



BOARD OF DIRECTORS
FINANCE AND ADMINISTRATION COMMITTEE

April 17, 2024

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

COMMITTEE MEMBERS

DAVINA HURT – CHAIR
MARGARET ABE-KOGA
DAVID HAUBERT
RAY MUELLER
MARK ROSS

LYNDA HOPKINS - VICE CHAIR
JUAN GONZÁLEZ
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**

**Mountain View City Hall
Committee Room, 2nd Floor
500 Castro Street
Mountain View, CA 94041**

**San Mateo County Hall of Justice
Criminal Justice Training Room, 1st Floor
400 County Center
Redwood City, CA 94063**

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 www.baaqmd.gov/bodagendas.

Members of the public may participate remotely via Zoom at <https://bayareametro.zoom.us/j/83184204608>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 831 8420 4608

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, APRIL 17, 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 (Items 3 - 5)

3. Approval of the Draft Minutes of the Finance and Administration Committee Meeting of March 20, 2024

The Committee will consider approving the Draft Minutes of the Finance and Administration Committee Meeting of March 20, 2024.

4. Updated Air District Procurement Policy and Revised Administrative Code Section 9.4

The Committee will consider recommending to the Board of Directors that the Board (i) adopt amendments to Section 9.4 of the Administrative Code regarding procurement, and (ii) adopt a Procurement Policy to establish procedures for competitive bidding, awarding, administering, and executing contracts for goods and services, leases, and other similar contractual agreements, to become effective July 1, 2024.

5. Financial Update for the Fiscal Year (FY) 2023-2024 Second Quarter Ending December 31, 2023

The Committee will receive the FY 2023-2024 financial update for the second quarter ending December 31, 2023.

ACTION ITEM(S)

6. Proposed Amendments to Air District Regulation 3: Fees

The Committee will consider recommending to the Board of Directors that the Board adopt proposed amendments to Regulation 3, Fees, for Fiscal Year Ending (FYE) 2025. The proposed fee amendments are designed to recover the costs of regulatory program activities in accordance with the Air District's Cost Recovery and Containment Policy. This is a further consideration of the proposed amendments to the fee regulation that the Committee discussed at its March 20 meeting to provide the Committee additional detail. This item will be presented by Fred Tanaka, Manager in the Engineering Division.

7. Air District's Proposed Budget for Fiscal Year 2024-2025

The Committee will resume discussion on the proposed FY 2024-2025 budget and staffing recommendations from its March 20, 2024, meeting and recommend that the Board of Directors hold public hearings and adopt the proposed budget and staffing recommendations. This agenda item is a continuation of the proposed budget item from the March 20, meeting, and Stephanie Osaze, the Director of Finance, will present supplementary budget information in response to the Committee's feedback.

8. Authorization to Execute a Contract with Allison+Partners for the Spare the Air Advertising and Messaging Campaigns

The Committee will consider recommending the Board of Directors authorize the Executive Officer/APCO to execute a contract with Allison+Partners for the Spare the Air Advertising and Messaging Campaigns for up to three years at the Air District's discretion, based on the contractor's performance and available funds, in an amount not to exceed \$1,950,000 per contract year during Fiscal Year Ending (FYE) 2025 and FYE 2026 and \$2,019,000 for FYE 2027. This item will be presented by Kristina Chu, Communications Manager.

9. Funding Community Benefits from Penalty Funds

This is an action item for the Finance and Administration Committee to discuss and consider a policy to allocate penalty funds for community benefits. The policy is proposed to take effect upon approval and be retroactive to the beginning of this fiscal year. Staff requests feedback and direction regarding the proposed policy. If the Committee has no additional requests or direction, staff recommend that the Committee provide a recommendation to the Board of Directors that the Board adopt the attached policy. This item will be presented by Greg Nudd, Deputy Executive Officer, Science and Policy.

INFORMATIONAL ITEM(S)

10. Corrective Action Plan to Implement Recommendations from the Engineering Performance Audit

The Committee will consider and discuss the Corrective Action Plan to implement recommendations from the Engineering Performance Audit. The corrective action plan lays out short-term and long-term actions to address the main audit findings, which focus on: timeliness of permit action, tracking, staffing and workload management, and cost recovery. This item will be presented by Dr. Meredith Bauer, Deputy Executive Officer for Engineering and Compliance, and Pamela Leong, Engineering Division Director.

11. Air District Financial Audit Report for Fiscal Year Ending (FYE) 2023

This is an informational item only and will be presented by the audit partner, Joseph Moussa from Simpson & Simpson LLP.

OTHER BUSINESS

12. 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.

13. 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)

14. Time and Place of Next Meeting

Wednesday, May 15, 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.

15. Adjournment

The Committee meeting shall be adjourned by the Chair.

CONTACT:

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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 spesapati@baaqmd.gov.