



Bay Area
Air District

BOARD OF DIRECTORS
MEETING
April 2, 2025

MEETING LOCATION(S) FOR IN-PERSON ATTENDANCE BY
BOARD MEMBERS AND MEMBERS OF THE PUBLIC

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

Office of Contra Costa County
Supervisor John Gioia
Conference Room
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

Office of Santa Clara County
70 W. Hedding St.,
1st Floor Conference Room
San Jose, CA 95110

Scott Haggerty Heritage House
4501 Pleasanton Ave.
Pleasanton, CA 94566

Napa County Administration Building
1195 Third Street, Suite 310
Crystal Conference Room
Napa, CA 94559

San Mateo County
Board of Supervisors Offices
500 County Center, 5th Floor
Redwood City, CA 94063

Santa Rosa Junior College Campus
Doyle Library, Room 148
1501 Mendocino Ave.
Santa Rosa, CA, 95401

Alameda County
Board of Supervisors District 3
101 Callan Ave., Suite 103
San Leandro, CA 94577

Pittsburg City Hall
City Manager's Office
Mayor/Council Conference Room, 301A
65 Civic Ave., 3rd Floor
Pittsburg, California 94565

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 Board of Directors 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/83740602473>, or may join Zoom by phone by dialing (669) 900-6833 or (408) 638-0968. The Webinar ID for this meeting is: 837 4060 2473

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 Board 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 Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Board. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Board meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Board 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.

BOARD OF DIRECTORS MEETING AGENDA

WEDNESDAY, APRIL 2, 2025

10:00 AM

Chairperson, Lynda Hopkins

1. Call to Order - Roll Call

The Board Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Board members.

2. Pledge of Allegiance

3. Special Orders of the Day

CONSENT CALENDAR (Items 4 - 17)

The Consent Calendar consists of routine items that may be approved together as a group by one action of the Board. Any Board member or member of the public may request that an item be removed and considered separately.

4. Approval of the Draft Minutes of the Board of Directors Meeting of March 5, 2025

The Board will consider approving the Draft Minutes of the Board of Directors Meeting of March 5, 2025.

5. Board Communications Received from March 6, 2025, through April 1, 2025

A copy of communications directed to the Board of Directors received by the Air District from March 6, 2025, through April 1, 2025, if any, will be distributed to the Board Members by way of email.

6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the Month February 2025

In accordance with Resolution No. 2012-08 the Board of Directors will receive a list of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000, during the month of February 2025.

7. Personnel Out-of-State Business Travel Report for February 2025

In accordance with Section 1.1.3 of the Air District's Employee Travel and Business Expense Policy, the Board of Directors will be notified of Air District personnel who have traveled on out-of-state business.

8. Authorization to Amend Master Services Agreement with CipherEx, Inc. for Computer Infrastructure Maintenance Services

The Board of Directors will consider authorizing the Executive Officer/APCO to amend the Master Services Agreement with CipherEx, Inc. to increase the maximum dollar amount by \$200,000, from \$218,750 to \$418,750.

9. Authorization to Amend the Master Services Agreement with KBM-Hogue for Workplace Furniture Design, Procurement, and Installation Services at the Air District's Beale Street Headquarters

The Board of Directors will consider authorizing the Executive Director/APCO to amend the Air District's Master Services Agreement with KBM-Hogue to increase the total not-to-exceed amount of the agreement by \$750,000, from \$95,837.25 to \$845,837.25, and to extend the term of the agreement through September 21, 2029, to provide workplace furniture design, procurement, and installation services at Air District's Beale Street Headquarters. This item was recommended by the Finance and Administration Committee at its meeting on March 19, 2025.

10. Reappointment of Three Incumbent Members of the Air District's Hearing Board

The Board of Directors will consider reappointing the incumbent Principal Hearing Board members in the Attorney, Public (A), and Medical Professional seats on the Air District's Hearing Board. The Finance and Administration Committee recommended the reappointment of these three incumbent members at its meeting on March 19, 2025.

11. Authorization to Execute Lease Extension for Oakland East Air Monitoring Site

The Board of Directors will consider authorizing the Executive Officer/APCO to execute an amendment to the Air District's lease agreement with Western Pacific Property, LLC to extend the lease for the Oakland East air monitoring site at 9925 International Boulevard, Oakland, CA 94603 through January 31, 2035. The total estimated cost for the lease extension is \$1,350,554.11.

12. Approval of an Amendment to the Employment Agreement for General Counsel

The Board of Directors will consider approving an amendment to the employment agreement for General Counsel. This item will be presented by Lynda Hopkins, Board Chairperson.

13. Report of the Stationary Source Committee Meeting of March 12, 2025

The Board of Directors will receive a report of the Stationary Source Committee Meeting of March 12, 2025.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

14. Report of the Community Equity, Health, and Justice Committee Meeting of March 12, 2025

The Board of Directors will receive a report of the Community Equity, Health, and Justice Committee meeting of March 12, 2025.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

15. Report of the Policy, Grants, and Technology Committee Meeting of March 19, 2025

The Board of Directors will receive a report of the Policy, Grants, and Technology Committee Meeting of March 19, 2025.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

16. Report of the Finance and Administration Committee Special Meeting of March 19, 2025

The Board of Directors will receive a report of the Finance and Administration Committee meeting of March 19, 2025.

For the full Committee agenda packet and materials, click on the link below:
www.baaqmd.gov/bodagendas

17. Report of the Community Advisory Council Meeting of March 20, 2025

The Board of Directors will receive a report of the Community Advisory Council Meeting of March 20, 2025.

*For the full Council agenda packet and materials, click on the link below:
www.baaqmd.gov/en/about-the-air-district/community-advisory-council/agendasreports*

ACTION ITEM(S)

18. Consideration of State Legislation

The Board will consider adopting positions on pending state legislative bills including, but not limited to, Assembly Bill (AB) 339 (Ortega), AB 1226 (Essayli), AB 1368 (Wallis), Senate Bill (SB) 318 (Becker), and SB 712 (Grove). This item will be presented by Alan Abbs, Legislative Officer.

INFORMATIONAL ITEM(S)

19. United States Environmental Protection Agency (US EPA) Initiatives Under the New Federal Administration and How the Bay Area May be Affected

The Board of Directors will consider and discuss the new federal Administration's stated intent to implement new policies and roll back regulations in a manner that could impact the Air District and air quality in the Bay Area. This item will be presented by Carrie Schilling, Senior Assistant Counsel, Legal Division.

OTHER BUSINESS

20. 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 Board of Directors. Members of the public will have two minutes each to address the Board, unless a different time limit is established by the Chair. The Board welcomes comments, including criticism, about the policies, procedures, programs, or services of the District, or of the acts or omissions of the Board. Speakers shall not use threatening, profane, or abusive language which disrupts, disturbs, or otherwise impedes the orderly conduct of a Board meeting. The District is committed to maintaining a workplace free of unlawful harassment and is mindful that District staff regularly attend Board 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.

21. Board Member Comments

Any member of the Board, 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)

22. Report of the Executive Officer/APCO

23. Chairperson's Report

24. Time and Place of Next Meeting

Wednesday, May 7, 2025, at 9:00 a.m. at 375 Beale Street, San Francisco, CA 94105. The meeting will be in-person for the Board of Directors members and members of the public will be able to either join in-person or via webcast.

CLOSED SESSION

25. Conference with Legal Counsel re Existing Litigation (Government Code Sections 54956.9(a) and (d)(1))

Pursuant to Government Code Sections 54956.9(a) and (d)(1), the Board of Directors will meet in closed session with legal counsel to discuss the following cases:

Stephen (Rex) Sanders v. Bay Area Air Quality Management District, Northern District of California Case No. 23-cv-04416-RFL;

Terri Levels v. Bay Area Air Quality Management District, Northern District of California Case No. 23-cv-04432-RFL;

Lewis Letang v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-01316-RFL;

Rochele Henderson v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-01460-RFL;

Veronica Eady v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-07000-RFL; and

Vanessa Johnson v. Bay Area Air Quality Management District, Northern District of California Case No. 24-cv-06276-RFL.

26. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6

Agency Designated Representatives:

Laura A. Izon, Atkinson, Andelson, Loya, Ruud & Romo

Hyacinth Hinojosa, Deputy Executive Officer of Finance and Administration

Lisa Baker, Director of Human Resources

Employee organization: BAAQMD Employees' Association

OPEN SESSION

27. Adjournment

The Board meeting shall be adjourned by the Board 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 Acting Non-Discrimination Coordinator, Diana Ruiz, at (415) 749-8840 or by email at druiz@baaqmd.gov.