

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO. 2023 - 10

**A Resolution of the
Board of Directors of the Bay Area Air Quality Management District
to Approve the Revised Salary Schedule for Fiscal Year Ending 2023 and
Fiscal Year Ending 2024**

WHEREAS, the Board of Directors established Salary Ranges and Classifications on June 10, 1962, pursuant to Resolution No. 270 and has from time to time amended those Salary Ranges and Classifications;

WHEREAS, the Air District Budget for Fiscal Year Ending 2023 and Fiscal Year Ending 2024 includes funds for Board of Director discretionary use in adjusting salaries and fringe benefits for Air District employees;

WHEREAS, the Board of Directors have previously approved employment contracts for the Executive Officer/Air Pollution Control Officer, Chief Operating Officer, and Counsel classifications;

WHEREAS, Title 2 of the California Code of Regulations, section 570.5 requires that public agencies governing boards must approve and adopt pay schedules as standalone documents detailing their pay rates;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors approves the revised salary schedule attached hereto which, consistent with the Budget Fiscal Year Ending 2023 and Fiscal Year Ending 2024; and with contracts with Board appointed management employees, revises the salaries of the Executive Officer/Air Pollution Control Officer and Counsel classifications and adds the Chief Operating Officer classification.

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 HUDSON, seconded by DIRECTOR CARLSON, on the 5th day of JULY, 2023 by the following vote of the Board:

AYES: BRIAN BARNACLE, JOHN J. BAUTERS, KEN CARLSON, NOELIA CORZO, JOELLE GALLAGHER, JOHN GIOIA, JUAN GONZALEZ, DAVID HAUBERT, LYNDA HOPKINS, DAVID HUDSON, DAVINA HURT, TYRONE JUE, SERGIO LOPEZ, RAY MUELLER, KATIE RICE, VICKI VEENKER, SHAMANN WALTON, STEVE YOUNG.

NOES: NONE.

ABSTAIN: NONE.

ABSENT: MARGARET ABE-KOGA, ERIN HANNIGAN, OTTO LEE, MYRNA MELGAR, NATE MILEY, MARK ROSS.

DocuSigned by:

John Bauters

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John J. Bauters

Chairperson of the Board of Directors

ATTEST:

DocuSigned by:

Lynda Hopkins

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Lynda Hopkins

Secretary of the Board of Directors

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
RESOLUTION NO. 2023 - 11**

**A Resolution of the Board of Directors of the Bay Area Air Quality Management District
Adopting Amendments to the Air District's Record Retention Schedule**

WHEREAS, the Board of Directors ("Board") of the Bay Area Air Quality Management District ("Air District") is the governing body of the Air District and is charged with exercising the powers of the Air District pursuant to Health & Safety Code Section 40220;

WHEREAS, the Board has adopted a record retention schedule pursuant to Government Code Section 60201 to specify how long the Air District maintains public records;

WHEREAS, this record retention schedule is implemented by the Air Pollution Control Officer and Air District staff pursuant to Section 11 of Division I of the Air District's Administrative Code, Guidelines for Records Management and Access;

WHEREAS, an audit of the Air District's human resources management identified a shortcoming in the District's records management practices with respect to retention of confidential personnel records;

WHEREAS, the audit found that the Air District was maintaining confidential personnel records longer than legally necessary, and in some cases as long as 40 years after employees had separated from the District;

WHEREAS, to reduce the risk of unauthorized leaks of confidential personnel information, the audit recommended that the Air District revise the record retention schedule to specify that personnel records will be maintained for only as long as is required by statute or other governing principle, consistent with human resources best practices;

WHEREAS, staff have conferred with outside counsel with expertise in personnel matters and have confirmed that pursuant to Government Code Section 12946, personnel records and related files must be maintained for a period of four years after they are initially created or received, and for applicants and terminated employees, such records must be maintained for a period of four years after the employment action is taken;

WHEREAS, staff have prepared the attached revised record retention schedule to incorporate this four-year retention period for personnel records; and

WHEREAS, the Board wishes to adopt this revised record retention schedule to provide that confidential personnel records will be retained for four years as required by law and then destroyed thereafter, which will address the shortcoming identified by the human resources management performance audit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Bay Area Air Quality Management District does hereby adopt the Record Retention Schedule as set forth in Attachment A hereto pursuant to authority granted by law, with instructions to staff to correct any typographical or formatting errors before final publication.

BE IT FURTHER RESOLVED that the Board of Directors of the Bay Area Air Quality Management District does hereby direct staff to implement this revised Record Retention Schedule in accordance with Section 11 of Division I of the Administrative Code.

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 HUDSON, seconded by DIRECTOR CARLSON, on the 5th day of JULY, 2023 by the following vote of the Board:


AYES: BRIAN BARNACLE, JOHN J. BAUTERS, KEN CARLSON, NOELIA CORZO, JOELLE GALLAGHER, JOHN GIOIA, JUAN GONZALEZ, DAVID HAUBERT, LYNDA HOPKINS, DAVID HUDSON, DAVINA HURT, TYRONE JUE, SERGIO LOPEZ, RAY MUELLER, KATIE RICE, VICKI VEENKER, SHAMANN WALTON, STEVE YOUNG.

NOES: NONE.


ABSTAIN: NONE.

ABSENT: MARGARET ABE-KOGA, ERIN HANNIGAN, OTTO LEE, MYRNA MELGAR, NATE MILEY, MARK ROSS.

ATTEST:

DocuSigned by:

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John J. Bauters
Chair of the Board of Directors

DocuSigned by:

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Lynda Hopkins
Secretary of the Board of Directors

Attachment A – Record Retention Schedule

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105

Record Retention Schedule

This schedule is a catalog of all record types employed by the Bay Area Air Quality Management District (Air District) in carrying out the work of the agency. Pursuant to California Government Code section 60201, this schedule and any revisions to the schedule must be adopted by the Air District Board of Directors. This schedule is a component of the Air District's records management program. Guidelines for the records management program are set forth in the Air District Administrative Code, Division I, Operating Policies and Procedures, Section 11. The purpose of this program is to maintain records in a manner that furthers the public purposes of the Air District while ensuring prompt and accurate retrieval of records and compliance with all legal requirements.

For each record type, the schedule establishes a retention period. The record types are sorted by retention period. Certain records will be kept permanently because of their continuing importance to the Air District and the public. For records not kept permanently, the schedule establishes a retention period. The retention period is the period of time that the Air District will keep a record after its "use period" is over. For most records, use occurs at a point in time, with the retention period beginning after this brief active use period. Most of the records in this schedule are of this type.

For certain records, the use period extends over a significant period of time. Examples include building blueprints, equipment manuals, contract documents, and grant documents. For these records, the schedule indicates the triggering event for the running of the retention period.

The substance of a record, rather than the format or medium in which it is held, determines the appropriate category for the record. Thus, paper records, emails, and electronic data alike acquire the retention period of the applicable substantive category.