

BOARD OF DIRECTORS FINANCE AND ADMINISTRATION COMMITTEE February 21, 2024

COMMITTEE MEMBERS

BAY AREA

AIR QUALITY

MANAGEMENT

DISTRICT

DAVINA HURT – CHAIR MARGARET ABE-KOGA DAVID HAUBERT RAY MUELLER MARK ROSS LYNDA HOPKINS - VICE CHAIR JUAN GONZALEZ TYRONE JUE KATIE RICE

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 Alameda County Supervisor David Haubert 4501 Pleasanton Avenue Pleasanton, CA 94566

San Mateo County Hall of Justice Criminal Justice Training Room, 1st Floor 400 County Center Redwood City, CA 94063 Mountain View City Hall Chambers 500 Castro Street, 2nd Floor Mountain View, CA 94041

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 Finance and Administration 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 <u>www.baaqmd.gov/bodagendas</u>.

Members of the public may participate remotely via Zoom at <u>https://bayareametro.zoom.us/j/83043198358</u>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 830 4319 8358

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. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is *per se* disruptive to a meeting and will not be tolerated.

FINANCE AND ADMINISTRATION COMMITTEE MEETING AGENDA

WEDNESDAY, FEBRUARY 21, 2024 10:00 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**

CONSENT CALENDAR (Item 3)

3. Approval of the Draft Minutes of the Finance and Administration Committee Meeting of December 20, 2023

The Committee will consider approving the Draft Minutes of the Finance and Administration Committee Meeting of December 20, 2023.

ACTION ITEM

4. Air District Compensation Philosophy

This is an action item for the Finance and Administration Committee to consider recommending the Board of Directors establish a Compensation Philosophy for the Bay Area Air Quality Management District. This proposed compensation philosophy, developed in alignment with our strategic plan and organizational values, serves as a foundational framework guiding our approach to employee compensation and benefits. The philosophy emphasizes transparency, accountability, equity, and consistency in compensation practices while also defining our competitive market and strategic direction. This item will be presented by Lisa Baker, Human Resources Officer.

INFORMATIONAL ITEM

5. Air District Sponsorship Program

The Committee will be provided with an update of the Air District sponsorship program. Identified as part of the Administrative Code update, staff will present the procedures for accepting requests and making funding decisions. This item will be presented by Viet Tran, Deputy Executive Officer of Public Affairs.

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. The Committee welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Committee. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Committee meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Committee meetings. Discriminatory statements or conduct that would potentially violate the Fair Employment and Housing Act – i.e., statements or conduct that is hostile, intimidating, oppressive, or abusive – is per se disruptive to a meeting and will not be tolerated.

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. Time and Place of Next Meeting

Wednesday, March 20, 2024, at 10:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Finance and Administration Committee members and members of the public will be able to either join in-person or via webcast.

9. 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 <u>speesapati@baaqmd.gov</u>.

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

FEBRUARY 2024

TYPE OF MEETING	DAY	DATE	<u>TIME</u>	ROOM
Board of Directors Finance and Administration Committee	Wednesday	21	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	21	1:00 p.m.	1 st Floor Board Room

MARCH 2024

TYPE OF MEETING	DAY	DATE	TIME	ROOM
Advisory Council	Friday	1	9:30 a.m.	1 st Floor Board Room
Board of Directors Meeting	Wednesday	6	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	13	10:00 a.m.	1 st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	13	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	20	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	20	1:00 p.m.	1 st Floor Board Room
Board of Directors Community Advisory Council	Thursday	21	6:00 p.m.	1st Floor, Yerba Buena Room

APRIL 2024

TYPE OF MEETING	DAY	DATE	TIME	ROOM
Board of Directors Meeting	Wednesday	3	10:00 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee	Wednesday	10	10:00 a.m.	1st Floor, Yerba Buena Room
Board of Directors Community Equity, Health and Justice Committee	Wednesday	10	1:00 p.m.	1 st Floor, Yerba Buena Room
Board of Directors Finance and Administration Committee	Wednesday	17	10:00 a.m.	1 st Floor Board Room
Board of Directors Policy, Grants and Technology Committee	Wednesday	17	1:00 p.m.	1 st Floor Board Room

MV 2/14/2024 – 11:42 a.m.

G/Board/Executive Office/Moncal

AGENDA: 3.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT Memorandum

- To: Chairperson Davina Hurt and Members of the Finance and Administration Committee
- From: Philip M. Fine Executive Officer/APCO
- Date: February 21, 2024
- Re: Approval of the Draft Minutes of the Finance and Administration Committee Meeting of December 20, 2023

RECOMMENDED ACTION

Approve the Draft Minutes of the Finance and Administration Committee Meeting of December 20, 2023.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the Draft Minutes of the Finance and Administration Committee Meeting of December 20, 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 Finance and Administration Committee Meeting of December 20, 2023

Draft Minutes - Finance and Administration Committee Meeting of December 20, 2023

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

Finance and Administration Committee Wednesday, December 20, 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:** Finance and Administration Committee (Committee) Chairperson, John J. Bauters, called the meeting to order at 1:08 p.m.

Roll Call:

Present, In-Person (Bay Area Metro Center (375 Beale Street, 1st Floor Board Room, San Francisco, California, 94105): Board Chairperson John J. Bauters; Vice Chairperson Davina Hurt; and Directors David Haubert, Lynda Hopkins, Tyrone Jue, and Katie Rice.

Present, In-Person Satellite Location (Mountain View City Hall, 500 Castro Street, Council Chambers, Mountain View, CA 94041): Director Sergio Lopez.

Absent: Directors Margaret Abe-Koga, Brian Barnacle, David Hudson, and Mark Ross.

2. **PLEDGE OF ALLEGIANCE**

CONSENT CALENDAR

3. APPROVAL OF THE DRAFT MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE MEETING OF DECEMBER 6, 2023

Public Comments

No requests received.

Committee Comments

None.

Draft Minutes - Finance and Administration Committee Meeting of December 20, 2023

Committee Action

Vice Chair Hurt made a motion, seconded by Director Rice, to **approve** the Minutes of the Finance and Administration Committee meeting of December 6, 2023; and the motion **carried** by the following vote of the Committee:

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

ACTION ITEM

4. MANAGEMENT AUDIT REPORT ON AIR DISTRICT ENGINEERING FUNCTIONS AND INITIAL RESPONSE

George Skiles of Sjoberg Evashenk Consulting, Inc. gave the presentation *Performance Audit of the Engineering Division*, including: audit scope and objectives; report findings; and key recommendations.

Dr. Meredith Bauer, Deputy Executive Officer of Engineering and Compliance, and Pamela Leong, Director of Engineering, then gave the staff presentation *Management Audit Report on Air District Engineering Functions Initial District Response*, including: outline; requested action; key audit findings; continuous improvement (timeliness and backlog, tracking, staffing); corrective action strategy; next steps; and feedback requested.

Public Comments

Public comments were given by Ms. Margaret Gordon, West Oakland Environmental Indicators Project (WOEIP); and Christine Wolfe, California Council for Environmental and Economic Balance.

Committee Comments

The Committee and staff discussed the Air District's revenue sources (not including permit fees); the comparison of the Air District's number of permit applications with those of other California air districts; the Engineering Division's current vacancy rate; the efficiency of the current version of My Air Online, and whether more funds should be invested into it; and the need for the Air District to achieve 100% cost recovery, and the concern that air pollution is continuing, unabated, in the meantime.

Committee Action

No vote was taken, but the consensus of the Committee members present was to direct the Executive Officer/Air Pollution Control Officer (APCO) to prepare an action plan to address the Engineering Audit Report's recommendation, to be presented to the Finance and Administration Committee for approval within 90 days.

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INFORMATIONAL ITEM

5. USING PENALTY FUNDS FOR COMMUNITY BENEFITS

Dr. Philip M. Fine, Executive Officer/APCO, gave the staff presentation *Funding Community Benefits from Penalty Funds*, including: outcomes; background; concept; about the penalties; example allocation idea; example results; discussion and feedback; and possible next steps.

Public Comments

Public comments were given by Ms. Margaret Gordon, WOEIP.

Committee Comments

The Committee and staff discussed whether collected penalty funds should be returned to the communities impacted by polluter violations or be spent on regulated entities' improvements; the concern that the Air District is perceived by some as aggressively penalizing and collecting as many fees and penalties as possible; the desire for the community to have the authority and autonomy to decide what happens with collected penalty funds; the hope that a decision will be reached quickly; the suggestion of tiering the proposed allocation structure so that there are not "losers or winners", and to ensure that communities outside of Assembly Bill (AB) 617 communities are considered awarded funds; the desire for a participatory a budgeting process.

Committee Action

None; receive and file.

OTHER BUSINESS

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

No requests received.

7. COMMMITTEE MEMBER COMMENTS

None.

8. TIME AND PLACE OF NEXT MEETING

The next meeting of the Finance and Administration Committee was to be held at the Call of the Chair. After the meeting adjourned, the next meeting was scheduled for Wednesday, February 21, 2024, at 10:00 AM, 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.

Draft Minutes - Finance and Administration Committee Meeting of December 20, 2023

CLOSED SESSION (2:28 pm)

9. CONFERENCE WITH LEGAL COUNSEL RE ANTICIPATED LITIGATION (GOVERNMENT CODE SECTIONS 54956.9(a) AND (d)(2))

Significant exposure to litigation pursuant to Government Code section 54956.9(a) and (d)(2): Claim of Terri Levels (1 claim) and Claim of Rex Sanders (1 claim).

Reportable Action: Dr. Philip M. Fine, Executive Officer/APCO, said that there was nothing to report.

OPEN SESSION (2:44 pm)

10. ADJOURNMENT

The meeting was adjourned at 2:44 p.m.

Marcy Hiratzka Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT Memorandum

- To: Chairperson Davina Hurt and Members of the Finance and Administration Committee
- From: Philip M. Fine Executive Officer/APCO
- Date: February 21, 2024
- Re: Air District Compensation Philosophy

RECOMMENDED ACTION

The Committee will consider recommending the Board of Directors adopt the proposed Compensation Philosophy.

BACKGROUND

In November 2022, the Air District received the Management Audit Report of Human Resources. The audit report recommended the Air District adopt a compensation philosophy, providing a foundational framework for our compensation strategy. A compensation philosophy not only articulates guiding principles but also serves as a mission statement, ensuring transparency, accountability, equity, and consistency in our approach to compensation and benefits. Moreover, it defines our competitive market, delineating the talent landscape and positioning us within it.

In June 2023, the Board of Directors approved the FY24 comprehensive compensation package including salaries and benefits for confidential, management, and executive employees. In November 2023, the Board of Directors authorized the memorandum of understanding (MOU) with the Bay Area Air Quality Management District's Employees Association (EA) that provided a comprehensive compensation package for represented employees.

The Human Resources Corrective Action Plan recommended a regularly scheduled review of the Air District's Classification and Compensation system. Compensation Connections, a consulting firm, was hired to develop a compensation philosophy and conduct classification and compensation studies to update the Air District's compensation and classification plans. The first step in the project is to develop a compensation philosophy to align with our strategic goals and to provide clear direction for our compensation decisions moving forward. Compensation Connections completed several stakeholder interviews including current and former Board Chairs, the Air District executive leadership team, and the Employees Association (EA).

DISCUSSION

The Board of Directors will consider the adoption of a Compensation Philosophy for the Bay Area Air Quality Management District. This philosophy, developed in alignment with our strategic plan and organizational values, serves as a foundational framework guiding our approach to employee compensation and benefits. The proposed philosophy emphasizes transparency, accountability, equity, and consistency in compensation practices while also defining our competitive market and strategic direction. Adoption of this philosophy will provide clarity and direction for future compensation decisions, ensuring alignment with our mission of safeguarding air quality and promoting sustainable environmental practices.

The presentation to the Committee is to present the initial findings and propose a formal compensation philosophy for the Air District.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine Executive Officer/APCO

Prepared by:	<u>Regina Soo</u>
Reviewed by:	<u>Lisa Baker</u>

ATTACHMENTS:

1. BAAQMD Compensation Philosophy



BAY AREA AIR QUALITY MANAGEMENT DISTRICT COMPENSATION PHILOSOPHY

MISSION (Revisions currently under consideration)

The mission of the Bay Area Air Quality Management District is to create a healthy breathing environment for every Bay Area resident while protecting and improving public health, air quality, and the global climate.

Air District employees ***are*** the District – they keep the air safe to breathe. This philosophy was created to ensure the Air District can attract, retain, and motivate its valued employees.

AIR DISTRICT VALUES (Revisions currently under consideration)

Five core values drive all aspects of our work together and our vision for the future:

Excellence - Our programs and policies are founded on science, developed with technical expertise, and executed with distinction.

Leadership - We are at the forefront of air quality improvement and pioneer new strategies to achieve healthy air and protect the climate.

Collaboration - We include and engage all stakeholders to create broad acceptance for healthy air solutions.

Dedication - Our staff are genuinely committed to our mission and values.

Equity - We maintain the right of Bay Area residents to breathe clean air.

The Air District's Compensation Philosophy

Our compensation philosophy will provide the framework to guide decision-making about the Air District's various compensation programs, (known as comprehensive compensation).

Our employees at the air district are our most valued resources. The Air District's compensation philosophy must allow us the ability to recruit, retain and engage highly qualified employees capable of delivering world-class public service that ensures community engagement and collaboration; complies with regulatory requirements; and carries out the critical mission of improving air quality and addressing climate change for the residents of nine (9) counties in the Bay Area. This compensation philosophy should also reflect the ability over the long term to keep pace with economic inflation through periodic general wage increases. Compensation should be data-driven to ensure



internal and external pay equity. The Compensation Philosophy should be reviewed periodically to make sure it continues to meet the goals of the Air District.

Our comprehensive compensation must:

- Align with our mission, values, and strategic plan.
- Attract, hire, and retain high-performing professionals supporting the Air District's mission.
- Be applied fairly and equitably across the organization.
- Reflect the Air District's commitment to diversity, equity and inclusion.
- Support continual growth and development of employees throughout their careers.

Comprehensive Compensation

We consider a range of factors when assessing our comprehensive compensation package.

Direct compensation consists of, but is not limited to:

- Salaries
- Contributions to flexible benefits (health, life, vision, dental, long-term disability).
- Contributions to pension/retirement benefits and money purchase pension plan (401a)
- Leave benefits (holiday, annual, floating holiday, sick, and management leaves).
- Transit Subsidy payments.

Non-cash benefits:

- Investments in learning and development
- Employee and team recognition
- Health and Wellness Programs
- A work culture where innovation, dedication, and belonging are recognized and celebrated

OUR TALENT MARKET

The Air District attracts talent from federal, state, and local agencies, the private sector, and other special districts across the region. Candidates apply from across the United States and internationally and many share a strong commitment to our mission. Because we compete with private industry where total compensation is generally higher, we must commit to and continue to offer competitive compensation and benefits and to provide the resources needed to create a workplace where our employees can thrive.



OUR COMPENSATION PROGRAM

Generally paying above market rates for government employers, we also offer workplace flexibility, paid time off, employee wellness benefits, competitive healthcare and retirement benefits. This has been found to allow us to attract top talent and to be recognized as a desirable workplace.

To ensure continued effectiveness:

- Review compensation philosophy every three years.
- Review overall benefits package annually, considering market trends, employee needs, and costs.
- Adjust base pay ranges annually based on economic conditions, budget considerations, and labor agreements.
- Perform a compensation market study every three years for competitiveness.

COMMUNICATION

All information regarding comprehensive compensation is considered public, and we are committed to 100% transparency in our communications about our total compensation packages.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT Memorandum

- To: Chairperson Davina Hurt and Members of the Finance and Administration Committee
- From: Philip M. Fine Executive Officer/APCO
- Date: February 21, 2024
- Re: Air District Sponsorship Program

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Bay Area Air Quality Management District sponsors many events and professional conferences each year. These sponsorships help the Air District showcase programs and initiatives, provide education, training, and networking opportunities for staff, and enhance community partnerships with NGO's, cities, and communities.

The official Air District Administrative Code and policies, including the sponsorship policy, was adopted by the Board of Directors on November 15, 2023.

DISCUSSION

The Air District has developed procedures for how the Air District will receive, review, and make event sponsorship decisions for events and opportunities that will be funded with Air District General Funds. A Sponsorship Request form will be available on the Air District website along with instructions and a description of the decision process. Internally, the process to accept, review and approve/deny sponsorship requests is under development, including selection of staff to participate in a monthly/quarterly sponsorship review panel. This new process does not apply to sponsorships of events that are paid for using state grant funds that are intended to support grant-funded programs, although the evaluation of such sponsorships discussed below would apply. This process will enable the Air District to track the effectiveness of sponsored events, including mapping the audiences who received our messages, confirm the value of the benefits provided and inform decisions about sponsorship requests for the next year.

The External Affairs team will present a summary of the sponsored events to the Board of Directors annually.

Sponsorships are currently budgeted in each division. Tracking and budgeting sponsorships through Public Affairs will enable the Air District to have greater visibility regarding the cost and value of sponsorships annually.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Philip M. Fine Executive Officer/APCO

Prepared by:	<u>Lisa Fasano</u>
Reviewed by:	Viet Tran

ATTACHMENTS:

None