



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## BOARD OF DIRECTORS' REGULAR MEETING

January 15, 2003

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7<sup>th</sup> floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

### Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

### Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

# BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

WEDNESDAY  
JANUARY 15, 2003  
9:45 A.M.

BOARD ROOM  
7TH FLOOR

## CALL TO ORDER

Opening Comments  
Roll Call  
Pledge of Allegiance  
Commendations/Proclamations

Scott Haggerty, Chairperson  
Clerk of the Boards

## PUBLIC COMMENT PERIOD

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**  
*Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*

## CONSENT CALENDAR (ITEMS 1 – 10)

Staff/Phone (415) 749-

1. Minutes of December 4, 2002  

M. Romaidis/4965  
[mromaidis@baaqmd.gov](mailto:mromaidis@baaqmd.gov)
2. Communications  

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*Information only*
3. Report of the Advisory Council  

B. Hanna/4962  
[bchanna@napanet.net](mailto:bchanna@napanet.net)
4. Monthly Activity Reports  

P. Hess/4971  
[phess@baaqmd.gov](mailto:phess@baaqmd.gov)

*Division Activities for the months of November and December 2002*
5. Quarterly Report of the Clerk of the Boards  

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)
6. Comparison Report of District Energy Use  

W. Tanaka/5066  
[wtanaka@baaqmd.gov](mailto:wtanaka@baaqmd.gov)

*Report of District energy use beginning January 2000 through December 2002*
7. 2003 Regulatory Calendar  

T. Perardi/4667  
[tperardi@baaqmd.gov](mailto:tperardi@baaqmd.gov)

*Health & Safety Code Section 40923 requires the District to publish a list of regulatory measures that may be considered during the next calendar year.*

8. Establishment of Policy for Personnel Committee Meetings to be Held Only As Needed

*Staff recommends establishment of policy to hold Personnel Committee meetings on an as-needed basis.*

**B. Bunger/4920**

[bbunger@baaqmd.gov](mailto:bbunger@baaqmd.gov)

9. Establishment of a Stationary Source Committee

**P.Hess/4971**

[phess@baaqmd.gov](mailto:phess@baaqmd.gov)

*Staff recommends establishment of a Stationary Source Committee.*

10. Authorization for Execution of Contract in Excess of \$35,000

**W. Tanaka/5066**

[wtanaka@baaqmd.gov](mailto:wtanaka@baaqmd.gov)

*Pursuant to the District's Administrative Code Division II, Section 4.3 Fiscal Policies and Procedures, staff requests the Board authorize the Executive Officer/APCO to execute a Contract with Ambassador Private Security Services in an amount not to exceed \$38,000, for security services to be provided at the District office.*

### **COMMITTEE REPORTS AND RECOMMENDATIONS**

11. Report of the **Public Outreach Committee** Meeting of December 9, 2002

**CHAIR: J. MILLER**

**W. Norton/5052**

[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

12. Report of the **Budget and Finance Committee** Meeting of December 11, 2002

**CHAIR PRO TEM: H. BROWN**

**W. Norton/5052**

[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

**Action(s):** *The Committee recommends that the Board approve the following:*

- A) Request to increase the FY 2002/2003 budget by \$135,000 in the Technical Services Division; and*
- B) Transfer \$300,000 from the unencumbered General Fund Reserve to Program 603, professional services budget, in the Planning Division for photochemical (ozone) modeling.*

13. Reports of the **Mobile Source Committee** Meetings of December 12, 2002 and January 9, 2003

**VICE-CHAIR: SHELIA YOUNG**

**W. Norton/5052**

[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

**Action(s):** *The Committee recommends approval of the following items (12/12/02):*

- A) Approve a project for a Liquefied Natural Gas Refueling station in Oakland with Waste Management of Alameda County. Funding up to \$250,000 will be available from the California Energy Commission's Carl Moyer Alternative Fuel Infrastructure Program.*
- B) Approve staff recommendation to use up to \$75,000 of Diesel Back-Up Generator Mitigation Funds received from the California Air Resources Board to study the use of biodiesel and to develop a pilot project regarding biodiesel.*

**Action(s):** *The Committee recommends approval of the following items (01/09/03):*

C) *Approval of Mail Stream Corporation as the contractor for the FY 2002/03 Vehicle Buy Back Program direct mail service provider and authorization for the Executive Officer to execute a contract for up to \$110,000 with Mail Stream Corporation to provide direct mail services.*

D) *Approval of proposed FY 2003/04 Transportation Fund for Clean Air Program Policies and Evaluation Criteria.*

14. Report of the **Regional Agency Coordinating Committee** Meeting of December 20, 2002  
M. DESAULNIER W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

### **PRESENTATION**

15. Status of Rule Development Activities and Further Study Measures Implementing the Bay Area 2001 Ozone Attainment Plan. W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*District and MTC staff will provide reports on the status of Rule Development Activities and Further Study Measures Implementing the Bay Area 2001 Ozone Attainment Plan.*

### **OTHER BUSINESS**

16. Report of the Executive Officer/APCO  
17. Chairperson's Report

### **CLOSED SESSION**

18. Conference with Legal Counsel

#### **Existing Litigation:**

*Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:*

Stonelight Tile, Inc. and David Anson v. Bay Area AQMD, United States District Court, N.D. Cal., San Jose Division, Case No. CV 98-21060 (JW) (PVT)

Communities for a Better Environment and Transportation Defense and Education v. Bay Area AQMD, Metropolitan Transportation Commission, Association of Bay Area Governments, and California Air Resources Board, San Francisco Superior Court, Case No. 323849

San Joaquin Valley Unified Air Pollution Control District v. State of California Air Resources Board, Sacramento County Superior Court, Case No. 02CS00270

Transportation Solutions Defense and Education Fund, Our Children's Earth Foundation, and Communities for a Better Environment v. United States Environmental Protection Agency, United States Court of Appeals for the Ninth Circuit, Case No. 02-70443

People of the State of California by and through Bay Area AQMD v. Read-Rite Corporation, Alameda County Superior Court, Case No. 2001024690

**OPEN SESSION**

19. Board Members' Comments

*Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

20. Place of Next Meeting - 9:45 a.m., Wednesday, February 5, 2003 -939 Ellis Street, San Francisco, CA 94109

21. Adjournment