

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Approved Minutes: Board of Directors' Regular Meeting – September 20, 2006

**Call To Order**

Opening Comments: Chair Gayle B. Uilkema called the meeting to order at 9:46 a.m.

Roll Call: Present: Gayle B. Uilkema, Chair, Tom Bates, Harold Brown, Chris Daly (9:55 a.m.), Scott Haggerty (9:49 a.m.), Jerry Hill, Yoriko Kishimoto, Carol Klatt, Liz Kniss (10:14 a.m.), Janet Lockhart (9:49 a.m.), Jake McGoldrick, Nate Miley (9:49 a.m.), Mark Ross, Michael Shimansky, John Silva, Tim Smith, Pamela Torliatt, Brad Wagenknecht.

Absent: Mark DeSaulnier, Dan Dunnigan, Erin Garner, Patrick Kwok.

Chair Uilkema announced that staff has provided a binder that includes inquiries and public comments on the Spare the Air Program, and the Air District's and Chair's responses. The binder is available for Board members to review.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

Directors Scott Haggerty, Janet Lockhart, and Nate Miley arrived at 9:49 a.m.

**Public Comment Period:** The following individual came forward and spoke on the Pacific Steel Casting facility in Berkeley:

Judith Meyer  
Berkeley, CA 94702

**Proclamation/Commendation**

*The Board of Directors presented a plaque to James Corazza, Deputy Clerk of the Boards in the Executive Office for his dedicated service to the Air District, the Advisory Council and the Board of Directors for over 20 years.*

Director Chris Daly arrived at 9:55 a.m.

**Consent Calendar (Items 1 – 3)**

1. Minutes of August 2, 2006
2. Communications. Correspondence addressed to the Board of Directors. For information only.

3. Monthly Activity Reports: *Report of Division Activities for the months of July and August 2006.*

**Board Action:** Director Brown moved approval of the Consent Calendar; seconded by Director Ross; carried unanimously without objection.

### **Committee Reports and Recommendations**

4. Report of the Public Outreach Committee Meeting of August 30, 2006

Director Wagenknecht presented the report and stated that the Public Outreach Committee met on Wednesday, August 30, 2006.

Staff provided an update on the 2006 Spare the Air program. Eleven Spare the Air advisories have been issued to date. Region-wide transit ridership increased by 15%. The results of the survey taken on the free fare days were reviewed and staff discussed behavioral changes, environmental results, and customer complaints. The Committee discussed ideas for the 2007 Spare the Air Program and provided direction to staff. Potential funding sources for the 2007 Program were reviewed by staff.

A report on the District's Youth Outreach Program was presented to the Committee. Staff reviewed the Clean Air Challenge curriculum and noted that the teacher workshops will start in the near future. The program is designed for sixth through twelfth grades. The in-school live theatre performances of "Smogzilla" target kindergarten through sixth grade. The objectives and approach of the programs were discussed.

The next meeting of the Committee will be at the Call of the Chair.

**Board Action:** Director Wagenknecht moved that the Board of Directors' approve the report of the Public Outreach Committee; seconded by Director Smith; carried unanimously without objection.

5. Report of the Mobile Source Committee Meeting of September 11, 2006

*Action(s): The Committee recommended Board of Directors' approval of the following:*

- A) *Vehicle Incentive Program (VIP) for fiscal year 2006/2007, including: a) allocation of \$600,000 in Transportation Fund for Clean Air (TFCA) Regional Funds for the fiscal year 2006/2007 VIP funding cycle; and b) approval of the VIP guidelines;*
- B) *Allocation of \$2,240,000 in Mobile Source Incentive Fund revenues to fund the Lower-Emission School Bus Program; and*
- C) *Direct Mail Center as the contractor for the FY 2006/2007 Vehicle Buy-Back Program direct mail service provider and authorize the Executive Officer to execute a contract for up to \$88,935 to provide such service.*

Director Smith presented the report and stated that the Committee met on Monday, September 11, 2006.

The Committee received a report on the Vehicle Incentive Program (VIP) for fiscal year 2006/2007 and recommends Board of Directors approval of the VIP for fiscal year 2006/2007, including:

- A) the allocation of \$600,000 in Transportation Fund for Clean Air (TFCA) Regional Funds, and
- B) the proposed VIP guidelines presented as Attachments A and B of Agenda Item 4 of the staff report included in your packets.

The San Francisco County Program Manager Expenditure Plan for fiscal year 2006/2007 regarding the plug-in hybrid demonstration project was withdrawn from the agenda.

Staff provided a report on the allocation of Mobile Source Incentive Fund (MSIF) revenues to the Lower-Emission School Bus Program. Staff reported that the State has budgeted \$25 million for the replacement of pre-1977 buses. The Air District may receive a portion of the funds and staff was directed by the Committee to expend State funds to the extent they are available. The Committee recommends Board of Directors approval of the allocation of \$2,240,000 of MSIF revenues to the Lower-Emission School Bus Program for the purchase of new school buses, without requiring matching funds from participating school districts. The Committee received a report on the selection of a contractor for the direct mail campaign for the Vehicle Buy Back Program. The Committee recommends Board of Directors approval of:

- A) the selection of Direct Mail Center as the contractor for the fiscal year 2006/2007 Vehicle Buy Back Program direct mail service provider; and
- B) authorizing the Executive Officer to execute a contract for up to \$88,935 with Direct Mail Center to provide direct mail services for the VBB Program, with the option to renew the contract for an additional year at the Air District's discretion.

A report on the Ozone Strategy Further Study Measure 18: Indirect Source Mitigation was presented to the Committee. The Committee gave direction to staff on next steps and speaking points as presented to the Board.

The next meeting of the Committee is scheduled for 9:30 a.m., Monday, October 16, 2006.

**Board Action:** Director Smith moved that the Board of Directors approve the recommendations and the report of the Mobile Source Committee; seconded by Director McGoldrick.

Chair Uilkema highlighted the attachment to the report regarding Next Steps/Speaking Points and noted they were for the Directors to use. The motion then carried unanimously without objection.

6. Report of the Executive Committee meeting of September 13, 2006

*Action(s): The Committee recommended that the Board of Directors' authorize the Executive Officer/APCO to initiate a program with the Sacramento Metropolitan Air Quality Management District for joint use of Carl Moyer Program Funds for multi-regional projects in the amount of \$500,000.00.*

Chair Uilkema presented the report and stated that the Committee met on Wednesday, September 13, 2006 and received and filed the Reports of the Hearing Board and Advisory Council. Advisory Council Chair, Kraig Kurucz, noted that several members of the Council attended the Air & Waste Management Association Conference in New Orleans. Mr. Kurucz provided brief updates on the following key topics the Council is working on: particulate matter, woodsmoke, greenhouse gas programs, and the Community Air Risk Evaluation (CARE) Program.

Staff provided an overview of SB 225, which would change the formula for distribution of Carl Moyer funds. The Bay Area District and the Sacramento Metropolitan AQMD would like to initiate a program whereby Carl Moyer funds would go towards multi-regional projects. The Committee recommends that the Board of Directors' authorize the Executive Officer/APCO to initiate a program with the Sacramento Metropolitan Air Quality Management District with the allocation of \$500,000.00 each year from Carl Moyer Program funds towards multi-regional projects. The Sacramento Metropolitan Air Quality Management District's Board of Directors unanimously approved the program and a matching allocation of \$500,000.00 in Carl Moyer Program Funds.

The Committee received an update on the recent activities of the Spare the Air Program, including results of the survey. The Committee provided direction to staff on several items.

Staff provided an update on the Community Air Risk Evaluation (CARE) Program. The Program is a multi-phase program and Phase I concentrated on the development of toxic air contaminants emission estimates. Phase I is near completion. Phase II will focus on modeling concentrations and continued mitigation. An update on the CARE Program will be presented to the full Board at a future meeting.

Staff presented a report on mercury emission from crematories and reviewed background information on mercury; its health effects; mercury emissions from crematories, which are estimated to be 27 pounds per year; the regulation of mercury from crematories; and the amount of mercury found in the San Francisco Bay. Copies of the presentation are at each Board member's place.

Ted Droettboom updated the Committee on recent activities of the Joint Policy Committee.

The next meeting of the Committee will be at the Call of the Chair.

**Board Action:** Chair Uilkema moved that the Board of Directors approve the recommendation and report of the Executive Committee; seconded by Director Daly; carried unanimously without objection.

Director Liz Kniss arrived at 10:14 a.m.

### **Closed Session**

The Board convened to Closed Session at 10:14 a.m.

7. Conference with District's Labor Negotiators (Government Code § 54957.6(a))

*Agency Negotiators: Jack P. Broadbent, Executive Officer/APCO  
Michael Rich, Human Resource Officer*

*Employee Organization: Bay Area Air Quality Management District Employees'  
Association, Inc.*

8. Conference with Legal Counsel – **Existing Litigation**  
*Pursuant to Government Code Section 54956.9(a), a need existed to meet in closed session with legal counsel to consider the following cases:*
  - A. **Bay Area AQMD v. Pacific Steel Casting Company, et al.**, Alameda Superior Court, Case No. RGO6284043
  - B. **Thomasina Mayfield v. Bay Area AQMD**, San Francisco Superior Court, Case No. CGC-06-455723

### **Open Session**

The Board reconvened to Open Session at 10:43 a.m. and Brian Bunger, Legal Counsel reported that the Board of Directors met in Closed Session on agenda items 7. and 8. and provided direction to Counsel and staff on these matters.

### **Other Business**

9. Report of the Executive Officer/APCO – Mr. Broadbent reviewed the following:
  - A) The District is going from its summer to winter Spare the Air Programs. There have been 12 days which exceeded the Federal 8-hour standard and 18 days which exceeded the State 8-hour standard.
  - B) The Board has been provided with a binder on the correspondence and responses on the District's Spare the Air Program.
  - C) There is a list of Community Events at each Board member's place.
  - D) On August 1, 2006, the District received all of the Flare Management Plans from the refineries. Three of the five were incomplete. The refineries have an additional 45 days to complete the incomplete Plans.
  - E) The Climate Protection Summit is scheduled for Friday, November 10, 2006. The Summit will be held from 9 a.m. to 4 p.m. at the Yerba Buena Garden Center.
10. Chairperson's Report – Chair Uilkema reported on the following items:
  - A) Encouraged Committee members to attend their respective meetings as one Board member will be unavailable for a period of time due to a family issue. The goal is to make sure there are quorums for the Committee meetings.
  - B) Recommended that the Board members see the movie *An Inconvenient Truth*.
11. Board Members' Comments – There were none.

12. Time and Place of Next Meeting – 9:45 a.m., Wednesday, October 4, 2006 – 939 Ellis Street, San Francisco, CA 94109
13. Adjournment – The meeting adjourned at 10:48 a.m.

*/s/ Mary Romaidis*

Mary Romaidis  
Clerk of the Boards