



CONTRA COSTA COUNTY

AGENDA

Hazardous Materials Commission

Friday, July 12, 2024

10:00 AM 1025 Escobar Street, Martinez, CA 94553
Room 110 A/B/C

Zoom: <https://zoom.us/j/94027485383>

Phone: 1 (669) 900-6833
Meeting ID: 940 2748 5383

Operations Committee Meeting

Chair: Commissioner Marielle Boortz -- Vice Chair: Commissioner Fred Glueck

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

1. Roll Call, Introductions, Announcements
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to two minutes).
3. CONSIDER approval of meeting minutes from the June 14, 2024 Hazardous Materials Commission - Operations Committee meeting. [24-2108](#)
Attachments: [HazMat Commission - Operations Committee Draft Meeting Minutes \(June 14, 2024\)](#)
4. CONSIDER recommendations to the Board of Supervisors concerning community engagement around contaminated site clean-up efforts. [24-2109](#)
Attachments: [HMC cont site recs from June 14, 2024](#)
[Draft Letter to BOS - Community Engagement at Cleanup Sites - July 12, 2024](#)
5. REVIEW Hazardous Materials Commission webpage and recommend changes and updates: [24-2110](#)
<https://www.cchealth.org/about-contra-costa-health/leadership/commissions-advisory-groups/hazardous-materials-commission>

6. CONSIDER recommendations to the Board of Supervisors concerning Student Interns' Presentations to the Hazardous Materials Commission on April 25, 2024. [24-2111](#)
7. DISCUSS application process and interview schedule for future commissioner and student intern openings on the Hazardous Materials Commission. [24-2112](#)

Attachments: [HazMat Commission Bylaws as of July 14, 2020](#)
[Hazardous Materials Commissioner Roster as of 06.18.24](#)

8. DISCUSS annual meetings with each Board of Supervisor member.

The next meeting is currently scheduled for August 9, 2024 at 10:00 AM.

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 1220 Morello Avenue, Suite 200, Martinez, CA 94553, during normal business hours. Staff reports related to items on the agenda are also accessible on line at www.contracosta.ca.gov. 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: Matthew Kaufmann at matt.kaufmann@cchealth.org



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-2108

Agenda Date: 7/12/2024

Agenda #: 3.

Advisory Board: Hazardous Materials Commission

Subject: Meeting Minutes from June 14, 2024 Hazardous Materials Commission - Operations Committee Meeting

Presenter: Matthew Kaufmann, Deputy Health Director

Information:

CONSIDER approval of the meeting minutes from June 14, 2024 Hazardous Materials Commission - Operations Committee meeting.

Recommendation(s)/Next Step(s):

APPROVE meeting minutes from the June 14, 2024 Hazardous Materials Commission - Operations Committee meeting.



HAZARDOUS MATERIALS COMMISSION OPERATIONS COMMITTEE

June 14, 2024
10:00 AM

Minutes

Meeting Minutes:

1. Roll Call and Introductions

The meeting was called to order at 10:04 AM on June 14, 2024.

Commissioners Present: Marielle Boortz, Julian Vinatieri, Fred Glueck, Brianne Zorn, Jamin Pursell, Tim Bancroft, Maureen Brennan

Commissioners Present Online: Gretchen Salter

County Staff Present: Matthew Kaufmann, Adam Springer

Members of the Public: Jan Warren, Cheryl Sudduth

Several announcements were made by Hazardous Materials Commission staff:

- The Contra Costa Health Hazardous Materials Programs is in the process of revising annual hazardous materials business permit fees. There will be a workshop on July 8, 2024 at 2 PM to receive comments on the draft proposal.
- Zoom recordings for all Hazardous Materials Commission meetings (including committees) will now be posted online at: <https://contra-costa.legistar.com/Calendar.aspx> shortly after the meeting. The meeting minutes will now be concise and document decisions/motions made by the commission.
- Cameron Soo will no longer be staffing the commission as previously announced. Matthew Kaufmann will be staffing the commission until further notice.

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

No comments were received from the public.

3. Review and consider approval of meeting minutes from the April 12, 2024 Hazardous Materials Commission - Operations Committee meeting.

The draft meeting minutes were reviewed and minor revisions were made. Commission Glueck motioned approval of the minutes; Commission Vinatieri seconded the motion.

Yes: Commissioners Boortz, Glueck, Pursell, Vinatieri

No: None

Abstain: Commissioner Zorn

4. Consider recommendations to the Board of Supervisors concerning community engagement around contaminated site clean-up efforts.

The commission continued reviewing potential recommendations. The commission will continue review at the July 2024 Hazardous Materials Commission – Operations Committee meeting.

5. Review Hazardous Materials Commission web page and recommend changes and updates:

<https://www.cchealth.org/about-contra-costa-health/leadership/commissions-advisory-groups/hazardous-materials-commission>

The commission continued this item to the next Hazardous Materials Commission – Operations Committee meeting.

6. Consider recommendations to the Board of Supervisors concerning Student Interns' Presentations to the Hazardous Materials Commission on April 25, 2024.

The commission discussed the student presentations received by the full Commission on April 25, 2024. The item will be continued to the next Hazardous Materials Commission – Operations Committee meeting.

7. Reports from Commissioners on items of Commission interest.

No items were mentioned by Commissioners.

8. Plan next meeting agenda.

The next Hazardous Materials Commission – Operations Committee meeting is scheduled for July 12, 2024 at 10:00 AM.

Adjourn

The meeting was adjourned at 12:00 PM.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-2109

Agenda Date: 7/12/2024

Agenda #: 4.

Advisory Board: Hazardous Materials Commission

Subject: Recommendations concerning community engagement around contaminated site clean-up efforts.

Presenter: Matthew Kaufmann, Deputy Health Director

Information:

CONSIDER recommendations to the Board of Supervisors concerning community engagement around contaminated site clean-up efforts.

Recommendation(s)/Next Step(s):

PREPARE recommendations and proceed as necessary.

Ideas generated at the March 8, 2023 Operations committee concerning contaminated site clean-up

Amended April 12, 2024 in Committee

Amended June 14, 2024 in Committee

- No reuse of contaminated sites for residential use.

Consider recommending no change of contaminated site of industrial zoning to residential use unless:

- There is strong community engagement, increased notification
- Some sort of bond to cover future clean-up needs or health risks
- Special consideration for sensitive receptors/vulnerable pop.

Concerns are:

Standards change over, new contamination is discovered, maintenance/engineering controls gets lost, people living on the site eventually have no way to advocate

Would require either clean-up to background levels, or redesignation of Zoning for land already zoned for residential, or prevention of rezoning of land to residential designation. DTSC only requires land to be cleaned up to the level required for its current land use designation. Option - recommend no rezoning of industrial land for residential use if there are land use restrictions placed on the site after the initial cleanup due to contamination left at the site.

- **County needs to do more** Early community engagement, communication and education – identify potential tools and increase distance from site for notification. Creative means to reach hard to reach people. Culturally appropriate messaging **and outreach** and in the appropriate languages.

See presentations of DTSC on 1/13/23, Heathy Contra Costa on 8/11/23, DCD on 11/3/23, EPA framework on 12/8/23 and Tracy Criag on 2/9/24. Could also be part of a grant to do site identification and investigation. See discussion with Alyson Greenly about getting grants for the NWEDI on 6/9/23. See draft letter Ops developed to support such efforts.

- Define “early engagement” - prior to development proposal – ask people what they want for various sites. **Before the land use permit is issued and being able to sign up for automatic notices**

See especially presentation by DCD on 11/3/23 where Mr. Avila discussed potential for better community engagement at the beginning of the CEQA process

- Continuously let public know about contaminated sites in their community.

Currently, residents have to review Envirostor and Geotracker or sign up to get public notices when there is activity at particular sites. Additional outreach would require additional staff at DTSC or the County to conduct. Could be a function of the Ombudsman program. **List 5 year reviews. Have links at County web site to relevant web sites. June 14, 2024: Develop a protocol to provide a list of Brownfield inventory sites to the public and their development status.**

- Have better signage and notification. **And fencing**

Having a better way to find out what is going on via e-mail notification.

AB 1045 addressed this, but died in Assembly last year. Author may be interested in re-introducing it in the future. Jenilee.fermin@asm.ca.gov, Assemblyman Hart, (916) 319-2037

- Identify clear timelines for development and don't lose historical information.

Again, for the County to provide a repository of information other than Envirostor, or to educate the public about envirostor, it would have to add staff. Look at fed EPA guidelines and West Oakland Indicator Project guidelines. **Rec to dtsc and/or county to link deed info directly to envirostor. Make it easier to do due diligence for home owners.**

See notes from 12/8/23

- Wanting the County to be more of an advocate for community and not just an arbitrator.

Rather than advocate, think that County is representing concerns of public when community is not there and not assume tacit approval of the decision being made, especially for public health concerns. Pitch MACs? See General Plan recs around EJ. Can Co keep list of resources.

This could be a project of the Ombudsman position – to help residents educate themselves and be good advocates for themselves, or the County would have to add staff.

June 14, 2024: The Department of Conservation and Development should explain what Brownfields are to building permit applicants at the time of application for development/building.

June 14, 2024: Once the County learns of a project, the County should proactively communicate to the surrounding the community about the project.

June 14, 2024: Ensure that planning departments and building departments are adequately advising the community of projects. The County should proactively assign community advocates to Brownfield projects to work with the surrounding community. Determine process to facilitate the information from a single point to then distribute the information to specific agencies within Health to determine any action that may need to take place.

Process would take information from Clean up agencies or Planning departments related to projects at Clean up sites (Brownfield etc.). Public health would have a subject matter expert to be able to explain or provide information or push out information to public (health Ad..)

- Do more work to identify cumulative impacts.

See work being done by DTSC and EPA to identify cumulative impacts in North Richmond. See flyer sent to HMC by MK on 2/12/24.

For more information, please contact Duane James, (415) 972-3988 or james.duane@epa.gov

- County to comment during DTSC process – close gap between development and cleanup process.

See especially presentation by DCD on 11/3/23 where Mr. Avila discussed potential for better community engagement at the beginning of the CEQA process

- Community compensation and make it easier to participate (childcare, alternative times, food, [incentivizing participation](#)).

See discussion with Alyson Greenlee (Department of Conservation and Development) about getting grants for NWEDI on 6/9/23. See draft letter Ops developed to support such efforts.

[Activity Room, Vouchers for food etc.](#)

DRAFT

[date]

[Board of Supervisors address]

Re: Recommendations concerning community engagement and communication around Brownfield and other contaminated sites cleanup efforts

Dear Chair and members of the BOS,

On behalf of the Hazardous Materials Commission, I am providing you with recommendations regarding County procedures and practices concerning community engagement and outreach for Brownfields and other contaminated sites cleanup efforts in the County, including during County processing of land use applications for such sites. The Commission voted to support these recommendations at our [insert date] meeting.

Background

In September 2010, the Commission published its report “Brownfields and Contaminated Sites Cleanup Policy in Contra Costa County, Recommendations for Improvement”, which is posted on the County website’s Hazardous Materials Commission webpage. The report describes the Commission’s four-year study of the status of Brownfield and other contaminated sites in the County and provides the Commission’s findings and four recommendations for the Board of Supervisors’ consideration.

The recommendations in the 2010 report are listed below.

1. The Board of Supervisors should direct the County’s Hazardous Materials Program to develop a complete, centralized, publicly accessible data, database of all contaminated and potentially contaminated sites in the County based on data available from the California Department of Toxic Substances Control, the State Water Resources Control Board and County databases.
2. The Board of Supervisors should recommend to the California Department of Toxic Substances Control and the State Water Resources Control Board that their contaminated site databases highlight when monitoring reports and five-year reviews of sites are due. The Board of Supervisors should direct the County’s Hazardous Materials Program to develop a system to track the implementation of the long-term monitoring and site-review requirements for County sites that have such requirements in their final remedial action plans, if they are highlighted on these data bases, and follow up as appropriate when they discover sites are overdue for review.
3. The Board of Supervisors should direct the County’s Hazardous Materials Programs and Department of Conservation and Development to work together to identify contaminated sites within Urban Limit lines in the County to aid in SB 375 planning
4. The Board of Supervisors should continue to direct appropriate County Departments to seek grants to identify, investigate and remediate potentially contaminated sites within Contra Costa

County. They should direct appropriate County Departments to work with logical jurisdictions, special districts, and private developers within Contra Costa County to apply for these grants where applicable.

[Insert/comments on Status of the recos?]

In 2022, the Commission decided to revisit the topic of Brownfield and other contaminated sites in the County, specifically to assess current practices around community engagement.

To learn from stakeholders with different roles and perspectives in community engagement regarding Brownfields and contaminated site cleanups and development projects, the Commission received presentations from and/or had discussions with ten people of various affiliations. Dates of the presentations/discussions are shown in parentheses.

- Dante Miguel, with Healthy Contra Costa, a community organization, regarding the cleanup of the Centerpoint site on Brookside Drive in North Richmond. (November 11, 2022; August 11, 2023)
- Latifah Abdullah, North Richmond resident, regarding the Centerpoint site in North Richmond. (November 11, 2022)
- Asha Setty, California Department of Toxic Substances Control (DTSC) Community outreach specialist, regarding DTC's community engagement process for contaminated sites. (January 13, 2023)
- Steve Linsley, Richmond Southeast Shoreline Area Community Advisory Group member, regarding the history and activities of the Group concerning the former Zeneca site located in Richmond. (February 10, 2023).
- Alyson Greenlee, Contra Costa County economic development manager. (June 9, 2023; December 8, 2023; April 12, 2024).
- George Carter, Contra Costa County Economic Development team member. (June 9, 2023; March 8, 2024)
- Francisco Avila, principal planner, Contra Costa County Department of Conservation and Development. (November 3, 2023).
- Roxanne Carrillo, with Healthy Contra Costa. (November 3, 2023; December 8, 2023)
- Tracy Craig, with Craig Communications, communications consultant. (February 9, 2024).
- Steve Jones, with Integral Communities, a real estate development company that cleans up contaminated properties to residential standards and then sells the land to developers. (February 9, 2024).

Commissioners also discussed their own experiences and observations from community engagement activities and communications regarding Brownfields/contaminated sites.

Based on learnings from this information gathering, the Commission developed nine recommendations for consideration by the Board of Supervisors regarding community engagement and communication concerning Brownfield and other contaminated sites cleanup efforts. The recommendations and rationale for the recommendations follow.

Recommendations

1. **The County should oppose zoning of a Brownfield or other contaminated site to residential use unless:**
 - **There has been substantial community engagement with the surrounding community members about the site cleanup and proposed residential use.**
 - **No land use restrictions will be placed on the site following cleanup.**

Rationale: The Commission has concerns about residential use of properties where contamination remains in soil and groundwater. Over time, cleanup standards tend to become stricter and contaminant detection limits lower such that property that meets residential standards when developed may not meet residential cleanup standards that may be established in the future to protect human health. If the approved cleanup plan requires installation and maintenance of abatement equipment or engineering controls, there is concern that the equipment/controls may not be adequately maintained over time. The initial residents of a developed property would likely be aware of a property's past uses and land use restrictions placed on the property. Subsequent residents may not be so informed and may have no avenue to advocate for additional site cleanup if they find remaining or newly discovered contamination.

2. **Improve County community engagement and education practices through earlier, broader, and culturally appropriate community engagement.**

Means to accomplish this should include: Increasing the distance from the site for required community notifications, ensuring communications are culturally appropriate and in the appropriate language for the community, considering use of creative means to reach hard to reach people. Funding for this work could be part of a grant to do site identification and investigation, e.g., grants available from the federal Environmental Protection Agency (EPA) and the California Department of Toxic Substances Control (DTSC).

Rationale: The Commission heard that residents may not learn about Brownfield and contaminated site development projects in their neighborhood until late in the cleanup plan and land permit approval processes. The Commission also heard that many members of the public do not: understand the cleanup plan and land use permit approval processes; know how they can provide input; understand technical terms, information and data regarding site contamination and risk assessments.

3. **Start conducting community engagement at the beginning of the CEQA process for site development proposals, e.g., before the land use permit is issued. Provide means for members of the public to sign up to receive automatic notices of site updates and public comment periods/meetings.**

Rationale: The Commission heard that community members may learn of a development project at a Brownfield/contaminated site too late, after public comment periods have passed. Also that there is an opportunity to close the communications gap between the site cleanup plan approval and development permitting processes since the processes are managed by different agencies, such as DTSC and the County.

4. **Implement a protocol for County residents to readily and easily learn about the status of Brownfield/contaminated sites in their community.**

This could be achieved by different means, such as:

- Develop and post a Brownfield/contaminated sites inventory for the County, including the development status of each site.
- Post links to the DTSC EnviroStor and State Water Board GeoTracker data systems on the County website.
- Provide public education and guidance and how to use EnviroStor and GeoTracker.
- Request DTSC or have the County link the property deed information to the site information in EnviroStor.
- Community outreach and education about Brownfield/contaminated sites could be a function of the County Ombudsman program.

Rationale: Currently residents have to review DTSC's EnviroStor and the State Water Board's GeoTracker data systems, or sign up to get public notices, to learn when there is activity at a particular site. The data systems are not easy for the general public to use without technical expertise. Having Brownfield/contaminated site information more readily available could make it easier for homeowners and property purchasers to do due diligence.

5. Support legislation requiring better Brownfield/contaminated site signage, fencing and more public notifications about site activities, such as AB1045 which died in the Assembly in 2023.

Rationale: The Commission is aware of instances in the County where signs alerting of site contamination hazards are not posted and members of the public, unaware of potential risks, trespass onto a Brownfield/contaminated site. The Commission also learned that DTSC and other agencies follow current law which just requires that certain notices regarding hazardous waste/material sites and projects be published in newspapers. California AB1045 would have required use of additional and now more commonly used communications means such as online newspapers, digital platforms and community bulletin boards.

6. Develop and implement a protocol such that the County is an advocate for the community not just an arbitrator between the public and a Brownfield/contaminated site project proponent/permit applicant.

The protocol should include:

- Helping residents be educated about the sites and able to advocate for themselves.
- Proactively communicating to the surrounding community about a development project once the County learns of the project.

The protocol could involve working with Municipal Advisory Councils (MACs) in the County to inform and engage with community members. The protocol could also be a project of the County Ombudsman program.

Rationale: The Commission believes there is opportunity for the County to be more of an advocate for the public, especially regarding public health concerns at Brownfields and other contaminated sites. This recommendation is consistent with several of the Commissions' recommended changes and additions, regarding environmental justice policy, to the County's draft General Plan update by our February 1, 2021 letter to the Board of Supervisors chairperson, e.g., Identify and designate a communications liaison to ensure that hazardous materials and waste topics are presented to disadvantaged communities in a manner that is easily and clearly comprehensible.

- 7. Develop and implement a procedure to facilitate having one single point in the County to receive notices/information from the Regional Water Quality Control Board (RWQCB) and DTSC about Brownfield/contaminated site projects and then distribute the notices/information to relevant County agencies/departments, including the County Public Health Department.**

Rationale: The Commission learned that County Public Health Department staff may not learn about Brownfield and contaminant site cleanups and land use projects since County departments which receive RWQCB/DTSC notices/information typically review them from their own technical perspective and within their jurisdiction. If the Public Health Department receives the notices/information, it can then assign a subject matter expert to help explain/provide information to the public or issue a health advisory as deemed necessary or appropriate.

- 8. Support agency efforts to identify cumulative impacts on public health from Brownfield/contaminated site activities.**

Rationale: The Commission is aware of work being done by DTSC and the federal EPA to identify cumulative impacts in North Richmond. The County should monitor and support this work.

- 9. Promote ways to incentivize and make it easier for nearby residents to participate in community meetings about Brownfield/contaminated sites in their neighborhood.**

Some examples that have been done and welcomed by residents include:

- Provide childcare or an activity room for children at the meeting site.
- Provide food and beverages at meetings.
- Compensate site neighboring residents who attend the meeting, e.g., provide a local grocery store voucher (after confirming the attendee is a resident who lives in the neighborhood surrounding the site).

Rationale: The Commission believes effective community engagement and education can best be achieved when numerous community members attend public meetings.

Sincerely,

Fred Glueck, Chairperson
Contra Costa County Hazardous Materials Commission



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-2110

Agenda Date: 7/12/2024

Agenda #: 5.

Advisory Board: Hazardous Materials Commission

Subject: Review Hazardous Materials Commission Webpage and Recommend Changes and Updates

Presenter: Matthew Kaufmann, Deputy Health Director

Information:

REVIEW the Hazardous Materials Commission webpage and recommend changes and updates:

<https://www.cchealth.org/about-contra-costa-health/leadership/commissions-advisory-groups/hazardousmaterials-commission>

Recommendation(s)/Next Step(s):

PROVIDE recommendations and proceed as necessary.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-2111

Agenda Date: 7/12/2024

Agenda #: 6.

Advisory Board: Hazardous Materials Commission

Subject: Recommendations from Student Intern's Presentations to the Hazardous Materials Commission on April 25, 2024

Presenter: Matthew Kaufmann, Deputy Health Director

Information:

Student interns made two (2) presentations to the Hazardous Materials Commission on April 25, 2024.

Recommendation(s)/Next Step(s):

CONSIDER recommendations to the Board of Supervisors as a result of the presentations and proceed as necessary.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-2112

Agenda Date: 7/12/2024

Agenda #: 7.

Advisory Board: Hazardous Materials Commission

Subject: Application Process and Interview Schedule for Future Commissioner and Student Intern Openings

Presenter: Matthew Kaufmann, Deputy Health Director

Information:

The Hazardous Materials Commission is anticipating commissioner and student intern openings over the next several months.

Recommendation(s)/Next Step(s):

DISCUSS application process and interview schedule for future commissioner and student intern openings on the Hazardous Materials Commission. PROVIDE direction as necessary.

**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. RESPONSIBILITIES

- 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.

Hazardous Materials Commissioner Roster as of June 18, 2024

Position	Name	Start date	End date	Committee	Additional Positions
Business Seat 1 - West Co. Council of Industries	Fred Glueck	2/28/2023	12/31/2026	OPS	HazMat Commission Chair, Operations Committee Vice Chair
Business Seat 1 Alt. - West Co. Council of Ind.	Aaron Winer	2/28/2023	12/31/2026	OPS	
Business Seat 2 - Industrial Association	Mark Hughes	1/1/2022	12/31/2025	P&P	HazMat Commission Vice Chair, Planning and Policy Committee Chair
Business Seat 2 Alternate - Industrial Association	Amy McTigue	1/1/2022	12/31/2025	P&P	
Business Seat 3 - Contra Costa Taxpayers Assoc.	Andrew D Graham	2/28/2023	12/31/2024	P&P	
Business Seat 3 Alt. - Co. Co. Taxpayers Assoc.	Frank Qin	7/11/2023	12/31/2024	P&P	
City Seat 1	Anthony L Tave	2/28/2023	12/31/2026	OPS	
City Seat 1 Alternate	Cesar Zepeda	3/19/2024	12/31/2026	OPS	
City Seat 2	Eduardo Martinez	3/19/2024	12/31/2027	P&P	
City Seat 2 Alternate	Brianne Zorn	3/19/2024	12/31/2027	P&P	
City Seat 3	Soheila V Bana	3/21/2023	12/31/2024	P&P	
City Seat 3 Alternate	Peter K Cloven	3/30/2021	12/31/2024	P&P	
Environmental Engineering Firms	George Smith	1/1/2022	12/31/2025	P&P	
Environmental Engineering Firms Alternate	Ronald Chinn	1/1/2022	12/31/2025	P&P	
Environmental Justice Representative	Maureen M Brennan	7/26/2022	12/31/2025	OPS	
Environmental Justice Representative Alternate	Kevin G Ruano Hernandez	4/18/2023	12/31/2025	OPS	
Environmental Organizations Seat 1	Jamin Pursell	6/27/2023	12/31/2024	OPS	
Environmental Organizations Seat 1 Alternate	Gretchen E Salter	11/28/2023	12/31/2024	OPS	
Environmental Organizations Seat 2	Lisa A Martell	2/27/2024	12/31/2027	P&P	
Environmental Organizations Seat 2 Alternate	Rohan Tyagi	2/2/2024	12/31/2027	P&P	
General Public	Tim Bancroft	1/1/2024	12/31/2027	OPS	
General Public Alternate	Kenneth L Luther	1/1/2024	12/31/2027	OPS	
Labor Seat 1 - Central Labor Council	Julian Vinatieri	3/21/2023	12/31/2026	OPS	
Labor Seat 1 Alternate - Central Labor Council	Terry A Baldwin	2/28/2023	12/31/2026	OPS	
Labor Seat 2 - United Steel Workers Local 5	Jim Payne	1/1/2024	12/31/2027	P&P	Planning and Policy Committee Vice Chair
Labor Seat 2 Alternate - United Steel Workers Local 5	Nick Plurkowski	2/27/2024	12/31/2027	P&P	
League of Women Voters	Marielle Boortz	1/1/2021	12/31/2024	OPS	Operations Committee Chair
League of Women Voters Alternate	Madeline Kronenberg	1/1/2021	12/31/2024	OPS	