

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

Board of Directors Regular Meeting  
Wednesday, May 17, 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 9:23 a.m.

#### **Roll Call:**

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Ken Carlson, Noelia Corzo, Juan Gonzalez, David Haubert, Tyrone Jue, Sergio Lopez, Myrna Melgar, Katie Rice, Shamann Walton, and Steve Young.

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, and Mark Ross.

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, Ray Mueller, and Vicki Veenker.

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 Erin Hannigan, David Hudson, Otto Lee, and Nate Miley.

2. **PLEDGE OF ALLEGIANCE**

### **CONSENT CALENDAR (ITEMS 3 – 9)**

3. Approval of the Draft Minutes of the Board of Directors Meeting of May 3, 2023
4. Board Communications Received from May 3, 2023 through May 16, 2023
5. Personnel Out-of-State Business Travel Report for April 2023

6. Authorization to Approve Contract with We The Creative for Refreshed Design of the Air District Logo and Brand Research, Strategy and Guidelines
7. Authorization of Service Contract for Laboratory Analytical Instrument
8. Report of the Finance and Administration Committee Meeting of May 3, 2023
9. Report of the Mobile Source and Climate Impacts Committee Meeting of May 10, 2023
  - A. Transportation Fund for Clean Air County Program Manager Expenditure Plans for Fiscal Year Ending 2024
    - Action Item: Approve the allocation of new Transportation Fund for Clean Air revenue to each of the nine County Program Managers for Fiscal Year Ending 2024; and
    - Authorize the Executive Officer/Air Pollution Control Officer to enter into funding agreements with the County Project Managers
  - B. Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending 2024
    - Action Item: Approve the proposed updates to the Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending 2024
  - C. Fiscal Year Ending 2023 Charge! Program Project Recommendations
    - Action Item: Approve the *Charge!* Program rank list; and
    - Authorize the Executive Officer/APCO to enter into all necessary agreements with applicants for the recommended projects

Public Comments

No requests received.

Board Comments

None.

Board Action

Director Haubert made a motion, seconded by Director Gonzalez, to **approve** Consent Calendar Items 3 – 9, inclusive; and the motion **carried** by the following vote of the Board:

AYES: Abe-Koga, Barnacle, Bauters, Carlson, Corzo, Gallagher, Gioia, Gonzalez, Haubert, Hopkins, Hurt, Jue, Lopez, Melgar, Mueller, Rice, Ross, Veenker, Walton, Young.

NOES: None.

ABSTAIN: None.

ABSENT: Hannigan, Hudson, Lee, Miley.

**OTHER BUSINESS**

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

No requests received.

11. **BOARD MEMBER COMMENTS**

None.

12. **REPORT OF THE EXECUTIVE OFFICER/APCO**

Dr. Philip M. Fine, Executive Officer/Air Pollution Control Officer, announced the following:

- An Implementation Working Group, consisting of external stakeholders, formed to support the recently-adopted amendments to Rules 9-4 and 9-6 (to reduce emissions of nitrogen oxides from residential and commercial furnaces and water heaters in buildings in the Bay Area), will meet on May 23, 2023. The meeting will discuss ground rules, processes, objectives, public concerns, and vision principles. The Board requested to receive a list of participants who attend the meeting.
- Recruitment for Board-approved Deputy Executive Officer positions has opened and outreach is ongoing. These include: Deputy Executive Officer of Administration, Deputy Executive Officer of Engineering and Compliance, Deputy Executive Officer of Public Affairs, Chief Technology Officer, Ombuds Officer, and Board Operations Officer.

13. **CHAIRPERSON'S REPORT**

Chair Bauters announced the following:

- The Community Equity, Health, and Justice Committee will meet on May 17, 2023 at 1:00 p.m. at 375 Beale Street, Yerba Buena Room, San Francisco, California, 94105
- The Community Advisory Council will meet on May 18, 2023 at 6:00 p.m. at Cal State University, East Bay Grand Lake and Merritt 1 Rooms 1000 Broadway, Suite 109 Oakland, CA 94607
- Board members who attended in person at 375 Beale Street were alerted that they were to be escorted into Closed Session by Air District staff, as another regional agency was occupying the Board Room.
- National Bike Month is a celebration of cycling held every May in the United States, and is a chance to showcase the many benefits of bicycling and to encourage more folks to giving bicycling a try.

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

Wednesday, June 7, 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** (9:28 a.m.)

15. **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:** Alexander Crockett, District Counsel, reported that there was no reportable action.

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

*Title: District Counsel*

**REPORTABLE ACTION:** Alexander Crockett, District Counsel, reported that there was no reportable action.

**OPEN SESSION** (11:48 a.m.)

17. **ADJOURNMENT**

The meeting was adjourned at 11:48 a.m.

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