



CITY SELECTION COMMITTEE
THURSDAY, JANUARY 9, 2020
6:40 PM OR IMMEDIATELY FOLLOWING LEGISLATIVE ACTION COMMITTEE
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

Discussion & action may be taken on any of the following items.

1. Welcome & Roll Call 6:40 PM
2. Consideration of approval of consent agenda consisting of the September 12, 2019 Minutes
3. Consideration of appointment to the Santa Clara Recycling & Waste Reduction Division (RWRC):
 - South County (Gilroy, Morgan Hill)
 - Term Expires 12/23 (previously served by Hon. Cat Tucker, Gilroy, who is termed out)
4. Consideration of appointment to Bay Area Air Quality District (BAAQMD):
 - Term Expires 3/2022 (currently held by Hon. Liz Kniss, Palo Alto)
 - The term is a two-year term and will begin April 2020 and run until March 2022.
5. Consideration of appointment to Santa Clara County Emergency Operation Area Council (EOAC):
 - North County (Palo Alto, Mountain View, Los Altos, Los Altos Hills): recently held by Hon. Lisa Matichak who resigned this position.
 - Term: Expires in 6/2020
6. Public comment 6:50 PM
7. Adjourn 6:55 PM

Please send letters of interest/support to csc@citiesassociation.org by Thursday, January 2, 2020. Nominations may also be received from the floor.



CITY SELECTION COMMITTEE MINUTES
THURSDAY, SEPTEMBER 12, 2019 | 6:40 PM
CITY OF SUNNYVALE | WEST CONFERENCE ROOM
456 WEST OLIVE | SUNNYVALE, CA 94088

Item 1: City Selection Committee Chair & Mayor Manny Cappello (Saratoga) called the meeting to order at 6:40 PM.

Campbell	
Cupertino	Rod Sinks
Gilroy	
Los Altos	Jan Pepper
Los Altos Hills	
Los Gatos	Marico Sayoc
Milpitas	Carmen Montano
Monte Sereno	Rowena Turner
Morgan Hill	Rene Spring
Mountain View	Lisa Matichak
Palo Alto	
San José	Chappie Jones
Santa Clara	Debi Davis
Saratoga	Manny Cappello
Sunnyvale	Gustav Larsson

Also present: Andi Jordan, Executive Director

ITEM 2. Consideration of approval of consent agenda consisting of June 13, 2019 Minutes.

Motion: Councilmember Debi Davis (Santa Clara)

Second: Councilmember Carmen Montano (Milpitas)

Motion passes unanimously.

AYES: 11-0 Sinks/Cupertino, Pepper/Los Altos, Sayoc/Los Gatos, Montano/Milpitas, Turner/Monte Sereno, Spring/Morgan Hill, Matichak/Mountain View, Jones/San José, Davis/Santa Clara, Cappello/Saratoga, Larsson/Sunnyvale

NAYES: 0

ABSTENTIONS: 0

ABSENT: 4 Resnikoff/Campbell, Velasco/Gilroy, Wu/Los Altos Hills, Kniss/Palo Alto

ITEM 3. Consideration of recommendations to the Santa Clara Emergency Operation Area Council (EOAC) for appointment by the Santa Clara County Board of Supervisors:

- ***South County & West Valley Cities (Gilroy, Morgan Hill, Cupertino, Los Gatos, Campbell, Saratoga, Monte Sereno)***

Term Expires 9/19 (currently served by Hon. Rob Rennie)

Nomination for Los Gatos Councilmember Rob Rennie

Motion: Councilmember Debi Davis (Santa Clara)

Second: Vice Mayor Chappie Jones (San José)

Motion passes unanimously.

AYES: 12-0 Resnikoff/Campbell Sinks/Cupertino, Pepper/Los Altos, Sayoc/Los Gatos, Montano/Milpitas, Turner/Monte Sereno, Spring/Morgan Hill, Matichak/Mountain View, Jones/San José, Davis/Santa Clara, Cappello/Saratoga, Larsson/Sunnyvale

NAYES: 0

ABSTENTIONS: 0

ABSENT: 3, Velasco/Gilroy, Wu/Los Altos Hills, Kniss/Palo Alto

- ***Central County Cities (Milpitas, Sunnyvale, Santa Clara)***

Term expires 9/19 (currently served by Hon. Debi Davis, Santa Clara)

Alternates:

- ***South County & West Valley Cities (Gilroy, Morgan Hill, Cupertino, Los Gatos, Campbell, Saratoga, Monte Sereno)***

Term expires 9/19 (currently served by Hon. Liz Gibbons, Campbell)

- ***Central County Cities Seat (Milpitas, Sunnyvale, Santa Clara)***

Term expires 9/19 (currently served by Hon. Russ Melton, Sunnyvale)

Nominations:

- **Councilmember Debi Davis for Central Counties**
- **Councilmember Liz Gibbons for Alternate South & West Valley Cities**
- **Vice Mayor Russ Melton for Alternate Central County Cities**

Motion by Councilmember Rod Sinks (Cupertino)

Second by Vice Mayor Chappie Jones (San José)

Motion passes unanimously.

AYES: 12-0 Resnikoff/Campbell Sinks/Cupertino, Pepper/Los Altos, Sayoc/Los Gatos, Montano/Milpitas, Turner/Monte Sereno, Spring/Morgan Hill, Matichak/Mountain View, Jones/San José, Davis/Santa Clara, Cappello/Saratoga, Larsson/Sunnyvale

NAYES: 0

ABSTENTIONS: 0

ABSENT: 3, Velasco/Gilroy, Wu/Los Altos Hills, Kniss/Palo Alto

ITEM 4. No public comment was received.

ITEM 5. Meeting was adjourned at 6:50 PM.

Respectfully submitted,
Andi Jordan
Executive Director

Minutes approved on DATE

Motion:

Second:

AYES:

NAYES:

ABSTENTIONS:

ABSENT:

County of Santa Clara

Recycling and Waste Reduction Commission
Recycling and Waste Reduction Division

1555 Berger Drive, Building 2, Suite 300
San Jose, California 95112
(408) 282-3180 FAX (408) 280-6479
www.ReduceWaste.org



RECYCLING AND WASTE REDUCTION COMMISSION OF SANTA CLARA COUNTY

2019 MEETING SCHEDULE

Unless otherwise noted on the meeting agenda, the Recycling and Waste Reduction Commission of Santa Clara County will meet on the **4th WEDNESDAY** of every even numbered month at 5:30 p.m. except the December meeting (due to holidays). Meetings will be held in the **BOARD OF SUPERVISORS' CHAMBERS, County Government Center, 70 West Hedding Street, 1st Floor, San Jose, CA 95112** unless otherwise noted on the agenda. The Commission meeting dates for 2019 are as follows:

Wednesday, February 27, 2019 – Review/Approve FY19-20 Countywide Programs Budget

Wednesday, April 24, 2019

Wednesday, June 26, 2019 – Updates on Countywide Programs

Wednesday, August 28, 2019 – Election of Officers

Wednesday, October 23, 2019 – Review 2020 Legislative Priorities

December 18, 2019 (off schedule due to holidays)

COMMUTE ALTERNATIVES: The Board of Supervisors encourages the use of commute alternatives including bicycles, carpooling, and hybrid vehicles. Public transit access is available to and from the County Government Center, 70 West Hedding Street, San Jose, California 95112 by VTA bus line 66. For trip planning information, contact the VTA Customer Service Department at 408-321-2300 Monday through Friday between the hours of 6:00 a.m. to 7:00 p.m., and on Saturday from 7:30 a.m. to 4:00 p.m. Schedule information is also available on the web at www.vta.org.

Bicycle racks are available in front of County Government Center.

Commissioners: Susan M. Landry, Chair ~ Mary-Lynne Bernald ~ Lan Diep ~ Linda J. LeZotte
Pat Showalter ~ Rod Sinks ~ Cat Tucker ~ Mike Wasserman ~ Kathy Watanabe

County of Santa Clara

Recycling and Waste Reduction Commission of Santa Clara County
Recycling and Waste Reduction Division

1555 Berger Drive, Building 2, Suite 300
San Jose, CA 95112-2716
(408) 282-3180 FAX (408) 280-6479
www.ReduceWaste.org



Recycling and Waste Reduction Commission of Santa Clara County JOB DESCRIPTION

- Authority:** The Recycling and Waste Reduction Commission is the principal advisory body to city councils and the Board of Supervisors on countywide solid waste planning issues and the Countywide Integrated Waste Management Plan.
- Meetings:** Last Monday of even numbered months at 5:30 p.m. (February, April, June, August, October and December)
- Term of Appointment:** The term of office of each commission member shall be six years and the number of terms shall be limited to two terms.
North County Cities representative: One city council member from Cupertino, Los Altos or Los Altos Hills
West Valley Cities representative: One city council member from Campbell, Los Gatos, Monte Sereno or Saratoga
Central County Cities representative: One city council member from Milpitas or Santa Clara
SMArT Station Cities representative: One city council member from Mountain View, Palo Alto or Sunnyvale
South County Cities representative: One city council member from Gilroy or Morgan Hill
Member-at-large: Two city council members to serve as members-at-large. Members-at-large shall be drawn from any city that does not already have a representative on the commission.
- Attendance:** Three consecutive absences are sufficient grounds to warrant the Chairperson to request a replacement.
- Reporting Requirements:** City Selection appointees present quarterly written reports to the Board of Directors of the Cities Association regarding relevant activities. One appointee of the Committee is also required to report to the Board of Directors of the Cities Association at least one a regularly scheduled meeting during the course of each year. Committee members will also be expected to report to the specific cities they represent.
- For More Information:** William "Bill" Grimes, Program Manager (408) 918-1967
Lisa Rose, Staff to RWR Commission (408) 282-3166

Commissioners: James R. Griffith – Chair, Linda J. LeZotte – Vice-Chair, Mary-Lynne Bernald, Lan Diep, Susan M. Landry, Teresa O'Neill, Pat Showalter, Rod Sinks, Cat Tucker, Mike Wasserman



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

December 13, 2019

Andi Jordan
Executive Director
Cities Association of Santa Clara County
P.O. Box 3144
Los Altos, CA 94024

RE: Term of City of Palo Alto Council Member Liz Kniss on the Board of Directors of the Bay Area Air Quality Management District

Dear Ms. Jordan:

Liz Kniss' current term of office on the Bay Area Air Quality Management District Board of Directors expires in March of 2020. Ms. Kniss was reappointed to the Board in April 2018 by the Cities Association of Santa Clara County, and will be eligible for reappointment to the Air District Board until she terms out of her current City Council position, which I believe is the end of December 2019. The Cities Association may either reappoint Ms. Kniss until January 2021, and then appoint her successor, or appoint a new person in March 2020.

In accordance with Health and Safety Code Sections 40210 – 40234, I request that the appointment for an upcoming two-year term be placed on the agenda of the Cities Association of Santa Clara County for consideration prior to the current term expiration date.

Please provide acknowledgment of receipt of this letter by communicating to me the date this matter will be on the agenda and let me know if you have any questions or concerns by contacting me via telephone at 415.749.5073 or email at mhiratzka@baaqmd.gov.

Thank you in advance for your attention to this matter.

Sincerely,

Marcy Hiratzka
Clerk of the Boards

cc (via interdepartmental mail without enclosures):

Jack P. Broadbent, Executive Officer/Air Pollution Control Officer
Vanessa Johnson, Manager, Executive Operations

ALAMEDA COUNTY
John J. Bauters
Pauline Russo Cutter
Scott Haggerty
Nate Miley

CONTRA COSTA COUNTY
John Gioia
David Hudson
Karen Mitchoff
Mark Ross

MARIN COUNTY
Katie Rice
(Chair)

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
Gordon Mar
Shamann Walton
Tyrone Jue
(SF Mayor's Appointee)

SAN MATEO COUNTY
David J. Canepa
Carole Groom
Davina Hurt

SANTA CLARA COUNTY
Margaret Abe-Koga
Cindy Chavez
(Secretary)
Liz Kniss
Rod G. Sinks
(Vice Chair)

SOLANO COUNTY
James Sperring
Lori Wilson

SONOMA COUNTY
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



Board of Directors
Bay Area Air Quality Management District
Job Description

Authority: The Board of Directors is the governing body of the district and exercises all district powers, as prescribed in State law.

Meetings: 1st and 3rd Wednesdays of each month
9:45 a.m. – noon
BAAQMD offices – San Francisco
Members may also be appointed to Board Committees.

Stipend: \$100/day plus mileage for Board and Committee meetings; maximum of \$6,000 per year.

Term: Two city representatives will be chosen to fill two-year terms.

Reporting Requirements: The City Selection appointee is requested to report to the Board of Directors of the Cities Association regarding relevant BAAQMD activities.

For more information: Jack P. Broadbent,
Executive Officer/Air Pollution Control Officer
(415) 749-5052

contribution shall be required from the counties or cities included in the unified district or valley district. Added Stats 1992 ch 765 § 1 (AB 3400), effective September 19, 1992. Amended Stats 2000 ch 890 § 10 (AB 2939).

CHAPTER 4

Bay Area Air Quality Management District

[Added Stats 1975 ch 957 as Bay Area Air Pollution Control District. Heading amended Stats 1978 ch 1025 § 4.]

Article 1
Jurisdiction

Section
40200. Continuation of district
40201. Continuation of activities

Article 2
City Selection Committee

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40212. Appointment by mayor

Article 3
Governing Body

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40231. Zones for differing tax formulas
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Article 4
Advisory Council

40260. "Council"
40261. Bay Area Air Quality Management Council
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Financial Provisions

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40272. Certification of apportionment; Ad valorem tax
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40276. Application of Government Code

**ARTICLE 1
Jurisdiction**

[Added Stats 1975 ch 957.]

§ 40200. Continuation of district

A district, which is called the Bay Area Air Quality Management District, which was formerly known as the Bay Area Air Pollution Control District, is hereby continued in existence within the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara and those portions of the Counties of Solano and Sonoma within the boundaries of the Bay Area Air Pollution Control District as it existed on January 1, 1976. Any reference to the Bay Area Air Pollution Control District shall be deemed to be a reference to the Bay Area Air Quality Management District.

Added Stats 1975 ch 957 § 12. Amended Stats 1978 ch 1025 § 3, effective September 22, 1978.

§ 40201. Continuation of activities

The bay district shall continue to transact business and exercise its powers under this division in the counties, and portions of counties, specified in Section 40200.

Added Stats 1975 ch 957 § 12.

ARTICLE 2

City Selection Committee

[Added Stats 1975 ch 957.]

§ 40210. Appointments to board

The city selection committee organized in each county within the bay district pursuant to Article 11 (commencing with Section 50270), Chapter 1, Part 1, Division 1, Title 5 of the Government Code shall make the appointments to, and submit recommendations for appointments to, the bay district board as prescribed in Section 40221.5.

Added Stats 1975 ch 957 § 12. Amended Stats 1976 ch 517 § 1.

§ 40211. Membership

Where the bay district may transact business and exercise its powers only in a portion of a county, the membership of the city selection committee of such county, for purposes of this chapter, shall consist only of the representatives from those cities within that portion of the county.

Added Stats 1975 ch 957 § 12.

§ 40212. Appointment by mayor

With regard to the city selection committee appointment to the bay district board for the City and County of San Francisco, the mayor shall make the appointment.

Added Stats 1975 ch 957 § 12.

§ 40220. Bay district

The bay district shall be a public entity and shall be subject to the provisions of this chapter and the provisions of the Government Code relating to public entities.

Added Stats 1975 ch 9

§ 40220.5. Director

The bay district shall have a director, who shall be appointed by the board of directors of the bay district. The director shall be a resident of the county in which the bay district is located. The director shall be a person who has been employed by the Department of the Revenue and the Department of the General Services for at least one year immediately preceding his or her appointment to the position.

Added Stats 1975 ch 957, as amended, and Stats 1977 renumbered Stats 1977

§ 40221. County

A county with a population of more than 300,000, shall appoint one member to the bay district board. A county with a population of more than 75,000 but not more than 300,000, shall appoint one member to the bay district board. A county with a population of more than 1,000 but not more than 75,000, shall appoint one member to the bay district board. A county with a population of more than 1,000 but not more than 1,000, shall appoint one member to the bay district board.

Added Stats 1976 ch 5

§ 40221.5. Member

(a) The members of the bay district board shall be appointed as follows: (1) For a county with a population of more than 300,000, the bay district board shall appoint one member to the bay district board. (2) For a county with a population of more than 75,000 but not more than 300,000, the bay district board shall appoint one member to the bay district board. (3) For a county with a population of more than 1,000 but not more than 75,000, the bay district board shall appoint one member to the bay district board. (4) For a county with a population of more than 1,000 but not more than 1,000, the bay district board shall appoint one member to the bay district board.

ARTICLE 3

Governing Body

[Added Stats 1975 ch 957.]

§ 40220. Bay district board

The bay district board is the governing body of the bay district and shall exercise all the powers of the bay district.

Added Stats 1975 ch 957 § 12.

§ 40220.5. Directors

The bay district board shall be a board of directors consisting of members appointed pursuant to Section 40221.5 from each county included, in whole or in part, within the district on the basis of the population of that portion of the county, as determined by the latest estimate prepared by the Population Research Unit of the Department of Finance pursuant to Section 2227 of the Revenue and Taxation Code, included within the district.

Added Stats 1975 ch 957 § 12 as H & S C § 40221. Amended and renumbered Stats 1976 ch 517 § 2.

§ 40221. County representation

A county with a population of 300,000 or less shall appoint one member of the bay district board; a county with a population of 750,000 or less, but more than 300,000, shall appoint two members of the bay district board; a county with a population of 1,000,000 or less, but more than 750,000, shall appoint three members of the bay district board; and a county with a population of more than 1,000,000 shall appoint four members of the bay district board.

Added Stats 1976 ch 517 § 3.

§ 40221.5. Members of board

(a) The members of the bay district board shall be appointed as follows:

(1) For a county entitled to appoint one member of the bay district board, the board of supervisors shall appoint either a member of the board of supervisors or a person from a list submitted to the board of supervisors by the city selection committee of that county.

(2) For a county entitled to appoint two members of the bay district board, the city selection committee of that county shall appoint one member and the board of supervisors shall appoint the other member, which member may either be a member of the board of supervisors or a person on the list submitted to the board of supervisors by the city selection committee.

(3) For a county entitled to appoint three members of the bay district board, two members shall be appointed as provided in paragraph (2) and the third member shall be appointed by the board of supervisors and shall either be a member of the board of supervisors or a person on the list submitted to the board of supervisors by the city selection committee of that county.

(4) For a county entitled to appoint four members of the bay district board, the city selection committee of

that county shall appoint two members and the board of supervisors shall appoint the other two members, either one or both of whom may be members of the board of supervisors or persons on the list submitted to the board of supervisors by the city selection committee.

(b) Any member of the bay district board appointed, and any person named on the list submitted to the board of supervisors by the city selection committee, shall be either a mayor or a city councilperson of a city in that portion of the county included within the district. The member appointed by a city selection committee pursuant to paragraph (3) of subdivision (a) or Section 40212 may designate a deputy to act on his or her behalf on the bay district board or any of its committees. The board member shall be responsible for the acts of the deputy acting in his or her official capacity on the bay district board or any of its committees under this designation.

Added Stats 1976 ch 517 § 4. Amended Stats 2002 ch 1001 § 1 (AB 2637).

§ 40222. Term of office

Each member appointed by the board of supervisors shall hold office for a term of four years and until the appointment and qualification of his successor, and each member appointed by the city selection committee shall hold office for two years and until the appointment and qualification of his successor.

Added Stats 1975 ch 957 § 12.

§ 40223. Vacancies: Removal of member

Any vacancy on the bay district board shall be filled by appointment in the same manner as the vacating member was appointed.

Any member of the bay district board may be removed at any time in the same manner as he was appointed. If four-fifths of the members of the board of supervisors of a county request the removal of a member appointed by the city selection committee of such county, the city selection committee of such county shall meet within 20 days to consider the removal of such member.

Added Stats 1975 ch 957 § 12.

§ 40224. Recall of member

If any member of the bay district board is recalled from his or her office as a supervisor, mayor, or city council member, pursuant to Division 11 (commencing with Section 11000) of the Elections Code, his or her office as member of the bay district board shall be vacant.

Added Stats 1975 ch 957 § 12. Amended Stats 1994 ch 923 § 155 (SB 1546).

§ 40225. Vacancy on board when member ceases to hold county or city office

No supervisor, mayor, or city council member shall hold office on the bay district board for a period of more than three months after ceasing to hold the office of supervisor, mayor, or city council member, respectively, and his or her membership on the bay district

board shall thereafter be considered vacant, except that any mayor who continues to hold office as a city council member, or any city council member who continues to hold office as a mayor, shall not be considered to have ceased to hold office under this section.

Added Stats 1975 ch 957 § 12. Amended Stats 2010 ch 38 § 20 (AB 1668), effective January 1, 2011, ch 699 § 28 (SB 894), effective January 1, 2011.

§ 40226. Quorum

A majority of the members of the bay district board constitutes a quorum for the transaction of business and may act for the bay district board.

Added Stats 1975 ch 957 § 12.

§ 40227. Compensation and expenses

Each member of the bay district board shall receive actual and necessary expenses incurred in the performance of board duties, and may receive compensation, to be determined by the bay district board, not to exceed one hundred dollars (\$100) for each day attending the meetings of the bay district board and committee meetings thereof, or, upon authorization of the bay district board, while on official business of the bay district, but the compensation shall not exceed six thousand dollars (\$6,000) in any one year. Compensation pursuant to this section shall be fixed by ordinance.

Added Stats 1975 ch 957 § 12. Amended Stats 1976 ch 517 § 5; Stats 1981 ch 751 § 1; Stats 1986 ch 135 § 1.

§ 40228. Executive secretary

The bay district board may appoint an executive secretary to perform such duties as may be assigned to the executive secretary by the bay district board.

Added Stats 1975 ch 957 § 12.

§ 40229. Civil service system

The bay district board may, by ordinance, adopt a civil service system for any or all employees of the bay district, except that the executive secretary and the air pollution control officer shall be exempt from such system and shall serve at the pleasure of the bay district board.

Added Stats 1975 ch 957 § 12.

§ 40230. Zones for special regulations

The bay district board may establish, within the bay district, zones wherein special regulations are warranted. In establishing such zones, the bay district board shall consider the degree of concentration of population, the number, nature, and dispersal of the stationary sources of air pollution, whether the area is a rural agricultural area, and the presence or absence of industry.

Added Stats 1975 ch 957 § 12.

§ 40231. Zones for differing tax formulas

The bay district board may establish, within the bay district, zones wherein differing tax formulas may be applied. In establishing such zones, the bay district

board shall consider the degree of concentration of population, the number, nature, and dispersal of the stationary sources of air pollution, whether the area is a rural agricultural area, and the presence or absence of industry.

Added Stats 1975 ch 957 § 12.

§ 40232. Emission standards

Except as provided in Section 41705, the bay district board shall establish standards for the emission of identifiable odor-causing substances. Exceptions or variances may be granted from such standards in a manner provided by the bay district board. No person shall discharge from any source any contaminant which violates such standards.

Added Stats 1975 ch 957 § 12. Amended Stats 1995 ch 952 § 2 (AB 59), effective October 16, 1995.

§ 40233. Transportation control measures

(a) Notwithstanding any other provision of law, the bay district shall adopt, implement, and enforce transportation control measures for the attainment of state or federal ambient air quality standards, in accordance with all of the following procedures:

(1) The bay district shall estimate, by June 30, 1989, the quantity of emission reductions from transportation sources necessary to attain and maintain state and federal ambient air standards.

(2) The Metropolitan Transportation Commission, in cooperation with the bay district, the Association of Bay Area Governments, local entities, and employers, shall develop and adopt a plan to control emissions from transportation sources which will achieve the emission reductions established pursuant to paragraph (1). The plan shall include, at a minimum, a schedule for implementing transportation control measures; identification of potential implementing agencies and any agreements entered into by agencies to implement portions of the plan, and a procedure for monitoring the effectiveness of and compliance with the measures. The commission shall submit the plan to the bay district for its adoption according to a reasonable schedule developed by the bay district in consultation with the commission, but not later than June 30, 1990.

(3) Upon receipt of the plan submitted by the commission, the bay district shall review the plan to determine if it will achieve the emission reductions specified in paragraph (1). If the bay district determines that the plan will achieve those reductions, the bay district shall adopt the plan and implement it immediately. If the bay district determines that the plan will not achieve the emission reductions specified in paragraph (1), it shall notify the commission of the specific deficiencies in the plan and return the plan to the commission for revision. Within 60 days after receipt of the plan, the commission shall revise it and return it to the bay district. If the bay district determines that the revised plan will achieve necessary emission reductions, the bay district shall adopt the plan and implement it immediately. If the bay district determines that the revised plan still will not achieve the emission reductions specified in paragraph (1), or if the plan is not

submitted pursuant to paragraph (2), the bay district shall adopt a plan to control sources.

(4) As the bay determines of the emission sources necessary to air standards specific transportation control adopted, and enforce established pursuant to

(b) The bay district respect to transportation agency, if all of the for

(1) The local agency implementation plan sources to adopt and the district approves the

(2) The local agency measures at least as quality management

(3) The bay district performance of the local measures to ensure quality management

(c) The bay district this section if it determine local agency is in violation inadequate to in management plan.

(d) For purposes of "control measures" means trips, vehicle use, vehicle or traffic congestion vehicle emissions.

(e) The bay district not later than June 30 effectiveness of this section

Added Stats 1988 ch 1569 §

§ 40234. Compliance

In adopting any regulation shall comply with Section

Added Stats 1990 ch 1457 §

AA

Advis

(Added

§ 40260. "Council"

As used in this article Air Quality Management

Added Stats 1975 ch 957 § effective September 22, 1978.

§ 40261. Bay Area Air

There is continued Quality Management known as the Bay Area Council, which council



Santa Clara County Emergency Operational Area Council

North County Cities—*Los Altos, Los Altos Hills, Mountain View and Palo Alto*

Central County Cities—*Milpitas, Santa Clara and Sunnyvale*

South County and West Valley Cities—*Campbell, Cupertino, Gilroy, Los Gatos, Monte Sereno, Morgan Hill, Saratoga*

Members

Chair

Supervisor

Mike Wasserman

Santa Clara County
Board of Supervisors

Vice Chair

Chief William Kelly

City of Santa Clara
Fire Chief's Association
Representative

Garry Herceg

Deputy County Executive
County Executive Designee

Director Richard Santos

Santa Clara Valley
Water District

Mayor

Rob Rennie

Los Gatos Town Council
South County &
West Valley Cities
Representative

Councilmember

Lydia Kou

Palo Alto City Council
North County Cities
Representative

Councilmember

Debi Davis

Santa Clara City Council
Central County Cities
Representative

Councilmember

Johnny Khamis

San Jose City Council
Representative

Councilmember

Donald Rocha

San Jose City Council
Representative

Dr. Sara Cody

County Health Officer

Christina Turner

Morgan Hill City Manager
City Manager's Association
Representative

Chief Michael Sellers

City of Santa Clara
Police Chief's Association
Representative

Inez Evans

Chief Operating Officer
Santa Clara Valley
Transportation Authority

Jennifer Ponce

Emergency Managers
Association President &
Representative

The **Operational Area** consists of the county, cities, special districts and other entities within the county's geographic area. The operational area coordinates emergency activities and serves as a link for communications and coordination between local, regional and state emergency operations centers.

Purpose

To enhance planning and preparedness for large-scale emergencies;

To create effective partnerships in emergency planning, preparedness, training and exercise within the Operational Area;

To consolidate activities of cities and special districts to participate more efficiently in planning for future emergencies and disasters;

To provide access to public-private partners to participate in emergency planning and preparedness; and

To develop broad-based emergency preparedness and funding priorities and recommendations.

Functional Roles & Responsibilities

Coordinating, reviewing, and recommending Board of Supervisor adoption of emergency and mutual aid plans as well as the ordinances, resolutions, rules and regulations necessary to implement those plans and agreements.

Reviewing and recommending disaster response policies, procedures, and funding priorities.

Ensuring a unity of purpose in emergency plans, policies and procedures.

Fostering an effective flow of disaster information and emergency preparedness through training, uniformity in planning, response plans and policies.

Establishing subcommittees for specific detailed work that requires technical experts to develop plans, policies and procedures for the Operational Area.

Providing technical review of all disaster plans by any public entity or special district for approval to form and compliance with the Incident Command System (ICS), Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS).

Alternates

Supervisor Ken Yeager

Santa Clara County Board of
Supervisors

Sheriff Laurie Smith

Santa Clara County
Police Chief's Association
Representative

Miguel Márquez

Chief Operating Officer
County Executive Designee

Director

Linda J. LeZotte

Santa Clara Valley
Water District

Councilmember

Liz Gibbons

Campbell City Council
South County &
West Valley Cities
Representative

Mayor

Ken Rosenberg

Mayor – Mountain View
North County Cities
Representative

Councilmember

Russ Melton

Sunnyvale City Council
Central County Cities
Representative

Chief John Poell

NASA Ames Research Center
Fire Chief
Fire Chief's Association
Representative

Angelique Gaeta

Chief of Staff
Santa Clara Valley
Transportation Authority

Lisa Schoenthal

Emergency Managers
Association Representative

SANTA CLARA COUNTY EMERGENCY OPERATIONAL AREA COUNCIL

BYLAWS

I. Establishment of the Operational Area Council (OAC)

The OAC was established by the County of Santa Clara Board of Supervisors through Section A8-23 and A8-24 to the County Ordinance Code.

II. Purpose, Role, and Responsibilities.

Section A8-24 of the County Ordinance Code describes the purpose, role, and responsibilities of the OAC as follows:

The Santa Clara County Emergency Operational Area Council is charged with the purpose to enhance planning and preparedness for large-scale emergencies; to create effective partnerships in emergency planning, preparedness, training and exercise within the Operational Area; to consolidate activities of cities and special districts to participate more efficiently in planning for future emergencies and disasters; to provide access to public-private partners to participate in emergency planning and preparedness; and to develop broad-based emergency preparedness and planning funding priorities and recommendations.

The role and responsibility of the Santa Clara County Emergency Operational Area Council shall include:

- (a) Electing a chair and vice-chair annually.
- (b) Meeting at least quarterly or upon the call of the chair or, in the chair's absence from the County or inability to call a meeting, upon call of the vice-chair.
- (c) Recommending for adoption by the Board of Supervisors by-laws concerning the administration and operations of the Santa Clara County Emergency Operational Area Council.
- (d) Coordinating, reviewing, and recommending for approval for adoption by the Board of Supervisors emergency and mutual aid plans and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements, as well as reviewing and recommending disaster response policies, procedures, and funding priorities.
- (e) Ensuring a unity of purpose in emergency plans, policies, and procedures.
- (f) Fostering an effective flow of disaster information and emergency preparedness through training, uniformity in planning, and response plans and policies.

(g) Establishing subcommittees for specific detailed work that requires the focus of technical experts to develop plans, policies, and procedures for the Santa Clara Operational Area, consisting of at least the following: (1) Infrastructure Committee; (2) Mass Care and Shelter Committee; (3) Communications Committee; (4) Public Information and Preparedness Committee; and (5) Business and Private Sector Committee.

(h) Providing technical review of all disaster plans by any public entity or special district for approval to form and compliance with:

- (1) Incident Command System.
- (2) Standardized Emergency Management System.
- (3) National Incident Management System.

The role of the Santa Clara County Emergency Operational Area Council does not include:

- (a) Operational powers during emergencies or disasters.
- (b) Final adoption of emergency plans, policies, and procedures.
- (c) Enforcement functions of emergency plans, policies, and procedures.

III. Membership

Under Section A8-23 of the County Ordinance Code, the membership of the OAC shall consist of:

- (a) A designated member of the Santa Clara County Board of Supervisors.
- (b) A designated member of the Santa Clara Valley Water District.
- (c) Five designated council members from cities in Santa Clara County.
- (d) The County Executive or his/her designee.
- (e) A designated member of the Santa Clara County City Managers Association.
- (f) A designated member of the Santa Clara County Police Chiefs Association.
- (g) A designated member of the Santa Clara County Fire Chiefs Association.
- (h) The Santa Clara County Public Health Officer.

(i) The Valley Transportation Authority Chief Operating Officer.

(j) A designated representative of the Santa Clara County emergency management community who shall serve without a vote.

All OAC member positions shall also have a named alternate, appointed in the same manner and by the same appointing authority as the primary member. Each alternate is responsible for being informed sufficiently to represent the primary member at meetings and to vote should the primary member be unable to attend a meeting or resign from office.

IV. Terms

The term of office for each member shall be two years, with members eligible to serve multiple terms. The terms of the County Executive, County Public Health Officer, and COO of the VTA are unlimited.

V. Attendance

Every OAC member shall attempt to attend each meeting of the OAC. In the event that an OAC member fails to attend a posted meeting and fails to notify the Chair or Vice Chair in advance of the absence, the absence shall be recorded as unexcused. If a member incurs three unexcused absences from posted meetings in a single year, the Chair will request the appointing authority to consider replacing the designated member with a representative who can attend meetings on a regular basis.

VI. Leadership

The OAC shall elect a Chair and Vice-Chair by a majority vote at the first meeting of the calendar year. The term of the Chair and Vice Chair shall be one year.

The Chairperson shall preside over the meetings of the OAC; shall sign all resolutions, reports, and other documents adopted or approved by the OAC; and shall perform such other duties as the OAC may prescribe.

The Vice-Chair shall have all of the powers and duties of the Chair in his/her absence. In the absence of the Chair and Vice-Chair, the remaining members shall appoint a member to act as temporary Chairperson.

If the office of Chair or Vice Chair becomes vacant during the term of such office, the OAC shall elect a successor from its membership at the earliest meeting at which such an election is practicable. Such election shall be for the unexpired term of such office.

VII. Committees

The OAC may create both standing and ad hoc committees for the purpose of accomplishing its business. All committees shall be advisory to the OAC and decisions shall be reached by consensus; if consensus is not reached, the OAC shall receive information on the various options that were considered by the committee.

VIII. Secretary

The Clerk of the Board of the County shall be ex-officio secretary of the OAC and shall be responsible for providing secretarial assistance to the OAC during its meetings.

IX. Meetings

Notice: OAC meetings shall be properly noticed and open to the public in accordance with the Ralph M. Brown Act.

Procedure: Except as provided in these bylaws, meetings and other business of the OAC shall be conducted in accordance with Robert's Rules of Order.

Meeting Schedule and Location: The OAC shall generally meet bi-monthly. Special sessions shall be called as necessary. Meetings of the OAC shall generally be held at the Sheriff's Administration Building, 55 West Younger Avenue, San Jose.

Quorum: A quorum is required to initiate the transaction of business at any regular or special meeting of the OAC. A majority of the members of the OAC, not counting any vacancies, shall constitute a quorum. A quorum is sufficient to pass a motion on any action item before the OAC.

Agenda: The Chair shall prepare the agenda for each OAC meeting. Items to be placed on the agenda of any regular meeting shall be on file with the secretary of the OAC ten days prior to the scheduled meeting. Any member of the OAC may place an item on the agenda.

X. Adjournment

A majority of the members present, whether or not a quorum is present, may adjourn any meeting to another time and place. If the meeting is adjourned for more than twenty-four hours, notice of the adjournment shall be given.

XI. Bylaws Amendments

Proposed amendments shall be presented to the OAC in writing at a regular meeting. The OAC may then recommend amendment of these bylaws, subject to the approval of the Board of Supervisors. A recommendation to amend the bylaws shall be approved as to form and legality by County Counsel and transmitted to the Board of Supervisors for final approval.

XII. Conflict of Interest Policy

In accordance with the Political Reform Act, an OAC member shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a reasonably foreseeable material financial effect on one or more of the OAC member's economic interests, unless the effect is indistinguishable from the effect on the public generally. The OAC is included within the County of Santa Clara's Conflict of Interest Code, which identifies the OAC's designated positions and disclosure categories.

An OAC member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the OAC shall abstain from voting on the matter. Generally, if an OAC member is disqualified from participating in a decision because of a conflict of interest, the OAC member must (1) publicly announce the source of the conflict of interest (2) leave the room during any discussion or deliberations on the matter in question, and (3) not participate in the decision or be counted for purposes of a quorum. An OAC member with a disqualifying conflict of interest shall not be present during a closed session meeting of the OAC when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue.

In accordance with Government Code section 1090, OAC members shall not be financially interested in any contract made by the OAC, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If an OAC member has such a financial interest, the OAC is barred from entering into the contract even if that member abstains from participation in the contracting process.

Furthermore, pursuant to the common law doctrine against conflict of interests, an OAC member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

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