

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

APPROVED MINUTES

Board of Directors' Regular Meeting– December 17, 2008

Call To Order

Opening Comments: Chairperson Pamela Torliatt called the meeting to order at 9:50 a.m.

Roll Call: Present: Chairperson Pamela Torliatt, Vice Chairperson Brad Wagenknecht, Secretary Tom Bates, Harold Brown, Chris Daly, Dan Dunnigan, Erin Garner, John Gioia, Scott Haggerty, Yoriko Kishimoto, Liz Kniss, Janet Lockhart, Jake McGoldrick, Nate Miley, Mark Ross, Michael Shimansky, John Silva, Tim Smith, Gayle Uilkema and Ken Yeager

Absent: Carol Klatt

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

Public Comment Period:

None

Commendation/Proclamation:

The Board of Directors recognized outgoing Board members, Janet Lockhart, Jake McGoldrick, Erin Garner, John Silva and Tim Smith for their dedicated service and leadership.

The Board of Directors recognized outgoing Advisory Council Chairperson, Louise Bedsworth, Ph.D., for her outstanding leadership on the Advisory Council this past year.

The Board of Directors recognized Air District employees who have completed milestone levels of twenty-five (25) and thirty-five (35) years of service during the later half of 2008. Director Gioia presented a 25-year award to Tamara Hirata; Director Haggerty presented a 35-year award to Kenneth Jensen; and Director Uilkema presented a 35-year award to Gary Fend.

Consent Calendar (Items 1 – 5)

1. Minutes of December 3, 2008
2. Communications
Information only.
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 is hereby notified that the attached memoranda lists District personnel who traveled on out-of-state business
4. Report of Division Activities
Report of Division Activities for the months of July–September 2008
5. Notice of Proposed Amendments to the Air District's Administrative Code Division I- Operating Policies and Procedures of the Board of Directors, Section 2: Board of Directors, Officer – Duties; and Section 7: Advisory Council
Notification is hereby given of proposed amendments to the Administrative Code Division I, Operating Policies and Procedures, of the Board of Directors, Section 2 Board Officer – Duties and Section 7: Advisory Council.

Board Action: Director McGoldrick moved approval of Consent Calendar Items 1, 2, 3, 4, and 5; seconded by Vice Chairperson Wagenknecht; carried unanimously without opposition.

CLOSED SESSION

6. 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 case(s):
Pacific Steel Casting Company v. Bay Area AQMD, San Francisco Superior Court, Case No. CGC-08-48228
7. Report of Executive Committee Meetings of November 24, 2008 and December 5, 2008 on Public Employee Performance Evaluations Conducted

Pursuant to Government Code Section 54957, the Board will meet in closed session to receive Report of Executive Committee meetings of November 24, 2008 and December 5, 2008 on public employee performance evaluations conducted of the Executive Officer/APCO and the District Counsel.

REPORT OF CLOSED SESSION

Chairperson Torliatt reported that the Board of Directors will be meeting in Closed Session at the next regular Board meeting to set up a performance review process for District Counsel. Review will be within 6 months.

OTHER BUSINESS

8. **Report of the Executive Officer/APCO** - None
9. **Chairperson's Report** - None
10. **Board Members' Comments** - None
11. **Time and Place of Next Meeting** – 9:45 a.m., Wednesday, January 7, 2009 - 939 Ellis Street, San Francisco, CA 94109.
12. **Adjournment** - The meeting adjourned at 1:28 p.m.

Lisa Harper
Clerk of the Boards