2023
18. Report of the Stationary Source and Climate Impacts Committee Meeting of March 8, 2023
19. Report of the Mobile Source & Climate Impacts Committee Meeting of March 8, 2023
20. Report of the Community Advisory Council meeting of March 16, 2023
21. Report of the Community Equity, Health and Justice Committee Meeting of March 29, 2023

#### Public Comments

No requests received.

#### Board Comments

None.

#### Board Action

Director Gonzalez made a motion, seconded by Director Melgar, to **approve** Consent Calendar Items 5 – 21, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Jue, Lopez, Lee, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Haubert, Hudson.

## ACTION ITEM

### 22. **CONSIDER DISSOLVING THE PATH TO CLEAN AIR COMMUNITY STEERING COMMITTEE (CSC) APPOINTED BY RESOLUTION NO. 2021-02**

Dr. Wendy Goodfriend, Acting Climate Protection Manager, introduced one of the Co-Chairpersons of the Richmond Area Path to Clean Air CSC, Alfredo Angulo, who gave the presentation *Vote to Dissolve the Path to Clean Air CSC Appointed by Resolution No. 2021-02 to Allow for the Creation of a New, Non-Board-Appointed Steering Committee with a Community-Led Governance Structure*. Slides included: outcome; outline; requested action; overview of CSC governance; CSC member concerns; CSC votes to recommend dissolution; overview of plans for a community-governed CSC; process and timeline; reconfiguration of CSC; creating a new charter; approval of new charter; and feedback requested/prompt.

In addition, Deldi Reyes, Director of the Office of Community Air Protection at CARB, gave remarks regarding the governance styles of AB 617 CSCs in other parts of the state.

#### Public Comments

Public comments were given by Nancy Peace Aguirre, Richmond Area Path to Clean Air Community Steering Committee member.

#### Board Comments

The Board and staff discussed appreciation of the CSC's desire to retain best practices of the Ralph M. Brown Act, to keep votes of the reconfigured CSC transparent, and the request that the proposed ground rules of the reconfigured CSC be reviewed by the Board's Community Equity, Health, and Justice Committee; whether dissolution of the current CSC is the only way to remove it's the Ralph M. Brown Act requirements; ways in which the Board would be associated the (future) actions of the reconfigured CSC; the desire to ensure diversification of membership of the reconfigured CSC; whether the Board would be able to reimpose Ralph M. Brown Act requirements on the reconfigured CSC; and the format of the reconfigured CAC's meetings (in person, virtual, or hybrid).

#### Board Action

Director Gioia made a motion, seconded by Director Gonzalez, to **dissolve** the Richmond Area Path to Clean Air Community Steering Committee, appointed by Resolution No. 2021-02, allowing members of the communities of Richmond, North Richmond, and San Pablo to set up a new steering committee, with a community-led governance structure, to lead the development of the AB 617 Community Emission Reduction Plan for these communities; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Bauters, Corzo, Gallagher, Gioia, Gonzalez, Hopkins, Hurt, Jue, Lopez, Lee, Melgar, Miley, Mueller, Rice, Ross, Veenker, Walton, Young.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Carlson, Hannigan, Haubert, Hudson.

**OTHER BUSINESS**

**23. PUBLIC COMMENT ON NON-AGENDA MATTERS**

No requests received.

**24. BOARD MEMBER COMMENTS**

Vice Chair Hurt announced that there will be a joint meeting of the California Transportation Commission, CARB, and the California Department of Housing & Community Development on April 6, 2023, at 10:00 a.m. Items for discussion will include roadway pricing, the upcoming Regional Housing Needs Allocation, and interagency coordination.

Director Gioia announced that he met with members of Congress and Department of Energy staff in Washington DC last week, in his capacity as a Marin Clean Energy Board member, and emphasized the need for funding building electrification. He also mentioned the Board’s recent adoption of the amendments to Regulations 9-4 and 9-6 and received positive responses.

**25. REPORT OF THE EXECUTIVE OFFICER/AIR POLLUTION CONTROL OFFICER (APCO)**

Dr. Philip M. Fine, Executive Officer/APCO, reported that the Board’s new Finance and Administration Committee, a consolidation of the Board’s former Administration and Budget & Finance Committees, will meet for the first time on April 5, 2023, at 1:00 p.m. An item to be discussed at that meeting will be Recommend Authorization of Position Classifications to Support Organizational Restructuring, which would authorize position classifications, reclassifications, salary resolution and corresponding amendments to the Administrative Code that are shown in the attachments to support organizational restructuring. Sjoberg Evashenk, the firm that has been providing ongoing management audit services that span the Air District’s business functions, approves of the proposed restructuring. This proposal will be considered by the Board in May.

**26. CHAIRPERSON’S REPORT**

Chair Bauters reported that the Air District is currently offering four In-Person Remote Teleconference Locations in the cities of El Cerrito, Palo Alto, Pleasanton, and Santa Rosa. Board members and members of the public may attend Board and committee meetings from these locations, as part of a pilot program, and later in the year, the efficacy of retaining these spaces will be reviewed.

27. **TIME AND PLACE OF NEXT MEETING**

Wednesday, April 19, 2023, at 9:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board members and members of the public will be able to either join in-person or via webcast.

**CLOSED SESSION** (9:46 a.m.)

28. **CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6**

*Conference with Labor Negotiators  
Pursuant to Government Code Section 54957.6  
Agency Designated Representatives:  
Laura A. Izon , Atkinson, Andelson, Loya, Ruud & Romo  
John Chiladakis, Acting Chief Administrative Officer  
Employee organization: BAAQMD Employees' Association*

**REPORTABLE ACTION:** Chair Bauters had nothing to report.

29. **PUBLIC EMPLOYEE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1)**

*Title: District Counsel*

**REPORTABLE ACTION:** Chair Bauters had nothing to report.

**OPEN SESSION** (10:49 a.m.)

30. **ADJOURNMENT**

The meeting was adjourned at 10:49 a.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards