

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

Board of Directors Regular Meeting
Wednesday, December 6, 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 9:05 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; Secretary Lynda Hopkins; and Directors Noelia Corzo, John Gioia, Juan Gonzalez, David Haubert, Tyrone Jue, Sergio Lopez, Myrna Melgar, Katie Rice, and Shamann Walton.

Present, In-Person Satellite Location: (Palo Alto City Hall, 250 Hamilton Ave., Palo Alto, California, 94301): Director Vicki Veenker.

Present, In-Person Satellite Location: (Office of Santa Clara County Supervisor Otto Lee, 70 W Hedding St, East Wing, 10th Fl., San Jose, California, 95110): Director Otto Lee.

Present, In-Person Satellite Location: (Santa Rosa Junior College Campus Doyle Library, 1501 Mendocino Ave., Room 148, Santa Rosa, California, 95401): Director Brian Barnacle.

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

Present, In-Person Satellite Location: (Mountain View City Hall, 500 Castro Street, 3rd Floor, City Clerk's Office Conference Room, Mountain View, California, 94041): Director Margaret Abe-Koga.

Present, In-Person Satellite Location: (Office of Contra Costa County Supervisor Ken Carlson, 2255 Contra Costa Blvd., Suite 202, District 4 Conference Room, Pleasant Hill, California, 94523): Directors Ken Carlson, and Mark Ross.

Present, In-Person Satellite Location: (Napa County Administration Building, 1195 Third Street, Suite 310, Crystal Conference Room, Napa, California, 94559): Director Joelle Gallagher.

Absent: Directors David Hudson, Nate Miley, and Ray Mueller.

2. **PLEDGE OF ALLEGIANCE**

3. **SPECIAL ORDERS OF THE DAY**

Chair Bauters welcomed Adam Arnold, new Senior Air Quality Specialist in the Air District's Meteorology and Measurement Division, and Julia Luongo, Senior Air Quality Engineer in the Rules and Strategic Policy Division; and congratulated Jimmy Cheng, who was promoted to the position of Supervising Air Quality Engineer in the Engineering Division; and Victor Douglas, former Manager of the Rules and Strategic Policy Division, who recently retired after serving the Air District for 22 years.

NOTED PRESENT: Director Hannigan was noted present at 9:09 a.m.; Director Corzo was noted present at 9:11 a.m.; and Director Melgar was noted present at 9:15 a.m.

CONSENT CALENDAR (ITEMS 4 – 16)

4. Approval of the Draft Minutes of the Board of Directors Meeting of November 15, 2023
5. Board Communications Received from November 15, 2023, through December 5, 2023
6. Personnel Out-of-State Business Travel Report for October 2023
7. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month of October 2023
8. Quarterly Report of the Executive Office and Division Activities for the Months of July 2023 - September 2023
9. Proposed Regulatory Agenda for 2024
10. Authorization to Execute Contracts for Grant Projects over \$500,000 for Electric Vehicle Infrastructure Projects
11. Authorization to Execute Contract for Support of Air District Electric Vehicle Charging Program in the Amount of \$671,000
12. Authorization to Amend a Master Services Agreement with Communities for a Better Environment to Extend the Contract Term End Date to March 31, 2025, and Increase the Total Not to Exceed Amount for the Contract to \$470,000
13. Authorization to Execute Contracts with Communities for a Better Environment and The Regents of the University of California for Implementation of a Community Air Monitoring Project in East Oakland
14. Authorization to Amend the Contract with Compensation Connections, LLC
15. Authorization to Execute a Contract with Baker Tilly US, LLP
16. Report of the Community Equity, Health and Justice Committee Meeting of November 15, 2023

Public Comments

Public comments were given by Tony Fisher, Coalition for Clean Air.

Board Comments

Director Rice acknowledged the work of Air District staff, captured in Item 8, Quarterly Report of the Executive Office and Division Activities for the Months of July 2023 - September 2023.

NOTED PRESENT: Director Lopez was noted present at 9:24 a.m.

Board Action

Director Haubert made a motion, seconded by Director Gioia, 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, Corzo, Gallagher, Gioia, Gonzalez, Hannigan, Haubert, Hopkins, Hurt, Jue, Lee, Lopez, Melgar, Rice, Ross, Veenker, Walton, Young.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Hudson, Miley, Mueller.

ACTION ITEM

17. ELECTION OF A CHAIRPERSON AND VICE CHAIRPERSON OF THE BOARD OF DIRECTORS FOR THE 2024-2025 TERM

Chair Bauters gave a report of the Nominating Committee meeting, which was held immediately preceding the Board of Directors meeting on December 6, 2023.

Public Comments

No requests received.

Board Comments

The Board and staff discussed the change in the recent amendment to the Air District administrative Code, which eliminated the Board Officer position “Secretary”; and the Nominating Committee’s rationale for promoting the current Secretary and Vice Chair to the 2024 Board Officer positions of Vice Chair and Chair, respectively.

Board Action

Chair Bauters made a motion, seconded by Director Gioia, to **appoint** Davina Hurt as Chairperson, and Lynda Hopkins as Vice Chairperson, commencing 2024; and the motion **carried** by the following vote of the Board:

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

OTHER BUSINESS

18. PUBLIC COMMENT ON NON-AGENDA MATERS

No requests received.

19. BOARD MEMBER COMMENTS

Director Gonzalez said that he recently met with Caroline Sison, Director of Strategic Partnerships and External Affairs at the Tiburcio Vasquez Health Center, Inc., a provider of multicultural health care in Central and Southern Alameda County. The Tiburcio Vasquez Health Center partners with the Air District to distribute air filters to vulnerable people in the East Bay, and are grateful for the Air District's partnership. Director Gonzalez will be featuring this partnership on his social media accounts.

Director Walton thanked Chair Bauters for the 19 months during which he served as Air District Board of Directors Chairperson.

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

Dr. Philip M. Fine, Executive Officer/APCO, congratulated the 2024 Board Officers on their appointments.

21. CHAIRPERSON'S REPORT

Chair Bauters announced that the Board's Finance and Administration Committee will meet following the Board meeting (on December 6, 2023), no earlier than 1:00 p.m.

22. TIME AND PLACE OF NEXT MEETING

December 20, 2023, at 9:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board of Directors members and members of the public will be able to either join in-person or via webcast.

CLOSED SESSION (9:32 a.m.)

23. 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.

OPEN SESSION (10:25 a.m.)

24. **ADJOURNMENT**

The meeting was adjourned at 10:25a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards