CONTRA COSTA COUNTY

AGENDA

Hazardous Materials Commission

Wednesday, August 19, 2026 **4:00 PM** **777 Arnold Dr., Martinez, CA 94553 - Paramount Room**
https://cchealth.zoom.us/j/98031936341
Meeting ID: 980 3193 6341

Planning and Policy Committee

Committee Chair: Jim Payne
Committee Vice Chair: Eduardo Martinez

Agenda Items: Items may be taken out of order based on the business of the day and preference of the Committee

1. Roll Call and Introductions

2. CONSIDER approval of the April 15, 2026 Hazardous Materials Commission Planning and Policy Committee meeting minutes. **26-3574**

Attachments: HMC P&P April 15 2026 Draft Meeting Minutes

3. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to two minutes).

4. DISCUSS any updates to the Hazardous Materials Commission priorities for 2026. **26-3575**

Attachments: 2026 HMC Priorities

5. REVIEW the Triennial Review Survey and DISCUSS questions 4, 5, and 6. **26-3576**

Attachments: Triennial Review Survey - Phase I 2026-2027

6. REVIEW the HMC bylaws and identify sections that lack clarity and CONSIDER making modifications. **26-3577**

Attachments: HazMat Commission Bylaws as of July 14, 2020

7. DISCUSS any upcoming legislative issues.

8. Announcements from commissioners on items of commission interest.

9. Plan next meeting agenda.

The next meeting is currently scheduled for October 21, 2026 at 4:00 PM.

Adjourn

The Committee will provide reasonable accommodations for persons with disabilities planning to attend the Committee meetings. Contact the staff person listed below at least 72 hours before the meeting. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Committee less than 96 hours prior to that meeting are available for public inspection at 4005 Port Chicago Highway. Suite 120 Concord, CA 94520, during normal business hours. Staff reports related to items on the agenda are also accessible online at www.contracosta.ca.gov. If the Zoom connection malfunctions for any reason, the meeting may be paused while a fix is attempted. If the connection is not reestablished, the committee will continue the meeting in person without remote access. Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact: Adam Springer at 925-655-3216

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-3574 **Agenda Date:** 8/19/2026 **Agenda #:** 2.

Advisory Board: Hazardous Materials Commission Planning & Policy Committee
Subject: Approval of April 2026 Meeting Minutes
Presenter: Committee Chair

Information:
Attached to this agenda item are the draft meeting minutes from the April 15, 2026 Hazardous Materials Commission Planning and Policy Committee meeting.

Recommendation(s)/Next Step(s):
CONSIDER approval of the April 15, 2026 Hazardous Materials Commission Planning and Policy Committee meeting minutes.

Meeting Minutes - Draft

CONTRA COSTA COUNTY Hazardous Materials Commission

Wednesday, April 15, 2026 **4:00 PM** **777 Arnold Dr., Martinez, CA 94553 - Paramount Room**
https://cchealth.zoom.us/j/98031936341
Meeting ID: 980 3193 6341

Planning and Policy Committee

Committee Chair: Jim Payne
Committee Vice Chair: Eduardo Martinez

The meeting was called to order at 4:00 PM.

Agenda Items: Items may be taken out of order based on the business of the day and preference of the Committee

1. Roll Call and Introductions

Commissioners Present: Drew Graham, Eduardo Martinez, Ron Chinn, Mark Hughes
Staff Present: Adam Springer

2. CONSIDER approval of the February 18, 2026 Hazardous Materials Commission Planning and Policy Committee meeting minutes.

The commissioners present voted to approve the February 18, 2026 Hazardous Materials Commission meeting minutes.
Motion: Mark Hughes
Second: Drew Graham

3. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to two minutes).

The were not any comments made by members of the public.

4. DISCUSS any updates to the Hazardous Materials Commission priorities for 2026.

Commissioner Chinn brought forward the topic of committee assignments as Commissioner Brennan had previously expressed interest in switching from the Operations Committee to the Planning and Policy Committees. He noted that the bylaws do not clearly state which seats belong to which committees and that differing viewpoints and expertise could be beneficial to committee discussions and could also help to improve issues with making quorum. Staff noted that a possible resolution could be to allow a delegation of authority for occasional substitutions to achieve quorum if some seats are unable to attend. Commissioner Graham noted that he appreciated the concept of a delegation of authority but thought that the point of alternates was to address this issue in the first place and felt that improvements have already been made regarding attendance and quorum. The commissioners present discussed focusing on removing non-participating members first before implementing a delegation of authority aspect to the committees.

There were not any updates to share regarding the priorities assigned to this committee or any potential guest speakers.

5. REVIEW and DISCUSS the March CUPA legislative report.

The commissioners present reviewed the legislation that the CUPA forum board is currently following. The committee discussed AB2667 pertaining to vape products noting that there are two components/waste streams: the battery and the regulated chemical. A large number of vape products are being confiscated at schools and are then tasked with the responsibility of paying to dispose of these products properly which are considered hazardous waste. The proposed legislation would permit certain facilities to disassemble and dispose of vape products, they currently would need a hazardous waste treatment permit for this. The committee discussed how members of the public should be disposing of their vape products and batteries in general and what options are available for proper disposal; the group stated that a presentation on this topic may be beneficial and felt that they could work to increase public awareness. The committee also discussed AB2776 pertaining to what is allowed or disallowed and considered treatment of hazardous materials in storage tanks and SB1259 regarding cost estimates for decommissioning and remediation at refineries.

6. DISCUSS the April 9th East Bay Meeting on Toxic Loopholes – Advanced manufacturing.

There were not any committee members present that attended this meeting and therefore it could not be discussed. The committee will hopefully receive an update on this at the next full commission meeting.

7. DISCUSS any other upcoming legislative issues.

There were not any other upcoming legislative issues to discuss outside of what was reviewed in the CUPA report.

8. Announcements from commissioners on items of commission interest.

There were not any announcements to share by the commissioners present.

9. Plan next meeting agenda.

The next meeting is currently scheduled for June 17, 2026 at 4:00 PM.

Adjourn

The meeting was adjourned at 4:49 PM.

For Additional Information Contact: Adam Springer at 925-655-3216

Full meeting recording can be found here: https://contra-costa.legistar.com/Calendar.aspx

CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-3575 **Agenda Date:** 8/19/2026 **Agenda #:** 4.

Advisory Board: Hazardous Materials Commission Planning & Policy Committee
Subject: HMC Priorities for 2026
Presenter: Committee Chair

Information:
Attached to this agenda item are the Hazardous Materials Commission priorities for 2026 and the committees they have been assigned to.

Recommendation(s)/Next Step(s):
DISCUSS any updates to the Hazardous Materials Commission priorities for 2026.

2026 HMC Priorities for Consideration

General Commission Priorities

- Brownfield development-cleanup standards/reuses ; Emerging remediation technology e.g., in situ phytoremediation, bugs/bioremediation, albino redwoods, mycelium (mushrooms)
- Concerns from increased electrification – byproducts, EV,
- Battery waste management, recycling; sodium batteries vs lithium batteries;
- Impacts from Sea Level Rise
    - Hazardous Materials transportation corridors. E.g., Railroads,
    - Soil/water contamination
    - Presentation from DOT
- SB 868: Bright Star balcony solar

Assigned to Operations Committee

- PFAS/Forever chemical treatments (contact EPA); AI data center impacts
    - treatment tech/remediation; mycoremediation vs mycelium
    - emergency response/chemicals used for battery fires /suppression
- Hydrogen generation
- Carbon capture technologies/ carbon sequestration
- PG&E power generation changes + future plans
- MCE solar farm in Richmonnd
- Public Forum – tentative September 2026
- Process documents - seat/intern interviews, forum planning

Assigned to Planning & Policy Committee

- CWS notification including system and technology /ISO
- Aviation fuel changes (2031) (Richmond company Raven fuel from bio waste)

Receive presentation on plan from Will Nelson of DCD regarding the completed General Plan

- Bill analysis & legislative packets
- Track merger of HazMat programs to CON FIRE
- HMC bylaw review/revision
- Refinery process safety management/pipeline safety/PHMSA
- Small modular nuclear reactors (SMR) - waste streams + general overview

CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 26-3576 **Agenda Date:** 8/19/2026 **Agenda #:** 5.

Advisory Board: Hazardous Materials Commission Planning & Policy Committee
Subject: Triennial Review Survey
Presenter: Committee Chair

Information:
The following information was provided by the Clerk of the Board to staff via email:

The Triennial Review Phase I is now underway for advisory bodies. You are receiving this e-mail because you staff an advisory body assigned to Phase I of the review which covers the years 2023, 2024, & 2025. A full list of boards, committees, and commissions assigned to Phase I is attached.

The purpose of the Triennial Review is to provide the Board of Supervisors with information to evaluate the purpose, performance, and effectiveness of the county's boards, committees, and commissions. Staff and chairpersons of such county bodies are required to complete the attached Triennial Review Survey and submit the materials to the Clerk of the Board's Office by **Tuesday, December 1, 2026**.

Recommendation(s)/Next Step(s):
REVIEW the Triennial Review Survey and DISCUSS questions 4, 5, and 6.

Contra Costa County Board of Supervisors

Triennial Sunset Review of Appointed Boards, Committees, & Commissions

Phase I

INTRODUCTION

Contra Costa County is governed by a five-member Board of Supervisors elected by the citizens of our county. The work of the Board of Supervisors is augmented by various boards, committees, and commissions that are comprised of residents who are appointed by the Board of Supervisors. These appointed bodies are formed to provide support and citizen input by making recommendations to the Board of Supervisors on various issues such as service delivery problems or community needs. County advisory bodies are created in response to specific community needs or as a result of state and federal legislation or contractual agreements with other public agencies. These bodies serve as direct links between the Board of Supervisors and our community while expanding communication between the public and County government and enhancing the quality of life for our residents.

SUMMARY OF THE TRIENNIAL SUNSET REVIEW PROCESS

The Contra Costa County Board of Supervisors adopted Resolution No. 2012/261 on June 26, 2012, establishing a "triennial sunset review process" for most county advisory bodies whose members are appointed by the Board of Supervisors. Each year the Clerk of the Board schedules one-third of these bodies for review by the County Administrator's Office and the Internal Operations Committee of the Board of Supervisors.

The purpose of the Triennial Sunset Review is to provide the Board of Supervisors with a method to periodically evaluate the purpose, performance, and effectiveness of advisory bodies. For additional information about the review procedure, please refer to Resolution 2012/261 and the Advisory Body Handbook.

INSTRUCTIONS

Phase I of the Triennial Review will cover the years 2023, 2024, and 2025. Please complete all three parts of the attached survey, including Part I: Questions,

Part II: Materials, and Part III: Signatures & Certification.

Completed surveys are due to the Clerk of the Board by **Tuesday, December 1, 2026**. You can submit your completed materials to Lauren Hull, Senior Management Analyst for the Clerk of the Board by *either* e-mail or hardcopy mail.

E-mail: Lauren.Hull@cob.cccounty.us

Mail: Contra Costa County Clerk of the Board
Attn: Lauren Hull, Senior Management Analyst
1025 Escobar Street, 1st Floor
Martinez, CA 94553

Should you have any questions, please contact Lauren Hull at the above e-mail address or at (925) 655-2007.

Contra Costa County Board of Supervisors
Triennial Sunset Review of Appointed Boards, Committees, & Commissions

Part I: Questions

STAFFING & CONTACT INFORMATION

Name of Advisory or Independent Body: *Click or tap here to enter text.*

Name of Person Completing the Triennial Review Survey: *Click or tap here to enter text.*

Chairperson Name: *Click or tap here to enter text.*

Main Staff Person Name: *Click or tap here to enter text.*

Staff Agency/Department: *Click or tap here to enter text.*

Main Staff Telephone Number: *Click or tap here to enter text.*

Main Staff Email: *Click or tap here to enter text.*

Website (enter "N/A" if the body does not have a website): *Click or tap here to enter text.*

How many staff members provide support for this body? *Click or tap here to enter text.*

On average, how many total hours per week of staff support does this body utilize? *Click or tap here to enter text.*

MEMBERSHIP

1. **How many seats are on the body?** *Click or tap here to enter text.*

2. **How many seats are currently filled?** *Click or tap here to enter text.*

3. **How many members are up to date on all four training requirements (Brown Act, Ethics, Implicit Bias, and Finance)? Training certifications dated within two years are considered up to date.** *Click or tap here to enter text.*

4. **Does the body have a sufficient number of members to achieve its mission?**

   ☐Yes
   ☐No

   If "No", do you recommend an adjustment to the number of seats (an increase, decrease, or other restructuring)?
   Click or tap here to enter text.

5. **Does the body have a sufficient composition of members/types of seats to achieve its**

mission?

☐Yes
☐No

If "No", please indicate which seats you would modify and why.
Click or tap here to enter text.

6. **Has the body experienced any membership challenges (i.e. high vacancy rates, trouble filling seats, high member turnover, difficulty meeting quorum, or issues with recruitment and retention)?**

☐Yes
☐No

If "Yes", please describe the membership challenges experienced.
Click or tap here to enter text.

7. **Are there special qualifications, requirements, or prerequisites for members to serve on the body?**

☐Yes
☐No

If "Yes", please explain whether the requirements are important and necessary, or describe any issues where these requirements have limited recruitment of potential candidates.
Click or tap here to enter text.

MEETINGS

1. **How many "full body" meetings were scheduled during the last 36 months?** *Click or tap here to enter text.*

2. **How many "full body" meetings were cancelled during the last 36 months?** *Click or tap here to enter text.*

3. **How many "full body" meetings were cancelled during the last 36 months *specifically due to a lack of quorum*?** *Click or tap here to enter text.*

4. **How many subcommittees does the body have and how frequently do they meet?** *Click or tap here to enter text.*

5. **How many times did members attend meetings remotely for "just cause" in the past year?** *Click or tap here to enter text.*

6. **How many times did members attend meetings remotely for "emergency circumstances" in the past year?** *Click or tap here to enter text.*

7. **Aside from being in person, how can members of the public view meetings and provide public comment?**

☐N/A (i.e. attending in person is the only option)

☐Via both phone and an online platform
☐Via phone only
☐Via an online platform only

COMMUNITY INFORMATION, OUTREACH, & MEETING NOTICES

1. **How does the body engage stakeholders and the general public on issues and programs within the body's area of responsibility?** *Click or tap here to enter text.*

2. **How are stakeholder and public input incorporated into the body's mission and objectives?** *Click or tap here to enter text.*

3. **What outreach efforts are undertaken to encourage public participation in meetings and sponsored activities?** *Click or tap here to enter text.*

4. **How far in advance of the meeting date does the body post its agenda?** *Click or tap here to enter text.*

5. **Where are meeting notices (e.g., agendas & cancellation notices) posted? Please note all locations, both physical and electronic.** *Click or tap here to enter text.*

6. **How are meeting agendas currently created, as of the date of this survey?**
   ☐ Legistar
   ☐ Microsoft Word
   ☐ Other Application (please specify): *Click or tap here to enter text.*

7. **What information is regularly presented to the body's members to keep them informed of the body's performance?** *Click or tap here to enter text.*

MISSION & PURPOSE

1. **Is this body or its activities mandated by state or federal law or regulations?**
   ☐Yes
   ☐No
   If "Yes", please provide the citation to the applicable law. *Click or tap here to enter text.*

2. **What is the <u>original</u> purpose and responsibility of the body, as prescribed in its establishing documents?** *Click or tap here to enter text.*

3. **Have there been major changes to the body's responsibility (such as changes in legal mandates or in the major activities that it has undertaken)?**
   ☐Yes
   ☐No
   If "Yes", please describe these changes. *Click or tap here to enter text.*

4. **Are the body's bylaws reflective of the body's current mission, purpose, and focus?**
   ☐Yes

☐No
☐N/A - body does not currently have bylaws

If "No", please describe how the body's current mission, purpose, or focus differ from the existing bylaws.
Click or tap here to enter text.

5. **Do you recommend changes to the body's mission, purpose, or focus?**
☐Yes
☐No

If "Yes", please explain the changes you would suggest and why.
Click or tap here to enter text.

6. **What target population or priority communities are served by the body?** *Click or tap here to enter text.*

7. **List activities, services, programs, and/or special projects the body delivers to achieve its current mission.** *Click or tap here to enter text.*

BUDGET

1. **Does the body have an annual operating budget?**
☐Yes
☐No

2. **Does the body collaborate with any private organization (<u>not</u> the county or an associated governmental agency) that provides, holds, and/or disburses funds on behalf of the body, such as a "Friends" committee or other organization?**
☐Yes
☐No

If "Yes", please list the organization.
Click or tap here to enter text.

CHALLENGES

1. **Are there any additional challenges or problems that the body has been unable to resolve or wishes to bring to the attention of County Administration and/or the Board of Supervisors?**
☐Yes
☐No

If "Yes", please provide a description of the challenge or concern.
Click or tap here to enter text.

If "Yes", please also list who is affected by this challenge or problem.
Click or tap here to enter text.

If "Yes", please also list what changes or other recommendations the committee has considered in response.
Click or tap here to enter text.

ACCOMPLISHMENTS & IMPACT

1. **Describe the specific impact of the work of the body and its work in achieving its mission.** *Click or tap here to enter text.*

2. **Describe any effects the body has had on the target population or community.** *Click or tap here to enter text.*

3. **Optional: Describe any additional comments on the effectiveness of the accomplishments and impact of the body.** You may use this space to share additional comments about the work of the body, its effectiveness, the services it provides, or any other related achievements.*Click or tap here to enter text.*

Part II: Materials

Please attach or provide links to the following materials.

- Agendas from the most recent past 5 meetings:
  - ☐Attached; *or*
  - ☐Link: *Click or tap here to enter text.*

- Minutes (or records of action) from the most recent past 5 meetings:
  - ☐ Attached; *or*
  - ☐ Link : *Click or tap here to enter text.*

- Bylaws currently in effect:
  - ☐ This body does not have bylaws; *or*
  - ☐ Attached; *or*
  - ☐ Link: *Click or tap here to enter text.*

- Annual Reports for years 2023, 2024, and 2025 if available, as submitted to the Board of Supervisors:
  - ☐ There are no annual reports for the years 2023-2025; *or*
  - ☐ Attached; *or*
  - ☐ Link: *Click or tap here to enter text.*

Part III: Signatures & Certification

Please print, handwrite, and sign this section after reading the certification below:

I certify that I have reviewed this survey and believe that our board, committee, or commission's (body's) responses to the Triennial Review Phase I survey are complete and accurate.

Name of Board, Committee, or Commission (body) Chairperson: ________________________

Signature of Chairperson: ____

Date: ________________________

Name of Board, Committee, or Commission (body) Staff Person: ________________________

Signature of Staff Person: ____

Date: ________________________

Please direct completed surveys and any questions to:

Lauren Hull, Senior Management Analyst for the Clerk of the Board
Lauren.Hull@cob.cccounty.us
(925) 655-2007

Thank you for your time and cooperation!

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 26-3577 **Agenda Date:** 8/19/2026 **Agenda #:** 6.

Advisory Board: Hazardous Materials Commission Planning & Policy
Subject: HMC Bylaw Review
Presenter: Committee Chair

Information:
Attached to this agenda item are the Hazardous Materials Commission bylaws as of July 14, 2020.

Recommendation(s)/Next Step(s):
REVIEW the HMC bylaws and identify sections that lack clarity and CONSIDER making modifications.

AMENDED BYLAWS OF THE
CONTRA COSTA COUNTY
HAZARDOUS MATERIALS COMMISSION

These Amended Bylaws of the Contra Costa County Hazardous Materials Commission ("Bylaws") shall be effective upon approval of the Contra Costa County Board of Supervisors on July 14, 2020, and supersede and replace all previous bylaws.

I. <u>RESPONSIBILITIES</u>

A. Pursuant to Health and Safety Code section 25135.2, the Contra Costa County Hazardous Materials Commission ("Commission") shall:

1. Advise the County Board of Supervisors, County staff, and the mayors, council members, and staffs of the cities within the county, on issues related to the development, approval, and administration of the county hazardous waste management plan.

2. Hold informal public meetings and workshops to provide the public with information, and to receive comments, during the preparation of the county Hazardous Waste Management Plan.

B. Pursuant to Board of Supervisors Order dated October 14, 1986, the Commission is charged with the following tasks:

1. Draft a County Hazardous Materials Storage and Transportation Plan for consideration by the Board of Supervisors.

2. Draft a County Hazardous Materials Storage and Transportation Management Ordinance for consideration by the Board of Supervisors.

3. Coordinate the implementation of the Hazardous Materials Release Response Plan and Inventory program (AB 2185) (Stats. 1985, ch.1184) with the other recommendations of the Hazardous Waste Task Force and the Hazardous Waste Management Plan.

4. Address the economic effects of implementing these recommendations.

5. Further develop the recommendations involving hazardous materials issues which should include obtaining broad public input.

6. Oversee management coordination of all aspects of the storage or transportation of hazardous materials and the generation, storage, transportation, treatment, and

disposal of hazardous waste.

7. Recommend further charges for consideration by the Board of Supervisors, or recommend changes in the existing charges to the Commission for consideration by the Board of Supervisors.

C. Report and make recommendations on such further matters concerning hazardous materials and wastes as are referred to the Commission by the Board of Supervisors.

II. MEMBERSHIP

A. Members. The Commission shall consist of the following fourteen (14) members, each with an appointed alternate, and appointed as follows:

Three (3) representatives of cities, appointed by the City Selection Committee pursuant to Article 11 (§ 50270 et seq.) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code;

Three (3) representatives of business, nominated as indicated below, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;

- Business Seat #1 - to be nominated by the West County Council of Industries.
- Business Seat #2 - to be nominated by the Industrial Association.
- Business Seat #3 - to be nominated by the Contra Costa Taxpayers Association.

Two (2) representatives of environmental organizations, with all applicants to any of the two "Environmental Organization" seats to be nominated by an environmental organization, but that no particular environmental organization will have an exclusive right to nominate an individual to any one of the two aforesaid seats or their alternates, and therefore, which environmental organizations are represented on the Hazardous Materials Commission rests with the Internal Operations Committee and ultimately the Board of Supervisors;

One (1) environmental justice representative, being a layperson from a community that is highly impacted and burdened by hazardous material facilities and releases, who will be able to represent community interests, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;

One (1) representative of the League of Women Voters, nominated by the League and appointed by the Board of Supervisors;

Two (2) labor representatives, nominated by labor organizations, screened by the Internal Operations Committee, and appointed by the Board of Supervisors;

One (1) representative of environmental engineering firms located in Contra Costa County, nominated by such firms, screened by the Internal Operations Committee, and appointed by the Board of Supervisors; and

One (1) representative of the general public, appointed by the Board of Supervisors.

B. Board Appointments. Board of Supervisors' Resolution No. 2020/1 shall govern the procedure for nominating and appointing members appointed by the Board of Supervisors.

C. Terms. Members shall serve staggered terms of four years at the pleasure of the appointing authority. There is no limit to the number of terms a member may serve. The Commission shall determine how the terms shall be staggered.

If a Commissioner, or their alternate attending in their place, misses more than half of the full Commission meetings held in the final year of their term, the Commission shall recommend to the Board of Supervisors against reappointment for another term.

D. Alternates. Organizations nominating or appointing members to serve on the Commission may designate alternates to members of the Commission by submitting the name of the alternate to the County Administrator. If the Board of Supervisors is the appointing authority, the County Administrator shall seek Board approval of the appointment, which becomes effective upon Board approval.

III. OFFICERS

A. The Commission shall elect a Chairperson and a Vice-Chairperson for terms of one calendar year.

B. The Clerk of the Board shall be notified of the selection of the Chairperson and Vice-Chairperson.

C. The Chairperson and Vice-Chairperson may serve consecutive terms.

IV. CONDUCT OF BUSINESS

A. Meetings. Meetings shall be conducted pursuant to the Ralph M. Brown Act. (Gov. Code, § 54950 et seq.)

B. Chairperson. The Chairperson shall be responsible for:

1. Conducting all meetings of the Commission
2. Reviewing and approving Commission agendas.
3. Selecting Commission members for standing and ad hoc committees.
4. Representing the Commission, or designating a member to represent the

Commission, before the Board of Supervisors, City Councils, or other bodies before which the Commission may wish to appear.

C. Quorum. Business shall be conducted by the Commission only when a quorum is present. A majority of authorized seats shall constitute a quorum.

D. Final recommendations of the Commission to the Board of Supervisors shall require the number of affirmative votes equal to the quorum of the Commission on the date of the vote.

V. BYLAWS AND OTHER GUIDELINES

A. Bylaws. These Bylaws shall govern the conduct and activities of the Commission. However, nothing in these Bylaws excuses compliance with any other law. The Commission may, from time to time, recommend to the Board of Supervisors that changes be made to these Bylaws.

VI. CONFLICT OF INTEREST

A. General Board Policy. The Board of Supervisors has adopted a policy for Board appointees concerning conflicts of interest. The policy is set forth in Resolution No. 2002/376, which applies to the Commission and requires as follows:

1. Statutes on Conflicts. Officials, Commissioners, and Committee members appointed by the Board shall adhere to the principles and rules of the Political Reform Act of 1974 (Gov. Code, § 81000 et seq.), including the following:

   (a) Local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth. (Gov. Code, § 81001 (a).)

   (b) Public officials should perform their duties in an impartial manner, free from bias caused by financial interests of themselves or their supporters. (Gov. Code, § 81001 (b).)

   (c) Public officials should disclose assets and income which may be materially affected by their official actions, and in appropriate circumstances they should be disqualified from acting, in order to avoid conflicts of interest. (Gov. Code, § 81002 (c).)

2. Common Law Policy on Conflicts. All officials should so conduct the public business as to avoid even any appearance of conflict of interest. (See, e.g., Kimura v. Roberts [1979] 89 Cal.App.3d 871.)

B. Board Policy for Hazardous Materials Commission. Consistent with Resolution No. 2002/376 and Health and Safety Code section 25135.2, the Board hereby declares, as a matter of legislative determination, that members of the Hazardous Materials Commission are intended to represent and further the interest of specified industries and groups responsible for their nomination. Accordingly, the Board of Supervisors hereby finds that for purposes of members of the Commission nominated by a trade, industrial or professional group, such trade, industrial or professional group constitutes a significant segment of the public within the meaning of Government Code section 87103.

By this policy, the Board does not find or imply that members of the Hazardous Materials Commission are public officials within the meaning of Government Code section 87100 (Political Reform Act). This declaration of policy is only to clarify the application of the Board's general policy on conflict of interest to the Hazardous Materials Commission.

H:\HazMat Commission\HMCBylaws.Amended.7.8.20.doc