

Portside Community Steering Committee Charter

October 2020

I. BACKGROUND

In response to California Assembly Bill 617 [C. Garcia, Chapter 16, Statutes of 2017], (AB 617), the California Air Resources Board (CARB) established the Community Air Protection Program (CAPP). The Program's focus is to reduce peoples' exposure to air pollutants in the state's most impacted communities.

In 2018 the San Diego Air Pollution Control District (APCD) nominated the Portside Environmental Justice Neighborhoods Community (Portside Community) of San Diego to be included in this CARB-funded program. The Portside Community includes the communities, and portions of the communities of, Barrio Logan, Logan Heights, Sherman Heights, and West National City.

On September 27, 2018, the Portside Community was accepted as one of ten communities within the state to be granted funding to conduct air quality monitoring during the first year of AB 617. Prior to receiving AB 617 funds, the APCD began reaching out to members of the community to discuss areas of mutual interest. These meetings were key to identifying air pollution concerns within the Portside Community and helped start the process of forming community partnerships.

The Portside Community Steering Committee (Steering Committee) held its first meeting on October 25, 2018 and meets monthly to address community concerns regarding air quality and to move the air monitoring program forward.

At the August 27, 2019, Steering Committee meeting the idea of nominating the Portside Community for a Community Emissions Reduction Program (CERP) was discussed and approved by the Committee. Subsequently, the APCD formally nominated the Portside Community for a CERP. This nomination was approved by the California Air Resources Board on December 13, 2019.

The Steering Committee will, therefore, continue with its guidance on the existing air monitoring program as well as on the CERP. This guidance remains advisory in nature as the APCD is responsible for implementing AB 617 programs and is itself guided by the San Diego Air Pollution Control Board. The APCD is committed to working to reduce emissions in the Portside Community and will follow the guidance of the Steering Committee whenever possible and allowed by law.

To facilitate information sharing and dissemination of AB 617-related information, the APCD created the AB 617 webpage at: [Community Air Protection Program Webpage](https://www.sandiegocounty.gov/content/sdc/apcd/en/community-air-protection-program--ab-617-.html) (<https://www.sandiegocounty.gov/content/sdc/apcd/en/community-air-protection-program--ab-617-.html>)

This webpage is the best place to find current information regarding this program and the Community Air Protection Program efforts within San Diego county. Specific webpages and sources of current information are referenced in this document, as appropriate.

This Charter describes the Steering Committee for the Portside Community in San Diego, including its composition (membership), how meetings will be conducted and how information will be made available to its members and the public.

II. STEERING COMMITTEE OBJECTIVES

The Community Air Protection Program (Program) was designed to reduce exposure in communities most impacted by air pollution. The Steering Committee is in place to help the APCD develop a community-focused action framework for community air protection. In the first year, Steering Committee meetings focused on developing air monitoring strategies and concentrated on areas of concern identified by community members.

Objectives for the work of the Steering Committee include, but are not limited to:

- Identifying areas of concern for air pollution sources and sensitive receptors.
- Reviewing existing plans, studies, and reports on air quality to provide strategic input to help the development of a new plan to reduce air pollution in the Portside Community.
- Identify metrics to track progress.
- Disseminating information to the Portside Community.
- Soliciting information from community stakeholders (whom the Steering Committee members represent).

In the second year of the CAPP, the Steering Committee will continue to advise the APCD on the air monitoring program as well as on developing the Community Emissions Reduction Program (CERP) for the Portside Community. This added focus on emissions reduction strategies has the potential for generating a valuable diversity of opinion that will help in developing an effective approach in reducing air pollutant emissions in the Portside Community.

III. STEERING COMMITTEE MEMBERSHIP

A. Steering Committee Membership Criteria and Selection

The Steering Committee is comprised of an odd number of members. Residents of the Portside Environmental Justice Neighborhoods Community (Portside Community) must represent more than half of the Committee. Individuals interested in serving on the Steering Committee must apply to the APCD. The application can be found on the Steering Committee's webpage. The APCD's Steering Committee Coordinator will be responsible for ensuring that a majority of the Steering Committee members are local community representatives.

The current Steering Committee roster can be found at:

<https://www.sdapcd.org/content/sdc/apcd/en/community-air-protection-program--ab-617-/documents.html>

The APCD will maintain an updated list on the Steering Committee website. The Steering Committee members must include individuals residing, working, or owning businesses within the Portside Community, with residents being in the majority. Other members may include, but are not limited to: local, community-based environmental justice organizations; local public health organizations that work within the Portside Communities; schools; academic researchers; labor unions; land use planning agencies; city/county officials; transportation agencies; local investor-owned utilities; locally-based business associations, and workers or managers from the larger industrial sources located in the Portside Communities.

The Steering Committee is open to individuals meeting the requirements listed above, although its membership will be limited to a maximum of 29 voting members to help ensure it operates effectively and efficiently. Each Steering Committee primary member can designate an alternate member for times when the primary member is unable to attend. Alternates members should reside in the same area as the primary member for whom they are substituting and for those substituting for a business or other entity, they must be formally associated with the same entity the Primary member normally represents.

B. Terms of Appointment

Membership on the Steering Committee is voluntary. The application and instructions for Steering Committee membership is on the APCD's AB 617 website.

For many, there will be a learning curve associated with air quality issues in the Portside Communities. Therefore, the Steering Committee terms are for two (2) years and Committee members may choose to extend their commitment to additional appointments. In cases where the cap on committee size has been reached, renewing members may serve one (1) additional year and take precedence over nominations for new members, although maintaining balanced representation amongst the neighborhoods in the Portside Community will be considered for all appointments of new and renewing members. For new members that are not familiar with air quality issues, District staff will prepare onboarding materials to bring them up to speed.

The Steering Committee expects members to complete their entire term of appointment on the Committee. However, a Steering Committee member may resign at any time by written notice to the District's Steering Committee Coordinator. The Steering Committee encourages all members who plan to resign to help find a replacement within the same category of membership (e.g., Community, Industry, etc.).

C. Stipend for Steering Committee Members

The APCD provides stipends to assist Steering Committee members covering some time and expenses associated with attending the Steering Committee meetings. Stipends are important to support participation and encourage meaningful community engagement throughout these processes. On October 13, 2020, the Steering Committee unanimously approved the following protocol and eligibility criteria:

- Revise the contract with the neutral facilitator to authorize payment of stipends
- Only community residents will be eligible for stipends
- Community resident voting members receive a stipend of \$75 for each AB 617 Steering Committee meeting attended starting with the January 2020 meeting
- Current community resident voting members may receive a stipend of \$75 for each past AB 617 Steering Committee meeting attended between January 2020 to September 2020
- Each eligible member receiving a stipend is required to fill out a W-9 form
- Eligible members may choose to not collect a stipend for any reason without explanation

APCD's stipend protocol derives from CARB's stipend guidance:

https://ww2.arb.ca.gov/sites/default/files/2020-08/1--Community%20Air%20Protection%20Program_Draft%20Guidance_Stipends.pdf

IV. STEERING COMMITTEE MEETINGS

A. Steering Committee Meeting Information

Regular Steering Committee meetings are held monthly during the evening hours of 6 p.m. to 8 p.m. at Perkins Elementary School, 1770 Main St, San Diego, CA 92113, in the multipurpose room. The Steering Committee may decide to hold meetings at alternate locations within the Portside Community with advance notice. Depending on logistics and bandwidth considerations, the District will explore the option of broadcasting meetings virtually.

The location and times are designed to accommodate committee members and members of the public who have other obligations during the day. The dates, times, and locations of meetings may be changed by mutual consent of Steering Committee members with advanced notice. The APCD website will post the locations, dates, times, and agendas of the Steering Committee meetings.

All Steering Committee meetings are open and accessible to the public. Members of the public will be allowed to speak on any item within the Steering Committee's area of focus and they may speak on specific items before or during the group's consideration of any item. All documents used during meetings will be available to the public.

Meeting agendas will be posted on the Districts website 72 hours in advance of the meetings in English and in Spanish. Steering Committee members will need to provide proposed agenda items to the APCD Steering Committee Coordinator at least 10 days prior to the date of the

upcoming Steering Committee meeting where the item is to be placed on the agenda and discussed. Meetings will adhere to the published agendas.

Spanish language interpreters will be present at every meeting.

B. Virtual Remote Meetings

If meetings cannot be held in person due to public health safety orders or other extenuating circumstances, District staff will work with the facilitator to set up a virtual teleconferencing system (Zoom, Skype, or any other accessible system) with two-way communication options that allows either computer-users or phone-users to engage and provide public comment. Steering Committee members and members of the public will also have the option to submit comments prior to the meeting's start, such as via email or a dedicated phone number. District staff will ensure that there is time for public comment after each agenda item during the meeting and allow sufficient time for live comments to be submitted either electronically or via telephone. The District will provide a separate teleconference line or audio channel for Spanish language interpretation. To ensure Steering Committee actions are recorded accurately, the facilitator will request a roll call vote from voting members after a motion is seconded.

Meeting agendas and instructions on how to join the meeting will be posted in the District's website 72 hours in advance of the meetings in English and Spanish.

C. Meeting Decorum

The success of the Steering Committee depends upon the full participation of all committee members. The Steering Committee will recognize and adhere to the following meeting rules and guidelines of participation:

- Create space for everyone to contribute.
- Only one person speaks at a time.
- Listen to each other.
- Respect each other's opinions, knowledge, and perspectives.
- Be conscious of time constraints.
- Silence cell phones.

A professional and impartial facilitator will be used for moderating the Steering Committee meetings, documenting the meetings, and for helping the committee reach consensus on issues.

The use of a professional and impartial facilitator to lead Steering Committee meetings was first discussed at the April 23, 2019, Steering Committee meeting. After bids for these services were received and reviewed, the Steering Committee agreed to the selection of a facilitator at their September 24, 2019, meeting. Professional facilitator services have been in place since the October 29, 2019, Steering Committee meeting.

The role of the professional facilitator is to:

- Help the Steering Committee focus on program objectives and to address community concerns.
- Increase participation of all Steering Committee members.
- Lead discussions and reach consensus on issues before the Steering Committee.
- Guide the Steering Committee through conflict resolution discussions when needed.
- Document meeting notes.

D. Meeting Attendance

Steering Committee members are expected to attend every meeting. When Steering Committee members are unable to attend a meeting, it is important that they inform the APCD Steering Committee Coordinator as soon as possible prior to the meeting and have their alternate attend whenever possible.

Attending Steering Committee members must sign in on the attendance sheet at each meeting. An example attendance sheet is provided as an appendix. The attendance sheet will also be used to record any votes taken by the Steering Committee during the meeting.

Once signed-in, the Steering Committee member will sit at the committee table. If the primary and the alternate member are both present, only the primary member may cast votes.

Steering Committee Members who miss three consecutive meetings may be removed and replaced by a similar category of membership (e.g., community resident, industry, etc.). This applies to the primary members and their alternates (when the alternates were expected to attend but failed to be there). The APCD's Steering Committee Coordinator will be responsible for tracking attendance and will contact the Steering Committee member after any missed meetings where the Steering Committee Coordinator was not informed in advance of the member's pending absence. If the Steering Committee member misses a third consecutive meeting the APCD may recommend that the member be removed from the Steering Committee.

E. Quorum Requirements

The Community Steering Committee Meetings are public in nature, with speakers and participants frequently traveling long distances to attend. Therefore, meetings will not be continued or cancelled unless there is enough time to reschedule and notify all affected parties.

While the Steering Committee will generally follow the intent of the Brown Act and its guidelines, there is no legal requirement that a quorum of Steering Committee members be present to hold a Steering Committee meeting. However, voting on agenda items must be conducted only when a quorum of Steering Committee voting members is present.

A quorum is normally achieved with a simple majority of voting Steering Committee members being present. A quorum of the Steering Committee will be defined as one-half of the Steering Committee voting membership, plus one additional voting member.

F. Voting on Agenda Items

Agenda items for some issues may require a vote of the voting members of the Steering Committee. Voting should only commence following discussion of the item during the meeting by the Steering Committee members. Note the public may also make comments during the meeting. Again, there must be a quorum of voting members (as defined above) physically or virtually present at the meeting. Steering Committee members must be present in the meeting in order to cast their vote on any item and they cannot vote by telephone or other means if they are not present in the meeting, unless the meeting is being conducted virtually.

After an agenda item has been discussed and a Steering Committee action on that item is required, a motion must be made by a voting Steering Committee member and seconded by another voting member in order for the item to move forward. The facilitator will then restate the motion and ask for a show of hands in favor of the motion, and a show of hands for against the motion. The vote counts will be recorded on the sign-in/voting form and announced. Alternate members can only act (motion, second, and vote) on agenda items if their designated primary voting member is not present.

Any member of the Steering Committee may ask for a roll call vote. When a roll call vote is requested, the facilitator will call on each member at the table for their vote and the votes will be recorded on the sign-in/voting form. The results will be announced after the votes have been compiled. In cases where the meeting is held virtually, a roll call vote will be conducted after a motion is seconded to ensure Steering Committee actions are recorded accurately.

Although the Steering Committee is designed to have an odd number of members, a voting quorum at a meeting may be comprised of an even number of members. This could result in a tie vote on a specific item. If this occurs, the Committee may decide to continue discussions and voting until an agreement is reached. Alternatively, the Committee can decide to continue the item to the next meeting.

Issues that are continued will be added to a future meeting agenda, where additional information or discussion may be required to reach an agreement. All voting will be held in public during Steering Committee meetings. The Steering Committee will not conduct any e-mail voting on issues outside of public meetings.

G. Approving Letters of Support

Occasionally, the Steering Committee votes to sign on to letters pertaining to policies, programs or grant applications related to air quality in the Portside Community. On October 13, 2020, the Steering Committee unanimously approved the following protocol to lay out a clear process for approving letters of support.

1. To ensure all Steering Committee members are given time to review letters for consideration, proposed letters will be sent to the Steering Committee members at least one week prior to our next scheduled Steering Committee meeting.

2. All proposed letters will be voted on in compliance with the voting procedures detailed in the Portside Community Steering Committee's Charter. A quorum of voting members must be present to vote on the letter. A simple majority of voting members present can approve the letter. Steering Committee members with a potential conflict should abstain from a vote on letters. (For example, an agency representative should not vote on behalf of a letter being sent to that same agency.)
3. Letters approved by the Steering Committee will be signed by the "Portside Community Steering Committee" and not individual Steering Committee members or their organizations. Letters may use an approved Portside Community Steering Committee letterhead developed by the San Diego Air Pollution Control District.
4. The final approved letter will be officially transmitted to the receiving entity by the AB 617 Coordinator or another staff person from the San Diego Air Pollution Control District.
5. Any letter brought forth to the Steering Committee for consideration should have a clear nexus with the Steering Committee objectives to improve air quality in the Portside Community.

H. Conflict Resolution

The Steering Committee has retained the services of a professional and impartial facilitator to lead Steering Committee meetings. The firm and their principal advisors were chosen for their experience in facilitating meetings focused on air quality issues throughout the state and their expertise in helping groups with varied opinions come together and reach agreement on issues.

The Steering Committee will therefore rely on the meeting ground rules listed above and the leadership and experience of the professional facilitator to get issues resolved within the group without conflict. The history and working relationship of the Steering Committee provides confidence that the Steering Committee will be able to reach constructive decisions through discussions and collaboration, thusly avoiding conflicts.

I. Charter Revisions

This Charter shall be reviewed annually by the Steering Committee. The review may conclude that no revisions are needed, and the existing Charter will remain in effect. If, however, minor revisions are needed, these can be adopted by a vote at a noticed Steering Committee meeting. Should the Steering Committee decide that major revisions are needed, it will form a working group that will draft the needed changes to be considered by the full Steering Committee at a future meeting. After the draft proposed changes are created, they will be 1) Distributed to all Steering Committee members, 2) Placed on the AB 617 website, and 3) Added to the agenda for a future Steering Committee meeting where the changes will be discussed publicly and, possibly, voted on by the Steering Committee if they believe the document is ready for a vote.

J. Charter Subcommittees and Working Groups

The Steering Committee may decide that a subcommittee or working group needs to be formed to conduct further research or data gathering on a specific issue. In these cases, the Steering Committee will determine the scope of the subcommittee/working group and will ask for volunteers among the Steering Committee to be on the subcommittee/working group. The size of the subcommittee/working group should be large enough to include many opinions yet small enough to operate efficiently. Members of the public can also be members of the subcommittee/working group.

The Steering Committee will conduct a vote to form a subcommittee/working group, determine its scope of work, and define a timeframe for the subcommittee/working group to report back to the full Committee. Participation of Steering Committee members on the subcommittee/working group must be limited so as not to represent a quorum of Committee members.

APPENDICES:

Steering Committee Application Form

COMMUNITY OF PORTSIDE DISADVANTAGED NEIGHBORHOODS STEERING COMMITTEE APPLICATION FORM

NAME: _____

PHONE NUMBER: _____

E-MAIL ADDRESS: _____

AFFILIATION:

☐Community

☐City of San Diego

☐Utility (Power)

☐Academia

☐Port of San Diego

☐Other Agencies

☐Medical Expert

☐SANDAG

☐Industry

☐US Navy

REQUEST FOR: ☐Primary Member ☐Alternate Member

INTEREST IN PARTICIPATION: What special knowledge, experience, or perspective can you provide?

☐I have read and agree to the requirements listed in the Steering Committee Charter.

Print Name: _____

Signature: _____

Date: _____

Attendance and Voting Sheet

Portside Communities Steering Committee Attendance and Vote Sheet

Date: _____

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