

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

Board of Directors Regular Meeting
Wednesday, October 4, 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

CALL TO ORDER

1. **Opening Comments:** Board of Directors (Board) Chairperson, John J. Bauters, called the meeting to order at 930 a.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Margaret Abe-Koga, Juan Gonzalez, Sergio Lopez, Myrna Melgar, Katie Rice, and Vicki Veenker.

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 Ken Carlson, Joelle Gallagher, John Gioia, Erin Hannigan, and Mark Ross.

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

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

Present, In-Person Satellite Location: (San Ramon City Hall, 7000 Bollinger Canyon Rd., 2nd Floor Community Conference Room, San Ramon, California, 94583): Director David Hudson.

Absent: Directors Noelia Corzo, Tyrone Jue, Otto Lee, Nate Miley, Ray Mueller, Shamann Walton, and Steve Young.

2. **PLEDGE OF ALLEGIANCE**
3. **SPECIAL ORDERS OF THE DAY**

Chair Bauters introduced new employees: Patricia Roman, My Air Online Director/Officer, Christopher Easter, Senior Air Quality Specialist in the Rules and Strategic Policy Division, and Gregory Dhawan

Muren, Assistant Counsel II. Chair Bauters also congratulated Alex Gordon, who was promoted to Air Quality Technician I in the Compliance and Enforcement Division.

NOTED PRESENT: Director Lopez was noted present at 9:38 a.m.; and Director Hannigan was noted present at 9:46 a.m.

CONSENT CALENDAR (ITEMS 4 – 16)

4. Approval of the Draft Minutes of the Board of Directors Meeting of September 20, 2023
5. Board Communications Received from September 20, 2023, through October 3, 2023
6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of August 2023
7. Authorization to Amend Legal Services Agreement with Shute Mihaly & Weinberger
8. Authorization to Purchase Equipment from Thermo Electron North America LLC
9. Appointment of Hearing Board Members for the Professional Engineer, Professional Engineer Alternate and Medical Alternate Hearing Board Positions
10. Authorization to Execute a Contract Amendment with Renne Public Law Group
11. Authorization to Transfer of \$925,000 of General Reserve Funds for the FYE 2024 Spare the Air Summer Advertising and Messaging Campaign
12. Authorization to Execute a Contract Amendment with Oppenheimer Investigations Group, LLP
13. Authorization to Execute a Contract with ICF Incorporated, LLC
14. Authorization to Continue Using and to Expend Monies Under the Existing Agreements with Enterprise Fleet Management, Inc. (EFM) and EAN Services, LLC (EAN) for Fleet Management Services and Rental Vehicle Services
15. Report of the Community Advisory Council Retreat/Special Meeting of September 14 - 15, 2023
16. Report of the Community Equity, Health and Justice Committee Meeting of September 20, 2023

Public Comments

Public comments were given by “Call-In User_1.” This speaker was removed from the meeting by Chair Bauters after giving public comments.

Board Comments

Regarding Item 11, Authorization to Transfer of \$925,000 of General Reserve Funds for the FYE 2024 Spare the Air Summer Advertising and Messaging Campaign, Vice Chair Hurt expressed her desire for Allison+Partners, the advertising contractor, to prioritize directing communication and messaging to youth in highly impacted communities.

Board Action

Vice Chair Hurt made a motion, seconded by Director Gonzalez, to **approve** Consent Calendar Items 4 – 16, inclusive; and the motion **carried** by the following vote of the Board:

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

OTHER BUSINESS

17. BOARD MEMBER COMMENTS

None.

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

Dr. Philip M. Fine, Executive Officer/APCO, announced the following:

- The Bay Area Air Quality Management District is inviting residents to participate in the 6th Annual California Clean Air Day on October 4. Designed around individual actions, the event is a statewide initiative built on the idea that shared experiences unite people to improve community health. Hosted by the Coalition for Clean Air, Clean Air Day is an accessible opportunity that allows for virtual and in-person participation. For a full list of Clean Air Day events being held around the Bay Area, visit www.cleanairday.org/events
- Principal Air Quality Specialist in the Air District’s Compliance and Enforcement Division, Chris Crowley, received the 2023 Rodney Swartzendruber Award from the Enforcement Managers Committee of the California Air Pollution Control Officers Association.
- The following individuals will serve in a four-week rotational assignment as acting Deputy Executive Officer (DEO) of Equity and Community Programs, while the recruitment for the permanent DEO is conducted. This position will oversee the Community Engagement Office, Diversity, Equity & Inclusion Office, Strategic Incentives Division, and Technology Implementation Office.
 - **Tim Williams**, Manager, Diversity, Equity, and Inclusion, 10/2/23 – 10/29/23
 - **Victor Douglas**, Manager, Rule Development, 10/30/23 – 11/26/23
 - **Suma Peesapati**, Environmental Justice and Community Engagement Officer, 11/27/23 – 12/24/23
 - **Marcia Raymond**, Assistant Counsel, 12/25/23 – 1/21/24

19. CHAIRPERSON’S REPORT

Chair Bauters announced that the Board’s Legislative Committee will meet following the Board meeting (on October 4, 2023), no earlier than 10:30 a.m., and the Finance and Administrative Committee will follow the Legislative Committee meeting (on October 4, 2023), no earlier than 1:00 p.m.

Every October, schools across the county—and the world—celebrate International Walk and Roll to School Day. The celebration is designed to encourage students, families and the school community to roll, walk, bicycle, take transit, or use other non-motorized transportation to get to school. This year, this event is being celebrated on October 4, 2023.

National Breast Cancer Awareness Month, is an annual international health campaign organized by major breast cancer charities every October to increase awareness of the disease and raise funds for research into its cause, prevention, diagnosis, treatment, and cure.

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

Wednesday, November 1, 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 (9:53 a.m.)

21. **CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION (GOVERNMENT CODE SECTION 54956.9(a))**

Pursuant to Government Code Section 54956.9(a), the Board met in Closed Session with Legal Counsel to discuss the following cases:

Chevron U.S.A Inc. v. Bay Area Air Quality Management District, Contra Costa Superior Court Case No. MSN21-1739;

Martinez Refining Co. LLC v. Bay Area Air Quality Management District, Contra Costa Superior Court Case No. MSN21-1568.

REPORTABLE ACTION: Alexander Crockett, District Counsel, had nothing to report.

22. **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, Chief Technology Officer

Employee organization: BAAQMD Employees' Association

REPORTABLE ACTION: Mr. Crockett had nothing to report.

OPEN SESSION (12:22 p.m.)

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

No requests received.

26. **ADJOURNMENT**

The meeting was adjourned at 12:23 p.m.

/s/ Marcy Hiratzka

Marcy Hiratzka
Clerk of the Boards