



BOARD OF DIRECTORS
COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

COMMITTEE MEMBERS

DAVINA HURT – CHAIR
MARGARET ABE-KOGA
JOELLE GALLAGHER
ERIN HANNIGAN
VICKI VEENKER

KATIE RICE – VICE-CHAIR
BRIAN BARNACLE
JOHN GIOIA
NATE MILEY
STEVE YOUNG

**MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
COMMITTEE MEMBERS AND MEMBERS OF THE PUBLIC**

**Bay Area Metro Center
1st Floor Board Room
375 Beale Street
San Francisco, CA 94105**

**Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530**

**City of Palo Alto City Hall
250 Hamilton Ave., 7th Floor
Palo Alto, CA 94301**

**Santa Rosa Junior College Campus
Doyle Library, Room 148
1501 Mendocino Ave.
Santa Rosa, CA, 95401**

THE FOLLOWING STREAMING OPTIONS WILL ALSO BE PROVIDED

These streaming options are provided for convenience only. In the event that streaming connections malfunction for any reason, the Community Equity, Health and Justice Committee reserves the right to conduct the meeting without remote webcast and/or Zoom access.

The public may observe this meeting through the webcast by clicking the link available on the air district's agenda webpage at www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/82541668084>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 825 4166 8084

Public Comment on Agenda Items: The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on a matter on the agenda will have two minutes each to address the Committee on that agenda item, unless a different time limit is established by the Chair. No speaker who has already spoken on an item will be entitled to speak to that item again.

COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE MEETING AGENDA

WEDNESDAY, JUNE 21, 2023

1:00 PM

1. Call to Order - Roll Call

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members.

2. Pledge of Allegiance

CONSENT CALENDAR (Item 3)

3. Approval of the Draft Minutes of the Community Equity, Health and Justice Committee Meeting of May 17, 2023

The Committee will consider approving the Draft Minutes of the Community Equity, Health and Justice Committee Meeting of May 17, 2023.

ACTION ITEM(S)

4. Consider Recommending to the Board of Directors Adoption of the Community Advisory Council (CAC) Charter

This is an action item for the Community Equity, Health, and Justice Committee to consider recommending the Community Advisory Council (CAC) Charter to the Board of Directors for adoption. This item will be presented by William Goodwin, CAC Member.

5. Consider Recommending to the Board of Directors Adoption of a Resolution Establishing a Governance Structure for the Community Advisory Council

This is an action item for the Community Equity, Health, and Justice (CEHJ) Committee to consider recommending a Resolution establishing a governance structure for the Community Advisory Council to the Board of Directors for adoption. This item will be presented by Miriam Torres, Senior Advanced Projects Advisor.

INFORMATIONAL ITEM(S)

6. Incentive Programs Targeting Heavy-Duty Mobile Sources for Community Health

The Air District administers incentive programs that fund projects to reduce heavy-duty diesel emissions in impacted communities and throughout the Bay Area. This is an informational item that will be presented by Karen Schkolnick, Director of the Strategic Incentives Division.

7. Community Advisory Council Update from May 18, 2023 Meeting

This is an informational item for the CAC Co-Chairs to present a summary of the May 18, 2023 CAC meeting. This item will be presented by Latasha Washington, Ms. Margaret Gordon and Kevin Jefferson, the CAC Co-Chairs.

OTHER BUSINESS

8. Public Comment on Non-Agenda Matters

Pursuant to Government Code Section 54954.3, members of the public who wish to speak on matters not on the agenda will be given an opportunity to address the Committee. Members of the public will have two minutes each to address the Committee, unless a different time limit is established by the Chair.

9. Committee Member Comments

Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

10. Report of the Deputy Executive Officer of Equity and Community Programs

11. Time and Place of Next Meeting

Wednesday, July 19, 2023, at 1:00 p.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Community Equity, Health, and Justice Committee members and members of the public will be able to either join in-person or via webcast.

12. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
vjohnson@baaqmd.gov

(415) 749-4941
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Suma Peesapati, at (415) 749-4967 or by email at speesapati@baaqmd.gov.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 BEALE STREET, SAN FRANCISCO, CA 94105
FOR QUESTIONS PLEASE CALL (415) 749-4941**

**EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS**

JUNE 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	21	9:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	21	11:00 a.m.	1 st Floor, Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	21	1:00 p.m.	1 st Floor Board Room

JULY 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	5	9:00 a.m.	1 st Floor Board Room
Board of Directors Finance & Administration Committee	Wednesday	5	1:00 p.m.	1 st Floor Board Room
Board of Directors Stationary Source and Climate Impacts Committee	Wednesday	12	10:00 a.m.	1 st Floor, Yerba Buena Room

Board of Directors Mobile Source and Climate Impacts Committee - Cancelled	Wednesday	12	1:00 p.m.	1 st Floor, Yerba Buena Room
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Board of Directors Meeting	Monday	19	9:00 a.m.	1 st Floor Board Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	19	1:00 p.m.	1 st Floor Board Room
Board of Directors Community Advisory Council	Thursday	20	6:00 p.m.	1 st Floor Board Room

MB 6/15/23 5:07 p.m.

G/Board/Executive Office/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 21, 2023

Re: Approval of the Draft Minutes of the Community Equity, Health and Justice
Committee Meeting of May 17, 2023

RECOMMENDED ACTION

Approve the draft minutes of the Community Equity, Health and Justice Committee Meeting of
May 17, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Community Equity, Health
and Justice Committee Meeting of May 17, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Vanessa Johnson

ATTACHMENTS:

1. Draft Minutes of the Community Equity, Health and Justice Committee Meeting of May 17, 2023

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

Community Equity, Health & Justice Committee
Wednesday, May 17, 2023

DRAFT 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:** Community Equity, Health & Justice Committee (Committee) Chairperson, Davina Hurt, called the meeting to order at 1:02 p.m.

Roll Call:

Present, In-Person (Bay Area Metro Center, 375 Beale Street, Board Room, San Francisco, California, 94105): Chairperson Davina Hurt; Vice Chair Katie Rice; Board Chair John J. Bauters; and Director Steve Young.

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

Present, In-Person Satellite Location (Palo Alto City Hall, 250 Hamilton Ave., 7th Floor, Palo Alto, California, 94301): Directors Margaret Abe-Koga and Vicki Veenker.

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

Absent: Directors Erin Hannigan and Nate Miley.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE COMMUNITY EQUITY, HEALTH & JUSTICE COMMITTEE MEETING OF APRIL 19, 2023**

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Board Chair Bauters made a motion, seconded by Director Young, to **approve** Minutes of the Community, Equity, Health & Justice Committee of April 19, 2023; and the motion **carried** by the following vote of the Committee:

AYES: Barnacle, Bauters, Gallagher, Gioia, Hurt, Rice, Veenker, Young.
NOES: None.
ABSTAIN: Abe-Koga.
ABSENT: Hannigan, Miley.

INFORMATIONAL ITEMS

4. COMMUNITY PERSPECTIVE

Chair Hurt introduced Cecilia Mejia, Air District Community Advisory Council member and Program Coordinator for Brightline Defense. Ms. Mejia gave the presentation *Brightline's Air Quality Monitoring Program*, including: about Brightline; serving priority populations in San Francisco; sensor siting and calibration with the Air District; disproportionate impacts across San Francisco; community partnerships; technical partnerships; Central City Single Room Occupancy (SRO) Collaborative; Community Youth Center of San Francisco; partnership with University of California at Berkeley for black carbon; data analysis; Brightline's air quality programming timeline; Our Community, Our Air Program; partners; community workshops and tabling in Spanish, English, and Chinese; and Bay Area Metro Center Field Trip.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether Brightline Defense's air monitoring program monitors sulfur dioxide and/or wildfire smoke; whether nitrogen dioxide emissions are related to vehicle traffic; when Brightline Defense's air monitoring occurs; carbon measurement that disaggregates total black carbon from total Particulate Matter; how Brightline Defense plans to account for increases in (post-pandemic) traffic congestion and subsequent emissions increases in the Bay Area; congestion management pricing; and appreciation of Brightline Defense for empowering the community how to read air quality data.

Committee Action

None; receive and file.

5. **OVERVIEW OF ENVIRONMENTAL DEFENSE FUND REPORT: ASSESSING THE DISTRIBUTION OF AIR POLLUTION HEALTH RISKS WITHIN CITIES**

Greg Nudd, now Deputy Executive Officer of Science and Policy (formerly Deputy Air Pollution Control Officer of Policy) introduced Dr. Maria Harris, Environmental Epidemiologist at the Environmental Defense Fund, who gave the presentation *Bay Area Air Pollution Health Risk Assessment: Translating Data to Action in Partnership with West Oakland Environmental Indicators Project (WOEIP)*, including: WOEIP; hyperlocal air pollution variability impacts health in West Oakland; Bay Area Health Risk Assessment; major health impacts from air pollution in the Bay Area; air pollution's impacts vary dramatically across the Bay Area; communities of color face higher rates of health impacts from air pollution; hyperlocal data reveal greater health disparities; implications; West Oakland Community Action Plan Health Equity Advisory Committee and participants; key question; limitations; and moving forward.

Public Comments

Public comments were given by Christine Wolfe, California Council for Environmental and Economic Balance.

Committee Comments

The Committee and staff discussed how/whether high-resolution data may be considered by the Air District during rule development; modeled air pollution data and county-level mortality rates versus hyperlocal air pollution data and neighborhood -level mortality rates; whether the Environmental Defense Fund's data accounts for the unhoused population; how data from the Environmental Defense Fund can drive rulemaking and land use decisions; whether the Air District is sharing its data with the Metropolitan Transportation Commission; the status of the West Oakland Community Action Plan; Board members' requests for the Air District's "Best Practices for Centering Environmental Justice, Health, and Equity", published in April 2023, in the Air District's 2022 California Environmental Quality Act Guidelines; and how the work of the Environmental Defense Fund is pertinent to land use development.

Committee Action

None; receive and file.

OTHER BUSINESS

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

Public comments were given by Suzy M; and Belinda Dobbs.

7. **COMMITTEE MEMBER COMMENTS**

Board Chair Bauters thanked Air District staff for engaging with the residents from the SRO that was represented in person and gave public comments during Item 6. He suggested that the Air District inquires whether the building's manager can help residents who are interested in completing applications for air filters.

Chair Hurt announced that 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. Not a public meeting.

8. **REPORT OF THE SENIOR DEPUTY EXECUTIVE OFFICER OF POLICY & EQUITY**

Veronica Eady, now Deputy Executive Officer of Equity and Community Programs (formerly Senior Deputy Executive Officer of Policy & Equity), announced the following:

- The Air District’s Community Advisory Council will meet at California State University, East Bay, Oakland Center, on May 18, 2023, at 6:00 p.m.
- The California Air Pollution Control Officers Association (CAPCOA) created an equity group which discusses air district equity programs in California.
- In May, the Air District observes Jewish American Heritage Month and Asian American and Pacific Islander Heritage Month.
- On May 18, 2023, the Air District will host “A Conversation with Amy Tan.” Amy Tan is an award-winning American author and will discuss her experiences as a daughter of immigrants, growing up in the Bay Area, and her career as an author. Not a public event.
- On May 24, 2023, the Air District will host a discussion on the documentary, *14 Peaks, Nothing is Impossible*, available on Netflix. The themes of environmentalism, sustainability, perseverance, and cultural pride will be discussed. Not a public event.

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

Wednesday, June 21, 2023, at 1:00 p.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will also be webcast for members of the public.

10. **ADJOURNMENT**

The meeting was adjourned at 2:18 p.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 21, 2023

Re: Consider Recommending to the Board of Directors Adoption of the Community
Advisory Council (CAC) Charter

RECOMMENDED ACTION

This is an action item to consider recommending the Community Advisory Council (CAC) Charter to the Board of Directors for approval.

BACKGROUND

The Draft Charter was presented to the CAC during the January 19, 2023, CAC Meeting and CAC members had the opportunity to submit edits to the Draft Charter by February 10, 2023. The CAC Governance Ad Hoc Committee updated the Charter with changes provided by CAC members. An updated version of the Charter was presented at the March 16, 2023, CAC meeting. During the March 16, 2023, CAC Meeting, CAC members edited the Charter and approved recommending the CAC Charter to the Community, Equity, Health, and Justice Committee. Since the March 16, 2023, Meeting, Air District Board leadership and the CAC proposed additional revisions to the CAC Charter.

DISCUSSION

On April 26, 2023, the CAC Co-Chairs met with the Governance Ad Hoc Committee to discuss the Air District Board leadership's proposed revisions and jointly agreed to bring back the updated Charter for CAC consideration. During the May 18, 2023, CAC meeting, the CAC voted to recommend the updated CAC Charter to the Community, Equity, Health, and Justice Committee and the Board of Directors for approval.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Lisa Flores and Miriam Torres
Reviewed by: Veronica Eady

ATTACHMENTS:

1. Community Advisory Council Charter - Redlined; May 18, 2023 Meeting Version

Community Advisory Council Charter

1.1 Purpose

The Bay Area Air Quality Management District (Air District) Board of Directors approved the formation of the Community Advisory Council (CAC) on Nov. 17, 2021. The Community Equity, Health, and Justice Committee (CEHJ) of the Air District selected the slate of candidates and recommended establishing the CAC on Nov. 4, 2021. The purpose of the CAC is to use environmental justice principles to provide guidance to the Board of Directors on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The CAC will use environmental justice principles to identify and inform planning and decision making with the goal of mitigating and remedying projected disproportionate impacts of air pollution exposures and reducing health risks and inequities associated with poor air quality for people who live, work, and play in already vulnerable and historically marginalized, [overburdened communities](#). The CAC will aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Definitions:

- Environmental justice: The State of California defines **environmental justice** as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (California Government Code §65040.12(e).) According to the U.S. Environmental Protection Agency “**fair treatment**” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).
- Overburdened community: an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract.¹

¹ Bay Area Air Quality Management District, *Regulation 2, Permits, Rule 1, Section 2-1-243*.
[https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021-](https://www.baaqmd.gov/~/media/dotgov/files/rules/reg-2-permits/2021-)

- Meaningfully engage: Meaningfully involving impacted communities is essential to addressing environmental justice. According to the U.S. Environmental Protection Agency, *meaningful involvement* means “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) community concerns will be considered in the decision-making process; and (4) decision makers will seek out and facilitate the involvement of those potentially affected.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

The CAC will utilize the [17 Principles of Environmental Justice](#) and [Jemez Principles for Democratic Organizing](#), which are both available on the Air District website and hereinafter incorporated by reference in Appendix A.

1.2 Mission Statement

The CAC believes in protecting the fundamental right to clean air for all communities. We aim to provide access to meaningful community engagement and bring community priorities into focus at the Air District. We are committed to democratic decision making and achieving equitable solutions to the impacts of air pollution and the polluting economy. We prioritize solutions that can be applied to more than one community. We are dedicated to eliminating pollution threats both upstream and downstream, standing in solidarity, sharing power and resources, and listening to and amplifying voices from communities that are the most impacted and overburdened.

1.2.1 Goals

The goals of the CAC are as follows:

- To provide representation on behalf of [all communities, including](#) overburdened communities to the Air District Board of Directors.
- To serve as a liaison between the community and the Air District Board of Directors and staff to influence decisions, policies, procedures, and processes to ensure equity, inclusion, civil rights, and environmental justice.

1.2.2 Guiding Principles

CAC members will provide independent and objective advice and be committed to the following principles:

- a. Laying a solid foundation for successful, future CAC members and ensuring long-term sustainability of the CAC's commitment to environmental justice.

- b. Elevating voices and advocating for communities who are not currently being represented or heard.
- c. Building a deep, authentic, and mutually accountable relationship among CAC members.
- d. Helping CAC members value, actualize, and institutionalize environmental justice principles throughout all CAC practices.
- e. Being recognized as partners in the fight to define how we mitigate the impacts of climate change and air pollution exposure to reduce health risks and inequities associated with poor air quality.
- f. Using influence, expertise, and privilege to protect our communities.
- g. Identifying gaps in underrepresented, community-led² decision making, and avenues for well-compensated opportunities for people in the Black, Indigenous, and People of Color (BIPOC) communities.
- h. Striving to include cultural competence.
- i. Acknowledging that one methodology does not apply to all communities and seeking to address the conditions in each community as needed. Utilizing and applying resources and tools based on those differences.
- j. Maintaining impartiality, fairness, and respect for all CAC members and the communities we represent.

1.2.3 Civility

The members of the CAC promote authentic respect for others and strive to see common ground in order to produce our best work for the CAC and the communities that we represent. We are committed to a conscious demonstration of mutual respect — for people, their roles, and their knowledge and expertise. We seek to create a safe environment where diverse viewpoints will be heard and considered. To that end, members of the CAC will act with respect and civility when interacting with each other, the Air District Board of Directors, staff, and members of the public.

Behavior which violates the CAC’s commitment to respect and civility includes, but is not limited to, yelling, cursing, interrupting, humiliating, threatening, and all forms of harassment.

Any violations of this provision will be handled as stated in the Conflict Resolution section below.

1.2.4 Conflict Resolution

In the event that a conflict or behavior arises that violates the CAC’s commitment to respect and civility between CAC members and/or between CAC members and Air District staff, regarding CAC matters:

² Underrepresented community-led: *Underrepresented community* is used to describe those who have been historically and are still systematically excluded from political and policy-making processes, which includes many disadvantaged and vulnerable communities.

Step 1: CAC members agree to work in a collaborative fashion and strive for consensus on the issues before they are brought to the CAC.

Step 2: In the event of an impasse or conflict that continues or becomes an official complaint (sent via email to the Co-Chairs and CAC team staff serving as the in-house mediators), the Co-Chairs and CAC Team Staff shall work with the members in conflict first as in-house mediators.

Step 3: If there continues to be an impasse between CAC Members and/or between CAC Members and Air District staff, those concerned will work with the APCO to reach an agreement.

Step 4: If agreement or resolution cannot be reached with staff or the APCO, a mutually agreed upon third-party mediator will be utilized to resolve the conflict and provide a recommended action to the Board.

In the event of a conflict on agenda items, CAC members can agree to postpone the action or agenda item for discussion until the next meeting, from the date the issue arises, to allow for the Co-Chairs and CAC team staff to help resolve the issue. If during the meeting the facilitator cannot help the CAC reach an agreement, then the action or agenda item in question will not proceed.

Individual members cannot be compelled to participate in any action to which they do not agree. Individual members may abstain from participation in a decision when they believe it would be inappropriate for them to participate in that action or decision.

1.3 Leadership

In 2022, the CAC approved a three Co-Chair model. The leadership model may be amended based on needs expressed by the CAC **and approved by the board, -but shall be no more than three Co-Chairs at a time.**

Commented [A1]: Text edited during 3/16 CAC Meeting by majority vote is highlighted in grey.

1.3.1 Duties of Leadership

- a. The Co-Chairs shall preside over bi-monthly meetings of the CAC in rotation.
 - I. Presiding over a meeting requires a Co-Chair to open, manage, and adjourn meetings, and to adjust the set order of speakers in collaboration with the facilitator and Air District staff.
 - II. In the event the Co-Chair scheduled to preside over the meeting is absent or unable to perform their duties, the Co-Chair scheduled to preside next shall preside over the meeting and perform all chair duties.

- b. The Co-Chairs shall oversee the preparation and distribution of the agenda and materials for the CAC meetings.
- c. The Co-Chairs shall work with Air District staff and the CAC meeting facilitator to plan, structure, and coordinate CAC meetings.
- d. The Co-Chairs shall attend and provide updates to the Air District Board of Directors as needed and/or requested and interact with the Air District Board of Directors in representation of overburdened communities within the nine Bay Area counties, and on behalf of the CAC members.
- e. The Co-Chairs shall oversee activities of the ad hoc committees.
- f. The Co-Chairs shall perform all other necessary and incidental duties as prescribed by the CAC Charter.
- g. The Co-Chairs shall communicate with each other, divide work, and share information and updates in a timely manner.
- h. The Co-Chairs shall address conflict within the CAC membership and leadership.
- i. The Co-Chairs shall ensure that CAC decisions are made in a democratic, equitable, and timely manner.
- j. The Co-Chairs shall represent the CAC at the Budget Committee and provide feedback on the Air District's budget.
- k. The Co-Chairs shall work with Air District staff to define and oversee the CAC's annual budget.
- l. The Co-Chairs shall understand and adhere to the Brown Act and Robert's Rules of Order.

1.3.2 Leadership (Co-Chairs) Terms of Office

~~Leadership shall hold office for two (2) years. When more than two (2) Co-Chairs are selected, the terms of office shall be staggered as set forth below.~~

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1.3.3 Terms of Leadership

~~In the event that the CAC selects three (3) Co-Chairs, two (2) Co-Chairs shall be appointed for two (2) years, and one (1) Co-Chair shall be appointed for one year. The names will be randomly chosen by Air District Staff to determine which position shall be in the term of two (2) years and which position is appointed for one (1) year.~~

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Leadership is appointed for a two (2) year ~~or one (1) year~~ term and no member may serve for more than two, 2-year terms consecutively.

1.3.4 Election of Leadership (Co-Chairs)

The inaugural leadership of three (3) Co-Chairs was elected at the second meeting of the CAC.

If a leadership position becomes vacant, that position must be filled within two meetings after the vacancy occurs. The leadership position shall be filled through a nomination, selection, and voting process. The process will be as follows:

- Members seeking a vacant leadership position shall submit an essay, which provides a summary of their background and outlines the reasons they seek the position. The full CAC shall be presented with the essays 72 hours in advance of the meeting in which the CAC will vote on each prospective candidate. The candidate receiving the majority of the votes will be selected to fill the vacant leadership position.

1.4 CAC Members

1.4.1 Composition of the CAC

The initial membership of the CAC, including Co-Chairs, shall be composed of seventeen (17) members who live or work in from overburdened communities in California, as follows:

- Four (4), Alameda County
- Four (4), Contra Costa County
- One (1), San Francisco County
- One (1), San Mateo County
- Two (2), Santa Clara County
- One (1), Solano County
- Two (2), at-large
- Two (2), youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

Regarding at-large member seats, priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

Also, diversity, equity, and inclusion on the CAC are highly valued.

1.4.2 Duties of Members

CAC members shall fully participate in bi-monthly meetings and be fully engaged during discussion. The CAC members shall also review materials prior to meetings and come prepared for engaged discussion, active listening, and respectful dialogue. Meeting preparation includes attending required trainings defined below and other trainings as planned by the Co-Chairs or suggested by the CAC. Further, CAC members shall perform all other duties as prescribed by this Charter.

All Members, except CAC leadership, are expected to join at least one ad hoc committee every year to ensure a balance of work for what the CAC has to accomplish, if their schedule allows. Council Members will vote during the first meeting on a time and day for a meeting that works best for the majority. Staff will provide an orientation of the expectations related to the CAC membership requirements.

1.4.2.1 Mandatory Annual Trainings

CAC members and leadership shall attend and participate in four (4) mandatory annual trainings as follows:

- Brown Act Training: The Brown Act is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies.
- Robert's Rules of Order Training: Robert's Rules, widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic, and orderly.
- Civility Training: Civility is an essential aspect of every work environment to create and maintain a fair and professional culture. This civility training is designed to teach CAC members the norms of acceptable conduct and how to identify, prevent, and respond professionally to situations of incivility.
- Team building and conflict resolution training.

Additionally, CAC members shall complete an ethics training course within the first year of their term and are required to take follow-up training biannually.

1.4.2.2 Virtual, Hybrid, and In-Person Meetings

In 2022, the CAC attended meetings virtually. As of March 2023, the CAC will meet in person at a location within the nine-county Bay Area with a required quorum of 9 out of 17 members. CAC members may attend remotely under specific circumstances outlined in the Brown Act and AB 2449 and in the Attendance section of this document.

CAC members, and members of the public with disabilities, who need accommodations consistent with Section 504 of the Rehabilitation Act to have equal opportunities to participate in CAC meetings should contact Air District staff.

Reimbursements for travel are outlined in the CAC's Compensation Policy and Procedures.

1.4.3 Members Terms of Office

CAC Members apply or reapply for either a two-year term or a four-year term. CAC Members are limited to serving a total of eight (8) years. This will ensure that others have the opportunity to participate in the CAC and that there is continuity of County or institutional knowledge. The inaugural CAC will serve for four (4) years with the ability to reapply.

1.4.3.1 Appointment of Members

The CAC members are appointed by the Board of Directors. Vacancies are to be filled by the Board of Directors as described in the following process. ~~The CEHJ shall provide guidance on selection criteria and on prospective CAC members.~~ The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to the Community Equity, Health and Justice Committee (CEHJ), according to the guidance provided by the CEHJ. ~~The CEHJ shall appoint a liaison to provide Board recommendations on selection criteria and on prospective CAC members.~~ The candidates approved by the CEHJ Committee will be recommended ~~routed~~ to the Board of Directors for final approval.

The CAC Selection Ad Hoc will be tasked with developing criteria for the selection of candidates, according to the guidance developed by CEHJ. Priority should be given to individuals from Bay Area communities overburdened by air pollution, environmental justice communities, and/or those with a history of partnering with environmental justice communities.

1.5 Standing Committees and Ad Hoc Committees

Upon approval by a majority of its members, the CAC may form committees to advise the CAC on its ongoing functions. The committees shall be composed of members of the CAC. Committee members shall vote on committee leadership during the first meeting.

1.5.1 Standing Committees

A standing committee is considered a legislative body and is subject to Brown Act requirements of staffing support, if budget allows. A committee is considered “standing,” irrespective of its composition, if it has a continuing subject-matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

1.5.2 Ad Hoc Committees

An ad hoc committee is an advisory committee composed of less than a quorum of members, which will serve for a limited term or single purpose. After the duties of the ad hoc committee are accomplished, and presented to and approved by the CAC, the ad hoc committee will be dissolved. The ad hoc committees will aim to complete their task(s) within six months of assignment.

Furthermore, ad hoc and standing committees shall follow the following guidelines:

1. Limitations: A CAC member cannot simultaneously participate on more than two ad hoc committees, although they can be placed as an alternate on a third committee. This will ensure that all CAC members have an equal opportunity to make their voices heard and exercise their skills and expertise.
2. Commitment: Once selected, CAC members must serve their full term on an ad hoc and/or standing committee. A CAC member cannot abandon their commitment to an ad hoc or standing committee to join another committee.
3. Accountability: Council Members with a track record that matches the attendance requirement set forth above for Ad Hocs or Standing Committees, will be placed as alternates if they wish to participate in another committee.
4. Priority: CAC members not participating on an ad hoc or standing committee will be given priority to serve on newly formed committees (i.e., ad hoc or standing). After which, CAC members currently participating in one (1) committee will be given preference. Lastly, CAC members serving on two (2) committees will be placed as alternates until one of their current ad hoc committees completes its assigned task and is dissolved.
5. Exceptions: The CAC may create an Ad Hoc Committee if an emergent topic or situation demands it, which may require exceptions that supersede the limitations and commitments outlined above. The emergency Ad Hoc Committee will remain active until the mission or task is accomplished.

1.5.2.1 Work Plan Ad Hoc Committee

The CAC will form a CAC Work Plan Ad Hoc Committee annually to set the CAC's work plan and schedule each year. The CAC Work Plan Ad Hoc Committee will identify several priority areas to adhere to and will establish appropriate criteria measures. CAC

Members, Community Members, Air District Staff, and the Air District Board will have the opportunity to recommend agenda items of potential relevance to the CAC for inclusion in the work plan. Once dissolved, CAC Co-Chairs are responsible for implementing the work plan and reserve the right to amend the work plan in an emergency or emergent situation, as defined in the *Setting Agendas* section on page 13.

1.5.2.2 Governance Ad Hoc Committee

In 2022, the CAC formed a CAC Governance Ad Hoc Committee to develop the CAC's governance agreement. The CAC hereby presents the CAC's Charter, which sets forth the mission, goals, scope, rules, and actions applicable to the CAC and CAC membership. Once the mission is accomplished, presented to and adopted by a quorum of the CAC, and approved by the Board of Directors, the Governance Ad Hoc Committee will be dissolved.

The CAC Governance Ad Hoc Committee may be reestablished with a new slate of CAC members to review, revise, and/or propose amendments. Any revisions to the existing charter shall be presented and discussed by the CAC and recommended for approval by the Air District Board of Directors.

1.6 Community Engagement

The CAC will aim to engage the community in the following ways:

- Bi-annual newsletter, which includes items that have been addressed, future meeting dates and agendas, success stories, and ways to engage with the CAC
- CAC web page
- CAC meetings
- Outreach events or workshops hosted by CAC members or the Air District
- Bi-monthly community meetings led by the Compliance and Enforcement Division of the Air District

1.7 Meetings

1.7.1 Facilitation of Meetings

An external professional meeting facilitator will be hired to assist the CAC with bimonthly CAC meetings, if budget allows. For 2022-2023, a facilitator was hired through a competitive process with participation of CAC members. The external facilitator works directly with the CAC leadership to plan and execute the meeting plan in consultation with Air District staff. The facilitator will keep the meetings on track with guidance from the Co-Chairs and will enforce the following meeting expectations and ground rules for CAC members:

- *The first expectation is **preparation**: Come prepared for meetings and review all documents that the CAC will discuss.*
- *Second, is **communication and language**: Communicate with respect and be mindful of individual speaking time so that everyone has the opportunity to speak in meetings. Personal attacks will not be tolerated. Zoom meetings are publicly accessible, so CAC members are expected to conduct themselves accordingly.*
- *Third, is **distractions**: Avoid distractions and stay present. Active listening is imperative to ensure that members understand other people's viewpoints.*
- *Fourth, is **timing**: Respect time agreements and stay on topic.*
- *Finally, **facilitation**: The facilitator will intervene to keep the conversation on track and on time and will remind members of these ground rules as necessary.*

The facilitator will have limited authority to open the meetings, convey the agenda item(s), confirm the meeting has quorum after the clerk takes roll call, facilitate the flow of meetings in accordance with the Brown Act and Robert's Rules of Order, maintain order, and defer to the Air District legal representative or staff if needed.

Air District staff will facilitate ad hoc committee meetings, Co-Chair meetings, and other meetings as needed. CAC members, staff, or the Co-Chairs may identify the need for facilitator or contractor support for any CAC meeting, if budget allows.

1.7.2 Regular Meetings

Regular meetings of the CAC are held on the third Thursday of every other month at 6:00 p.m. PT. All meetings will be held in accordance with the Brown Act. Meeting schedule is subject to change, if necessary.

1.7.3 Special Meetings

A majority of Co-Chairs or a majority of the CAC members may call special meetings, following the noticing guidelines set forth in the Brown Act.

1.7.4 Notice of Meetings

Meeting agendas and notices must be posted at the meeting site and on the Air District website in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act. (Government Code Section 54950 et seq.)

Agendas and notices shall be emailed to each CAC member and any person who submits a written request to the Air District for such notice.

1.7.5 Adjournment or Cancellation of Meetings

The presiding Co-Chair or Air District staff may adjourn or cancel a meeting if a quorum will not be present or if the meeting date conflicts with a holiday. Notices of adjournment or cancellation shall be emailed to CAC members and posted at the meeting site and on the Air District [website](#).

1.7.6 Meetings of CAC Members with the Air District

CAC members that meet with Air District staff or Board of Directors, on behalf of the CAC, should inform the CAC Co-Chairs of the discussion within 72 hours of the date the meeting is held.

Action items directed to CAC leadership from CEHJ Committee or Board leadership, the CEHJ Committee, or the Board of Directors should be communicated to CAC leadership within 72 hours via memo.

~~CAC members that meet with Air District staff or Board on behalf of the CAC should report to CAC Leadership meetings. Staff should be notified 48 hours prior to the meeting to request a meeting with the Co-Chairs.~~

1.7.7 Meetings of the Ad Hoc

Ad Hoc Committee Chairs are expected to provide a monthly verbal report-out on the progress of the Ad Hoc Committees to CAC leadership. Report-outs should be a brief summary.

~~Chairs are expected to do a monthly verbal report-out on the progress of the Ad Hoc with CAC leadership. Report-outs should be a brief summary no longer than 5 minutes; no details of the meeting should be provided. Staff should be notified 48 hours prior to the meeting to request a meeting with the Co-Chairs. It is up to the discretion of the Co-Chairs whether to require to accept the verbal report-out during the requested meeting.~~

1.7.8 Quorum Requirements

Effective March 1, 2023, 50% plus one of CAC members (or 9 out of 17 members in 2022-2023) must be present in person to constitute a quorum and for voting to be conducted.

1.7.8.1 Action at a Meeting; Quorum and Required Vote

A quorum is required to take any official action beyond roll call and adjournment. The affirmative vote of a majority of the members of the CAC shall be required for the

approval of all substantive matters. Agenda items that require no action may still be presented and discussed without a quorum.

1.7.8.2 Voting and Abstention

CAC meetings will be conducted in compliance with the Brown Act (Government Code Section 54950 et seq.), Robert's Rules of Order, CAC Charter, and state and local laws. Participation and voting are based on Brown Act requirements and current legislation. Staff will provide an updated summary of any changes as required by law.

1.7.8.3 Conduct of Meetings

(a) All meetings shall be governed by the Ralph M. Brown Act (Government Code Section 54950 et seq.), the CAC Charter, and Robert's Rules of Order for decorum and parliamentary procedure.

(b) Cell phones shall be turned off during all CAC meetings.

(c) The Co-Chairs may issue a warning to any member of the public who is disruptive during CAC meetings. In the event of repeated disruption of any kind, the Co-Chairs shall direct the offending member of the public to leave the meeting. If the meeting is disrupted by *any* member of the public, we hold the right to remove the individual from the meeting with the assistance of security or by muting and turning off the camera of that individual.

(d) The chat feature will be unavailable for the full duration of Zoom meetings due to accessibility limitations.

1.8 Agenda Items

1.8.1 Public Comment on Agenda Items

The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda will have three minutes each to address the CAC. Members of the public who wish to speak on non-agenda items, will have three minutes to address the CAC. Members of the public who are speaking through an interpreter will have six minutes to address the CAC. All meetings will have a rebuttal period that allows an additional one (1) minute to any member of the public who would like to provide a rebuttal.

1.8.2 Setting Agendas

Air District staff, at the direction of the Co-Chairs, will prepare and distribute the agenda and materials for CAC meetings.

1.8.2.1 Current Agenda Setting Process:

1. A CAC member and/or member of the public may propose agenda item(s) during a CAC meeting or via email to staff.
2. Staff will track proposed agenda items and bring them to the Work Plan Ad Hoc Committee (when constituted) and the Co-Chairs.
3. The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc Committee once adopted by the CAC membership approve the items for the upcoming agenda.
4. Staff will identify presenters and draft presentation and memo (materials).
5. Staff will work with the CAC member(s) who requested the agenda item(s) to create materials as needed.
6. Staff will finalize materials.
7. Staff will send materials to Co-Chairs and the CAC member(s) who requested the agenda item for final approval.
8. Staff will update materials with final edits.
9. Executive staff will review materials.
10. Executive staff will provide edits, if needed.
11. Executive staff will route the materials for public distribution.

The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc once adopted by the CAC membership. The Co-Chairs, Staff, CAC Members or the public can make requests for new topics not included in the work plan. The Public can make requests for agenda items at CAC meetings during the Public Comment on Non-Agenda Items or by emailing staff at communityadvisorycouncil@baaqmd.gov. New additions to the work plan must be approved by majority vote of the CAC.

The Co-Chairs can amend the work plan, as needed when an emergency or emergent issue requires it. An emergency is defined as an event that impacts the health and safety of the community (i.e., flaring). An emergent issue is considered emergent if it is new and immediate action from the CAC is required (i.e., funding opportunity, legislative issue). The current work plan must be included in the materials of every CAC meeting. Changes must be noted when made.

Also, the CEHJ or Board may require advice or recommendations of the CAC on a particular matter or issue (refer to the process outlined in 1.7.6).

1.9 Conflict of Interest Policy

Conflict of interest laws prohibit CAC members or immediate family from benefiting financially from their relationship with the Air District by way of the CAC. Any CAC member, or immediate family members of CAC members, who would directly benefit financially from a contract, must recuse themselves and not be present during a vote to avoid influencing other CAC members.

1.10 Meeting Minutes

Minutes shall be taken at all regular and special CAC meetings and shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the CAC Charter. Minutes shall be approved by the majority vote of CAC members in accordance with applicable statutes.

1.11 Land Acknowledgement

The CAC recognizes that California Native American and other communities have also faced many environmental injustices and social inequities. These issues are hereby acknowledged as part of the CAC Charter. The following CAC Land Acknowledgement will be included in all CAC meeting agendas and is available on the [CAC web page](#).

We begin by acknowledging that this land is unceded Indigenous land. The territories, or counties we represent, are of the Indigenous people. To acknowledge this history of our country — that this nation was built on genocide, the exclusion and erasure of Indigenous people — grounds our work in truth. We also acknowledge that our modern global economy was founded on the free and forced labor of enslaved Black people. And that exploited labor continuously perpetuates itself in disadvantaged communities of color, as we see in the treatment of farm workers, immigrant workers, prison labor and domestic workers. This practice of land acknowledgment calls on us to recognize our violent history that is the foundation of white supremacy, and to recognize the longstanding and ongoing resistance of People of Color to dehumanization, repression and homicide. And that the brilliance and leadership of People of Color in resistance, vision, wisdom and love be honored and recognized as we work to dismantle ongoing legacies of settler colonialism and anti-blackness.

The [Air District website](#) will be updated in preparation for each CAC meeting with materials for discussion and, after each meeting, with meeting summaries, presentations, background materials, requested information, and meeting recordings.

1.12 Dissemination of Materials

All documents, materials, and correspondence produced by or submitted to the CAC, CAC staff, or facilitator are considered public information and subject to the California Public Records Act regulations and procedures for disclosure and transparency. Information related to the operations of the CAC will be made available to the public as requested.

1.13 Public Meetings

All CAC meetings will be noticed and open to the public in accordance with the Brown Act.

1.14 Attendance

The CAC requires the active participation and attendance by members of at least 75% of all meetings during every year served. This applies to Co-Chair meetings, committee meetings, and attendance at meetings of the full CAC. CAC members will inform staff and CAC leadership of any potential absences. As of March 1, 2023, per AB 2449 teleconferencing requirements, members remotely joining CAC meetings that require a quorum must have a "just cause" or an emergency excuse approved by a majority of the CAC in order to participate and vote. CAC members joining CAC meetings remotely without a just cause or approved emergency excuse will not be able to vote and therefore will not be counted present in the meeting.

1.14.1 Absenteeism: CAC Meetings

CAC members are allowed to miss three (3) meetings in one calendar year. Continued absenteeism from CAC Meetings constitutes voluntary abandonment. After two (2) CAC meetings have been missed, staff will send a courtesy letter reminding the absent member of the attendance requirements of the CAC and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs of absent members. Staff will inform a member that they have lost their seat on the CAC after three meetings are missed. Vacant seats on the CAC will be filled as described in the Appointment section on page 8 of this document.

1.14.2 Absenteeism: Co-Chair Meetings

Co-Chair meetings occur every week up to four hours per month.

Co-Chairs are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from Co-Chair meetings constitutes voluntary abandonment. After two (2) Co-Chair meetings have been missed, staff will send a courtesy letter reminding the absent Co-Chair of the attendance requirements of the Co-Chairs and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs and the CAC of absent Co-Chairs. Staff will inform a Co-Chair

that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around the holidays.

Any vacant Co-Chair appointment shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.14.3 Absenteeism: Ad Hoc Meetings

Ad hoc meetings will generally occur every other week (biweekly).

Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from ad hoc meetings constitutes voluntary abandonment. After two (2) ad hoc meetings have been missed, staff will send a courtesy letter reminding the absent ad hoc member of the attendance requirements of ad hoc members and warning them that they are at risk of losing their seat. Staff will be responsible for informing CAC members of absent members. Staff will inform CAC members that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around holidays.

Any vacant appointment of an Ad-Hoc Committee shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.15 Amendment of CAC Charter

The CAC and the Board shall revisit the Charter to make requests for amendments in January of every odd-numbered year following the Board approval of the Charter. The CAC shall provide thirty (30) days' notice for public comment before adopting any amendments to the CAC Charter.

The Community, Equity, Health and Justice Committee and the Board of Directors must approve the Charter before any changes can take effect.

1.16 Compensation

Compensation for CAC Members will be subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The CAC and the Board shall revisit the Compensation Policy and Procedures to make requests for amendments during the first month of the year of every other year. Updates to the Policy shall include a revision based on cost-of-living increase.

Appendix A

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington, D.C., drafted and adopted these 17 principles of Environmental Justice. Since then, the principles have served as a defining document for the growing grassroots movement for environmental justice.

Environmental Justice Principles³:

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

³ Principles of Environmental Justice, <https://www.ejnet.org/ej/principles.html>. Accessed December 19, 2022.

10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) **Environmental Justice** opposes the destructive operations of multinational corporations.

15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Jemez Principles⁴:

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

⁴ Sierra Club. *Jemez Principles*. <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/grand-canyon-chapter/misc-pdf/Jemez%20Principles%20Poster.pdf>. Accessed December 19, 2022.

Appendix B

The CAC Charter was developed using information from various sources, including:

Bay Area Air Quality Management District. *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

California Air Resources Board. *Partnering Agreement-West Oakland Toxic Reduction Collaborative*.
(2018, February 14). https://ww2.arb.ca.gov/sites/default/files/2020-04/collaborative_partnering_agreement_west_oakland_acc.pdf. Accessed January 3, 2023.

City and County of San Francisco: *Power Plan Task Force By Laws*.
https://sfqov.org/sfc/pppcatf/index_162_2134.html?page=162. Accessed January 3, 2023

Metropolitan Transportation Commission. *Metropolitan Transportation Commission Resolution No. 3931*. (2009, November 18). https://mtc.ca.gov/sites/default/files/documents/2022-01/RES-3931_approved.pdf. Accessed January 3, 2023.

Partnering Agreement-West Oakland Toxic Reduction Collaborative "Collaboration on Call."

San Francisco Bay Conservation and Development Commission. *Environmental Justice Advisors Charter*.
<https://bcdca.gov/ejwg/environmental-justice-advisors-charter.html>. Accessed January 3, 2023

San Francisco Bay Conservation and Development Commission. *San Francisco Bay Plan*.
https://www.bcdca.gov/plans/sfbay_plan.html. Accessed January 3, 2023

The Bay Area Air Quality Management District. *The Path to Clean Air in the Richmond-North Richmond-San Pablo Area Community Steering Committee Charter and Participation Agreement*.
<https://www.baaqmd.gov/~media/files/ab617-community-health/richmond/ptca-charter-agreement-pdf.pdf?la=en>. Accessed January 3, 2023.

United States Environmental Protection Agency. *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. <https://19january2021snapshot.epa.gov/sites/static/files/2015-06/documents/considering-ej-in-rulemaking-guide-final.pdf>. Accessed January 3, 2023.

Community Advisory Council Charter

1.1 Purpose

The Bay Area Air Quality Management District (Air District) Board of Directors approved the formation of the Community Advisory Council (CAC) on Nov. 17, 2021. The Community Equity, Health, and Justice Committee (CEHJ) of the Air District selected the slate of candidates and recommended establishing the CAC on Nov. 4, 2021. The purpose of the CAC is to use environmental justice principles to provide guidance to the Board of Directors on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The CAC will use environmental justice principles to identify and inform planning and decision making with the goal of mitigating and remedying projected disproportionate impacts of air pollution exposures and reducing health risks and inequities associated with poor air quality for people who live, work, and play in already vulnerable and historically marginalized, [overburdened communities](#). The CAC will aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Definitions:

- Environmental justice: The State of California defines **environmental justice** as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (California Government Code §65040.12(e).) According to the U.S. Environmental Protection Agency “**fair treatment**” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).
- Overburdened community: an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract.¹

¹ Bay Area Air Quality Management District, *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

- Meaningfully engage: Meaningfully involving impacted communities is essential to addressing environmental justice. According to the U.S. Environmental Protection Agency, *meaningful involvement* means “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) community concerns will be considered in the decision-making process; and (4) decision makers will seek out and facilitate the involvement of those potentially affected.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

The CAC will utilize the [17 Principles of Environmental Justice](#) and [Jemez Principles for Democratic Organizing](#), which are both available on the Air District website and hereinafter incorporated by reference in Appendix A.

1.2 Mission Statement

The CAC believes in protecting the fundamental right to clean air for all communities. We aim to provide access to meaningful community engagement and bring community priorities into focus at the Air District. We are committed to democratic decision making and achieving equitable solutions to the impacts of air pollution and the polluting economy. We prioritize solutions that can be applied to more than one community. We are dedicated to eliminating pollution threats both upstream and downstream, standing in solidarity, sharing power and resources, and listening to and amplifying voices from communities that are the most impacted and overburdened.

1.2.1 Goals

The goals of the CAC are as follows:

- To provide representation on behalf of all communities, including overburdened communities to the Air District Board of Directors.
- To serve as a liaison between the community and the Air District Board of Directors and staff to influence decisions, policies, procedures, and processes to ensure equity, inclusion, civil rights, and environmental justice.

1.2.2 Guiding Principles

CAC members will provide independent and objective advice and be committed to the following principles:

- a. Laying a solid foundation for successful, future CAC members and ensuring long-term sustainability of the CAC's commitment to environmental justice.

- b. Elevating voices and advocating for communities who are not currently being represented or heard.
- c. Building a deep, authentic, and mutually accountable relationship among CAC members.
- d. Helping CAC members value, actualize, and institutionalize environmental justice principles throughout all CAC practices.
- e. Being recognized as partners in the fight to define how we mitigate the impacts of climate change and air pollution exposure to reduce health risks and inequities associated with poor air quality.
- f. Using influence, expertise, and privilege to protect our communities.
- g. Identifying gaps in underrepresented, community-led² decision making, and avenues for well-compensated opportunities for people in the Black, Indigenous, and People of Color (BIPOC) communities.
- h. Striving to include cultural competence.
- i. Acknowledging that one methodology does not apply to all communities and seeking to address the conditions in each community as needed. Utilizing and applying resources and tools based on those differences.
- j. Maintaining impartiality, fairness, and respect for all CAC members and the communities we represent.

1.2.3 Civility

The members of the CAC promote authentic respect for others and strive to see common ground in order to produce our best work for the CAC and the communities that we represent. We are committed to a conscious demonstration of mutual respect — for people, their roles, and their knowledge and expertise. We seek to create a safe environment where diverse viewpoints will be heard and considered. To that end, members of the CAC will act with respect and civility when interacting with each other, the Air District Board of Directors, staff, and members of the public.

Behavior which violates the CAC’s commitment to respect and civility includes, but is not limited to, yelling, cursing, interrupting, humiliating, threatening, and all forms of harassment.

Any violations of this provision will be handled as stated in the Conflict Resolution section below.

1.2.4 Conflict Resolution

In the event that a conflict or behavior arises that violates the CAC’s commitment to respect and civility between CAC members and/or between CAC members and Air District staff, regarding CAC matters:

² Underrepresented community-led: *Underrepresented community* is used to describe those who have been historically and are still systematically excluded from political and policy-making processes, which includes many disadvantaged and vulnerable communities.

Step 1: CAC members agree to work in a collaborative fashion and strive for consensus on the issues before they are brought to the CAC.

Step 2: In the event of an impasse or conflict that continues or becomes an official complaint (sent via email to the Co-Chairs and CAC team staff serving as the in-house mediators), the Co-Chairs and CAC Team Staff shall work with the members in conflict first as in-house mediators.

Step 3: If there continues to be an impasse between CAC Members and/or between CAC Members and Air District staff, those concerned will work with the APCO to reach an agreement.

Step 4: If agreement or resolution cannot be reached with staff or the APCO, a mutually agreed upon third-party mediator will be utilized to resolve the conflict and provide a recommended action to the Board.

In the event of a conflict on agenda items, CAC members can agree to postpone the action or agenda item for discussion until the next meeting, from the date the issue arises, to allow for the Co-Chairs and CAC team staff to help resolve the issue. If during the meeting the facilitator cannot help the CAC reach an agreement, then the action or agenda item in question will not proceed.

Individual members cannot be compelled to participate in any action to which they do not agree. Individual members may abstain from participation in a decision when they believe it would be inappropriate for them to participate in that action or decision.

1.3 Leadership

In 2022, the CAC approved a three Co-Chair model. The leadership model may be amended based on needs expressed by the CAC and approved by the Board but it shall be no more than three Co-Chairs at a time.

1.3.1 Duties of Leadership

- a. The Co-Chairs shall preside over bi-monthly meetings of the CAC in rotation.
 - I. Presiding over a meeting requires a Co-Chair to open, manage, and adjourn meetings, and to adjust the set order of speakers in collaboration with the facilitator and Air District staff.
 - II. In the event the Co-Chair scheduled to preside over the meeting is absent or unable to perform their duties, the Co-Chair scheduled to preside next shall preside over the meeting and perform all chair duties.

- b. The Co-Chairs shall oversee the preparation and distribution of the agenda and materials for the CAC meetings.
- c. The Co-Chairs shall work with Air District staff and the CAC meeting facilitator to plan, structure, and coordinate CAC meetings.
- d. The Co-Chairs shall attend and provide updates to the Air District Board of Directors as needed and/or requested and interact with the Air District Board of Directors in representation of overburdened communities within the nine Bay Area counties, and on behalf of the CAC members.
- e. The Co-Chairs shall oversee activities of the ad hoc committees.
- f. The Co-Chairs shall perform all other necessary and incidental duties as prescribed by the CAC Charter.
- g. The Co-Chairs shall communicate with each other, divide work, and share information and updates in a timely manner.
- h. The Co-Chairs shall address conflict within the CAC membership and leadership.
- i. The Co-Chairs shall ensure that CAC decisions are made in a democratic, equitable, and timely manner.
- j. The Co-Chairs shall represent the CAC at the Budget Committee and provide feedback on the Air District's budget.
- k. The Co-Chairs shall work with Air District staff to define and oversee the CAC's annual budget.
- l. The Co-Chairs shall understand and adhere to the Brown Act and Robert's Rules of Order.

1.3.2 Leadership (Co-Chairs) Terms of Office

1.3.3 Terms of Leadership

Leadership is appointed for a two (2) year term and no member may serve for more than two, 2-year terms consecutively.

1.3.4 Election of Leadership (Co-Chairs)

The inaugural leadership of three (3) Co-Chairs was elected at the second meeting of the CAC.

If a leadership position becomes vacant, that position must be filled within two meetings after the vacancy occurs. The leadership position shall be filled through a nomination, selection, and voting process. The process will be as follows:

- Members seeking a vacant leadership position shall submit an essay, which provides a summary of their background and outlines the reasons they seek the

position. The full CAC shall be presented with the essays 72 hours in advance of the meeting in which the CAC will vote on each prospective candidate. The candidate receiving the majority of the votes will be selected to fill the vacant leadership position.

1.4 CAC Members

1.4.1 Composition of the CAC

The initial membership of the CAC, including Co-Chairs, shall be composed of seventeen (17) members who live or work in overburdened communities in California, as follows:

- Four (4), Alameda County
- Four (4), Contra Costa County
- One (1), San Francisco County
- One (1), San Mateo County
- Two (2), Santa Clara County
- One (1), Solano County
- Two (2), at-large
- Two (2), youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

Regarding at-large member seats, priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

Also, diversity, equity, and inclusion on the CAC are highly valued.

1.4.2 Duties of Members

CAC members shall fully participate in bi-monthly meetings and be fully engaged during discussion. The CAC members shall also review materials prior to meetings and come prepared for engaged discussion, active listening, and respectful dialogue. Meeting preparation includes attending required trainings defined below and other trainings as planned by the Co-Chairs or suggested by the CAC. Further, CAC members shall perform all other duties as prescribed by this Charter.

All Members, except CAC leadership, are expected to join at least one ad hoc committee every year to ensure a balance of work for what the CAC has to accomplish, if their schedule allows. Council Members will vote during the first meeting on a time and day for a meeting that works best for the majority. Staff will provide an orientation of the expectations related to the CAC membership requirements.

1.4.2.1 Mandatory Annual Trainings

CAC members and leadership shall attend and participate in four (4) mandatory annual trainings as follows:

- **Brown Act Training:** The Brown Act is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies.
- **Robert's Rules of Order Training:** Robert's Rules, widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic, and orderly.
- **Civility Training:** Civility is an essential aspect of every work environment to create and maintain a fair and professional culture. This civility training is designed to teach CAC members the norms of acceptable conduct and how to identify, prevent, and respond professionally to situations of incivility.
- **Team building and conflict resolution training.**

Additionally, CAC members shall complete an ethics training course within the first year of their term and are required to take follow-up training biannually.

1.4.2.2 Virtual, Hybrid, and In-Person Meetings

In 2022, the CAC attended meetings virtually. As of March 2023, the CAC will meet in person at a location within the nine-county Bay Area with a required quorum of 9 out of 17 members. CAC members may attend remotely under specific circumstances outlined in the Brown Act and AB 2449 and in the Attendance section of this document.

CAC members, and members of the public with disabilities, who need accommodations consistent with Section 504 of the Rehabilitation Act to have equal opportunities to participate in CAC meetings should contact Air District staff.

Reimbursements for travel are outlined in the CAC's Compensation Policy and Procedures.

1.4.3 Members Terms of Office

CAC Members apply or reapply for either a two-year term or a four-year term. CAC Members are limited to serving a total of eight (8) years. This will ensure that others have the opportunity to participate in the CAC and that there is continuity of County or institutional knowledge. The inaugural CAC will serve for four (4) years with the ability to reapply.

1.4.3.1 Appointment of Members

The CAC members are appointed by the Board of Directors. Vacancies are to be filled by the Board of Directors as described in the following process. The CEHJ shall provide guidance on selection criteria and on prospective CAC members. The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to the Community Equity, Health and Justice Committee (CEHJ, according to the guidance provided by the CEHJ. The candidates approved by the CEHJ Committee will be recommended to the Board of Directors for final approval.

The CAC Selection Ad Hoc will be tasked with developing criteria for the selection of candidates, according to the guidance developed by CEHJ. Priority should be given to individuals from Bay Area communities overburdened by air pollution, environmental justice communities, and/or those with a history of partnering with environmental justice communities.

1.5 Standing Committees and Ad Hoc Committees

Upon approval by a majority of its members, the CAC may form committees to advise the CAC on its ongoing functions. The committees shall be composed of members of the CAC. Committee members shall vote on committee leadership during the first meeting.

1.5.1 Standing Committees

A standing committee is considered a legislative body and is subject to Brown Act requirements of staffing support, if budget allows. A committee is considered “standing,” irrespective of its composition, if it has a continuing subject-matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

1.5.2 Ad Hoc Committees

An ad hoc committee is an advisory committee composed of less than a quorum of members, which will serve for a limited term or single purpose. After the duties of the ad hoc committee are accomplished, and presented to and approved by the CAC, the ad hoc committee will be dissolved. The ad hoc committees will aim to complete their task(s) within six months of assignment.

Furthermore, ad hoc and standing committees shall follow the following guidelines:

1. Limitations: A CAC member cannot simultaneously participate on more than two ad hoc committees, although they can be placed as an alternate on a third committee. This will ensure that all CAC members have an equal opportunity to make their voices heard and exercise their skills and expertise.
2. Commitment: Once selected, CAC members must serve their full term on an ad hoc and/or standing committee. A CAC member cannot abandon their commitment to an ad hoc or standing committee to join another committee.
3. Accountability: Council Members with a track record that matches the attendance requirement set forth above for Ad Hocs or Standing Committees, will be placed as alternates if they wish to participate in another committee.
4. Priority: CAC members not participating on an ad hoc or standing committee will be given priority to serve on newly formed committees (i.e., ad hoc or standing). After which, CAC members currently participating in one (1) committee will be given preference. Lastly, CAC members serving on two (2) committees will be placed as alternates until one of their current ad hoc committees completes its assigned task and is dissolved.
5. Exceptions: The CAC may create an Ad Hoc Committee if an emergent topic or situation demands it, which may require exceptions that supersede the limitations and commitments outlined above. The emergency Ad Hoc Committee will remain active until the mission or task is accomplished.

1.5.2.1 Work Plan Ad Hoc Committee

The CAC will form a CAC Work Plan Ad Hoc Committee annually to set the CAC's work plan and schedule each year. The CAC Work Plan Ad Hoc Committee will identify several priority areas to adhere to and will establish appropriate criteria measures. CAC Members, Community Members, Air District Staff, and the Air District Board will have the opportunity to recommend agenda items of potential relevance to the CAC for inclusion in the work plan. Once dissolved, CAC Co-Chairs are responsible for implementing the work plan and reserve the right to amend the work plan in an emergency or emergent situation, as defined in the *Setting Agendas* section on page 13.

1.5.2.2 Governance Ad Hoc Committee

In 2022, the CAC formed a CAC Governance Ad Hoc Committee to develop the CAC's governance agreement. The CAC hereby presents the CAC's Charter, which sets forth the mission, goals, scope, rules, and actions applicable to the CAC and CAC membership. Once the mission is accomplished, presented to and adopted by a quorum of the CAC, and approved by the Board of Directors, the Governance Ad Hoc Committee will be dissolved.

The CAC Governance Ad Hoc Committee may be reestablished with a new slate of CAC members to review, revise, and/or propose amendments. Any revisions to the existing charter shall be presented and discussed by the CAC and recommended for approval by the Air District Board of Directors.

1.6 Community Engagement

The CAC will aim to engage the community in the following ways:

- Bi-annual newsletter, which includes items that have been addressed, future meeting dates and agendas, success stories, and ways to engage with the CAC
- CAC web page
- CAC meetings
- Outreach events or workshops hosted by CAC members or the Air District
- Bi-monthly community meetings led by the Compliance and Enforcement Division of the Air District

1.7 Meetings

1.7.1 Facilitation of Meetings

An external professional meeting facilitator will be hired to assist the CAC with bimonthly CAC meetings, if budget allows. For 2022-2023, a facilitator was hired through a competitive process with participation of CAC members. The external facilitator works directly with the CAC leadership to plan and execute the meeting plan in consultation with Air District staff. The facilitator will keep the meetings on track with guidance from the Co-Chairs and will enforce the following meeting expectations and ground rules for CAC members:

- *The first expectation is **preparation**: Come prepared for meetings and review all documents that the CAC will discuss.*
- *Second, is **communication and language**: Communicate with respect and be mindful of individual speaking time so that everyone has the opportunity to speak in meetings. Personal attacks will not be tolerated. Zoom meetings are publicly accessible, so CAC members are expected to conduct themselves accordingly.*
- *Third, is **distractions**: Avoid distractions and stay present. Active listening is imperative to ensure that members understand other people's viewpoints.*
- *Fourth, is **timing**: Respect time agreements and stay on topic.*
- *Finally, **facilitation**: The facilitator will intervene to keep the conversation on track and on time and will remind members of these ground rules as necessary.*

The facilitator will have limited authority to open the meetings, convey the agenda item(s), confirm the meeting has quorum after the clerk takes roll call, facilitate the flow of meetings in accordance with the Brown Act and Robert's Rules of Order, maintain order, and defer to the Air District legal representative or staff if needed.

Air District staff will facilitate ad hoc committee meetings, Co-Chair meetings, and other meetings as needed. CAC members, staff, or the Co-Chairs may identify the need for facilitator or contractor support for any CAC meeting, if budget allows.

1.7.2 Regular Meetings

Regular meetings of the CAC are held on the third Thursday of every other month at 6:00 p.m. PT. All meetings will be held in accordance with the Brown Act. Meeting schedule is subject to change, if necessary.

1.7.3 Special Meetings

A majority of Co-Chairs or a majority of the CAC members may call special meetings, following the noticing guidelines set forth in the Brown Act.

1.7.4 Notice of Meetings

Meeting agendas and notices must be posted at the meeting site and on the Air District website in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act. (Government Code Section 54950 et seq.)

Agendas and notices shall be emailed to each CAC member and any person who submits a written request to the Air District for such notice.

1.7.5 Adjournment or Cancellation of Meetings

The presiding Co-Chair or Air District staff may adjourn or cancel a meeting if a quorum will not be present or if the meeting date conflicts with a holiday. Notices of adjournment or cancellation shall be emailed to CAC members and posted at the meeting site and on the Air District [website](#).

1.7.6 Meetings of CAC Members with the Air District

CAC members that meet with Air District staff or Board of Directors, on behalf of the CAC, should inform the CAC Co-Chairs of the discussion within 72 hours of the date the meeting is held.

Action items directed to CAC leadership from CEHJ Committee or Board leadership, the CEHJ Committee, or the Board of Directors should be communicated to CAC leadership within 72 hours via memo.

1.7.7 Meetings of the Ad Hoc

Ad Hoc Committee Chairs are expected to provide a monthly verbal report-out on the progress of the Ad Hoc Committees to CAC leadership. Report-outs should be a brief summary.

1.7.8 Quorum Requirements

Effective March 1, 2023, 50% plus one of CAC members (or 9 out of 17 members in 2022-2023) must be present in person to constitute a quorum and for voting to be conducted.

1.7.8.1 Action at a Meeting; Quorum and Required Vote

A quorum is required to take any official action beyond roll call and adjournment. The affirmative vote of a majority of the members of the CAC shall be required for the approval of all substantive matters. Agenda items that require no action may still be presented and discussed without a quorum.

1.7.8.2 Voting and Abstention

CAC meetings will be conducted in compliance with the Brown Act (Government Code Section 54950 et seq.), Robert's Rules of Order, CAC Charter, and state and local laws. Participation and voting are based on Brown Act requirements and current legislation. Staff will provide an updated summary of any changes as required by law.

1.7.8.3 Conduct of Meetings

(a) All meetings shall be governed by the Ralph M. Brown Act (Government Code Section 54950 et seq.), the CAC Charter, and Robert's Rules of Order for decorum and parliamentary procedure.

(b) Cell phones shall be turned off during all CAC meetings.

(c) The Co-Chairs may issue a warning to any member of the public who is disruptive during CAC meetings. In the event of repeated disruption of any kind, the Co-Chairs shall direct the offending member of the public to leave the meeting. If the meeting is disrupted by *any* member of the public, we hold the right to remove the individual from the meeting with the assistance of security or by muting and turning off the camera of that individual.

(d) The chat feature will be unavailable for the full duration of Zoom meetings due to accessibility limitations.

1.8 Agenda Items

1.8.1 Public Comment on Agenda Items

The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda will have three minutes each to address the CAC. Members of the public who wish to speak on non-agenda items, will have three minutes to address the CAC. Members of the public who are speaking through an interpreter will have six minutes to address the CAC. All meetings will have a rebuttal period that allows an additional one (1) minute to any member of the public who would like to provide a rebuttal.

1.8.2 Setting Agendas

Air District staff, at the direction of the Co-Chairs, will prepare and distribute the agenda and materials for CAC meetings.

1.8.2.1 Current Agenda Setting Process:

1. A CAC member and/or member of the public may propose agenda item(s) during a CAC meeting or via email to staff.
2. Staff will track proposed agenda items and bring them to the Work Plan Ad Hoc Committee (when constituted) and the Co-Chairs.
3. The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc Committee once adopted by the CAC membership for the upcoming agenda.
4. Staff will identify presenters and draft presentation and memo (materials).
5. Staff will work with the CAC member(s) who requested the agenda item(s) to create materials as needed.
6. Staff will finalize materials.
7. Staff will send materials to Co-Chairs and the CAC member(s) who requested the agenda item for final approval.
8. Staff will update materials with final edits.
9. Executive staff will review materials.
10. Executive staff will provide edits, if needed.
11. Executive staff will route the materials for public distribution.

The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc once adopted by the CAC membership. The Co-Chairs, Staff, CAC Members or the public can make requests for new topics not included in the work plan. The Public can make requests for agenda items at CAC meetings during the Public Comment on Non-Agenda Items or by emailing staff at communityadvisorycouncil@baaqmd.gov. New additions to the work plan must be approved by majority vote of the CAC.

The Co-Chairs can amend the work plan, as needed when an emergency or emergent issue requires it. An emergency is defined as an event that impacts the health and safety of the community (i.e., flaring). An emergent issue is considered emergent if it is new and immediate action from the CAC is required (i.e., funding opportunity, legislative

issue). The current work plan must be included in the materials of every CAC meeting. Changes must be noted when made.

Also, the CEHJ or Board may require advice or recommendations of the CAC on a particular matter or issue (refer to the process outlined in 1.7.6).

1.9 Conflict of Interest Policy

Conflict of interest laws prohibit CAC members or immediate family from benefiting financially from their relationship with the Air District by way of the CAC. Any CAC member, or immediate family members of CAC members, who would directly benefit financially from a contract, must recuse themselves and not be present during a vote to avoid influencing other CAC members.

1.10 Meeting Minutes

Minutes shall be taken at all regular and special CAC meetings and shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the CAC Charter. Minutes shall be approved by the majority vote of CAC members in accordance with applicable statutes.

1.11 Land Acknowledgement

The CAC recognizes that California Native American and other communities have also faced many environmental injustices and social inequities. These issues are hereby acknowledged as part of the CAC Charter. The following CAC Land Acknowledgement will be included in all CAC meeting agendas and is available on the [CAC web page](#).

We begin by acknowledging that this land is unceded Indigenous land. The territories, or counties we represent, are of the Indigenous people. To acknowledge this history of our country — that this nation was built on genocide, the exclusion and erasure of Indigenous people — grounds our work in truth. We also acknowledge that our modern global economy was founded on the free and forced labor of enslaved Black people. And that exploited labor continuously perpetuates itself in disadvantaged communities of color, as we see in the treatment of farm workers, immigrant workers, prison labor and domestic workers. This practice of land acknowledgment calls on us to recognize our violent history that is the foundation of white supremacy, and to recognize the longstanding and ongoing resistance of People of Color to dehumanization, repression and homicide. And that the brilliance and leadership of People of Color in resistance, vision, wisdom and love be honored and recognized as we work to dismantle ongoing legacies of settler colonialism and anti-blackness.

The [Air District website](#) will be updated in preparation for each CAC meeting with materials for discussion and, after each meeting, with meeting summaries, presentations, background materials, requested information, and meeting recordings.

1.12 Dissemination of Materials

All documents, materials, and correspondence produced by or submitted to the CAC, CAC staff, or facilitator are considered public information and subject to the California Public Records Act regulations and procedures for disclosure and transparency. Information related to the operations of the CAC will be made available to the public as requested.

1.13 Public Meetings

All CAC meetings will be noticed and open to the public in accordance with the Brown Act.

1.14 Attendance

The CAC requires the active participation and attendance by members of at least 75% of all meetings during every year served. This applies to Co-Chair meetings, committee meetings, and attendance at meetings of the full CAC. CAC members will inform staff and CAC leadership of any potential absences. As of March 1, 2023, per AB 2449 teleconferencing requirements, members remotely joining CAC meetings that require a quorum must have a "just cause" or an emergency excuse approved by a majority of the CAC in order to participate and vote. CAC members joining CAC meetings remotely without a just cause or approved emergency excuse will not be able to vote and therefore will not be counted present in the meeting.

1.14.1 Absenteeism: CAC Meetings

CAC members are allowed to miss three (3) meetings in one calendar year. Continued absenteeism from CAC Meetings constitutes voluntary abandonment. After two (2) CAC meetings have been missed, staff will send a courtesy letter reminding the absent member of the attendance requirements of the CAC and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs of absent members. Staff will inform a member that they have lost their seat on the CAC after three meetings are missed. Vacant seats on the CAC will be filled as described in the Appointment section on page 8 of this document.

1.14.2 Absenteeism: Co-Chair Meetings

Co-Chair meetings occur every week up to four hours per month.

Co-Chairs are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from Co-Chair meetings constitutes voluntary abandonment. After two (2) Co-Chair meetings have been missed, staff will send a courtesy letter reminding the absent Co-Chair of the attendance requirements of the Co-Chairs and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs and the CAC of absent Co-Chairs. Staff will inform a Co-Chair that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around the holidays.

Any vacant Co-Chair appointment shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.14.3 Absenteeism: Ad Hoc Meetings

Ad hoc meetings will generally occur every other week (biweekly).

Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from ad hoc meetings constitutes voluntary abandonment. After two (2) ad hoc meetings have been missed, staff will send a courtesy letter reminding the absent ad hoc member of the attendance requirements of ad hoc members and warning them that they are at risk of losing their seat. Staff will be responsible for informing CAC members of absent members. Staff will inform CAC members that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around holidays.

Any vacant appointment of an Ad-Hoc Committee shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.15 Amendment of CAC Charter

The CAC and the Board shall revisit the Charter to make requests for amendments in January of every odd-numbered year following the Board approval of the Charter. The CAC shall provide thirty (30) days' notice for public comment before adopting any amendments to the CAC Charter.

The Community, Equity, Health and Justice Committee and the Board of Directors must approve the Charter before any changes can take effect.

1.16 Compensation

Compensation for CAC Members will be subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The CAC and the Board shall revisit the Compensation Policy and Procedures to make requests for amendments during the first month of the year of every other year. Updates to the Policy shall include a revision based on cost-of-living increase.

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

Appendix A

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington, D.C., drafted and adopted these 17 principles of Environmental Justice. Since then, the principles have served as a defining document for the growing grassroots movement for environmental justice.

Environmental Justice Principles³:

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

³ Principles of Environmental Justice, <https://www.ejnet.org/ej/principles.html>. Accessed December 19, 2022.

10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) **Environmental Justice** opposes the destructive operations of multinational corporations.

15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Jemez Principles⁴:

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

⁴ Sierra Club. *Jemez Principles*. <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/grand-canyon-chapter/misc-pdf/Jemez%20Principles%20Poster.pdf>. Accessed December 19, 2022.

Appendix B

The CAC Charter was developed using information from various sources, including:

Bay Area Air Quality Management District. *Regulation 2, Permits, Rule 1, Section 2-1-243*. <https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

California Air Resources Board. *Partnering Agreement-West Oakland Toxic Reduction Collaborative*. (2018, February 14). https://ww2.arb.ca.gov/sites/default/files/2020-04/collaborative_partnering_agreement_west_oakland_acc.pdf. Accessed January 3, 2023.

City and County of San Francisco: *Power Plan Task Force By Laws*. https://sfgov.org/sfc/pppcatf/index_162_2134.html?page=162. Accessed January 3, 2023

Metropolitan Transportation Commission. *Metropolitan Transportation Commission Resolution No. 3931*. (2009, November 18). https://mtc.ca.gov/sites/default/files/documents/2022-01/RES-3931_approved.pdf. Accessed January 3, 2023.

Partnering Agreement-West Oakland Toxic Reduction Collaborative “Collaboration on Call.”

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 21, 2023

Re: Consider Recommending to the Board of Directors Adoption of a Resolution
Establishing a Governance Structure for the Community Advisory Council

RECOMMENDED ACTION

Vote to recommend a Resolution establishing a governance structure for the Community Advisory Council to the Air District Board of Directors for approval.

BACKGROUND

On November 4, 2021, the Community Equity, Health, and Justice Committee selected and recommended establishing the Community Advisory Council (CAC) to the Air District Board of Directors. On November 17, 2021, the Air District Board of Directors approved the formation of the CAC. The CAC has 17 members representing different environmental justice communities throughout the Bay Area.

This is an action item for the Community Equity, Health, and Justice (CEHJ) Committee to consider recommending to the Board of Directors for approval a Board Resolution establishing a governance structure for the Community Advisory Council.

DISCUSSION

Resolution No. 2023 – XX is a proposed resolution of the Board of Directors of the Bay Area Air Quality Management District establishing a Governance Structure for the Community Advisory Council. Resolution No. 2023 – XX includes the CAC’s Governing Structure (Appendix A), adopts the updated CAC Compensation Policy and Procedures (Appendix B), and approves the CAC Charter (Appendix C). On February 15, 2023, the CEHJ Committee recommended the Compensation Policy and Procedures to the Air District Board of Directors for approval. In April 2023, the Executive Officer/APCO proposed minor changes to the Compensation Policy and Procedures, which the CAC Co-Chairs approved on April 13, 2023. The CEHJ Committee will consider today, on June 21, 2023, recommending the CAC Charter to the Air District Board of Directors for approval. Once recommended by the CEHJ Committee, the Board of Directors will consider approving Resolution No. 2023 – XX and accompanying appendices as a package that provides the Board’s vision and foundational structure for the CAC.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Miriam Torres
Reviewed by: Veronica Eady

ATTACHMENTS:

1. Board of Directors Draft Resolution for the Community Advisory Council and Exhibit A
2. Exhibit B.1: Community Advisory Council Compensation (CAC) Policy and Procedures from 1/19/2023 CAC Meeting
3. Exhibit B.2: Community Advisory Council Compensation (CAC) Policy and Procedures Updated on 4/13/2023 - Redlined Version
4. Exhibit C: Community Advisory Council Charter Clean Version from May 18, 2023 Meeting

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION No. 2023 – XX

A Resolution of the Board of Directors of the Bay Area Air Quality Management District Establishing a Governance Structure for the Community Advisory Council

WHEREAS, on November 17, 2021, the Board of Directors of the Bay Area Air Quality Management District (Air District) established the Community Advisory Council (CAC).

WHEREAS, the Air District solicited applications for the initial slate of CAC members and received 148 applications. Applicants included students, public servants, health practitioners, essential workers on the frontlines of COVID-19 response, educators, retirees, former councilmembers, environmental justice advocates, and others;

WHEREAS, the CAC slate was selected based on criteria developed by the Air District Community Equity, Health, and Justice Committee with input from community during a convening held on June 23, 2021.

WHEREAS, in selecting candidates to recommend to the Air District Board of Directors for appointments to the CAC, the Community Equity, Health, and Justice Committee considered, among other things, the following criteria: the diverse demographics of the Bay Area; including youth and foreign language speakers; generational history and experience living in communities heavily impacted by air pollution; diversity of relevant experience – including environmental justice, technical expertise, health, and Air District functions or knowledge of the Air District; and having access to other people who have a range of relevant knowledge and technical experience that could help inform the CAC.

WHEREAS, priority was given to applicants with lived experience in environmental justice communities in the Bay Area and/or a history of partnering with environmental justice communities.

WHEREAS, the Community Equity, Health, and Justice Committee selected the slate of 17 CAC members and recommended establishing the CAC to the Air District Board of Directors on November 4, 2021. The Community Equity, Health, and Justice Committee selected CAC members to represent the following seats: Alameda County, 4; Contra Costa County, 4, San Francisco County, 1; San Mateo County, 1; Santa Clara County, 2; Solano County, 1; At-Large, 2; Youth, 2.

WHEREAS, as a body appointed by the Air District Board of Directors, the CAC is subject to the California Brown Act (California Government Code sections 54950, *et seq.*);

WHEREAS, the CAC held its first meeting virtually on January 13, 2022 and meets bimonthly.

WHEREAS, the CAC and the Community Equity, Health, and Justice Committee *considered and voted to recommend* to the Air District Board of Directors for approval, the CAC Charter and Compensation Policy and Procedures.

WHEREAS, the Community Equity, Health, and Justice Committee considered and *voted to recommend* the Board Resolution establishing a governing structure for the CAC to the Board of Directors for approval.

NOW, THEREFORE, BE IT RESOLVED that, the Air District Board of Directors hereby establishes the CAC's Governing Structure attached to this Resolution as Exhibit A; adopts the CAC Compensation Policy and Procedures attached to this Resolution as Exhibit B; and approves the CAC Charter attached to this Resolution as Exhibit C.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the 21st day of June 2023, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

John J. Bauters
Chairperson of the Board of Directors

ATTEST:

Lynda Hopkins
Secretary of the Board of Directors

Exhibit A

Community Advisory Council Governing Structure

This Governance Structure is established by the Bay Area Air Quality Management District (Air District) Board of Directors in Resolution 2023-XX.

Community Advisory Council (CAC) Purpose

The purpose of the CAC is to provide guidance to the Board of Directors on programs and policies that impact all communities, including overburdened communities¹ within the Air District's jurisdiction. The CAC can make recommendations to the Air District on equity and environmental justice matters to improve air quality in all communities, prioritizing the most impacted communities. The CAC should aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Community Advisory Council Membership Composition

The CAC membership shall represent all overburdened communities in the Bay Area. The membership of the CAC shall be composed of seventeen (17) members who live or work in California, as follows:

- Four (4) Alameda County
- Four (4) Contra Costa
- One (1) San Francisco County
- One (1) San Mateo County
- Two (2) Santa Clara County
- One (1) Solano County
- Two (2) At-Large*
- Two (2) Youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

*At-large member seats – priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

A minimum of 70% (seventy percent) of members shall be residents living in the County represented, and no more than (6) six can represent a County where they work for the benefit of overburdened communities. People representing businesses holding an Air District permit, and industrial companies subject to regulation, shall be non-voting members, if selected.

¹ An overburdened community is an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract

Community Advisory Council Appointments

The Board of Directors shall appoint CAC members based on the following criteria:

1. Reflect the diverse demographics of the Bay Area
2. Include generational history and experience living in communities heavily impacted by air pollution
3. Demonstrate diversity of relevant experience – including environmental justice, technical expertise, health, and Air District functions or knowledge of the Air District
4. Have access to other people who have a range of relevant knowledge and technical experience that could help inform the Community Advisory Council

Diversity, equity, and inclusion are highly valued on the CAC and priority shall be given to applicants with lived experience in environmental justice communities in the Bay Area and/or a the history of partnering with environmental justice communities.

The Community Equity and Health Justice Committee (CEHJ) shall provide further guidance on selection criteria and on prospective CAC members. The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ Committee member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to CEHJ, according to the guidance provided by the CEHJ. The CEHJ Committee will recommend the selected candidates to the Board of Directors for final approval.

Community Advisory Council Terms of Membership and Removal

The Board of Directors will appoint members to two-year or four-year terms. Appointments to two or four years will be based on the CAC member's preference as indicated on their application. CAC Members are limited to serving a total of eight years.

A member's term can end as follows, upon the earliest of (i) the expiration of their term; (ii) any of the other disqualifying events, such as continued absenteeism as defined by the CAC Charter, or for ceasing to live or work in the County they were chosen to represent; or (iii) removal by vote of the majority of the Board of Directors.

CAC Members that cease to have primary residency or work in the County they were selected to represent will vacate their seat. Work is defined as receiving monetary compensation for, or volunteer a minimum of, 20 hours to benefit the overburdened community.

Community Advisory Council Responsibilities

CAC members shall perform all duties as defined in the CAC Charter.

CAC members shall understand and adhere to the Brown Act and Robert's Rules of Order.

Community Advisory Council Meetings and Staff Support

The Air District Executive Officer, or their designee, shall assign a senior Air District staff and support staff for the operations of the CAC. Air District staff at large shall cooperate with CAC staff to deliver presentations and information requested by the CAC.

Air District Staff supporting the CAC shall maintain a calendar of meetings and attendance records.

Staff will provide an orientation about CAC membership requirements.

Staff shall support the CAC in reporting to and communicating with the Community, Equity, Health, and Justice Committee and the Board of Directors.

Community Advisory Council Budget and Compensation

The Board of Directors will designate funding for the CAC in the Air District's annual budget, based upon a recommendation from the CAC Co-Chairs, and review by the Finance and Administration Committee.

The CAC's budget is intended to cover costs related to the operations of the CAC, including but not limited to: stipends, reimbursements, contractors, meeting venues, and other related costs. Compensation for CAC Members is subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The Compensation Policy shall be revisited annually and include a revision based on cost-of-living increase.

CAC Charter

The CAC is authorized to adopt a Charter to govern how it conducts its business, subject to approval by the Board of Directors upon recommendation by the CEHJ Committee. Prior to adopting or amending the Charter, the CAC shall publish the proposed Charter or amendments and provide thirty (30) days for public review and comment, which the CAC shall consider in connection with its approval of the proposed Charter or amendments. The CAC shall review the Charter in January of every odd-numbered year and shall consider whether any revisions are necessary and appropriate, and if so, shall adopt such changes and submit them to the CEHJ Committee for recommendation to the Board of Directors following the process outlined in this Paragraph.

Code of Conduct

CAC Members identifying their affiliation in public settings are representing the agency and are expected to conduct themselves as defined in the CAC Charter, including but not limited to the Civility section (1.2.3 on page 3). CAC members can note their affiliation as CAC members in public settings, with a few exceptions: CAC members should not make any statements or recommendations on behalf of the CAC when those statements have not been voted on and approved by the body. CAC members should not identify as a CAC member when making statements that may be construed as a lobbying activity or a conflict of interest.

EXHIBIT B.1

**from Community Advisory
Council Meeting of 01/19/2023;**

***Approved by CEHJ Committee
on 02/15/2023***

COMMUNITY ADVISORY COUNCIL
MEETING OF 01/19/2023

Community Advisory Council

Compensation Policy and Procedures

About the Community Advisory Council

On November 17, 2021, the Board of Directors approved the formation of the Bay Area Air Quality Management District's (Air District) first Community Advisory Council (CAC). The CAC was created to advise the Air District on community related matters, to advance an equity forward policy agenda, and to provide input on key Air District policies and programs. The CAC consists of 17 members that reflect the diversity of the Bay Area and lived experiences of communities heavily impacted by air pollution. The members of the CAC include environmental justice leaders, physicians, non-profit professionals, students, and individuals with diverse skill sets.

Overview

The Air District recognizes the importance of supporting community involvement in Air District initiatives and providing financial support to increase equitable representation in agency programs and activities. This compensation policy describes how members of the CAC will get compensated by the Air District for their time related to meetings, and activities of the CAC or the Air District.

Budget

The Board of Directors wants to empower the CAC as a body of the Board to be impactful and designates funding for the CAC in the Air District's annual budget. The budgeted amount varies from year-to-year based on the availability of funds. The CAC Co-Chairs will work with the Air District Project Lead to request a desired funding level at the end of each year. The Air District's fiscal year is from July 1st to June 30th every year. The CAC's budget is intended to cover costs related to the operations of the CAC, including but not limited to: stipends, reimbursements, contractors (i.e., language services, facilitation), meeting venues, and other related costs. The Board will review the CAC's funding request and approve an optimal level of funding as part of the annual agency budgeting process. Once the Board approves a budget amount, the CAC Co-Chairs work with the Air District Project Lead to determine budget allocations for the operations of the CAC.

Compensation Policy

1. Stipends

Stipends are determined based on participation in meetings of the full CAC, Ad Hoc Committee meetings, Co-Chairs meetings, other required meetings, and other pre-approved activities.

1.1 CAC Meetings

CAC members can receive stipends for participation in meetings of the full CAC, currently occurring every other month (bi-monthly). The Air District will provide a stipend of five hundred dollars (\$500) ¹ to travel to and from the meeting, prepare for, participate in, and everything else related to the Bi-monthly CAC meetings. The five-hundred-dollar (\$500) stipend for each CAC meeting is intended to cover time spent during the meeting and to fully prepare and participate in CAC meetings. This shall include any Air District trainings, and educational events hosted by the Air District in advance of a full CAC meeting. Trainings and educational activities made available to CAC members in preparation for CAC meetings are not compensated separately from the CAC stipend. The time preparing for and participating in the meeting is not to exceed 10 hours.

1.2 Co-Chairs Meetings, Committee Meetings, and Other Required Meetings

In compliance with the Brown Act, Co-Chairs Meetings and Ad Hoc Committee meetings are held virtually, standing Committee meetings must have quorum in-person, other required meetings (consisting of less than a quorum) may be in-person or virtually. Co-Chairs are compensated at \$75 per hour² to attend Co-Chairs meetings. The maximum number of hours per month to attend Co-Chair meetings is 4 hours. The Co-Chairs may attend meetings related to the work of the CAC, beyond the designated 4 hours for Co-Chairs meetings, as requested by the Board or Air District Staff. CAC members of an Ad Hoc Committee or standing Committee will be compensated at \$75 per hour to attend committee meetings and other required meetings related to the work of the CAC. The maximum number of hours per month for participation in each Ad Hoc Committee and Other Required Meetings shall not to exceed 6 hours per member each month. CAC Members will only receive a stipend for time spent in meetings. Members will not receive a stipend for travel time or meeting preparation time.

To receive a stipend for participation members must be present in the meeting as set forth above. Stipends will be pro-rated based on time spent in the meeting. For example, if a member attends only 30 minutes of a one-hour meeting, they will receive only 50% of the hourly rate, or \$37.5.

1.3 Other Activities

Every fiscal year, each CAC member can apply for up to \$1,000 in funding to support their participation in events, activities, or services the CAC Co-Chairs and Air District Project Lead agree fulfils the mission of the Air District and purpose of the CAC. For example, the CAC may provide funding to send a CAC Member to a regional conference and the stipend would cover their time to attend conference sessions. Another example may be to pay a member of the CAC for research or work related to the Committees, above and beyond meeting attendance. The stipend is intended to cover pre-approved costs related to the work of the CAC up to \$1,000 and shall be calculated at \$75 per hour for time spent on the proposed activity. It the responsibility of the CAC member to make a request for funding at an appropriate level of funding. Requests should be submitted to the Air District Project Lead thirty (30) days in advance of the proposed activity. When a Co-Chair makes a request, they shall recuse themselves from the approval process and the decision to approve the funding request will be made by the other Co-Chairs. When the

¹ Stipend is in alignment with the stipend the California Air Resources Board (CARB) provides to the Environmental Justice Advisory Committee.

² The Air District uses as a guide the living wage² in San Francisco, California for a household of three² (\$75/hour at the time of this publication) to determine an equitable community stipend amount.

CAC only has one Chair, and they make a request for funding, it must be approved by the full body of the CAC. Neither the CAC nor the Air District will be responsible for covering costs beyond the member's estimated expenses and up to a maximum of \$1,000. CAC Members must file a reimbursement for the approved \$1,000 stipend within the applicable fiscal year and are not eligible for additional funding from the "other activities" category until the next fiscal year. Unused funding will not rollover to the next fiscal year. This funding is only available to the CAC during the first 9 months of the fiscal year or until the amount budgeted in the CAC's Board-approved budget is exhausted, whichever comes first. The CAC Co-Chairs reserve the right to reallocate unused funding from this budget item after 9 months for any purpose related to the operations of the CAC.

2. Expense Reimbursement

Members of the CAC shall be reimbursed for actual and necessary expenses incurred by them in attending meetings of the CAC, Committee meetings and other pre-approved activities. Transportation, meals, and other incidental expenses will be allowed at the same rate as is allowed to Members of the Board of Directors as described in sections 2.1-2.3 below.

2.1 TRAVEL EXPENSES.

CAC Members are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Air District. The guiding principle of this policy is that travel and expenditures incurred on behalf of the Air District must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by Air District CAC Members.

a) General Procedures and Responsibilities

All travel for the Air District CAC Members must be justified business travel (Section j) and must be preapproved in accordance with the CAC's Compensation Policy to be eligible for reimbursement. For all in-state travel, the designated CAC Co-Chair, in agreement with the Air District's Project Lead, may authorize CAC Member travel on behalf of the Air District. For all out-of-state travel, including international travel, the Community Equity, Health, and Justice Committee must authorize CAC Member travel on behalf of the Air District prior to travel. In the case of an unexpected or urgent need to travel on Air District business, a CAC Member must obtain in writing the approval of the designated CAC Co-Chair, and agreement from the Air District's Project Lead before any travel related expenditures are incurred. Such approval must be reported to and ratified by the Community Equity, Health, and Justice Committee at the committee's next meeting. CAC Members will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Section j. Actual receipts are required except where otherwise stated in this Policy. When a CAC Member combines business and personal travel on a business trip, the CAC Member will be responsible for the additional charges related to the personal travel. Only the CAC Member's direct travel expenditures are eligible for reimbursement. The Air District will not provide reimbursement for travel expenditures incurred by a spouse or any other individual traveling with the CAC Member. Requests for reimbursement of expenditures must be submitted on the authorized Air District Expense Reimbursement Form within 30 calendar days

after the conclusion of the trip. Receipts must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by the Air District which is subsequently refunded to the traveler by a third party must be repaid to the Air District within 30 calendar days of receipt. Only the Executive Director can override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of the Air District to do so. Any CAC Member reimbursement that requires the waiver of this policy by the Executive Director for approval will be brought back to the Community Equity, Health, and Justice Committee for informational purposes. Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act. Any CAC Member authorized to travel on behalf of the Air District pursuant to this section shall provide a brief, written report on their travel on the CAC Member Travel Report Back Form. Any Co-Chair may also request that CAC Members who represent the Air District at meetings, conferences, or other events provide an oral report on their participation and experience to the full CAC at the bi-monthly meeting following the CAC Members' return.

b) CAC Member Selection for Attendance

The CAC Chair/Co-Chairs shall nominate for approval by the Community Equity, Health, and Justice Committee, CAC Members for out-of-state and international travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the CAC Chair/Co-Chairs shall solicit the interest of CAC Members and consult with the Executive Director and any other relevant Air District staff to ensure compliance with this policy.

The CAC Chair or Co-Chairs shall have priority to represent the Air District at any event where attendance is limited or capped due to cost or capacity. In considering which other CAC Members may be selected for travel, or who shall represent the Air District, the CAC Chair/Co-Chairs shall consider, at a minimum, all the following:

- The history of attendance and participation by the CAC Member at regular CAC, Co-Chair meetings, and Ad Hoc Committee Meetings (if the CAC Member is a member of an Ad Hoc Committee)
- The length of service on the CAC by a CAC Member
- The prior opportunities to travel and represent the Air District by the CAC Member
- The relevance or appropriateness of the CAC Member's committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new CAC Members
- The relevance and purpose of a meeting or agenda to the home jurisdiction of the CAC Member
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the CAC Chair/Co-Chairs shall have the authority to recommend non-CAC Members for inclusion in Air District-related travel. Non-CAC Members must live in an overburdened community within the 9-County Bay Area. The recommended non-CAC member cannot be a family member of any CAC member. In making such a recommendation, the Chair/Co-Chairs

shall demonstrate how and why the recommendation fulfills the mission of the Air District and is consistent with the purpose of the CAC and agency.

c) Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for CAC Members if the conference or convention is directly related to the mission of the Air District, and consistent with the purpose of the CAC, the CAC Member is attending as a representative of the Air District and the CAC Member received preapproval from the CAC Chair/Co-Chairs and agreement from relevant Air District staff.

d) Air Travel

CAC Members flying on business should make reservations as early as possible to minimize costs. For domestic air travel with a flight duration of four hours or less, airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to “economy plus” seats (or equivalent), or to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only. For domestic air travel with a flight duration of more than four hours, as well as for international travel, airfare may be purchased at the “economy plus” fare/seats. First and business class airfare is not a reimbursable expenditure, nor are upgrades to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available “economy plus” fare only. CAC Members will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the CAC Member is traveling with heavy or bulky materials or equipment necessary for Air District business.

e) Hotel Accommodations

Reimbursement for hotel accommodation while traveling on Air District business is limited to those circumstances where the meeting or activity is expected to last longer than one business day or if there is an emergency that causes the CAC Member stay overnight. When making hotel reservations, CAC Members must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that the Air District will reimburse per night, plus any applicable taxes.

CAC Members should use hotels where government rates are available.

Hotels that subscribe to a “green” standard must be utilized where available.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to the Air District by the hotel, such as governmental rates, to get the best rate possible.

If accommodations are shared with individuals who are not traveling on Air District business, the CAC Member is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing the Air District work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

f) Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on Air District business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession and must also have a good driving record. In the event a rental vehicle is required, the Air District will reimburse for a "Standard Class" size vehicle or alternative fuel vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary. The use of alternative fuel vehicles, when available, should be used, even if the cost triggers a surcharge or exceeds the cost of a non-alternative fuel vehicle.

The Air District holds liability insurance to cover third parties in case a CAC Member injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in Air District business. Accordingly, rental car insurance is not an allowable reimbursable expenditure. Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

g) Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center, the CAC meeting location, or the CAC Member's personal residence. Multiple-Day Travel – meals will be reimbursed at the lesser of:

- i) Actual reasonable cost (including applicable taxes and reasonable tip), or
- ii) The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner. For travel days where a CAC Member has traveled more than 12 hours but less than 24 hours, the Per Diem Rate shall be 75% of the GSA rate for the destination.

If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by the Air District, then no separate reimbursement is allowed for that meal. A CAC Member who pays the bill for a meal attended by more than one CAC Member or Air District employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs related to CAC Members and Air District employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

CAC Members who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to

substantiate out-of-pocket expenses in the event of an audit by the State or IRS. Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to Air District business, movies, shows, etc...

h) Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where Air District business is discussed, must be preapproved by the Executive Director. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation: i. Names of individuals present along with their titles and affiliation, ii. Name and location of where the meal took place, iii. Exact amount and date of the expenditure, and iv. Specific Air District-related topics discussed.

i) Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

In-flight phones and WiFi services should be used only in emergency situations.

Tipping – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for Air District business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. CAC Members should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – CAC Member's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov.

Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

j) Justified Air District Travel

Justified Air District travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with Air District Staff for legislative advocacy purposes.
- Attending the AWMA Conference as an Air District representative
- Attending other air quality-related conferences as an Air District representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

k) Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades

Air phone charges (except in emergencies)

Alcoholic beverages

Business class airfare

Entertainment expenditures

Expenditures incurred by/for spouses or other travel companions

Expenditures related to personal days while on business trip

First class airfare Interest incurred on credit cards

Loss due to theft of cash or personal property

Lost baggage or briefcase Meeting room rentals (when not for Air District business) “No show”

charges for hotel or car service

Optional travel or baggage insurance

Parking or traffic tickets or fines

Personal items

Reading material such as magazines, books and newspapers

Rental car insurance

Valet parking fees

NOTE: Non-reimbursable expenditures are not limited to the list provided above. This list is provided for reference purposes only.

l) Forms

The Travel and Expense Reimbursement Forms and Member Travel Report Back Form are kept by the Clerk of the Board.

2.2 CAC MEMBER PER DIEM MEAL EXPENSES. The CAC is authorized to include meals in their expenses, when such expenses occur as a result of attendance at CAC, committee or other authorized functions and provided that receipts are presented as required.

2.3 INCIDENTAL EXPENSES OF CAC MEMBERS. Actual and necessary incidental expenses in attendance at other meetings or on direction of the CAC Chair/Co-Chairs, or Chairperson of the Board, the Community Equity, Health, and Justice Committee, or in conference on Air District business with qualified persons, shall be allowed to the member of the CAC.

Compensation Procedures

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Stipend payments are processed based on meeting attendance. Air District staff track attendance during CAC meetings, Ad Hoc meetings and all other required meetings or events of the CAC. Air District staff will email each CAC Member an "Expense Report" documenting their attendance and corresponding stipend. CAC Members must return their signed expense forms with receipts **before** the 25th of each month. If the signed expense reports are submitted timely, payments will normally be processed within 2-3 weeks. If the signed expense form is received **after** the 25th, payment will be delayed by 6-9 weeks. Council Members may receive checks or sign-up for Direct Deposit.

Requirements

CAC Members are eligible to receive stipends and travel reimbursements with the appropriate documentation. To be eligible, a CAC Member must submit a completed W-9 form (with a Social Security number or IRS Individual Taxpayer Identification Number) to Air District staff. In addition, the CAC members must submit a *Community Advisory Council Compensation Agreement* to acknowledge receipt and understanding of the CAC's Compensation Policy and Procedures.

Disclaimers

Community Advisory Council Members are not employees of the Air District. Stipends are typically considered taxable income. As stipends are not considered wages, taxes will not be deducted. CAC members who meet certain income thresholds will have to calculate and pay taxes as required by law. In addition, an increase in taxable income could impact social program eligibility. Grievances applicable to any portion of the CAC Compensation Policy and Procedures shall be resolved in accordance with the Air District Administrative Code.

EXHIBIT B.2

**Updated on 04/13/2023 -
Redlined Version**

UPDATED ON 04/13/2023

Community Advisory Council

Compensation Policy and Procedures

About the Community Advisory Council

On November 17, 2021, the Board of Directors approved the formation of the Bay Area Air Quality Management District's (Air District) first Community Advisory Council (CAC). The CAC was created to advise the Air District on community related matters, to advance an equity forward policy agenda, and to provide input on key Air District policies and programs. The CAC consists of 17 members that reflect the diversity of the Bay Area and lived experiences of communities heavily impacted by air pollution. The members of the CAC include environmental justice leaders, physicians, non-profit professionals, students, and individuals with diverse skill sets.

Overview

The Air District recognizes the importance of supporting community involvement in Air District initiatives and providing financial support to increase equitable representation in agency programs and activities. This compensation policy describes how members of the CAC will get compensated by the Air District for their time related to meetings, and activities of the CAC or the Air District.

Budget

The Board of Directors wants to empower the CAC as a body of the Board to be impactful and designates funding for the CAC in the Air District's annual budget. The budgeted amount varies from year-to-year based on the availability of funds. The CAC Co-Chairs will work with the Air District Project Lead to request a desired funding level at the end of each year. The Air District's fiscal year is from July 1st to June 30th every year. The CAC's budget is intended to cover costs related to the operations of the CAC, including but not limited to: stipends, reimbursements, contractors (i.e., language services, facilitation), meeting venues, and other related costs. The Board will review the CAC's funding request and approve an optimal level of funding as part of the annual agency budgeting process. Once the Board approves a budget amount, the CAC Co-Chairs work with the Air District Project Lead to determine budget allocations for the operations of the CAC.

Compensation Policy

1. Stipends

Stipends are determined based on participation in meetings of the full CAC, Ad Hoc Committee meetings, Co-Chairs meetings, other required meetings, and other pre-approved activities.

1.1 CAC Meetings

CAC members can receive stipends for participation in meetings of the full CAC, currently occurring every other month (bi-monthly). The Air District will provide a stipend of five hundred dollars (\$500)¹ to travel to and from the meeting, prepare for, participate in, and everything else related to the Bi-monthly CAC meetings. The five-hundred-dollar (\$500) stipend for each CAC meeting is intended to cover time spent during the meeting and to fully prepare and participate in CAC meetings. This shall include any Air District trainings, and educational events hosted by the Air District in advance of a full CAC meeting. Trainings and educational activities made available to CAC members in preparation for CAC meetings are not compensated separately from the CAC stipend. The time preparing for and participating in the meeting is not to exceed 10 hours.

1.2 Co-Chairs Meetings, Committee Meetings, and Other Required Meetings

In compliance with the Brown Act, Co-Chairs Meetings and Ad Hoc Committee meetings are held virtually, standing Committee meetings must have quorum in-person, other required meetings (consisting of less than a quorum) may be in-person or virtually. Co-Chairs are compensated at \$75 per hour² to attend Co-Chairs meetings. The maximum number of hours per month to attend Co-Chair meetings is 4 hours. The Co-Chairs may attend meetings related to the work of the CAC, beyond the designated 4 hours for Co-Chairs meetings, as requested by the Board or Air District Staff. CAC members of an Ad Hoc Committee or standing Committee will be compensated at \$75 per hour to attend committee meetings and other required meetings related to the work of the CAC. The maximum number of hours per month for participation in each Ad Hoc Committee and Other Required Meetings shall not ~~to~~ exceed 6 hours per member each month. CAC Members will only receive a stipend for time spent in meetings. Members will not receive a stipend for travel time or meeting preparation time.

To receive a stipend for participation members must be present in the meeting as set forth above. Stipends will be pro-rated based on time spent in the meeting. For example, if a member attends only 30 minutes of a one-hour meeting, they will receive only 50% of the hourly rate, or \$37.5.

1.3 Other Activities

Every fiscal year, each CAC member can apply for up to \$1,000 in funding to support their participation in events, activities, or services the CAC Co-Chairs and Air District Project Lead agree fulfils the mission of the Air District and purpose of the CAC. For example, the CAC may provide funding to send a CAC Member to a regional conference and the stipend would cover their time to attend conference sessions. Another example may be to pay a member of the CAC for research or work related to the Committees, above and beyond meeting attendance. The stipend is intended to cover pre-approved costs related to the work of the CAC up to \$1,000 and shall be calculated at \$75 per hour for time spent on the proposed activity. It is the responsibility of the CAC member to make a request for funding at an appropriate level of funding. Requests should be submitted to the Air District Project Lead thirty (30) days in advance of the proposed activity. When a Co-Chair makes a request, they shall recuse themselves from the approval process and the decision to approve the funding request will be made by the other Co-Chairs. When the

¹ Stipend is in alignment with the stipend the California Air Resources Board (CARB) provides to the Environmental Justice Advisory Committee.

² The Air District uses as a guide the living wage² in San Francisco, California for a household of three² (\$75/hour at the time of this publication) to determine an equitable community stipend amount.

CAC only has one Chair, and they make a request for funding, it must be approved by the full body of the CAC. Neither the CAC nor the Air District will be responsible for covering costs beyond the member's estimated expenses and up to a maximum of \$1,000. CAC Members must file a reimbursement for the approved \$1,000 stipend within the applicable fiscal year and are not eligible for additional funding from the "other activities" category until the next fiscal year. Unused funding will not rollover to the next fiscal year. This funding is only available to the CAC during the first 9 months of the fiscal year or until the amount budgeted in the CAC's Board-approved budget is exhausted, whichever comes first. The CAC Co-Chairs reserve the right to reallocate unused funding from this budget item after 9 months for any purpose related to the operations of the CAC.

2. Expense Reimbursement

Members of the CAC shall be reimbursed for actual and necessary expenses incurred by them in attending meetings of the CAC, Committee meetings and other pre-approved activities. Transportation, meals, and other incidental expenses will be allowed at the same rate as is allowed to Members of the Board of Directors as described in sections 2.1-2.3 below.

2.1 TRAVEL EXPENSES.

CAC Members are entitled to receive reimbursement for actual and necessary expenditures incurred in connection with the performance of their official duties for the Air District. The guiding principle of this policy is that travel and expenditures incurred on behalf of the Air District must be in the public interest. This document establishes guidelines for expenditures authorized as business expenditures and business travel expenditures incurred by Air District CAC Members.

a) General Procedures and Responsibilities

All travel for the Air District CAC Members must be justified business travel (Section j) and must be preapproved in accordance with the CAC's Compensation Policy to be eligible for reimbursement. For all in-state travel, the designated CAC Co-Chair, in agreement with the Air District's Executive Officer, may authorize CAC Member travel on behalf of the Air District. For all out-of-state travel, including international travel, the Finance and Administration Community Equity, Health, and Justice Committee must authorize CAC Member travel on behalf of the Air District prior to travel. In the case of an unexpected or urgent need to travel on Air District business, a CAC Member must obtain in writing the approval of the designated CAC Co-Chair, and agreement approval from the Air District's Project Lead Executive Officer before any travel related expenditures are incurred. Such approval must be reported to and ratified by the Community Equity, Health, and Justice Finance and Administration Committee at the committee's next meeting. CAC Members will be reimbursed for all reasonable and necessary expenditures while traveling on authorized agency business. Expenditures should be paid with a personal credit card or cash. Advances are not allowed. A list of non-reimbursable expenditures is included in Section j. Actual receipts are required except where otherwise stated in this Policy. When a CAC Member combines business and personal travel on a business trip, the CAC Member will be responsible for the additional charges related to the personal travel. Only the CAC Member's direct travel expenditures are eligible for reimbursement. The Air District will not provide reimbursement for travel expenditures incurred by a spouse or any other individual traveling with the CAC Member. Requests for reimbursement of expenditures must be

submitted on the authorized Air District Expense Reimbursement Form within 30 calendar days after the conclusion of the trip. Receipts must be provided for all expenditures (other than incidentals that typically do not result in a receipt such as tips). Any reimbursement or payment issued by the Air District which is subsequently refunded to the traveler by a third party must be repaid to the Air District within 30 calendar days of receipt. Only the Executive Officer can override and approve specific cost items that would otherwise be ineligible for reimbursement under this Travel and Expenditure Policy, and only when it is in the best interests of the Air District to do so. Any CAC Member reimbursement that requires the waiver of this policy by the ~~Executive Director~~Executive Officer be brought back to the Community Equity, Health, and Justice Committee for informational purposes. Expenditure reimbursement documents will be audited from time to time and are considered public records subject to disclosure under the California Public Records Act. Any CAC Member authorized to travel on behalf of the Air District pursuant to this section shall provide a brief, written report on their travel on the CAC Member Travel Report Back Form. Any Co-Chair may also request that CAC Members who represent the Air District at meetings, conferences, or other events provide an oral report on their participation and experience to the full CAC at the bi-monthly meeting following the CAC Members' return.

b) CAC Member Selection for Attendance

The CAC Chair/Co-Chairs shall nominate for approval by the Community Equity, Health, and Justice Committee, CAC Members for out-of-state and international travel to attend conferences, conventions, legislative advocacy trips and other forms of reimbursable travel covered by this policy. In making such nominations, the CAC Chair/Co-Chairs shall solicit the interest of CAC Members and consult with the Executive Officer and any other relevant Air District staff to ensure compliance with this policy.

The CAC Chair or Co-Chairs shall have priority to represent the Air District at any event where attendance is limited or capped due to cost or capacity. In considering which other CAC Members may be selected for travel, or who shall represent the Air District, the CAC Chair/Co-Chairs shall consider, at a minimum, all the following:

- The history of attendance and participation by the CAC Member at regular CAC, Co-Chair meetings, and Ad Hoc Committee Meetings (if the CAC Member is a member of an Ad Hoc Committee)
- The length of service on the CAC by a CAC Member
- The prior opportunities to travel and represent the Air District by the CAC Member
- The relevance or appropriateness of the CAC Member's committee assignments to the nature and purpose for the travel
- Opportunities for the professional growth or development of new CAC Members
- The relevance and purpose of a meeting or agenda to the home jurisdiction of the CAC Member
- Equitable considerations that would elevate or include the voices of marginalized members of the Bay Area.

Additionally, the CAC Chair/Co-Chairs shall have the authority to recommend non-CAC Members for inclusion in Air District-related travel. Non-CAC Members must live in an overburdened community within the 9-County Bay Area. The recommended non-CAC member cannot be a

family member of any CAC member. In making such a recommendation, the Chair/Co-Chairs shall demonstrate how and why the recommendation fulfills the mission of the Air District and is consistent with the purpose of the CAC and agency.

c) Conferences/Conventions

Registration fees for conferences and conventions are reimbursable for CAC Members if the conference or convention is directly related to the mission of the Air District, and consistent with the purpose of the CAC, the CAC Member is attending as a representative of the Air District and the CAC Member received preapproval from the CAC Chair/Co-Chairs and agreement from relevant Air District staff.

d) Air Travel

CAC Members flying on business should make reservations as early as possible to minimize costs. For domestic air travel with a flight duration of four hours or less, airfare should be purchased for coach/economy seats only, at the lowest cost possible which provides a practical flight itinerary and meets the requirements of the trip. First and business class airfare is not a reimbursable expenditure, nor are upgrades from the lowest coach/economy fare to “economy plus” seats (or equivalent), or to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available coach/economy fare only. For domestic air travel with a flight duration of more than four hours, as well as for international travel, airfare may be purchased at the “economy plus” fare/seats. First and business class airfare is not a reimbursable expenditure, nor are upgrades to first or business class. If a CAC Member purchases a first or business class ticket, he/she will be reimbursed for the lowest available “economy plus” fare only. CAC Members will be reimbursed for regular baggage fees charged pursuant to applicable airline policy. Excess baggage charges will be reimbursed only when the CAC Member is traveling with heavy or bulky materials or equipment necessary for Air District business.

e) Hotel Accommodations

Reimbursement for hotel accommodation while traveling on Air District business is limited to those circumstances where the meeting or activity is expected to last longer than one business day or if there is an emergency that causes the CAC Member stay overnight. When making hotel reservations, CAC Members must use the approved Per Diem Rates for lodging located on the General Services Administration (GSA) website, www.gsa.gov for the location of the stay plus 25%, to determine the maximum hotel accommodation expenditure that the Air District will reimburse per night, plus any applicable taxes.

CAC Members should use hotels where government rates are available.

Hotels that subscribe to a “green” standard must be utilized where available.

If the hotel stay is in connection with a conference or training activity, the cost should not exceed the maximum group rate published by the conference or activity sponsor. Inquiries should always be made about any special rates or discounts available to the Air District by the hotel, such as governmental rates, to get the best rate possible.

If accommodations are shared with individuals who are not traveling on Air District business, the CAC Member is responsible for the payment of any rate difference between the single occupancy room rate and actual rate incurred.

Resort or facility use fees imposed by the hotel, such as fitness center fees and internet connection fees and business center charges incurred for performing the Air District work, are allowable as reimbursable business-related expenditures.

Hotel self-parking fees are also allowable as reimbursable business-related expenditures, however, the cost of parking at the hotel should be considered when deciding whether to rent a vehicle or use public transportation (see Transportation discussion below). Valet parking fees will not be reimbursed.

f) Rental Vehicles

Reimbursement for rental of cars or other vehicles while traveling on Air District business is limited to those circumstances where the need for a vehicle for business purposes is expected to be extensive, or the use of taxi services or public transportation would not be economical or practical. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession and must also have a good driving record. In the event a rental vehicle is required, the Air District will reimburse for a "Standard Class" size vehicle or alternative fuel vehicle, except when there are justifiable circumstances, such as group requirements, which make a larger vehicle necessary. The use of alternative fuel vehicles, when available, should be used, even if the cost triggers a surcharge or exceeds the cost of a non-alternative fuel vehicle.

The Air District holds liability insurance to cover third parties in case a CAC Member injures someone or causes property damage to another vehicle while renting a car or driving his/her own personal vehicle while engaging in Air District business. Accordingly, rental car insurance is not an allowable reimbursable expenditure. Rental cars should be returned with a full tank of gas to avoid refueling fees. The cost of gas for rental cars is an allowable expenditure under this policy.

g) Meals While Traveling

One-Day Travel – meals are NOT an allowable reimbursable expenditure for one-day travel unless such travel is more than 25 miles one way from either the Bay Area Metro Center, the CAC meeting location, or the CAC Member's personal residence. Multiple-Day Travel – meals will be reimbursed at the lesser of:

- i) Actual reasonable cost (including applicable taxes and reasonable tip), or
- ii) The Per Diem Rates for meals located on the GSA website, www.gsa.gov for the location of the stay plus 25%. Note that separate rates are provided for Breakfast, Lunch and Dinner. For travel days where a CAC Member has traveled more than 12 hours but less than 24 hours, the Per Diem Rate shall be 75% of the GSA rate for the destination. If the actual cost method is used, an original itemized receipt must be submitted with the expense report form. If meals are provided by an event or conference the cost for which is paid by the Air District, then no separate reimbursement is allowed for that meal. A CAC Member who pays the bill for a meal attended by more than one CAC Member or Air District employee may submit the expenditure with receipt for the combined meal cost, but all attendees' names must be included on the expense report form. Only costs related to CAC Members and Air District employees' meals are eligible for reimbursement. Costs incurred for any other person at such a meal (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

CAC Members who claim the allowable Per Diem Rate from the GSA website should print the page for the location of the meeting or conference from the website to attach to their expense report form. In addition, they should retain their actual receipts to substantiate out-of-pocket expenses in the event of an audit by the State or IRS. Alcoholic beverages are not a reimbursable expenditure. Alcoholic beverages may appear on the itemized receipt for a meal, but the charge (including applicable taxes and appropriate allocation of any tip) must be deducted from the amount of the requested reimbursement.

Entertainment expenditures are not considered reimbursable expenditures. This includes, but is not limited to, meals unrelated to Air District business, movies, shows, etc...

h) Other Meals

Expenditures for business meals other than meals during travel, such as meals with other elected officials where Air District business is discussed, must be preapproved by the Executive Officer. To obtain reimbursement for such expenditures, the following documentation is required and must be recorded on the expense report form or backup documentation: i. Names of individuals present along with their titles and affiliation, ii. Name and location of where the meal took place, iii. Exact amount and date of the expenditure, and iv. Specific Air District-related topics discussed.

i) Miscellaneous Travel Expenditures

Ordinary, reasonable, and necessary miscellaneous expenditures are reimbursable at actual cost when accompanied by itemized receipts and justification for the expenditures including WiFi, phone, fax, and similar expenses.

In-flight phones and WiFi services should be used only in emergency situations.

Tipping – reasonable and customary tipping rates are reimbursable. In the US 15-20% gratuity on meals, up to a \$3 baggage handling gratuity and up to \$5 per day housekeeping gratuity are considered reasonable and are allowable. (Receipts for baggage and housekeeping gratuities are not required for reimbursement.)

Transportation – Fares and expenditures for taxis, shuttles, buses, BART, or other public transportation (including Uber, Lyft or similar services) are reimbursable when incurred for Air District business. Receipts should be obtained whenever possible, but expenditures are still eligible for reimbursement when a receipt is unavailable. If a receipt is not available, a printout from the transportation agency showing the fare must be submitted for reimbursement. For example: a printout from the BART website showing the total fare for the trip taken. CAC Members should apply prudent business judgment in determining the means of transportation to use.

Personal/Private Vehicle Usage – CAC Member's use of a personal/private vehicle is reimbursable at the mileage rate established by the IRS which can be found at www.irs.gov. Details on the date of travel, starting and ending destinations, purpose of travel, miles driven, tolls and parking costs (receipt required when possible) incurred must be provided on the expense report form. A printout from a map website such as Google Maps should be used to determine the total miles driven and must be submitted with the expense report form. CAC Members who operate vehicles on Air District business must have a valid driver's license and proof of insurance in their possession, and a good driving record.

j) Justified Air District Travel

Justified Air District travel trips include but are not limited to:

- Attending meetings with local representatives in Sacramento or Washington DC or Sacramento with Air District Staff for legislative advocacy purposes.
- Attending the AWMA Conference as an Air District representative
- Attending other air quality-related conferences as an Air District representative

NOTE: Justified travel is not limited to the list provided above. This list is provided for reference purposes only and includes the most common examples of justified travel. All trips must be preapproved, regardless of whether they are included on this list.

k) Non-Reimbursable Expenditures

Non-reimbursable expenditures include but are not limited to:

Airfare upgrades or rental car upgrades

Air phone charges (except in emergencies)

Alcoholic beverages

Business class airfare

Entertainment expenditures

Expenditures incurred by/for spouses or other travel companions

Expenditures related to personal days while on business trip

First class airfare Interest incurred on credit cards

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CAC Members are eligible to receive stipends and travel reimbursements with the appropriate documentation. To be eligible, a CAC Members must submit a completed W-9 form (with a Social Security number or IRS Individual Taxpayer Identification Number) to Air District staff. In addition, the CAC members must submit a *Community Advisory Council Compensation Agreement* to acknowledge receipt and understanding of the CAC’s Compensation Policy and Procedures.

Disclaimers

Community Advisory Council Members are not employees of the Air District. Stipends are typically considered taxable income. As stipends are not considered wages, taxes will not be deducted. CAC members who meet certain income thresholds will have to calculate and pay taxes as required by law. In addition, an increase in taxable income could impact social program eligibility. Grievances applicable to any portion of the CAC Compensation Policy and Procedures shall be resolved in accordance with the Air District Administrative Code.

EXHIBIT C

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

Community Advisory Council Charter

1.1 Purpose

The Bay Area Air Quality Management District (Air District) Board of Directors approved the formation of the Community Advisory Council (CAC) on Nov. 17, 2021. The Community Equity, Health, and Justice Committee (CEHJ) of the Air District selected the slate of candidates and recommended establishing the CAC on Nov. 4, 2021. The purpose of the CAC is to use environmental justice principles to provide guidance to the Board of Directors on programs and policies that impact overburdened communities within the Air District's jurisdiction to ensure the fair treatment of all persons living in those communities. The CAC will use environmental justice principles to identify and inform planning and decision making with the goal of mitigating and remedying projected disproportionate impacts of air pollution exposures and reducing health risks and inequities associated with poor air quality for people who live, work, and play in already vulnerable and historically marginalized, [overburdened communities](#). The CAC will aim to meaningfully engage impacted communities to represent and address stakeholders' interests. The CAC advises Air District leadership on community-related matters to advance an equity-forward policy agenda.

Definitions:

- Environmental justice: The State of California defines **environmental justice** as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (California Government Code §65040.12(e).) According to the U.S. Environmental Protection Agency “**fair treatment**” means “no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).
- Overburdened community: an area located within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen), Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or within 1,000 feet of any such census tract.¹

¹ Bay Area Air Quality Management District, *Regulation 2, Permits, Rule 1, Section 2-1-243*.
<https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

- Meaningfully engage: Meaningfully involving impacted communities is essential to addressing environmental justice. According to the U.S. Environmental Protection Agency, *meaningful involvement* means “(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) community concerns will be considered in the decision-making process; and (4) decision makers will seek out and facilitate the involvement of those potentially affected.” (Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

The CAC will utilize the [17 Principles of Environmental Justice](#) and [Jemez Principles for Democratic Organizing](#), which are both available on the Air District website and hereinafter incorporated by reference in Appendix A.

1.2 Mission Statement

The CAC believes in protecting the fundamental right to clean air for all communities. We aim to provide access to meaningful community engagement and bring community priorities into focus at the Air District. We are committed to democratic decision making and achieving equitable solutions to the impacts of air pollution and the polluting economy. We prioritize solutions that can be applied to more than one community. We are dedicated to eliminating pollution threats both upstream and downstream, standing in solidarity, sharing power and resources, and listening to and amplifying voices from communities that are the most impacted and overburdened.

1.2.1 Goals

The goals of the CAC are as follows:

- To provide representation on behalf of all communities, including overburdened communities to the Air District Board of Directors.
- To serve as a liaison between the community and the Air District Board of Directors and staff to influence decisions, policies, procedures, and processes to ensure equity, inclusion, civil rights, and environmental justice.

1.2.2 Guiding Principles

CAC members will provide independent and objective advice and be committed to the following principles:

- a. Laying a solid foundation for successful, future CAC members and ensuring long-term sustainability of the CAC's commitment to environmental justice.

- b. Elevating voices and advocating for communities who are not currently being represented or heard.
- c. Building a deep, authentic, and mutually accountable relationship among CAC members.
- d. Helping CAC members value, actualize, and institutionalize environmental justice principles throughout all CAC practices.
- e. Being recognized as partners in the fight to define how we mitigate the impacts of climate change and air pollution exposure to reduce health risks and inequities associated with poor air quality.
- f. Using influence, expertise, and privilege to protect our communities.
- g. Identifying gaps in underrepresented, community-led² decision making, and avenues for well-compensated opportunities for people in the Black, Indigenous, and People of Color (BIPOC) communities.
- h. Striving to include cultural competence.
- i. Acknowledging that one methodology does not apply to all communities and seeking to address the conditions in each community as needed. Utilizing and applying resources and tools based on those differences.
- j. Maintaining impartiality, fairness, and respect for all CAC members and the communities we represent.

1.2.3 Civility

The members of the CAC promote authentic respect for others and strive to see common ground in order to produce our best work for the CAC and the communities that we represent. We are committed to a conscious demonstration of mutual respect — for people, their roles, and their knowledge and expertise. We seek to create a safe environment where diverse viewpoints will be heard and considered. To that end, members of the CAC will act with respect and civility when interacting with each other, the Air District Board of Directors, staff, and members of the public.

Behavior which violates the CAC’s commitment to respect and civility includes, but is not limited to, yelling, cursing, interrupting, humiliating, threatening, and all forms of harassment.

Any violations of this provision will be handled as stated in the Conflict Resolution section below.

1.2.4 Conflict Resolution

In the event that a conflict or behavior arises that violates the CAC’s commitment to respect and civility between CAC members and/or between CAC members and Air District staff, regarding CAC matters:

² Underrepresented community-led: *Underrepresented community* is used to describe those who have been historically and are still systematically excluded from political and policy-making processes, which includes many disadvantaged and vulnerable communities.

Step 1: CAC members agree to work in a collaborative fashion and strive for consensus on the issues before they are brought to the CAC.

Step 2: In the event of an impasse or conflict that continues or becomes an official complaint (sent via email to the Co-Chairs and CAC team staff serving as the in-house mediators), the Co-Chairs and CAC Team Staff shall work with the members in conflict first as in-house mediators.

Step 3: If there continues to be an impasse between CAC Members and/or between CAC Members and Air District staff, those concerned will work with the APCO to reach an agreement.

Step 4: If agreement or resolution cannot be reached with staff or the APCO, a mutually agreed upon third-party mediator will be utilized to resolve the conflict and provide a recommended action to the Board.

In the event of a conflict on agenda items, CAC members can agree to postpone the action or agenda item for discussion until the next meeting, from the date the issue arises, to allow for the Co-Chairs and CAC team staff to help resolve the issue. If during the meeting the facilitator cannot help the CAC reach an agreement, then the action or agenda item in question will not proceed.

Individual members cannot be compelled to participate in any action to which they do not agree. Individual members may abstain from participation in a decision when they believe it would be inappropriate for them to participate in that action or decision.

1.3 Leadership

In 2022, the CAC approved a three Co-Chair model. The leadership model may be amended based on needs expressed by the CAC and approved by the Board but it shall be no more than three Co-Chairs at a time.

1.3.1 Duties of Leadership

- a. The Co-Chairs shall preside over bi-monthly meetings of the CAC in rotation.
 - I. Presiding over a meeting requires a Co-Chair to open, manage, and adjourn meetings, and to adjust the set order of speakers in collaboration with the facilitator and Air District staff.
 - II. In the event the Co-Chair scheduled to preside over the meeting is absent or unable to perform their duties, the Co-Chair scheduled to preside next shall preside over the meeting and perform all chair duties.

- b. The Co-Chairs shall oversee the preparation and distribution of the agenda and materials for the CAC meetings.
- c. The Co-Chairs shall work with Air District staff and the CAC meeting facilitator to plan, structure, and coordinate CAC meetings.
- d. The Co-Chairs shall attend and provide updates to the Air District Board of Directors as needed and/or requested and interact with the Air District Board of Directors in representation of overburdened communities within the nine Bay Area counties, and on behalf of the CAC members.
- e. The Co-Chairs shall oversee activities of the ad hoc committees.
- f. The Co-Chairs shall perform all other necessary and incidental duties as prescribed by the CAC Charter.
- g. The Co-Chairs shall communicate with each other, divide work, and share information and updates in a timely manner.
- h. The Co-Chairs shall address conflict within the CAC membership and leadership.
- i. The Co-Chairs shall ensure that CAC decisions are made in a democratic, equitable, and timely manner.
- j. The Co-Chairs shall represent the CAC at the Budget Committee and provide feedback on the Air District's budget.
- k. The Co-Chairs shall work with Air District staff to define and oversee the CAC's annual budget.
- l. The Co-Chairs shall understand and adhere to the Brown Act and Robert's Rules of Order.

1.3.2 Leadership (Co-Chairs) Terms of Office

1.3.3 Terms of Leadership

Leadership is appointed for a two (2) year term and no member may serve for more than two, 2-year terms consecutively.

1.3.4 Election of Leadership (Co-Chairs)

The inaugural leadership of three (3) Co-Chairs was elected at the second meeting of the CAC.

If a leadership position becomes vacant, that position must be filled within two meetings after the vacancy occurs. The leadership position shall be filled through a nomination, selection, and voting process. The process will be as follows:

- Members seeking a vacant leadership position shall submit an essay, which provides a summary of their background and outlines the reasons they seek the

position. The full CAC shall be presented with the essays 72 hours in advance of the meeting in which the CAC will vote on each prospective candidate. The candidate receiving the majority of the votes will be selected to fill the vacant leadership position.

1.4 CAC Members

1.4.1 Composition of the CAC

The initial membership of the CAC, including Co-Chairs, shall be composed of seventeen (17) members who live or work in overburdened communities in California, as follows:

- Four (4), Alameda County
- Four (4), Contra Costa County
- One (1), San Francisco County
- One (1), San Mateo County
- Two (2), Santa Clara County
- One (1), Solano County
- Two (2), at-large
- Two (2), youth

Youth are considered to be individuals between the ages of 14 and 24 at the beginning of their term.

Regarding at-large member seats, priority should be given to individuals living or working in Marin, Napa, or Sonoma counties or individuals with special expertise, such as wildfire management.

Also, diversity, equity, and inclusion on the CAC are highly valued.

1.4.2 Duties of Members

CAC members shall fully participate in bi-monthly meetings and be fully engaged during discussion. The CAC members shall also review materials prior to meetings and come prepared for engaged discussion, active listening, and respectful dialogue. Meeting preparation includes attending required trainings defined below and other trainings as planned by the Co-Chairs or suggested by the CAC. Further, CAC members shall perform all other duties as prescribed by this Charter.

All Members, except CAC leadership, are expected to join at least one ad hoc committee every year to ensure a balance of work for what the CAC has to accomplish, if their schedule allows. Council Members will vote during the first meeting on a time and day for a meeting that works best for the majority. Staff will provide an orientation of the expectations related to the CAC membership requirements.

1.4.2.1 Mandatory Annual Trainings

CAC members and leadership shall attend and participate in four (4) mandatory annual trainings as follows:

- **Brown Act Training:** The Brown Act is a California law that guarantees the public's right to attend and participate in meetings of local legislative bodies.
- **Robert's Rules of Order Training:** Robert's Rules, widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic, and orderly.
- **Civility Training:** Civility is an essential aspect of every work environment to create and maintain a fair and professional culture. This civility training is designed to teach CAC members the norms of acceptable conduct and how to identify, prevent, and respond professionally to situations of incivility.
- **Team building and conflict resolution training.**

Additionally, CAC members shall complete an ethics training course within the first year of their term and are required to take follow-up training biannually.

1.4.2.2 Virtual, Hybrid, and In-Person Meetings

In 2022, the CAC attended meetings virtually. As of March 2023, the CAC will meet in person at a location within the nine-county Bay Area with a required quorum of 9 out of 17 members. CAC members may attend remotely under specific circumstances outlined in the Brown Act and AB 2449 and in the Attendance section of this document.

CAC members, and members of the public with disabilities, who need accommodations consistent with Section 504 of the Rehabilitation Act to have equal opportunities to participate in CAC meetings should contact Air District staff.

Reimbursements for travel are outlined in the CAC's Compensation Policy and Procedures.

1.4.3 Members Terms of Office

CAC Members apply or reapply for either a two-year term or a four-year term. CAC Members are limited to serving a total of eight (8) years. This will ensure that others have the opportunity to participate in the CAC and that there is continuity of County or institutional knowledge. The inaugural CAC will serve for four (4) years with the ability to reapply.

1.4.3.1 Appointment of Members

The CAC members are appointed by the Board of Directors. Vacancies are to be filled by the Board of Directors as described in the following process. The CEHJ shall provide guidance on selection criteria and on prospective CAC members. The CAC shall create a CAC Selection Ad Hoc Committee, which may include at least one CEHJ member or other Board member chosen by the Board Chair, to recommend a candidate or slate of candidates to the Community Equity, Health and Justice Committee (CEHJ, according to the guidance provided by the CEHJ. The candidates approved by the CEHJ Committee will be recommended to the Board of Directors for final approval.

The CAC Selection Ad Hoc will be tasked with developing criteria for the selection of candidates, according to the guidance developed by CEHJ. Priority should be given to individuals from Bay Area communities overburdened by air pollution, environmental justice communities, and/or those with a history of partnering with environmental justice communities.

1.5 Standing Committees and Ad Hoc Committees

Upon approval by a majority of its members, the CAC may form committees to advise the CAC on its ongoing functions. The committees shall be composed of members of the CAC. Committee members shall vote on committee leadership during the first meeting.

1.5.1 Standing Committees

A standing committee is considered a legislative body and is subject to Brown Act requirements of staffing support, if budget allows. A committee is considered “standing,” irrespective of its composition, if it has a continuing subject-matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.

1.5.2 Ad Hoc Committees

An ad hoc committee is an advisory committee composed of less than a quorum of members, which will serve for a limited term or single purpose. After the duties of the ad hoc committee are accomplished, and presented to and approved by the CAC, the ad hoc committee will be dissolved. The ad hoc committees will aim to complete their task(s) within six months of assignment.

Furthermore, ad hoc and standing committees shall follow the following guidelines:

1. Limitations: A CAC member cannot simultaneously participate on more than two ad hoc committees, although they can be placed as an alternate on a third committee. This will ensure that all CAC members have an equal opportunity to make their voices heard and exercise their skills and expertise.
2. Commitment: Once selected, CAC members must serve their full term on an ad hoc and/or standing committee. A CAC member cannot abandon their commitment to an ad hoc or standing committee to join another committee.
3. Accountability: Council Members with a track record that matches the attendance requirement set forth above for Ad Hocs or Standing Committees, will be placed as alternates if they wish to participate in another committee.
4. Priority: CAC members not participating on an ad hoc or standing committee will be given priority to serve on newly formed committees (i.e., ad hoc or standing). After which, CAC members currently participating in one (1) committee will be given preference. Lastly, CAC members serving on two (2) committees will be placed as alternates until one of their current ad hoc committees completes its assigned task and is dissolved.
5. Exceptions: The CAC may create an Ad Hoc Committee if an emergent topic or situation demands it, which may require exceptions that supersede the limitations and commitments outlined above. The emergency Ad Hoc Committee will remain active until the mission or task is accomplished.

1.5.2.1 Work Plan Ad Hoc Committee

The CAC will form a CAC Work Plan Ad Hoc Committee annually to set the CAC's work plan and schedule each year. The CAC Work Plan Ad Hoc Committee will identify several priority areas to adhere to and will establish appropriate criteria measures. CAC Members, Community Members, Air District Staff, and the Air District Board will have the opportunity to recommend agenda items of potential relevance to the CAC for inclusion in the work plan. Once dissolved, CAC Co-Chairs are responsible for implementing the work plan and reserve the right to amend the work plan in an emergency or emergent situation, as defined in the *Setting Agendas* section on page 13.

1.5.2.2 Governance Ad Hoc Committee

In 2022, the CAC formed a CAC Governance Ad Hoc Committee to develop the CAC's governance agreement. The CAC hereby presents the CAC's Charter, which sets forth the mission, goals, scope, rules, and actions applicable to the CAC and CAC membership. Once the mission is accomplished, presented to and adopted by a quorum of the CAC, and approved by the Board of Directors, the Governance Ad Hoc Committee will be dissolved.

The CAC Governance Ad Hoc Committee may be reestablished with a new slate of CAC members to review, revise, and/or propose amendments. Any revisions to the existing charter shall be presented and discussed by the CAC and recommended for approval by the Air District Board of Directors.

1.6 Community Engagement

The CAC will aim to engage the community in the following ways:

- Bi-annual newsletter, which includes items that have been addressed, future meeting dates and agendas, success stories, and ways to engage with the CAC
- CAC web page
- CAC meetings
- Outreach events or workshops hosted by CAC members or the Air District
- Bi-monthly community meetings led by the Compliance and Enforcement Division of the Air District

1.7 Meetings

1.7.1 Facilitation of Meetings

An external professional meeting facilitator will be hired to assist the CAC with bimonthly CAC meetings, if budget allows. For 2022-2023, a facilitator was hired through a competitive process with participation of CAC members. The external facilitator works directly with the CAC leadership to plan and execute the meeting plan in consultation with Air District staff. The facilitator will keep the meetings on track with guidance from the Co-Chairs and will enforce the following meeting expectations and ground rules for CAC members:

- *The first expectation is **preparation**: Come prepared for meetings and review all documents that the CAC will discuss.*
- *Second, is **communication and language**: Communicate with respect and be mindful of individual speaking time so that everyone has the opportunity to speak in meetings. Personal attacks will not be tolerated. Zoom meetings are publicly accessible, so CAC members are expected to conduct themselves accordingly.*
- *Third, is **distractions**: Avoid distractions and stay present. Active listening is imperative to ensure that members understand other people's viewpoints.*
- *Fourth, is **timing**: Respect time agreements and stay on topic.*
- *Finally, **facilitation**: The facilitator will intervene to keep the conversation on track and on time and will remind members of these ground rules as necessary.*

The facilitator will have limited authority to open the meetings, convey the agenda item(s), confirm the meeting has quorum after the clerk takes roll call, facilitate the flow of meetings in accordance with the Brown Act and Robert's Rules of Order, maintain order, and defer to the Air District legal representative or staff if needed.

Air District staff will facilitate ad hoc committee meetings, Co-Chair meetings, and other meetings as needed. CAC members, staff, or the Co-Chairs may identify the need for facilitator or contractor support for any CAC meeting, if budget allows.

1.7.2 Regular Meetings

Regular meetings of the CAC are held on the third Thursday of every other month at 6:00 p.m. PT. All meetings will be held in accordance with the Brown Act. Meeting schedule is subject to change, if necessary.

1.7.3 Special Meetings

A majority of Co-Chairs or a majority of the CAC members may call special meetings, following the noticing guidelines set forth in the Brown Act.

1.7.4 Notice of Meetings

Meeting agendas and notices must be posted at the meeting site and on the Air District website in compliance with all applicable laws, including but not limited to the Ralph M. Brown Act. (Government Code Section 54950 et seq.)

Agendas and notices shall be emailed to each CAC member and any person who submits a written request to the Air District for such notice.

1.7.5 Adjournment or Cancellation of Meetings

The presiding Co-Chair or Air District staff may adjourn or cancel a meeting if a quorum will not be present or if the meeting date conflicts with a holiday. Notices of adjournment or cancellation shall be emailed to CAC members and posted at the meeting site and on the Air District [website](#).

1.7.6 Meetings of CAC Members with the Air District

CAC members that meet with Air District staff or Board of Directors, on behalf of the CAC, should inform the CAC Co-Chairs of the discussion within 72 hours of the date the meeting is held.

Action items directed to CAC leadership from CEHJ Committee or Board leadership, the CEHJ Committee, or the Board of Directors should be communicated to CAC leadership within 72 hours via memo.

1.7.7 Meetings of the Ad Hoc

Ad Hoc Committee Chairs are expected to provide a monthly verbal report-out on the progress of the Ad Hoc Committees to CAC leadership. Report-outs should be a brief summary.

1.7.8 Quorum Requirements

Effective March 1, 2023, 50% plus one of CAC members (or 9 out of 17 members in 2022-2023) must be present in person to constitute a quorum and for voting to be conducted.

1.7.8.1 Action at a Meeting; Quorum and Required Vote

A quorum is required to take any official action beyond roll call and adjournment. The affirmative vote of a majority of the members of the CAC shall be required for the approval of all substantive matters. Agenda items that require no action may still be presented and discussed without a quorum.

1.7.8.2 Voting and Abstention

CAC meetings will be conducted in compliance with the Brown Act (Government Code Section 54950 et seq.), Robert's Rules of Order, CAC Charter, and state and local laws. Participation and voting are based on Brown Act requirements and current legislation. Staff will provide an updated summary of any changes as required by law.

1.7.8.3 Conduct of Meetings

(a) All meetings shall be governed by the Ralph M. Brown Act (Government Code Section 54950 et seq.), the CAC Charter, and Robert's Rules of Order for decorum and parliamentary procedure.

(b) Cell phones shall be turned off during all CAC meetings.

(c) The Co-Chairs may issue a warning to any member of the public who is disruptive during CAC meetings. In the event of repeated disruption of any kind, the Co-Chairs shall direct the offending member of the public to leave the meeting. If the meeting is disrupted by *any* member of the public, we hold the right to remove the individual from the meeting with the assistance of security or by muting and turning off the camera of that individual.

(d) The chat feature will be unavailable for the full duration of Zoom meetings due to accessibility limitations.

1.8 Agenda Items

1.8.1 Public Comment on Agenda Items

The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda will have three minutes each to address the CAC. Members of the public who wish to speak on non-agenda items, will have three minutes to address the CAC. Members of the public who are speaking through an interpreter will have six minutes to address the CAC. All meetings will have a rebuttal period that allows an additional one (1) minute to any member of the public who would like to provide a rebuttal.

1.8.2 Setting Agendas

Air District staff, at the direction of the Co-Chairs, will prepare and distribute the agenda and materials for CAC meetings.

1.8.2.1 Current Agenda Setting Process:

1. A CAC member and/or member of the public may propose agenda item(s) during a CAC meeting or via email to staff.
2. Staff will track proposed agenda items and bring them to the Work Plan Ad Hoc Committee (when constituted) and the Co-Chairs.
3. The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc Committee once adopted by the CAC membership for the upcoming agenda.
4. Staff will identify presenters and draft presentation and memo (materials).
5. Staff will work with the CAC member(s) who requested the agenda item(s) to create materials as needed.
6. Staff will finalize materials.
7. Staff will send materials to Co-Chairs and the CAC member(s) who requested the agenda item for final approval.
8. Staff will update materials with final edits.
9. Executive staff will review materials.
10. Executive staff will provide edits, if needed.
11. Executive staff will route the materials for public distribution.

The Co-Chairs will work from the work plan developed by the Work Plan Ad Hoc once adopted by the CAC membership. The Co-Chairs, Staff, CAC Members or the public can make requests for new topics not included in the work plan. The Public can make requests for agenda items at CAC meetings during the Public Comment on Non-Agenda Items or by emailing staff at communityadvisorycouncil@baaqmd.gov. New additions to the work plan must be approved by majority vote of the CAC.

The Co-Chairs can amend the work plan, as needed when an emergency or emergent issue requires it. An emergency is defined as an event that impacts the health and safety of the community (i.e., flaring). An emergent issue is considered emergent if it is new and immediate action from the CAC is required (i.e., funding opportunity, legislative

issue). The current work plan must be included in the materials of every CAC meeting. Changes must be noted when made.

Also, the CEHJ or Board may require advice or recommendations of the CAC on a particular matter or issue (refer to the process outlined in 1.7.6).

1.9 Conflict of Interest Policy

Conflict of interest laws prohibit CAC members or immediate family from benefiting financially from their relationship with the Air District by way of the CAC. Any CAC member, or immediate family members of CAC members, who would directly benefit financially from a contract, must recuse themselves and not be present during a vote to avoid influencing other CAC members.

1.10 Meeting Minutes

Minutes shall be taken at all regular and special CAC meetings and shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the CAC Charter. Minutes shall be approved by the majority vote of CAC members in accordance with applicable statutes.

1.11 Land Acknowledgement

The CAC recognizes that California Native American and other communities have also faced many environmental injustices and social inequities. These issues are hereby acknowledged as part of the CAC Charter. The following CAC Land Acknowledgement will be included in all CAC meeting agendas and is available on the [CAC web page](#).

We begin by acknowledging that this land is unceded Indigenous land. The territories, or counties we represent, are of the Indigenous people. To acknowledge this history of our country — that this nation was built on genocide, the exclusion and erasure of Indigenous people — grounds our work in truth. We also acknowledge that our modern global economy was founded on the free and forced labor of enslaved Black people. And that exploited labor continuously perpetuates itself in disadvantaged communities of color, as we see in the treatment of farm workers, immigrant workers, prison labor and domestic workers. This practice of land acknowledgment calls on us to recognize our violent history that is the foundation of white supremacy, and to recognize the longstanding and ongoing resistance of People of Color to dehumanization, repression and homicide. And that the brilliance and leadership of People of Color in resistance, vision, wisdom and love be honored and recognized as we work to dismantle ongoing legacies of settler colonialism and anti-blackness.

The [Air District website](#) will be updated in preparation for each CAC meeting with materials for discussion and, after each meeting, with meeting summaries, presentations, background materials, requested information, and meeting recordings.

1.12 Dissemination of Materials

All documents, materials, and correspondence produced by or submitted to the CAC, CAC staff, or facilitator are considered public information and subject to the California Public Records Act regulations and procedures for disclosure and transparency. Information related to the operations of the CAC will be made available to the public as requested.

1.13 Public Meetings

All CAC meetings will be noticed and open to the public in accordance with the Brown Act.

1.14 Attendance

The CAC requires the active participation and attendance by members of at least 75% of all meetings during every year served. This applies to Co-Chair meetings, committee meetings, and attendance at meetings of the full CAC. CAC members will inform staff and CAC leadership of any potential absences. As of March 1, 2023, per AB 2449 teleconferencing requirements, members remotely joining CAC meetings that require a quorum must have a "just cause" or an emergency excuse approved by a majority of the CAC in order to participate and vote. CAC members joining CAC meetings remotely without a just cause or approved emergency excuse will not be able to vote and therefore will not be counted present in the meeting.

1.14.1 Absenteeism: CAC Meetings

CAC members are allowed to miss three (3) meetings in one calendar year. Continued absenteeism from CAC Meetings constitutes voluntary abandonment. After two (2) CAC meetings have been missed, staff will send a courtesy letter reminding the absent member of the attendance requirements of the CAC and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs of absent members. Staff will inform a member that they have lost their seat on the CAC after three meetings are missed. Vacant seats on the CAC will be filled as described in the Appointment section on page 8 of this document.

1.14.2 Absenteeism: Co-Chair Meetings

Co-Chair meetings occur every week up to four hours per month.

Co-Chairs are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from Co-Chair meetings constitutes voluntary abandonment. After two (2) Co-Chair meetings have been missed, staff will send a courtesy letter reminding the absent Co-Chair of the attendance requirements of the Co-Chairs and warning them that they are at risk of losing their seat. Staff will be responsible for informing the Co-Chairs and the CAC of absent Co-Chairs. Staff will inform a Co-Chair that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around the holidays.

Any vacant Co-Chair appointment shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.14.3 Absenteeism: Ad Hoc Meetings

Ad hoc meetings will generally occur every other week (biweekly).

Ad hoc committee members are allowed to miss three (3) meetings every two (2) consecutive months. Continued absenteeism from ad hoc meetings constitutes voluntary abandonment. After two (2) ad hoc meetings have been missed, staff will send a courtesy letter reminding the absent ad hoc member of the attendance requirements of ad hoc members and warning them that they are at risk of losing their seat. Staff will be responsible for informing CAC members of absent members. Staff will inform CAC members that they have lost their seat on the CAC after three (3) meetings are missed. The Co-Chairs reserve the right to jointly adjust the schedule around holidays.

Any vacant appointment of an Ad-Hoc Committee shall be filled within two (2) meetings after the vacancy occurs through a nomination, selection, and voting process.

1.15 Amendment of CAC Charter

The CAC and the Board shall revisit the Charter to make requests for amendments in January of every odd-numbered year following the Board approval of the Charter. The CAC shall provide thirty (30) days' notice for public comment before adopting any amendments to the CAC Charter.

The Community, Equity, Health and Justice Committee and the Board of Directors must approve the Charter before any changes can take effect.

1.16 Compensation

Compensation for CAC Members will be subject to attendance and in accordance with the CAC's Compensation Policy and Procedures. The CAC and the Board shall revisit the Compensation Policy and Procedures to make requests for amendments during the first month of the year of every other year. Updates to the Policy shall include a revision based on cost-of-living increase.

COMMUNITY ADVISORY COUNCIL
MEETING OF 05/18/2023

Appendix A

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington, D.C., drafted and adopted these 17 principles of Environmental Justice. Since then, the principles have served as a defining document for the growing grassroots movement for environmental justice.

Environmental Justice Principles³:

- 1) **Environmental Justice** affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
- 2) **Environmental Justice** demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
- 3) **Environmental Justice** mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.
- 4) **Environmental Justice** calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.
- 5) **Environmental Justice** affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.
- 6) **Environmental Justice** demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.
- 7) **Environmental Justice** demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.
- 8) **Environmental Justice** affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.
- 9) **Environmental Justice** protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

³ Principles of Environmental Justice, <https://www.ejnet.org/ej/principles.html>. Accessed December 19, 2022.

10) **Environmental Justice** considers governmental acts of environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11) **Environmental Justice** must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) **Environmental Justice** affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) **Environmental Justice** calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) **Environmental Justice** opposes the destructive operations of multinational corporations.

15) **Environmental Justice** opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) **Environmental Justice** calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) **Environmental Justice** requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

Jemez Principles⁴:

1. Be Inclusive
2. Emphasis on Bottom-Up Organizing
3. Let People Speak for Themselves
4. Work Together In Solidarity and Mutuality
5. Build Just Relationships Among Ourselves
6. Commitment to Self-Transformation

⁴ Sierra Club. *Jemez Principles*. <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/grand-canyon-chapter/misc-pdf/Jemez%20Principles%20Poster.pdf>. Accessed December 19, 2022.

Appendix B

The CAC Charter was developed using information from various sources, including:

Bay Area Air Quality Management District. *Regulation 2, Permits, Rule 1, Section 2-1-243*. <https://www.baaqmd.gov/~media/dotgov/files/rules/reg-2-permits/2021->

California Air Resources Board. *Partnering Agreement-West Oakland Toxic Reduction Collaborative*. (2018, February 14). https://ww2.arb.ca.gov/sites/default/files/2020-04/collaborative_partnering_agreement_west_oakland_acc.pdf. Accessed January 3, 2023.

City and County of San Francisco: *Power Plan Task Force By Laws*. https://sfgov.org/sfc/pppcatf/index_162_2134.html?page=162. Accessed January 3, 2023

Metropolitan Transportation Commission. *Metropolitan Transportation Commission Resolution No. 3931*. (2009, November 18). https://mtc.ca.gov/sites/default/files/documents/2022-01/RES-3931_approved.pdf. Accessed January 3, 2023.

Partnering Agreement-West Oakland Toxic Reduction Collaborative “Collaboration on Call.”

San Francisco Bay Conservation and Development Commission. *Environmental Justice Advisors Charter*. <https://bcdc.ca.gov/ejwg/environmental-justice-advisors-charter.html>. Accessed January 3, 2023

San Francisco Bay Conservation and Development Commission. *San Francisco Bay Plan*. https://www.bcdc.ca.gov/plans/sfbay_plan.html. Accessed January 3, 2023

The Bay Area Air Quality Management District. *The Path to Clean Air in the Richmond-North Richmond-San Pablo Area Community Steering Committee Charter and Participation Agreement*. <https://www.baaqmd.gov/~media/files/ab617-community-health/richmond/ptca-charter-agreement-pdf.pdf?la=en>. Accessed January 3, 2023.

United States Environmental Protection Agency. *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. <https://19january2021snapshot.epa.gov/sites/static/files/2015-06/documents/considering-ej-in-rulemaking-guide-final.pdf>. Accessed January 3, 2023.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 21, 2023

Re: Incentive Programs Targeting Heavy-Duty Mobile Sources for Community Health

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Air Quality Management District (Air District) aims to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate. Since its formation in 1955, as the first regional air quality agency in the nation, it has led the effort to reduce air pollution and greenhouse gas emissions and to protect public health in the Bay Area.

In the Bay Area, air pollutants, such as particulate matter (PM), toxic air contaminants, and other chemicals that react in the atmosphere to form ozone, are emitted by mobile, stationary, and naturally occurring sources. Examples of stationary sources include factories, refineries, foundries, and gas stations, while mobile sources include cars, trucks, trains, marine vessels, and farm and construction equipment. The Air District has regulatory authority over stationary sources of air pollution in the nine counties that surround San Francisco Bay, while the State and federal governments are responsible for regulating mobile sources of air pollution.

Air pollution can cause or contribute to a wide range of health effects and illnesses, depending upon individual exposure and tolerance to air pollution. Identifying the sources of emissions and developing and implementing strategies to reduce them is key to effectively reducing air pollution and improving public health. Not counting wildfires or emissions from natural landscapes, about 480 tons of reactive organic gases (ROG), nitrogen oxides (NO_x), and PM_{2.5} emissions are released daily in the Bay Area, with mobile sources accounting for about half of those emissions. Within the category of mobile sources, heavy-duty on-road trucks and buses, marine, port and rail, and off-road equipment are the largest contributors to emissions.

Over the past 30 years, the Air District has been working to reduce air pollution from heavy-duty mobile sources on a voluntary basis, beyond what is already required by the State and Federal government through regulatory means. Over time, the number of funding sources and amount of

revenue has increased, allowing the Air District to annually fund a larger number of projects that achieve reductions of air pollution from more types of mobile sources. Funding for these incentive programs is primarily provided by the Carl Moyer Program, Community Air Protection Incentives Program, Mobile Source Incentive Fund (MSIF), Transportation Fund for Clean Air (TFCA), and the California Goods Movement Bond Program. Revenue for these programs is generated via fees, bond sales, Cap-and-Trade auction proceeds that are distributed to the Air District. Each funding source sets minimum project eligibility and programmatic requirements dictating how the funds may be used.

Assembly Bill (AB) 617, passed in 2017, aims to improve local air quality and health in disproportionately impacted communities. Since then, the Air District has worked with local community partners to recommend the development of a Community Emission Reduction Plan (Plan) to the California Air Resources Board for four Bay Area communities. *Owning Our Air: The West Oakland Action Plan* was the first of these Plans to be adopted (in 2019) and plans are being developed over the next few years for the communities of Richmond San Pablo, East Oakland, and Bayview Hunters Point.

As these communities work to develop and implement their Plans, staff who administer incentive program funding review the community's identified strategies to understand how the Air District's incentive programs, as well as those offered by State and Federal agencies, can help meet the goals of each Plan. With respect to the strategies that identify heavy-duty mobile sources as key contributors to high exposure and negative health impacts, staff conduct outreach to solicit projects with the dirtiest diesel equipment operating within and around impacted communities and encourage the switch to the cleanest alternatives and zero-emission technologies when possible.

DISCUSSION

The mobile source grant programs administered by the Air District work to improve air quality primarily by incentivizing the replacement of older and polluting equipment with newer and cleaner alternatives. The eligibility and programmatic requirements for these programs are established by the authorizing legislation, state adopted guidelines, and/or Board adopted policies. The guidelines and policies have started to evolve over the past few years to allow funding for upgrades to zero-emission vehicles and equipment and the installation of electric and hydrogen vehicle charging and fueling stations.

In calendar year 2022, the Air District awarded nearly \$36 million in funding to projects that will scrap and replace older highly polluting heavy-duty mobile vehicles and equipment that operate in the Bay Area and install supporting infrastructure. ***Equity is a key focus and in 2022 the Air District awarded nearly \$25 million, or approximately 70% of the \$36 million, to projects that will reduce emissions and provide benefits to priority communities, including disadvantaged and low-income communities, and AB 617 communities.*** In total, these projects will reduce an estimated 97 tons of ozone precursors and PM10 annually. Additionally, of the \$25 million awarded to projects that will reduce emissions and provide benefits to priority communities, nearly \$15 million was awarded to projects that will deploy zero emissions equipment and vehicles.

A list of the heavy-duty vehicle and equipment projects that will achieve emissions reduction benefits for priority communities is shown in Attachment 1 and a summary of the funding sources discussed in this report is shown in Attachment 2. Attachment 3 shows the amount of funding estimated to be available for all eligible mobile source project categories, including heavy duty equipment, in 2023 and 2024 by funding source. The table in Attachment 3 also shows the minimum percentage target to be awarded to projects where the air quality improvements benefit priority communities for each funding source.

The presentation to the Committee will also include a summary of the incentive funds awarded to heavy-duty mobile sources in calendar year 2022 and the types of projects that are eligible for the funding that is administered by the Air District.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Informational item only.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Chengfeng Wang and Alona Davis
Reviewed by: Karen Schkolnick

ATTACHMENTS:

- 1. List of Projects Awarded in 2022 to Heavy-Duty Projects in Priority Communities
- 2. Summary of the Air District’s Grant Funding for Heavy-Duty Vehicles and Equipment
- 3. Funding Requirements for Priority Areas

Attachment 1: List of Heavy-Duty Projects that Benefit Priority Communities

Project Number	Grantee Name	Description	Award Amount	NOx (tpy)	ROG (tpy)	PM10 (tpy)	Project City
20GMCH01	Mutual Express Company	Replace 1 yard truck with 1 electric yard truck and install supporting charging infrastructure	\$115,000	0.035	N/A	0.002	Oakland
20GMCH04	Schnitzer Steel Industries, Inc.	Replace 2 yard trucks with 2 electric yard trucks and install supporting charging infrastructure	\$230,000	0.427	-	0.019	Oakland/San Jose
20GMCH10	ITS Technologies and Logistics, LLC	Replace 5 yard trucks with 5 electric yard trucks and install supporting charging infrastructure	\$575,000	0.494	-	0.003	Oakland
21GM0003	Yonas trucking	Replace on diesel truck with EV truck and infrastructure	\$230,000	0.200	N/A	-	Oakland
21GMCH01	Dow Chemical Company	Replace 2 yard trucks with 2 electric yard trucks and install supporting charging infrastructure	\$230,000	0.425	-	0.020	Hayward
22ALA09	Union City Transit	Purchase 4 zero-emission urban buses for existing bus routes	\$1,500,000	0.982	0.043	0.002	Union City
22GM0003	Ethan LLC	Replace 1 diesel truck with one natural gas truck	\$230,000	0.250	N/A	-	Oakland
22GM0004	Mewael Trucking	Replace 1 diesel with 1 electric truck and associated infrastructure	\$230,000	0.270	N/A	-	Oakland
22MOY160	Baydelta Navigation LTD	Replace four Tier 2 engines with Tier 3 and Tier 4 engines in a tug boat	\$3,529,000	30.665	2.726	1.021	Multiple locations
22MOY196	A.C. Fishing Charters, Inc. dba Tigerfish Sportfishing	Replace two Tier 2 engines with Tier 3 engines in a charter fishing vessel	\$256,000	0.576	-	0.031	Multiple locations
22MOY204	San Mateo Lumber Company, Inc.	Replace two gasoline-powered construction forklifts to two electric forklifts and install charging stations	\$219,674	0.676	0.207	0.001	San Mateo
22MOY217	Happy Hooker Sportfishing, LLC	Replace two Tier 0 engines with Tier 3 engines in a charter fishing vessel	\$380,000	1.340	-0.036	0.056	Multiple locations

Project Number	Grantee Name	Description	Award Amount	NOx (tpy)	ROG (tpy)	PM10 (tpy)	Project City
22MOY225	Hardin Vineyard Management LLC	Replace one Tier 0 with one Tier 4 diesel-powered agriculture loader, and replace 1 Tier 0 with 1 Tier 4 diesel-powered agriculture	\$135,600	0.347	0.041	0.023	Saint Helena
22MOY238	Alameda-Contra Costa Transit District	Expand AC Transit's hydrogen fueling facility in Oakland D4	\$4,505,255	N/A	N/A	N/A	Oakland
22MOY264	Lost Fae LLC	Replace one Tier 0 with one Tier 4 diesel-powered agriculture tractor with loader and backhoe attachment	\$51,700	0.036	0.033	0.009	Pescadero
22MOY271	Pinheiro dairy	Replace one Tier 0 with one Tier 4 diesel-powered agriculture tractor	\$67,100	0.200	0.025	0.013	Petaluma
22MOY281	California Dawn Sportfishing Inc.	Replace two Tier 2 engines with Tier 3 engines in a charter fishing vessel	\$123,600	0.778	0.017	0.037	Multiple locations
22MOY285	Drake's View Dairy LLC	Replace one Tier 0 with one Tier 4 diesel-powered agriculture tractor/loader	\$50,400	0.098	0.017	0.013	Point Reyes Station
22MOY287	A Cut Above Viticulture Service inc.	Replace one Tier 1 with one Tier 4 diesel-powered agriculture tractor	\$71,400	0.123	0.020	0.015	Napa
22MOY288	New Easy Rider Sportfishing LLC.	Replace two Tier 2 engines with Tier 3 engines in a charter fishing vessel	\$182,400	0.869	0.019	0.041	Multiple locations
22MOY293	Golden Gate Bridge, Highway Transportation District	Replace four Tier 3 main engines with Tier 4 main engines in two ferries operating on San Francisco Bay	\$1,410,000	10.169	1.411	0.150	Multiple locations
22MOY295	A&S Landscape Materials, Inc.	Replace one Tier 2 with one Tier 4 diesel-powered equipment	\$169,000	0.590	0.041	0.030	San Rafael
22MOY309	San Felipe Farms LP	Replace ten diesel Tier-0 engine ag tractors with ten diesel Tier-4 engine ag tractors	\$1,050,300	3.194	0.371	0.216	Gilroy
22MOY311	Jay A Clay	Replace one Tier-0 agricultural diesel-powered dozer with a Tier-4 dozer	\$153,100	0.363	0.047	0.027	Petaluma
22MOY334	Point Reyes Pastures Inc.	Replace one Tier-0 with one Tier-4 diesel powered agriculture tractor/crawler	\$135,800	0.276	0.036	0.020	Inverness

Project Number	Grantee Name	Description	Award Amount	NOx (tpy)	ROG (tpy)	PM10 (tpy)	Project City
22MOY342	Vinas Del Norte LLC	Replace one Tier 1 with one Tier 4 diesel-powered agriculture tractor, replace one Tier 2 with one Tier 4 diesel-powered agriculture	\$100,300	0.181	0.028	0.025	Saint Helena
22MOY63	B & T Farms	Replace one Tier 3 with one Tier 4 diesel- powered agriculture tractor	\$286,800	0.684	0.072	0.037	Gilroy
22SBP177	West County Transportation Agency	Replace seven CNG school buses with seven low NOx CNG school buses	\$1,540,000	0.829	0.075	-	Santa Rosa
22SBP203	Oak Grove School District	Replace nine diesel school buses with nine electric school buses and install supporting charging infrastructure	\$3,380,853	0.571	0.047	0.004	San Jose
22SBP216	Campbell Union High School District	Replace three diesel school buses with three electric school buses and install supporting infrastructure	\$1,510,616	0.192	0.011	0.001	San Jose
22SBP337	Hayward Unified School District	Replace one CNG school bus with one electric engine Type-D bus	\$400,000	0.042	0.002	0.001	Hayward
22SOL04	Solano County Transit	Install charging stations for Curtola Park & Ride to support induction charging in two bus bays	\$50,000	0.682	0.983	0.323	Vallejo
22SON01	City of Santa Rosa	Purchase of one replacement 40' battery- electric transit bus	\$207,843	0.139	0.002	0.001	Santa Rosa
22SON02	Sonoma County Transit	Purchase of 1 all-electric transit bus.	\$124,958	0.679	0.171	0.001	Santa Rosa
23MOY6	Ortiz Family Farm	Replace one Tier 0 with one Tier 4 diesel- powered agriculture tractor	\$72,200	0.172	0.021	0.014	Sebastopol
VWFM-21-0319	Port of Richmond	Install 1 new shore power system	\$1,003,250	29.520	1.040	0.530	Richmond
VWFM-22-0518	Economy Lumber Co. of Oakland	Replace two Tier 4 Final Diesel heavy-lift forklifts with two zero-emission electric heavy- lift forklifts	\$214,900	0.160	0.026	0.008	Oakland
VWFM-22-0523	CASS, Inc.	Replace 2 Controlled 2007-2009 LPG heavy- lift forklifts with 2 electric heavy-lift forklifts	\$100,600	0.038	0.012	0.002	Oakland

Attachment 2: Summary of the Air District’s Grant Funding for Heavy-Duty Vehicles and Equipment

Carl Moyer Program (CMP)

The Air District has participated in the Carl Moyer Program, in cooperation with the California Air Resources Board, since the program began in 1999. This program provides grants to owners of eligible equipment to reduce emissions of oxides of nitrogen (NO_x), reactive organic gases (ROG), and particulate matter (PM) from existing heavy-duty engines by upgrading them. The CMP also includes a companion program referred to by CARB as the Carl Moyer State Reserve Program, which has similar requirements as the CMP, but is usually limited to be used for a single project category selected by CARB each year.

Eligible equipment includes on-road trucks and buses, off-road equipment, marine vessels, locomotives, stationary agricultural pump engines, forklifts, and refueling infrastructure that supports zero emissions vehicles. Approximately \$18 million is allocated for the Air District annually between the CMP and State Reserve Programs (sunset date is 2033) and up to 6.25% of these funds may be used for administrative cost recovery.

Community Air Protection Incentives Grant Program (CAP Incentives)

In 2017, Assembly Bill (AB) 617 directed the California Air Resources Board, in conjunction with local air districts to establish the Community Air Protection (CAP) Program. Beginning in 2018, the State authorized funding for a CAP Incentive program that is designed to primarily achieve hyperlocal reductions in air pollution and reduce community exposure to diesel particulate and toxic air contaminants.

Pursuant to the state-adopted CAP Incentives 2019 Guidelines and the legislative requirements imposed on Greenhouse Gas Reduction Funds, there are at least 70% of these funds must be awarded to projects located in Disadvantaged Communities (DAC) and at least 80% of the funds must be awarded to DAC and/or Low-Income Communities (LIC) shown in CARB’s Priority Population Investments 4.0 map (<https://webmaps.arb.ca.gov/PriorityPopulations/>).

These funds may be awarded to mobile source projects eligible under the Carl Moyer Program, the California Proposition 1B Goods Movement Emission Reduction Program (for heavy duty trucks only), and a limited number of stationary source emission reduction projects. Staff has been working with CARB and other California air district to expand eligibility to include more stationary source project types and projects that are identified as priorities by communities with a State-approved Community Emissions Reduction Program, pursuant to HSC Section 44391.2.

To date the Air District has been allocated five rounds of CAP incentive funding by CARB totaling nearly \$193 million and up to 6.25% of awarded funds may be used for administrative cost recovery.

Funding Agricultural Replacement Measures for Emission Reductions (FARMER)

In 2018, the California Air Resources Board established the FARMER Program that provides grant funding for eligible projects that reduce criteria, toxic, and greenhouse gas emissions from the agricultural sector. The FARMER program targets the voluntary early replacement of older,

dirtier equipment that is used in agricultural operations, such as harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment. Since its inception in 2018, the State has allocated between \$800,000 and \$3.8 million annually to the Bay Area Air District for its participation in the FARMER program and up to 6.25% of these funds may be used for administrative cost recovery.

Mobile Source Incentive Fund (MSIF)

Assembly Bill 923 (AB 923 – Firebaugh), enacted in 2004 (codified as Health and Safety Code Section 44225), authorized local air districts to increase their motor vehicle registration surcharge up to an additional \$2 per vehicle. The revenues from the additional \$2 surcharge are deposited into the Air District’s Mobile Source Incentive Fund (MSIF). The Health & Safety Code stipulates that air districts may use this revenue for projects eligible for funding under the: Carl Moyer Program, Lower Emission School Bus Program, Light-Duty Vehicle Scrap Program, and Agricultural Assistance Program. In 2022, the Legislature renewed the authority for this program through 2033. Approximately \$12.5 million accrues annually for this program and up to 6.25% of these funds may be used for administrative cost recovery.

Transportation Fund for Clean Air (TFCA)

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within its nine-county jurisdiction to fund projects that reduce on-road motor vehicle emissions. The Air District allocates these funds to eligible projects through the Transportation Fund for Clean Air (TFCA) program. The statutory authority for program is set forth in California Health and Safety Code Sections 44241 and 44242. Approximately \$25 million accrues annually for this program and there is no sunset date) and up to 6.25% of these funds may be used for administrative cost recovery.

Up to 60% of project funds received are awarded directly by the Air District to a program referred to as the TFCA Regional Fund and to eligible Air District programs (e.g., Spare the Air). The remaining 40% is forwarded to the designated county transportation agency within each Bay Area County to be distributed through the TFCA County Program Manager Fund program.

TFCA funding may be used to award grants to on-road projects including upgrade of passenger vehicles, trucks, and buses, fueling infrastructure, and may also be used to award grants to government agencies that sponsor trip reduction strategies, such as the installation of new bicycle paths and lanes and secure bike parking facilities.

California Proposition 1B Goods Movement Emission Reduction Program (Prop 1-B)

In November 2006, California voters authorized the Legislature to appropriate \$1 billion in bond funding to quickly reduce air pollution and health risk from freight movement along California’s trade corridors. On February 28, 2008, the CARB approved an allocation of \$140 million from projected bond sales for emission reduction projects in the Bay Area trade corridor. These funds may be awarded to eligible projects such as equipment replacements, repowers, and retrofits of on-road, marine, locomotive, and off-road engines, and the installation of electric and hydrogen stations for heavy duty equipment. To date, this program has funded projects including the upgrade and replacement of over 2,000 diesel trucks and installation of shore power infrastructure at 12 berths at the Port of Oakland.

The Air District is currently administering the final round of Prop 1B funding through 2025. Funding for administrative cost recovery ranges from 3-5% based on the type of project that is awarded by the Air District.

Volkswagen Environmental Mitigation Trust (VW Trust)

The VW Trust was established after a settlement with Volkswagen and other parties for their use of illegal defeat devices and is intended to fully mitigate the lifetime excess oxides of nitrogen (NO_x) emissions caused by their actions. The CARB is the designated Lead Agency acting on the State as the beneficiary for California's share of VW Trust funds. In 2018, the Air District was selected by CARB to administer VW Trust funding on a statewide-basis for the zero-emission freight and marine category totaling \$70 million and the light-duty zero emission vehicle infrastructure category totaling \$10 million, including \$8 million that may be used for administrative cost recovery. VW Trust funds will be managed by the Air District over a ten-year period ending in 2028 and an additional \$7 million is available for administrative cost recovery.

Attachment 3

Minimum Funding Targets for Mobile Source Projects Benefiting Priority Communities

Mobile Source Incentives, Funding Source	Funding available in 2023 and 2024	% Requirement to benefit impacted communities
Community Air Protection Incentives (CAP Years 5 and 6)	\$57 Million	<ul style="list-style-type: none"> • 70% in Disadvantaged communities (DAC), and • 80% in DAC and/or Low-income communities (LIC)¹
Carl Moyer Program (Year 24)	\$27 Million	<ul style="list-style-type: none"> • 50% in impacted communities (DAC, LIC, or Air District CARE² communities)
VW Mitigation Program Zero Emission Freight and Marine	\$35 Million	<ul style="list-style-type: none"> • 75% in DAC or LIC
Transportation Fund for Clean Air Regional Fund	Up to \$18 Million	<ul style="list-style-type: none"> • varies depending on specific project category
Mobile Source Incentive Fund	\$12 Million	<ul style="list-style-type: none"> • None
Goods Movement Program	\$10 Million	<ul style="list-style-type: none"> • N/A 100% of funding must be awarded to projects in goods-movement service (i.e., ships, rail, heavy duty cargo-handling equipment used at seaports and warehouses)
FARMER Program (Year 5)	\$2.4 Million	<ul style="list-style-type: none"> • None
More than \$159 million available in 2023 and 2024		

¹ Disadvantaged communities (DAC) areas are designated by CalEPA as the top 25% most impacted census tracts based on CalEnviroScreen scores, pursuant to Senate Bill (SB) 535 (De León, Chapter 830, Statutes of 2012).

Low-income communities (LIC) are defined as the census tracts that are either at or below 80 percent of the statewide median income, or at or below the threshold designated as low-income by the California Department of Housing and Community Development's 2016 State Income Limits, pursuant to Assembly Bill (AB) 1550 (Gomez, Chapter 369, Statutes of 2016).

An online mapping tool of identified disadvantaged communities and low-income communities is available at: <https://webmaps.arb.ca.gov/PriorityPopulations/>

² CARE Communities are identified as the most disproportionately impacted communities in the Bay Area AQMD's jurisdiction, through the development of a pollution-vulnerability index linking air pollution levels to health impacts. An online mapping tool of CARE Communities is available at: <https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation-care-program>

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Davina Hurt and Members
of the Community Equity, Health and Justice Committee

From: Philip M. Fine
Executive Officer/APCO

Date: June 21, 2023

Re: Community Advisory Council Update from May 18, 2023 Meeting

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This is an informational item for the CAC Co-Chairs to present a summary of the May 18, 2023 CAC meeting.

DISCUSSION

The CAC Co-Chairs, Latasha Washington, Kevin Jefferson, and/or Ms. Margaret Gordon, will present a summary of the key agenda items covered during the last CAC meeting held in-person at the California State University, East Bay Oakland Conference Center at 1000 Broadway, Suite 109, in Oakland on May 18, 2023.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Amy Smith
Reviewed by: Veronica Eady

ATTACHMENTS:

None