

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

Approved Minutes: Board of Directors' Regular Meeting – December 19, 2007

Call To Order

Opening Comments: Chair Mark Ross called the meeting to order at 9:47 a.m.

Roll Call: Present: Mark Ross, Chair, Chris Daly (9:48 a.m.), Jerry Hill, Yoriko Kishimoto, Carol Klatt, Liz Kniss (10:16 a.m.), Janet Lockhart, Jake McGoldrick (10:30 a.m.) Nate Miley, Michael Shimansky, John Silva, Tim Smith, Pamela Torliatt, Gayle B. Uilkema, Brad Wagenknecht.

Absent: Tom Bates, Harold Brown, Dan Dunnigan, Erin Garner, John Gioia, Scott Haggerty.

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

Director Daly arrived at after the Pledge of Allegiance at 9:48 a.m.

Public Comment Period: There were none.

Commendations/Proclamation:

The Board of Directors recognized Luna Salaver, for 27 years of dedicated service to the Air District.

The Board of Directors recognized employees who have completed milestones of twenty-five (25), thirty (30), and thirty-five (35) years of service with the Air District during the later half of 2007 with certificates and pins.

Consent Calendar (Items 1, 2 and 4)

Director Uilkema recommended removing Item 3 and Chairperson Ross agreed.

1. Minutes of December 19, 2007
2. Communications – *Information only.*

4. Consideration of Proposed Regulatory Calendar for 2008

State law requires each Air District to publish a list of potential regulatory measures for the upcoming year. No regulatory measures can be brought before the Board that is not on the list, with specified exceptions. Consequently, the list contains all measures that may come before the Board in 2008.

Board Action: Director Miley moved approval of Consent Calendar Items 1, 2 and 4; seconded by Director Kishimoto carried unanimously without objection

3. District Personnel on Out-of-State Business Travel

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board was notified by memoranda the list of District personnel who traveled on out-of-state business.

Chairperson Ross opened Item 3 for discussion and Director Uilkema noted that the reports that are received do not match in terms of Out-of-State Travel with Item 3 and the report that is submitted to the Board of Directors. Director Uilkema requested that the two be brought into sync and at the next meeting have a comprehensive report prepared for the Board of Directors regarding Out-of-State Travel.

Board Action: Director Uilkema moved approval of Consent Calendar Item 3 with the request noted above; seconded by Director Wagenknecht carried unanimously without objection

Director Kniss arrived at 10:16 a.m.

Committee Reports and Recommendations

5. Report of the **Ad Hoc Committee on Port Emissions** Meeting of December 6, 2007

Director Miley presented the report and stated that the Committee met on December 6, 2007 and received the following.

The Committee received information on the West Oakland health risk assessment being prepared by the Air Resources Board and information on the Port of Oakland's Maritime Air Quality Improvement plan.

The Committee received information and reviewed a preliminary Green Ports draft rule that requires Bay Area ports to prepare emissions inventories and emission reduction plans.

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

Board Action: Director Miley moved that the Board of Directors' approve the Committee report seconded by Director Torliatt; carried unanimously without objection.

Director McGoldrick arrived at 10:30 a.m.

6. Report of the **Mobile Source Committee** Meeting of December 10, 2007

Speaker: The following individual spoke on this agenda item:

Lynn March
Sonoma County Transportation Authority

Director Smith asked if Mr. Broadbent would like to comment and Mr. Broadbent noted that the Air District has been in touch with the CMA directors and in conversations of late, and with Legal Counsel, the Air District has come to the conclusion that we might be able to allow for them to incur some of the costs in terms of the administrative side of administering the grant monies prior to having the signed contract.

The CMA's will be informed through correspondence and the Air District feels that some of the key issues will need to be discussed in greater length.

Director Smith presented the report and stated that the Committee met on Monday, December 10, 2007.

The Committee was provided an information update on the California Goods Movement Bond, including the Air District's application for early funding and milestones for the disbursement of the main grant funding.

The Committee considered staff recommendations that the Board of Directors authorize the Executive Officer/APCO to execute amended contracts with vehicles dismantlers to continue vehicle scrapping and related services, and authorize the release of funding approved for this program for FY 2007/2008 in the amount of \$7 million dollars. The Committee recommends that the Board of Directors authorize the Executive Officer/APCO to execute amended contracts with Environmental Engineering Studies Inc., Pick-N-Pull, and Pick Your Part, to continue vehicle scrapping and related services through 2008.

The Committee considered staff recommendation for Board of Directors' approval of TFCA County Program Manager project for fiscal year 2007/2008, and amendments to expenditure programs for certain prior years. The Committee recommends Board of Directors approval of the following:

- 1) Fiscal year 2007/2008 TFCA County Program Manager projects listed on Attachment 1 of the staff report; and
- 2) Amendment of TFCA County Program Manager Expenditure Plans for fiscal year 2007/2008 for San Mateo City/County Association of Governments, for 2006/2007 for Contra Costa Transportation Authority, and fiscal year 2005/2006 for Sonoma County Transportation Authority, listed on Tables 1 through 3 in the staff report.

The Committee considered staff recommendation of proposed revisions to Transportation Fund for Clean Air County Program Manager Fund policies to govern allocation of FY 2008/2009 TFCA Funds. The Committee recommends Board of Directors' approval of the

proposed fiscal year 2008/2009 TFCA County Program Manager Fund policies presented in Attachment A of the staff report.

Finally, the Committee was provided with an informational update on the Carl Moyer Program and considered a staff recommendation to authorize the Executive Officer/APCO to execute a supplemental Carl Moyer agricultural project contract with Dittmer Ranch for \$2,000.

The next meeting of the Committee is scheduled for 9:30 a.m., Thursday, December 13, 2007.

Board Action: Director Smith moved that the Board of Directors approve the recommendations and report of the Mobile Source Committee; seconded by Director Lockhart; carried unanimously without objection.

7. Report of the **Budget and Finance Committee** Meeting of December 12, 2007

Director Daly presented the report and stated that the Committee met on Wednesday, December 12, 2007.

The Committee received the first quarter financial report for Fiscal Year 2007-08.

The Committee considered a request to authorize the Executive Officer/APCO to execute agreements to Pre-Fund Air District "Other Post Employment Benefits" (OPEB) through CalPERS. The Committee recommended Board of Directors' approval of the transfer of \$2,800,000 from designated reserves for deposit in a CalPERS administered fund.

The Committee considered a request to transfer \$100,000 from the designated reserve for the Cleaner Burning Technology Incentives Program and a corresponding increase of \$100,000 to the FY 07-08 Program 302 Community Outreach budget for fireplace and woodstove replacement.

The Committee considered a request to transfer up to \$3,000,000 from the designated reserve for Climate Protection and a corresponding increase of \$3,000,000 to the FY 07-08 Program 608 Climate Protection budget for Climate Protection Grant Awards.

The Committee considered a request to authorize the Executive Officer/APCO to execute agreements and issue Purchase Orders not to exceed \$600,000 to enhance Information Systems reliability and efficiency through server consolidation and other related methods in accordance with the FY 07-08 budget.

The Committee considered a request to amend the FY 07-08 Budget by increasing the Environmental Protection Agency (EPA) Grant Revenue for Particulate Matter 2.5; and to authorize the Executive Officer/APCO to issue purchase orders for PM_{2.5} monitoring equipment not to exceed \$185,000 to meet EPA requirements.

The next meeting of the Committee is scheduled for 9:30 a.m., Wednesday, January 23, 2008.

Board Action: Director Daly moved that the Board of Directors approve the recommendations and report of the Budget and Finance Committee; seconded by Director McGoldrick; carried unanimously without objection.

8. Report of the **Climate Protection Committee** Meeting of December 13, 2007

Director Torliatt presented the report and stated that the Committee met on Thursday, December 13, 2007.

The Committee received a report from staff requesting approval of climate protection grant awards totaling \$1.5 million. Upon discussion of grant applications received and the significant response demonstrating the need for the grant program from across the Bay Area, the Committee unanimously agreed to request approval of \$3 million to fund 53 innovative projects as listed on Attachment 1 – December 13, 2007 presented at the Committee meeting.

The Committee also received an update on the implementation of AB 32. The Committee provided direction to staff.

The next meeting of the Committee is scheduled at The Call of the Chair.

Board Action: Director Torliatt moved that the Board or Directors approve the recommendations and report of the Climate Protection Committee; seconded by Director Kishimoto; carried unanimously without objection.

9. Report of the **Executive Committee** Meeting of December 17, 2007

Director Ross presented the report and stated that the Executive Committee met on Monday, December 17, 2007.

The Chair called for public comment: There were three members of the public who commented. Comments were made regarding the dust emissions from the work being conducted by Lennar in the Bayview-Hunters Point Community; health related issues associated with exposure to the dust and a request for an update on penalties to be imposed on Lennar.

The Committee received a report from Fred Glueck, Chairperson of the Advisory Council. Chairperson Glueck provided Advisory Council Priority topics for 2008 including; Climate Protection and Air Quality; the CARE Program; and taking a Holistic approach to integrate Air District policies regarding Air Quality/Climate Protection and Public Health.

The Committee received an update on the progress made to date on the Production System. The Committee provided direction to staff.

The Committee received a report on a comprehensive Air District audit to be conducted. The comprehensive audit is to be conducted throughout the organization and will include: testing of actual versus documented processes, review of applicable federal and state guidelines, updated processes and implementation of controls.

The Committee adjourned to Closed Session to discuss District labor negotiations. The Committee provided direction to staff.

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

Board Action: Chairperson Ross moved that the Board of Directors approve the report of the Executive Committee; seconded by Director Uilkema; carried unanimously without objection.

Closed Session

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

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

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

The Board convened to closed session at 10:45 a.m.

Open Session: The Board reconvened to open session at 11:05a.m.

Other Business

11. Report of the Executive Officer/APCO – Mr. Broadbent presented the Board of Directors with a FOX News interview of Chairperson Ross regarding the woodsmoke initiative.
12. Chairperson's Report – Chair Ross thanked staff and wished everyone a Happy Holiday.
13. Board Members' Comments – None.
14. Time and Place of Next Meeting – 9:45 a.m., Wednesday, January 16, 2008 – 939 Ellis Street, San Francisco, CA 94109
15. Adjournment – The meeting adjourned at 11:15 a.m.

/s/Vanessa Johnson
Vanessa Johnson
Acting Clerk of the Board