

# **AB 617 Imperial North-End 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 Imperial North-End 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,” the Committee was established on October 17, 2023 by the District Board pursuant to Minute Order No. 22, 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.

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 nine (9) voting members appointed by the District Board. The nine (9) members shall be appointed in accordance with the appointment and application process discussed below.

3.2. Qualifications. Each member of the Committee shall either reside, work, or own businesses within the Imperial North-End community (Brawley-Westmorland-Calipatria), 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 nine (9) voting members shall include:

1. Three (3) members from the city of Brawley, including individuals, community-based organizations, affected sources and local government bodies.
2. Three (3) members from the city of Westmorland, including individuals, community-based organizations, affected sources and local government bodies.
3. Three (3) members from the city of Calipatria, including individuals, community-based organizations, affected sources and local government bodies.

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. Committee members 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.

2. Applications for the appointment of Committee members shall be assembled by the District.
  3. Persons applying in accordance with the above-mentioned process shall be recommended by District staff and appointed by a majority of the District Board in accordance with all applicable laws. 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. Committee members shall be appointed for a term of two (2) years. Once the initial term is fulfilled, the 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 District, unless the notice specifies a later date for his/her resignation to become effective. The District 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.
  - 3.9. Attendance and Participation. Committee members are expected to attend all regular committee meetings. This includes in-person, teleconference and/or videoconference meetings. Please note that if both the primary and alternate members are in attendance at a meeting, only one member (either the primary or the alternate), may sit at the table during an in-person meeting, or be a panelist during a virtual meeting. Participation includes submitting agenda items to the District, giving updates on strategies and actions, being a thought partner, and asking clarifying questions. The intent is to have both the primary and alternate members attend each monthly meeting throughout the twelve (12) month calendar year. In-person meeting sign-in sheets or virtual meeting log-in and log-out times will be used to verify attendance. A Committee member must notify the District by email twenty-four (24) hours before the date of the official committee meeting with the reason for the absence (e.g., personal or family emergency, work conflict, etc.) to be considered an excused absence. An excused absence must bare genuine extenuating circumstances. A Committee member, both primaries and alternates, may be removed when the member has failed to attend three (3) cumulative meetings (without an approved leave of absence) regardless of an unexcused or excused absence. Final removal of a committee member due to attendance issues will be determined by the District.




A Committee member may request a leave of absence. A request for a leave of absence shall be made in writing within ten (10) days of the start of leave of absence to the District's Air Pollution Control Officer (APCO) 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 District's APCO. A leave of absence shall not exceed three (3) months consecutively.

- 3.10 Stipend. Each Committee member shall receive a stipend of seventy-five dollars (\$75) per Committee meeting attended (excluding any subcommittee meetings, working group meeting and workshops), 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.


#### **ARTICLE IV. MEETING PROCEDURES.**

- 4.1. Facilitator. The District will act as the professional and impartial facilitator to moderate and lead CSC meetings, Workshops, and Working Group meetings. Committee members will rotate monthly, with respect to the city the meeting is held at, to act as potential working group facilitators and be responsible for assisting the District in leading meetings and implementing the CERP and CAMP. The facilitator may assist the committee in reaching consensus on issues during the meetings. Additionally, the facilitator will help provide space for members to express their thought, including making extra efforts to encourage participation from less vocal members.
- 4.2. Leadership Committee Duties. The monthly rotating Committee leads will share responsibility for developing meeting agendas, meeting facilitation, and Committee membership engagement. Leads will serve as liaisons and guide standing committees and ad-hocs. Leads will work with the District to ensure that they are fulfilling their CERP and CAMP goals.
- 4.3. Accessibility/Accommodation. In-person Committee meetings and other events associated with the Committee must be held a facilities that can accommodate members covered by the Americans with Disabilities Act and language interpretation services will be provided in Spanish and other languages/accommodations as needed. For virtual meetings, the District will ensure that necessary services are provided to ensure that Committee members requiring accommodations under the Americans with Disabilities Act are being met.
- 4.4. Website. District's AB 617 Communities website page will be maintained by the District and updated regularly, in preparation for the next Committee meeting (upload material for discussion) and after each meeting, to include meeting recordings. The website will include news, meeting schedules, request for proposals, Committee rosters, agendas, and all other background and meeting materials.
- 4.5. 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.

- 4.6. 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).
- 4.7. 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 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 4.11. No proxy or absentee voting shall be permitted.
- 4.8. 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).
- 4.9. Conduct of Business.
  1. Items on the agenda will be considered in order unless facilitator announces a change in the order of consideration.
  2. Unless an agenda item identifies a particular source for a report, such as the Committee members, the Committee members and/or its advisors shall first report on the item. The item will then be open to public comment.
  3. Confidential information shall not be subject to disclosure at meetings of the Committee.
- 4.10. 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, may make motions and seconds.
- 4.11. 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.

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- 4.12. 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.
  - 4.13. 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.
  - 4.14. CERP and CAMP Modifications. The CERP and CAMP may be amended only by an approved motion or resolution of both of the Committee and the District Board after properly noticed meetings. The CERP and CAMP shall be reviewed on at least an annual basis. The amendments will be reviewed and considered by the Committee, District, CARB staff (as appropriate), and the District Board (as appropriate).
  - 4.15. 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 District will keep the minutes 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 District.
  - 4.16. 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).
  - 4.17. 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 District 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 4.6 of these Bylaws for special meetings. A copy of the order or notice of adjournment shall be posted as required by applicable law.

## **ARTICLE V. REPORTS AND COMMUNICATIONS.**


- 5.1. 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.

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- 5.2. 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.
  - 5.3. 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 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.
  - 5.4. 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.

## **ARTICLE VI. SUBCOMMITTEES.**

- 6.1. Appointment. The Committee may decide that an ad-hoc advisory subcommittees ("Subcommittees") needs to be formed to conduct further research or data gathering on a specific issue. In this case, the Committee will determine the scope of the subcommittee and will ask for volunteers among the Committee members to be on the subcommittee. Such Subcommittees must be composed of less than a quorum of voting Committee members. The Committee will conduct a vote to form a subcommittee, determine its scope of work, and define a timeframe for the subcommittee to report back to the Committee.
- 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.

## **ARTICLE VII. ADVISORS.**



7.1 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 Committee. The Office of County Counsel of Imperial County shall serve as counsel to the Committee.

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 January 28, 2025.