

AB 617 Community Steering Committee Charter

ARTICLE I. AUTHORITY.

This Charter is adopted by Board of the Imperial County Air Pollution Control District, (Imperial County Board of Supervisors (BOS) convenes as “District Board”) hereinafter referred to as “District Board,” for the AB 617 Community Steering Committee, hereinafter referred to as the “Committee,” to establish rules, policies, and procedures for its proceedings. In coordination with the Imperial County Air Pollution Control District, hereinafter referred to as “District,” and local environmental justice organization Comité Civico del Valle, Inc., hereinafter referred to as “CCV”, the Committee was established by the District Board pursuant to Resolution No. 18-37, under the statutory authority of California Assembly Bill 617, hereinafter referred to as “AB 617.” AB 617 is designed to implement a strategy to reduce emissions of toxic air contaminants and criteria pollutants in environmental justice communities affected by a high cumulative exposure burden, and provide education to these communities to increase awareness on air quality matters, which will lead to positive behavioral change that improves air quality.

Notwithstanding the partnership between the District and CCV, the District is the responsible agency for administering AB 617 activities, including but not limited to the implementation of the Community Emissions Reduction Program and Community Air Monitoring Plan, hereinafter referred to as “Program(s).” As such, final decision-making authority regarding AB 617 activities shall reside with the District’s Air Pollution Control Officer and/or the District Board, as required by law.

ARTICLE II. PURPOSE.

The purpose of the Committee is to support active community involvement and collaboration in the development of the Program(s) by providing a forum for identifying community issues and potential solutions with all relevant parties. The Committee is to also support the development of a Community Emissions Reduction Program and Community Air Monitoring Plan, to help establish new Program(s) and/or expand upon any existing Program(s).

The Committee shall be responsible for discussing and providing recommendations to the District Board regarding the development and implementation of the Program(s), including but not limited to:

1. Determination of the final boundaries of the community to be served under the Program(s);
2. Community profile and technical assessment;
3. Approaches for community engagement and outreach;

4. Mechanisms for engaging with other agencies;
5. Issues and sources contributing to the community's air pollution challenges;
6. Responsibility/authority of government agencies, non-profit entities, and other community members to address air pollution challenges;
7. Strategies for developing/implementing the Program(s);
8. Program(s) targets and strategies;
9. Program(s) Enforcement; and
10. Metrics to track Program(s) progress.

ARTICLE III. COMMITTEE MEMBERS.

3.1. Number and Appointment. The Committee shall consist of fifteen (15) voting members appointed by the District Board. Thirteen (13) members shall be appointed in accordance with the appointment and application process discussed below. Two (2) members, including the District's Air Pollution Control Officer and the CCV Executive Director (or their respective designees), shall serve as *ex officio* members.

3.2. Qualifications. Each member of the Committee shall either reside, work, or own businesses within the community corridor (Calexico-Heber-El Centro), as defined by the Community Air Protection (CAP) Program(s) and CAP Blueprint. Additionally, each member shall meet the qualifications of his or her position as set forth in Section 3.3 below.

3.3. Composition. The fifteen (15) voting members shall include:

1. One (1) the District's Air Pollution Control Officer, or his/her designee, *ex officio*;
2. One (1) Executive Director of CCV, or his/her designee, *ex officio*; and
3. Thirteen (13) members including individuals, community-based organizations, affected sources and local government bodies in the affected community (Calexico-Heber-El Centro) pursuant to AB 617.


3.4. Alternates. Each Committee member specified in Section 3.3 may designate one (1) alternate from the pool of submitted applications, subject to approval by the District Board.


3.5. Committee Appointment and Application Process. The District Board shall appoint Committee members in the following manner:

1. The positions of Air Pollution Control Officer and CCV Executive Director are *ex officio* members and shall serve as Co-Chairpersons in accordance with Article IV of this Charter.
 2. The remaining positions shall be appointed in compliance with a standardized application process including but not limited to submitting an application form to the District including information (as necessary) to demonstrate the applicant's interest in the community corridor pursuant to AB 617.
 3. Applications for the appointment of Committee members shall be assembled by the Clerk of the Committee.
 4. Persons applying in accordance with the above-mentioned process shall be recommended by the Co-Chairpersons and appointed by a majority of the District Board in accordance with all applicable laws. In the event a consensus cannot be reached among the Co-Chairpersons, all applications shall be submitted to the District Board for consideration. Committee members serve at the pleasure of the District Board, and may be removed from office by a majority vote of the District Board.
- 3.6. Term of Appointment. The term of appointment for *ex officio* members shall be coterminous with his or her qualifying position. All other Committee members shall be appointed for a term of two (2) years. Once the initial term is fulfilled, the non- *ex officio* Committee members shall make a succeeding application for a full two (2) year term in accordance with the above-mentioned application process. At the conclusion of any term, a Committee member may be reappointed by the District Board to a subsequent two (2) year term.
- 3.7. Resignation. A Committee member may resign effective on giving written notice to the Clerk of the Committee and the Co-Chairpersons, unless the notice specifies a later date for his/her resignation to become effective. The Clerk of the Committee shall enter the notice in the proceedings of the Committee. The acceptance of a resignation shall not be necessary to make it effective.
- 3.8. Vacancies. Vacancies occurring on the Committee shall be automatically filled by the respective designated Alternate. In the case of the vacancy of an Alternate, the District Board shall appoint a replacement from the pool of submitted applications.

ARTICLE IV. OFFICERS AND ADVISORS.

- 4.1. Designation of Officers. Officers of the Committee shall be as follows:

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1. The two *ex officio* members shall serve as Co-Chairpersons of the Committee and preside over all Committee meetings, rotating as presiding Chairperson every other meeting. If the Co-Chairperson scheduled to preside over a Committee meeting is absent, the absent Co-Chairperson's designated alternate will preside over Committee meeting. If the Co-Chairperson and their designated alternate are both absent, the other Co-Chairperson, or their designated alternate, shall preside over the Committee meeting. If both Co-Chairpersons are absent, the Committee members present will select one Committee member to act as temporary Chairperson to conduct the meeting.
 2. A Clerk of the Committee shall attend all the Committee meetings, develop meeting agendas, keep the minutes, witness signatures on all documents executed on behalf of Committee, give notice of all meetings of the Committee, as required by law, and have other duties as resolved by the Committee. The Clerk of the Committee shall not be a member of the Committee and shall be appointed by the District. An Assistant Clerk shall perform the duties of the Clerk in the Clerk's absence. The Assistant Clerk shall not be a member of the Committee and shall be appointed by the District.
- 4.2 Resignation. A Co-Chairperson may resign effective on giving written notice to the Clerk of the Committee, unless the notice specifies a later date for his/her resignation to become effective. Upon receipt of such notice, the Clerk shall notify the other Co-Chairperson, and shall enter the notice in the proceedings of the Committee. The acceptance of a resignation shall not be necessary to make it effective.
- 4.3 Designation of Advisors. Advisors to the Committee shall include, but not be limited to:
1. Consultants. The Committee may request the services of consultants, advisors, and independent contractors as are deemed necessary and desirable in implementing and carrying out the purposes of the Committee. Such requests shall be granted at the discretion of the District Board and shall be subject to available funding.
 2. General Counsel to the Commission. The Office of County Counsel of Imperial County shall serve as counsel to the Committee.
- 5.1. Regular and Special Meetings. The Committee shall establish the time and place for its regular meetings. The date, hour, and location of regular meetings shall be fixed by resolution of the Committee. The Committee shall hold at least one regular meeting each month of every calendar year. In the event of a lack of agenda topics, pending technical analysis, or any other reason; the Committee shall hold a vote to determine if the following scheduled monthly meeting is canceled. Special meetings and adjourned meetings may be held as required or permitted by law.



5.2. Notice. All meetings of the Committee, including, without limitation, regular, special and adjourned meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

5.3. Attendance and Participation. Committee members are expected to attend each Committee meeting in person. When a member has failed to attend three (3) consecutive meetings in person (without a leave of absence) or half the meetings in any twelve (12) month period, the Co-Chairpersons shall be notified. The Co-Chairpersons and Committee members shall discuss the absences, the reason(s) for the absences, and the impact of the absences on the Committee. Corrective action, if necessary, will be determined on a case-by-case basis by the Committee.


A Committee member may request a leave of absence. A request for a leave of absence shall be made in writing to the Committee Co-Chairpersons at any point during a Committee member's term for reasons of health, work, or other temporary circumstance. The decision to approve the leave of absence rests with the Co-Chairpersons. In the event a consensus cannot be reached between the Co-Chairpersons, the District Board shall make the final decision. A leave of absence shall not exceed three (3) months.


5.4. Quorum. A majority of current members of the Committee not on a leave of absence shall constitute a quorum. Vacant seats shall not count as "current members." Each member of the Committee, including the two *ex officio* members, shall be entitled to one (1) vote. A vote of the majority of the members present with at least a quorum in attendance shall be required to take action, and/or make a recommendation, except for adjournment of a meeting which shall require only a majority of those present, and as provided in Section 5.8. No proxy or absentee voting shall be permitted.

5.5. Special Meeting. Notice of any special meeting shall be made in compliance with the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

5.6. Conduct of Business.


1. Items on the agenda will be considered in order unless the presiding Chairperson announces a change in the order of consideration.
2. Unless an agenda item identifies a particular source for a report, such as the Co-Chairpersons or Committee members, the Committee members and/or its advisors shall first report on the item. The item will then be open to public comment upon recognition of the speaker by the presiding Chairperson.
3. Confidential information shall not be subject to disclosure at meetings of the Committee.

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- 5.7. Resolutions and Motions. All official acts of the Committee shall be taken either by resolution or a motion, duly made, seconded and adopted by a vote of the Committee members. Any Committee member, including the Co-Chairpersons, may make motions and seconds.
 - 5.8. Voting. All actions of the Committee shall be adopted by an affirmative vote of a majority of the Committee members present and eligible to vote, provided that at least a quorum of Committee members are present and eligible to vote. Any act of the Committee shall be accomplished by a roll call vote when such a vote is requested by any member in attendance.
 - 5.9. Motions to Reconsider. A motion to reconsider the vote on an agenda item may not be made at the meeting at which the item was acted upon. Such motions may be made at the subsequent Committee meeting, if the agenda item was not a hearing required by law, and the Committee member making the motion voted on the prevailing side of the agenda item sought to be reconsidered. If the item was a hearing required by law, a motion to reconsider may not be made.
 - 5.10. Disqualification from Voting. A Committee member shall be disqualified from voting on any contract or any other matter in which he/she has a financial interest, as required by law.
 - 5.11. Minutes. The Clerk of the Committee shall prepare the minutes of each meeting of the Committee. The minutes shall be an accurate summary of the Committee's consideration of each item on the agenda, and an accurate record of each action taken by the Committee. At a subsequent meeting, the Clerk shall submit the minutes to the Committee for approval by a majority vote of the Committee members in attendance at the meeting covered by the minutes. Once approved, the Clerk will sign the minutes and keep them with the proceedings of the Committee. The official Minutes, as approved by the Committee, recording any motions or actions taken by the Committee, shall be prepared and submitted to the Clerk of District Board.
 - 5.12. Public Records. All records of the Committee shall be kept and provided to the public in accordance with the provisions of the California Public Records Act (commencing with Section 6250 of the California Government Code).
 - 5.13. Adjournment. The Committee may adjourn any meeting to a time and place specified in the resolution or motion of adjournment, notwithstanding less than a quorum may be present and voting. If no members of the Committee are present at regular or adjourned meeting, the Clerk may declare the meeting adjourned to a stated time and place and shall cause written notice to be given in the same manner as provided for special meetings, unless such notice is waived as provided in Section 5.2 of these Bylaws for special meetings. A copy of the order or notice of adjournment shall be posted as required by applicable law.
 - 5.14. Reports. On or before January 31st of each year, the Committee shall submit an annual report to the District Board. A draft of the report shall be provided to and approved by the



Committee before its submission to the District Board. The report shall highlight the activities, accomplishments, and future goals of the Committee.

- 5.15. Progress Reports. The District Board may request the Committee to submit progress reports and recommendations at any time. The Committee shall respond to such requests within a reasonable period of time. Progress reports and recommendations shall be provided to and approved by the Committee before its submission to the District Board.
- 5.16. Communications with the Public. Public participation in Committee meetings shall be allowed as follows:
1. An opportunity for members of the public to directly address the Committee on any item on the agenda of interest to the public shall be provided before or during the Committee's consideration of the item.
 2. The agenda will provide for public comment on items not on the agenda which are within the subject matter jurisdiction of the Committee at the beginning of each regular meeting agenda. The total time for public comment on matters not on the agenda shall not exceed fifteen (15) minutes, and each speaker is limited to a maximum of three (3) minutes.
 3. The presiding Chairperson of the Committee may establish reasonable limits on the amount of time allotted to each speaker on an item, and the Committee may establish reasonable limits on the total amount of time allotted for public testimony on an item. When further discussion is required, the Committee may vote to allow time in the agenda of the following meeting.
- 5.17. Robert's Rules of Order. To the extent that conduct of the meetings is not governed by this Charter or the Ralph M. Brown Act, the current edition of Robert's Rules of Order shall apply.
- 5.18. Stipend. Each Committee member, with the exception of the Air Pollution Control Officer or his/her alternate, shall receive a stipend of seventy-five dollars (\$75) per Committee meeting attended (excluding any subcommittee meetings), subject to the availability of AB 617 funding. A Committee member shall not be entitled to a stipend if he or she is more than thirty (30) minutes late to a Committee meeting, or leaves more than thirty (30) minutes early.
- 6.1. Appointment. The Co-Chairpersons of the Committee may establish such ad-hoc advisory subcommittees ("Subcommittees") as they deem necessary. Such Subcommittees must be composed of less than a quorum of voting Committee members. The Co-Chairpersons of the Committee may designate one (1) or more alternates for the Subcommittees to serve during any absences.

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- 6.2. Authority. All Subcommittees are advisory only, and may be dissolved at any time upon a majority vote of the Committee.
 - 6.3. Meetings. Meetings of Subcommittees shall be held at times and places determined by resolution of the Committee. A majority of those Committee members assigned to a Subcommittee shall constitute a quorum.

This Charter may be amended only by an approved motion or resolution of both of the Committee and the District Board after properly noticed meetings. This Charter shall be reviewed on at least an annual basis.

This Charter was approved by the Imperial County Air Pollution Control Board on March 19, 2019