



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
PERSONNEL COMMITTEE MEETING  
COMMITTEE MEMBERS

HAROLD BROWN – CHAIRPERSON  
SCOTT HAGGERTY  
CAROL KLATT  
YORIKO KISHIMOTO

DAN DUNNIGAN – VICE CHAIRPERSON  
JANET LOCKHART  
MARK ROSS  
MICHAEL SHIMANSKY

**THURSDAY  
JULY 31, 2008  
9:30 A.M.**

**FOURTH FLOOR CONFERENCE ROOM  
DISTRICT OFFICES**

**AGENDA**

1. **CALL TO ORDER - ROLL CALL**
2. **PUBLIC COMMENT PERIOD** (*Public Comment on Non-Agenda Items Pursuant to Government Code § 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 Committee's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*
3. **APPROVAL OF MINUTES OF APRIL 4, 2008 AND MAY 30, 2008**
4. **CONDUCT INTERVIEWS AND CONSIDER RECOMMENDING APPLICANT TO FILL AN UNEXPIRED TERM OF OFFICE ON THE AIR DISTRICT'S HEARING BOARD IN THE ALTERNATE ENGINEER CATEGORY**  
**J.**  
**Broadbent/5052**  

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

*The Committee will conduct interviews of candidates to fill an unexpired term of office on the Hearing Board in the Engineer category.*
5. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**  
*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)*
6. **TIME AND PLACE OF NEXT MEETING:** *At the Call of the Chair.*
7. **ADJOURNMENT**

**CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109**

**(415) 749-5127**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Executive Office should be given at least 3 working days prior to the date of the meeting, so that arrangements can be made accordingly.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the District's website ([www.baaqmd.gov](http://www.baaqmd.gov)) at that time.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109**  
**(415) 771-6000**

**EXECUTIVE OFFICE:**  
**MONTHLY CALENDAR OF DISTRICT MEETINGS**

**JULY 2008**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets 4<sup>th</sup> Wednesday of each month)</i> CANCELLED	Wednesday	23	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Legislative Committee</b> <i>(Meets 4<sup>th</sup> Monday of the Month)</i> - CANCELLED	Monday	28	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	30	9:45 a.m.	Board Room
<b>Board of Directors Personnel Committee Meeting</b> <i>(At the Call of the Chair)</i>	Thursday	31	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

**AUGUST 2008**

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Advisory Council Technical Committee</b> <i>(Meets 1<sup>st</sup> Monday of every even Month)</i>	Monday	4	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i> - CANCELLED	Wednesday	6	9:45 a.m.	Board Room
<b>Advisory Council Air Quality Planning Committee</b> <i>(Meets 2<sup>nd</sup> Monday Even Month)</i>	Monday	11	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Advisory Council Public Health Committee</b> - <i>(Meets 2<sup>nd</sup> Wednesday Even Month)</i> - CANCELLED	Wednesday	13	1:30 p.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i> - CANCELLED	Wednesday	20	9:45 a.m.	Board Room
<b>Board of Directors Legislative Committee</b> <i>(Meets 4<sup>th</sup> Monday of every Month)</i> - CANCELLED	Monday	25	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets 4<sup>th</sup> Wednesday of each month)</i> - CANCELLED	Wednesday	27	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

## SEPTEMBER 2008

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	3	9:45 a.m.	Board Room
<b>Board of Directors Public Outreach Committee</b> <i>(Meets 1<sup>st</sup> Thursday every other Month)</i>	Thursday	4	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Advisory Council Executive Committee Meeting</b> <i>(Meets 2<sup>nd</sup> Wednesday Every Other Month)</i>	Wednesday	10	9:00 a.m.	Board Room
<b>Advisory Council Regular Meeting</b> <i>(Meets 2<sup>nd</sup> Wednesday Every Other Month)</i>	Wednesday	10	10:00 a.m.	Board Room
<b>Board of Directors Stationary Source Committee Meeting</b> <i>(Meets 3<sup>rd</sup> Monday Quarterly)</i>	Monday	15	9:30 a.m.	Board Room
<b>Board of Directors Regular Meeting</b> <i>(Meets 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
<b>Board of Directors Climate Protection Committee Meeting</b> <i>(Meets 3<sup>rd</sup> Thursday Every Other Month)</i>	Thursday	18	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Joint Policy Committee</b>	Friday	19	10:00 a.m. – 12:00 p.m.	MTC 101 - 8 <sup>th</sup> Street Oakland, CA 94607
<b>Board of Directors Legislative Committee</b> <i>(Meets 4<sup>th</sup> Monday of the Month)</i>	Monday	22	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets 4<sup>th</sup> Wednesday of each month)</i>	Wednesday	24	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room
<b>Board of Directors Mobile Source Committee</b> <i>– (Meets 4<sup>th</sup> Thursday of each Month)</i>	Thursday	25	9:30 a.m.	4 <sup>th</sup> Floor Conf. Room

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7/17/08 (9:25 a.m.)  
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BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Brown and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 17, 2008

Re: Personnel Committee Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Personnel Committee meeting of April 4, 2008 and May 30, 2008.

DISCUSSION

Attached for your review and approval are the draft minutes of the April 4, 2008 and May 30, 2008 Personnel Committee meetings.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

**Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109  
(415) 771-6000**

**DRAFT MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
10:00 a.m., Friday, April 4, 2008

- 1. Call to Order:** Chairperson Harold Brown called the meeting to order at 10:00 a.m.
- Roll Call:** Harold Brown, Chairperson; Dan Dunnigan, Scott Haggerty, Carol Klatt, Janet Lockhart, Mark Ross, Michael Shimansky.
- Absent:** Yoriko Kishimoto.

Chair Brown requested a brief discussion with Brian Bunger, Legal Counsel on the subject of process for the meetings and past practices. Chair Brown asked if incumbents are serving well, and have few absences could those incumbents be reappointed. Mr. Bunger responded to Chair Brown, that he is correct. Chair Brown asked if this is the case today with the incumbents. Mr. Bunger further stated that the Members are more active than in the past. Chair Brown expressed his concern about candidates coming in for interviews if there is a strong indication that the incumbents will be reappointed. Director Haggerty also agreed with Chair Brown and suggested that if you have good members and attendance is stellar, that someone contact the Chair stating the incumbents performance and attendance and that they deserve reappointment. Director Haggerty suggested that going forward the Committee could consider reevaluating the process.

Mr. Bunger stated that there are issues of due process. Chair Brown suggested that this be discussed further at a future meeting.

- 4. Conduct Interviews of Candidates to Fill the Regular and Alternate Member Positions in the Public Member Categories on the Air District's Hearing Board:** *The Committee conducted interviews of candidates for the Board appointed positions on the Hearing Board.*

The Committee interviewed the following candidate:

*A) Dorothy Paynes*

**Committee Action:** Director Haggerty moved that the Committee recommend that the Board of Directors approve the reappointment of the following incumbents to the Hearing Board in their respective category of Regular Public Member for a three-year term of office expiring April 2, 2011: Julio Magalhaes and Terry Trumbull; Peter Chiu and Richard Grundy to fill the

Alternate Public Member positions for a three-year term of office expiring on April 2, 2011. The motion was seconded by Director Lockhart and carried unanimously without objection.

3. **Approval of Minutes of November 14, 2007:** Director Haggerty moved approval of the minutes; seconded by Director Lockhart; carried unanimously without objection.
2. **Public Comment Period:** There were none.
5. **Committee Member Comments/Other Business.** There were none.
6. **Time and Place of Next Meeting:** At the Call of the Chair.
7. **Adjournment:** The meeting was adjourned at 10:29 a.m.

Vanessa Johnson  
Acting Clerk of the Board

**Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109  
(415) 771-6000**

**DRAFT MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
9:30 a.m., Friday, May 30, 2008

1. **Call to Order:** Chairperson Harold Brown called the meeting to order at 9:38 a.m.  
**Roll Call:** Harold Brown, Chairperson; Michael Shimansky, Scott Haggerty (9:39 a.m.), Carol Klatt  
**Absent:** Dan Dunnigan, Yoriko Kishimoto, Janet Lockhart, Mark Ross
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of April 4, 2008:**  
  
Due to a lack of a quorum, the approval of the Minutes of April 4, 2008 was continued to the next meeting of the Personnel Committee.
4. **Conduct Interview and Consider Recommending Applicant to Fill an Unexpired Term of Office on the Air District's Advisory Council:** *The Committee conducted interview of a candidate to fill an unexpired term of office on the Advisory Council in the Public Health category.*  
  
The Committee interviewed the following candidate:  
  
A) *Virginia "Ginger" Smyly*  
  
**Committee Action:** Due to a lack of a quorum, the Personnel Committee did not take official action; however, those Committee members present recommended that the Board of Directors approve the appointment of Virginia "Ginger" Smyly, to an unexpired term of office on the Air District's Advisory Council in the Public Health category, for a term of office ending December 31, 2009.  
  
The Committee also recommended that the Legislative Committee pursue legislation to allow for a stipend of \$50 per meeting for members serving on the Advisory Council Public Health Committee.
5. **Committee Member Comments/Other Business.** There were none.



6. **Time and Place of Next Meeting:** At the Call of the Chair.
7. **Adjournment:** The meeting was adjourned at 10:10 a.m.

*/s/ Lisa Harper*  
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Brown and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: July 25, 2008

Re: Conduct Interviews of Candidates to Fill the Unexpired Term of Office on  
the Air District's Hearing Board in the Alternate Engineer Category

RECOMMENDED ACTION:

Conduct interviews and consider recommending Board of Directors approval of appointment of candidate to fill the Alternate Engineer Category position on the Air District's Hearing Board.

BACKGROUND

Pursuant to Section 40800 - 40801 of the California Health and Safety Code, there is continued in existence and shall be, in each district, one or more hearing boards consisting of five members each, as specified in Section 40801, appointed by the district board. The district board may also appoint one alternate for each member. The alternate shall have the same qualifications, specified in Section 40801, as the member for whom such person is the alternate. The alternate may serve only in the absence of the member, and for the same term as the member. An alternate shall not hold any of the single member hearings authorized by subdivision (c) of Section 40824, subdivision (c) of Section 40825, Section 42351.5, or Section 42359.5.

A hearing board shall consist of: One member admitted to the practice of law in this state; One member who is a professional engineer registered as such pursuant to the Professional Engineers Act (Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code); One member from the medical profession whose specialized skills, training, or interests are in the fields of environmental medicine, community medicine, or occupational/toxicologic medicine; Two public members.

DISCUSSION

An Alternate Engineer member resigned effective August 1, 2008. Applicant Gilbert Bendix applied, was screened, and was determined to be qualified for the position.

The interview of the applicant will take place on Thursday, July 31, 2008 at 9:30 am. The length of the interview will be approximately fifteen minutes. The application materials for the candidate are included for your review.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO