



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE

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**

Main Meeting Location:

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

In-Person Remote Teleconference Location(s):

**20980 Redwood Road, Suite 250
Castro Valley, CA 94546**

**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 Avenue
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/83730449956> , or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 837 3044 9956

COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE MEETING AGENDA

WEDNESDAY, MARCH 29, 2023

9:00 AM

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**

3. **Public Meeting Procedure**

This meeting will be webcast. To see the webcast, please visit www.baaqmd.gov/bodagendas at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.

***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.*

CONSENT CALENDAR (Item 4)

4. Approval of the Minutes of the Community Equity, Health and Justice Committee Meeting of February 15, 2023

The Committee will consider approving the attached draft minutes of the Community Equity, Health and Justice Committee meeting of February 15, 2023.

ACTION ITEM(S)

5. Consider recommending that the Board of Directors Dissolve the Path to Clean Air Community Steering Committee appointed by Resolution No. 2021-02 to Allow for the Creation of a New, Non-Board-Appointed Steering Committee with a Community-Led Governance Structure.

The Community, Equity Health and Justice Committee will receive a presentation from a member of the Path to Clean Air Community Steering Committee, and will consider recommending to the Board of Directors that the Board dissolve the CSC appointed by Resolution No. 2021-02. Dissolution will allow for the Richmond, North Richmond, and San Pablo communities to set up a new Steering Committee with a community-led governance structure to lead the development of the AB 617 Community Emission Reduction Plan for these communities.

OTHER BUSINESS

6. 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.

7. 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)

8. Report of the Senior Deputy Executive Officer of Policy & Equity

9. Time and Place of Next Meeting

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

10. 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**

MARCH 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Community Equity, Health and Justice Committee	Wednesday	29	9:00 a.m.	1 st Floor Board Room

APRIL 2023

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board or Directors Special Meeting as the Sole Member of the Bay Area Clean Air Foundation	Wednesday	5	8:30 a.m.	1 st Floor Board Room
Board of Directors Meeting	Wednesday	5	9:00 a.m.	1 st Floor Board Room
Board of Directors Legislative Committee	Wednesday	5	11:30 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 and Ohlone Rooms
Board of Directors Mobile Source and Climate Impacts Committee	Wednesday	12	1:00 p.m.	1 st Floor, Yerba Buena and Ohlone Rooms
Board of Directors Meeting	Wednesday	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

HL 3/17/2023 – 12:10 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: March 29, 2023

Re: Approval of the Minutes of the Community Equity, Health and Justice Committee
Meeting of February 15, 2023

RECOMMENDED ACTION

Approve the attached draft minutes of the Community Equity, Health and Justice Committee meeting of February 15, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Community Equity, Health and Justice Committee meeting of February 15, 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 February 15, 2023

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

Community Equity, Health and Justice Committee Meeting
Wednesday, February 15, 2023

DRAFT MINUTES

*Note: Audio recordings of the meeting are available on the website of the
Bay Area Air Quality Management District at
www.baaqmd.gov/bodagendas*

This meeting was conducted under procedures authorized by Assembly Bill 361 (Rivas 2021). Members of the Committee participated by teleconference.

1. CALL TO ORDER – ROLL CALL

Community Equity, Health, and Justice Committee (Committee) Chairperson, Davina Hurt, called the meeting to order at 1:01 p.m.

Roll Call:

Present: Chairperson Davina Hurt; Vice Chairperson Katie Rice; and Directors Brian Barnacle, Jolene Gallagher, Nate Miley, Steve Young.

Absent: Board Chair John J. Bauters; and Directors Margaret Abe-Koga, John Gioia, Erin Hannigan.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC MEETING PROCEDURE

4. APPROVAL OF THE MINUTES OF THE COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE MEETING OF DECEMBER 1, 2022

Public Comments

No requests received.

Committee Comments

None.

Committee Action

Director Barnacle made a motion, seconded by Director Gallagher, to **approve** the Minutes of December 1, 2022; and the motion carried by the following vote of the Committee:

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

5. VOTE ON THE COMMUNITY ADVISORY COUNCIL’S (CAC) COMPENSATION POLICY AND PROCEDURES

Miriam Torres, Senior Advanced Projects Advisor, gave the staff presentation *Vote on the Community Advisory Council’s Compensation Policy and Procedures*, including: requested action; overview; Compensation Policy; CAC meetings; CAC Co-Chairs, ad hoc committees, and other required meetings; other activities; reimbursements; compensation procedures;

Public Comments

No requests received.

NOTED PRESENT: Director Miley was noted present at 1:20 p.m.

Committee Comments

The Committee and staff discussed whether the \$1,000 that CAC members may apply for each Fiscal Year (to support their participation in events, activities, or services to fulfil the mission of the Air District and purpose of the CAC) must be approved by the Board, as well as the CAC Co-Chairs; compensation for Co-Chair meetings, CAC ad hoc committee meetings, and other required meetings; whether Cost-of-Living Adjustments will be built into the proposed CAC Compensation Policy; term limits for the CAC members; why the proposed funding for “other activities” (up to \$1,000 per fiscal year) is only available to the Council members during the first *nine* months of the fiscal year, or until the amount budgeted in the Council’s Budget-approved budget is exhausted; whether the number of CAC members attending air quality-related conferences as Air District representatives will be limited; whether the proposed CAC Compensation Policy and Procedures may be if revised at any given time; and the suggestion of conducting a review of the CAC Compensation Policy and Procedures one calendar year after approval/implementation.

Committee Action

Vice Chairperson Rice made a motion, seconded by Director Young, to recommend the Board **approves** the Community Advisory Council’s Proposed Compensation Policy and Procedures; and the motion carried by the following vote of the Committee:

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

6. JANUARY 19, 2023 COMMUNITY ADVISORY COUNCIL MEETING PRESENTATION

Air District CAC Co-Chairs, Latasha Washington, and Kevin Jefferson presented the presentation *Overview of the January 19, 2023 Community Advisory Council Meeting*, including: presentation for information only; outline; Compensation Policy and Procedures; Community Benefit Fund and participatory budgeting; CAC Charter; Work Plan Ad Hoc Committee update; and Environmental Justice Policy Ad Hoc Committee.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether any more CAC or Community Equity, Health, & Justice Committee meetings will occur prior to March 15, 2023; whether the CAC was asked for its input on proposed amendments to Air District Rule 9-4: Nitrogen Oxides from Fan Type Residential Central Furnaces and Rule 9-6: Nitrogen Oxides Emissions from Natural Gas-Fired Boilers and Water Heaters; and the status of the CAC’s request for a Board liaison.

Committee Action

None; receive and file.

7. DISCUSSION OF THE 2023 COMMUNITY EQUITY, HEALTH, AND JUSTICE COMMITTEE WORK PLAN

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, gave the staff presentation *Discussion of the 2023 Community Equity, Health, & Justice Committee Work Plan*, including: outcome; outline; presentation for information only; and 2023 Community Equity, Health, And Justice Committee Work Plan (March – May, June – July, September – December).

Public Comments

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County.

Committee Comments

The Committee and staff discussed the Board’s former Community and Public Health Committee, and the desire to revisit health disparity trends in impacted communities and whether the Air District has a role in that.

Committee Action

None. Receive and file.

8. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Peter Rauch.

9. COMMITTEE MEMBER COMMENTS

None.

10. REPORT OF THE SENIOR DEPUTY EXECUTIVE OFFICER OF POLICY & EQUITY

Ms. Eady reported the following:

- One of the virtual events that the Air District is hosting in February, in observance of Black History Month, is a presentation by Dr. Bruce Strouble, called “The Impacts of Environmental Racism on the Development of Social Capital in African American Communities.” This event will be held via Zoom, on February 15 at 2:00 p.m.
- The next CAC meeting will be held on March 16, at 6:00 p.m.
- On February 23, the California Air Resources Board will consider selecting the community of Bayview Hunters Point/Southeast San Francisco for the development of a Community Emissions Reduction Program.

11. TIME AND PLACE OF NEXT MEETING

Wednesday, March 29, 2023, at 9:00 a.m., at 375 Beale Street, San Francisco, California, 94105. The meeting will also be webcast for members of the public.

12. ADJOURNMENT

The meeting was adjourned at 2:06 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: March 29, 2023

Re: Consider recommending that the Board of Directors Dissolve the Path to Clean Air Community Steering Committee appointed by Resolution No. 2021-02 to Allow for the Creation of a New, Non-Board-Appointed Steering Committee with a Community-Led Governance Structure.

RECOMMENDED ACTION

Consider recommending to the Board of Directors that the Board dissolve the Path to Clean Air Community Steering Committee appointed by Resolution No. 2021-02.

BACKGROUND

In February, the Path to Clean Air Community Steering Committee (CSC), through a governance ad-hoc, created a proposal to transition from a Board-appointed committee to a community governance structure. At the February 27, 2023, CSC meeting, members discussed this proposal and voted to recommend dissolution of the CSC to the Air District Community, Equity, Health and Justice (CEHJ) Committee and ultimately to the Board for approval.

DISCUSSION

The CEHJ Committee will receive a presentation from members of the governance ad hoc to discuss, and then vote on whether to recommend the dissolution of the Community Steering Committee to allow a transition to a community governance structure.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine
Executive Officer/APCO

Prepared by: Kevin Olp
Reviewed by: Diana Ruiz

ATTACHMENTS:

1. Richmond-North Richmond-San Pablo Path to Clean Air CERP Community Steering Committee Memorandum of February 15, 2023

Memorandum

To: Richmond-North Richmond-San Pablo Path to Clean Air Community Emissions Reduction Plan Community Steering Committee

From: Governance Ad-hoc Committee

Date: February 15, 2023

Re: Proposal to have the Community Steering Committee (CSC) transition to a community governance structure

RECOMMENDED ACTION

On February 27, 2023, Community Steering Committee (CSC) members will vote to recommend to the BAAQMD Community, Equity Health and Justice Committee and finally to the Board of Directors that the CSC appointed by Resolution No. 2021-02 be dissolved by the end of April to allow for the transition to a community led governance structure.

BACKGROUND

About: At its November 11, 2020, meeting, the Community Design Team (CDT)¹ voted to recommend that the Air District Board of Directors appoint a CERP Steering Committee that adheres to the Brown Act. On December 16, 2020, the Air District Board approved the CDT' recommendations. On February 4, 2021, the Board's Community Health, Equity and Justice (CEHJ) Committee voted to recommend the Board move forward with appointing the Richmond-North Richmond-San Pablo Community Steering Committee as a Board Committee.² On March 3, 2021, the Board voted to appoint the CSC as a Board Committee that adheres to the Brown Act.

Issue: The CSC, through the governance ad-hoc, proposes to transition from a board-appointed committee to a community governance structure. The vote taken on February 27, 2023 will recommend the dissolution of the CSC (appointed Resolution No. 2021-02) to the BAAQMD Community, Equity, Health and Justice and finally to the Board for approval. Dissolution of the CSC is needed in order for the CSC to proceed with next steps outlined in the proposal.

Proposal: Key elements of the proposal cover the process to transition to a community-led committee and the timeline for doing so, and the introduction of a new charter. The governance ad hoc committee will draft a new charter for the community-governed CSC to be adopted once

¹ In February 2020, the Air District convened a Community Design Team (CDT) to lay the foundation for establishing a Community Steering Committee (CSC) for developing a Community Emissions Reduction Plan in Richmond, North Richmond, and San Pablo. The CDT represented community and community based organizations, 19 individuals came together to form the CDT. Multiple issues were raised by the CDT related to transparency and process throughout 2020.

² BAAQMD Resolution [2021_02_establishing_richmond_area_cerp_csc-pdf.pdf \(baaqmd.gov\)](#)

the new CSC convenes after the April Board meeting. The newly formed charter will carry over a majority of the current charter while adding new elements that reinforce provisions of the Brown Act to ensure public access, participation, and transparency. Additions made will also allow the community-governed CSC to be nimble, efficient, and more engaged.

Process: A structured set of action steps to address reappointments to reconstitute the Community Steering Committee and introduce a new charter under a community-led structure would go into effect following Board of Directors approval to dissolve the Board appointed CSC at the April Board meeting. In practice this would include the following actions;

- A. Reconfiguration of CSC: Reappointment process
 - Open call to current members to reapply starting February 28th - March 16th
 - CSC will develop an application process that is transparent, inclusive and accessible to all community members and will continue to require the disclosure of potential conflicts³ through a conflict-of-interest form.
 - The process will include an opportunity to increase the number of new members by opening up the application process, on a rolling basis, to new candidates after the April Board meeting.
 - A review panel will be set up that consists of five CSC members who will evaluate new applications.
 - New applications would be reviewed every 2 months by the review panel.
 - A majority of the review panel must agree to move a candidate forward.
 - Application review process for current CSC members to begin February 28th. Official appointments of CSC members will take place after the April Board meeting.
 - Priority will be given to current CSC members who wish to continue to serve on the CSC.

- B. Creating the new charter: Once members are re-appointed to the newly formed CSC, they will introduce a new charter aimed at increasing participation that incorporates best practices of the Brown Act taken from the previous charter, concentrating on the following three elements:
 - Decision-making structure
 - Membership requirements
 - Public comment

- C. Approval of the new charter
 - The draft final charter will be sent out to the new CSC members and posted to the BAAQMD website for public access
 - Presentation of the new charter will be prepared and posted to the BAAQMD website as part of a CSC monthly meeting

³ Disclosure of conflict of interest will not determine appointments, this is based on the CSC existing process to ensure transparency.

- The new charter will be voted on by the new CSC committee and adopted at a date to be determined by the new CSC.

Charter: Outlining key elements to the charter that will change from the existing charter

Decision-making structure

- Majority vote
 - Decision-making at CSC meetings will not proceed without a quorum of the minimum number of our CSC members range (quorum = 50% of CSC plus one voting member) of voting members present at meetings.
- Non-voting industry members
 - Two non-voting members will remain in place, as stated in the current charter⁴
- Voting decisions made by the CSC will be guided by the charter

Membership requirements (# of members and seat selection)

- The charter will identify a minimum and maximum range (odd numbers), which the new CSC will determine before they finalize the charter and adopt.
 - Governance ad-hoc committee will engage current CSC members through survey monkey and over email to narrow in on a range.
- Applications for new members will be reviewed and accepted on a rolling basis; the governance ad-hoc committee to review existing criteria used and specify how applications will be reviewed and selected.
- Process to fill any vacancies will be addressed through an open application process that will be posted on the BAAQMD website

Public Comment

- Ensure public comment before a vote
- Ensure public comment on non-agenda items
- Ensure all meetings are inclusive and transparent. This includes having the meetings posted on the BAAQMD website, along with meeting minutes and video recording of the monthly CSC meetings.
- New CSC members will determine whether gatherings will be in-person, remote and/or hybrid

Amendments

- Minor language adjustments to reflect the transition: Amendments to this charter of the Steering Committee of the Path to Clean Air in the Richmond-North Richmond-San Pablo Area requires approval by a majority of voting members present.⁵

⁴ 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=zh-tw>

⁵ “Partnership Agreement” will be removed from Charter text. *Amendments to this charter of the Steering Committee of the Path to Clean Air in the Richmond-San Pablo Area Partnership Agreement require approval by a majority of voting members present.*