

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

Finance and Administration Committee
Wednesday, October 18, 2023

APPROVED MINUTES

This meeting was webcast, and a video recording is available on the website of the Bay Area Air Quality Management District at www.baaqmd.gov/bodagendas

CALL TO ORDER

1. **Opening Comments:** Finance and Administration Committee (Committee) Chairperson, John J. Bauters, called the meeting to order at 10:04 a.m.

Roll Call:

Present, In-Person (375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors Sergio Lopez, and Katie Rice.

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

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

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

Absent: Directors Brian Barnacle, Lynda Hopkins, David Hudson, and Tyrone Jue.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. **APPROVAL OF THE DRAFT MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE MEETING OF OCTOBER 4, 2023**

Public Comments

Public comments were given by "Happy."

Committee Comments

None.

Committee Action

Director Rice made a motion, seconded by Vice Chair Hurt, to **approve** the Draft Minutes of the Finance and Administration Committee meeting of October 4, 2023; and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Bauters, Haubert, Hurt, Lopez, Rice.
NOES: None.
ABSTAIN: None.
ABSENT: Barnacle, Hopkins, Hudson, Jue, Ross.

INFORMATIONAL ITEM

4. REPORT FROM THE AUDITOR ON THE MY AIR ONLINE FUNCTION

George Skiles of Sjoberg Evashenk Consulting, Inc., gave the presentation *Performance Audit of My Air Online*, including: audit scope and objectives; background; four preliminary findings; recent observations; and key recommendations.

NOTED PRESENT: Director Ross was noted present at 10:13 a.m.

Public Comments

Public comments were given by “Happy.”

Committee Comments

The Committee and staff discussed whether there is risk in waiting to complete the audit before approving the execution of contracts for My Air Online- related services not to exceed \$2,650,000 for Fiscal Year Ending 2024; concerns about how “insufficient contractor oversight” and “lack of key provisions within vendor contracts” occurred, historically; the anticipated total project cost, compared to the initial project budget from 2004, and the request that the final report lists the project-related expenditures; whether the finished product will be compatible with a permit reporting system; concern regarding the perceived violation of fiduciary trust that has resulted, and the importance of having public agencies be transparent and accountable; and the need for a project oversight committee and regular reporting requirements (back to the Board.)

Committee Action

None; receive and file.

ACTION ITEMS

5. **UPDATE ON DECOMMISSIONING LEGACY PERMITTING AND ENFORCEMENT COMPUTER SYSTEMS, THE IMPLEMENTATION OF THE MY AIR ONLINE REPLACEMENT SYSTEMS AND A REQUEST TO RECOMMEND AUTHORIZATION TO EXECUTE RELATED SERVICE CONTRACTS NOT TO EXCEED \$2,650,000 FISCAL YEAR ENDING 2024**

John Chiladakis, Chief Technology Officer, gave the staff presentation *Status of Decommissioning Legacy Permitting and Enforcement Computer Systems and Request to Recommend Contracts for Replacement Systems*, including: outline; requested action; audit work and immediate changes; celebrating the decommissioning of the systems from 1977 and 1999; My Air Online in operation 2012; new functionality as of 2012; September 29, 2023 functionality; audit recommendations (oversight and transparency, project management practices, eliminate vendor lock-in); project roadmap looking forward; costs presented to Board on April 18, 2023; My Air Online budget forecast; level of detail in vendor contracts and amendments; and recommended action.

Public Comments

Public Comments were given by “Happy.”

Committee Comments

The Committee and staff discussed anticipated cost savings regarding the elimination of vendor lock-in, and whether the Air District anticipates challenges with this; recruiting new staff with expert knowledge of modern technology platforms; whether the Data Bank and IRIS programs are still running in parallel with My Air Online, and if so, why; anticipated vendor service retention, after staff learns the new system and technology; and whether there is risk in not moving forward with the recommendation of authorizing the execution of contracts for related services not to exceed \$2,650,000 for Fiscal Year Ending 2024.

Committee Action

Director Rice made a motion, seconded by Vice Chair Hurt, to recommend that the Board **authorizes** the execution of contracts for related services not to exceed \$2,650,000 for Fiscal Year Ending 2024; and the motion **carried** by the following vote of the Committee:

AYES:	Abe-Koga, Bauters, Haubert, Hurt, Lopez, Rice, Ross.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Barnacle, Hopkins, Hudson, Jue.

6. **REMOTE TELECONFERENCING MEETING POLICY FOR STANDING COMMITTEES**

Sharon L. Landers, Interim Chief Operations Officer, gave the staff presentation *Remote Teleconferencing Meeting Policy*, including: outline; requested action; Brown Act requirements for teleconferencing; previous committee discussion; additional remote meeting requirements; process; and requested action.

Public Comments

Public Comments were given by “Happy.”

Committee Comments

The Committee and staff discussed requiring Board members and their staff to receive training with Air District Executive Office staff on how to host remote teleconferencing meetings (Air District staff will no longer travel to remote locations); requiring two points of contact for each remote teleconferencing location; security requirements by cities and counties, as well as at the Doyle Library and Santa Rosa Junior College; the suggestion of eliminating a remote teleconferencing location (for a full calendar year) if that location fails to properly notice a meeting or log onto a meeting correctly; whether committee chairpersons must attend committee meetings in person at 375 Beale Street in San Francisco, and whether they should appoint their committee vice chair to facilitate a committee meeting if they will not attend in person at 375 Beale Street; cost savings by Air District Executive Office staff ceasing to travel to remote teleconferencing locations; the suggestion of renaming Zoom panelist boxes to reflect the Board members' names, when multiple Board members are at the same remote teleconferencing location; concerns regarding limiting travel (i.e.: teleconferencing locations cannot be within 10-mile drive of another or if less than 10-mile drive, more than 30 minutes commute); and concerns regarding requiring Board members to attend monthly Board meetings in person only.

Committee Action

Chair Bauters made a motion, seconded by Vice Chair Hurt, to direct staff to develop a draft remote teleconferencing meeting policy for standing committees **that the Board will review and Finance and Administration Committee will consider for recommendation for Board adoption on November 1, 2023**, containing the following provisions:

- All of the Brown Act requirements for teleconferencing have been enumerated in the staff report and slide deck and will be part of the policy, to serve as a reminder as to what the standing foundational requirements for remote teleconferencing are.
- The policy can either state objectively or be silent on the fact that there is no limit to the number of remote teleconferencing locations that Board members may utilize. Note: there are to be no remote teleconferencing locations in San Francisco City/County, as the only meeting location in San Francisco City/County is to be 375 Beale Street.
- The policy can be silent on, and does not restrict, remote teleconferencing locations to the Air District's 9 county jurisdiction.
- Remote teleconferencing locations are required to have access to Zoom & a speaker phone.
- Board members & their staff must receive training with Executive Office to host remote teleconferencing meeting, not less than one time per calendar year
- Two points of contact per remote teleconferencing location are to be established
- Board members' staff must post agenda(s) not less than 72-hours before meeting, and may be required to send photographs as proof, as requested by Air District staff
- A written agreement, enumerating obligations and commitments to all requirements established by the Board, will be signed by the Board member (and any required staff) who wishes to host a remote teleconferencing location
- Remote teleconferencing locations must notice a meeting agenda at least 8 days prior to the meeting date, and any meeting cancellation requests made more than 8 days prior to the meeting date must be cancelled at least 8 days prior to the meeting date. Note: Board members who will no longer be able to attend a meeting after the 8-day period has lapsed must still affirmatively host the location in their absence at that site, through their staff
- Remote teleconferencing locations must be Americans with Disabilities Act (ADA) compliant with the Brown Act & are strongly encouraged to open at a minimum of 30 minutes, but not less than ten minutes, before the scheduled start time of the meeting.

- Security shall be provided at remote teleconferencing locations, as needed
- While this version of the draft is not to include the elimination of a remote teleconferencing location, should a remote teleconferencing location fail to properly notice a meeting or log onto a meeting correctly, it will be a consideration in the future
- Committee chairs must attend committee meetings in person, and if they are unable, they will communicate to Air District staff the person that will facilitate the meeting in their place
- After the policy is adopted and implemented, Air District staff will follow up with a presentation to the Board on the status of the policy’s implementation

The motion **carried** by the following vote of the Committee:

AYES: Bauters, Haubert, Hurt, Lopez, Rice.
 NOES: None.
 ABSTAIN: None.
 ABSENT: Abe-Koga, Barnacle, Hopkins, Hudson, Jue. Ross.

OTHER BUSINESS

7. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comments were given by “Happy.”

8. COMMITTEE MEMBER COMMENTS

None.

9. TIME AND PLACE OF NEXT MEETING

Wednesday, November 1, 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 meeting was adjourned at 12:14 p.m.

/s/ Marcy Hiratzka
 Marcy Hiratzka
 Clerk of the Boards