



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
LEGISLATIVE COMMITTEE MEETING

COMMITTEE MEMBERS

TOM BATES – CHAIRPERSON
DAN DUNNIGAN
SCOTT HAGGERTY
MARK ROSS

BRAD WAGENKNECHT – VICE CHAIRPERSON
SUE GARNER
CAROL KLATT
MICHAEL SHIMANSKY

THURSDAY
JANUARY 8, 2009

4TH FLOOR CONFERENCE ROOM
DISTRICT OFFICES

UPON ADJOURNMENT OF THE CLIMATE PROTECTION COMMITTEE MEETING

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 DECEMBER 17, 2008

4. POTENTIAL LEGISLATIVE AGENDA FOR 2009

J. Broadbent/5052
jbroadbent@baaqmd.gov

Staff will present potential legislative proposals for the Committee to consider as it crafts the District's legislative agenda for 2009.

5. COMMITTEE MEMBERS' COMMENTS

Any member of the Committee, 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 – 9:30 a.m. – Monday, February 23, 2009 – 939 Ellis Street San Francisco, CA 94109

7. ADJOURNMENT

**CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET
SAN FRANCISCO, CA 94109**

(415) 749-5127

FAX: (415) 928-8560

BAAQMD homepage:

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 three 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 94941, at the time such writing is made available to all, or a majority of all members of that body. Such writing may also be posted on the District's website (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

JANUARY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	7	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 3rd Thursday every other Month)</i>	Thursday	8	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Thursday	8	Following Climate Protection Committee Meeting	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets 3rd Monday quarterly)</i>	Monday	12	9:30 a.m.	Board Room
Advisory Council Retreat	Wednesday	14	10:00 a.m.	Board Room
Joint Policy Committee	Friday	16	10:00 a.m.	MTC Auditorium 101 8 th Street Oakland, CA 94607
Board of Directors Regular Meeting/Retreat <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	21	9:45 a.m.	Claremont Hotel & Spa 41 Tunnel Road Berkeley, CA 94705
Board of Directors Mobile Source Committee – <i>(Meets 4th Thursday of each Month)</i> – TO BE RESCHEDULED	Thursday	22	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Ad Hoc Cme. on Port Emissions – <i>(At the Call of the Chair)</i>	Thursday	22	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i> – RESCHEDULED TO THURSDAY, JANUARY 8, 2009	Monday	26	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	28	9:30 a.m.	4 th Floor Conf. Room

FEBRUARY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room

FEBRUARY 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Monday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee – <i>(Meets 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

MARCH 2009

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
Advisory Council Executive Committee <i>(Meets 2nd Wednesday Every Other Month)</i>	Wednesday	11	9:00 a.m.	Room 716
Joint Policy Committee	Friday	20	10:00 a.m.	MTC Auditorium 101 8 th Street Oakland, CA 94607
Board of Directors Legislative Committee <i>(Meets 4th Monday of the Month)</i>	Monday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets 4th Wednesday of each month)</i>	Wednesday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee – <i>(Meets 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

HL - 12/30/08 (2:50 p.m.)
P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Bates and Members
of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 31, 2008

Re: Legislative Committee Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Legislative Committee meeting of December 17, 2008

DISCUSSION

Attached for your review and approval are the draft minutes of the December 17, 2008 Legislative Committee meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000

DRAFT MINUTES

Summary of Board of Directors
Legislative Committee Meeting
(Immediately following Board of Directors Meeting)
Wednesday, December 17, 2008

1. **Call to Order - Roll Call:** Chairperson Tom Bates called the meeting to order at 1:30 p.m.

Present: Tom Bates, Chairperson; Brad Wagenknecht, Vice Chairperson; Dan Dunnigan, Scott Haggerty, Mark Ross, Michael Shimansky

Absent: Carol Klatt and Tim Smith
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of September 22, 2008:** Director Shimansky moved approval of the minutes; seconded by Director Ross; carried unanimously without objection.
4. **Potential Legislative Agenda for 2009:** Committee Chair Bates suggested that he meet with Mr. Broadbent, and forward thoughts by email to the Committee. He stated that bills are not introduced until January, and he believed there was time to possibly schedule an interim meeting between now and January 26, 2009, if needed. Otherwise, the Committee would meet again on January 26, 2009. No objection was voiced by Committee members.

Committee Action: None; this report was provided for information.
6. **Committee Members' Comments:**
7. **Time and Place of Next Meeting:** *Thursday, January 26, 2009, 939 Ellis Street, San Francisco, CA.*
8. **Adjournment:** The meeting was adjourned at 1:35 p.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and
Members of the Legislative Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: December 31, 2008

Re: Potential Legislative Proposals for 2009

RECOMMENDED ACTION:

Consider legislative proposals for the upcoming year, and recommend a 2009 legislative agenda to the Board.

BACKGROUND

With the November 4th election concluded, the composition of the 2009-2010 California Legislature is determined. There are 28 new members at the Capitol, all in the Assembly. All members of the Senate are either incumbents or returning as alumni of the Assembly. California's unprecedented fiscal problems are expected to dominate legislative action in 2009. Rough estimates of the budget gap over the next 17 months are over \$42 billion, and grow by roughly \$40 million each day of inaction. To attempt to address the problem, the Governor has called another special session, and is conducting meetings with legislative leadership. However, no resolution appears likely at this time. Staff believe that the fiscal crisis will have a pronounced effect on virtually all legislative activity in 2009, as well as on regulatory actions by agencies such as the Air Resources Board. Any policy bills that have some cost to the State, even relatively low costs, appear very unlikely to advance. Even bills without direct costs to the State, but with possible indirect State costs or costs to consumers or businesses, will be affected. Nevertheless, legislative staff have been considering different proposals for introduction as bills. Bills must be submitted to Legislative Counsel by January 30th, and introduced by February 27th.

DISCUSSION

Staff will verbally present potential ideas for the Committee to consider as it discusses a 2009 legislative agenda for the District.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Thomas Addison