

Bay Area Air Quality Management District  
939 Ellis Street  
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## APPROVED MINUTES

Summary of Board of Directors  
Legislative Committee Meeting  
9:30 a.m.  
Monday, January 26, 2009

1. **Call to Order - Roll Call:** Chairperson Tom Bates called the meeting to order at 9:33 a.m.  
  
**Present:** Tom Bates, Chairperson; Brad Wagenknecht, Vice Chairperson; and Committee Members Sue Garner, Scott Haggerty, Carol Klatt and Michael Shimansky  
  
**Absent:** Dan Dunnigan and Mark Ross
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of January 8, 2009:** Director Shimansky moved approval of the minutes; seconded by Vice Chairperson Wagenknecht; carried unanimously without objection.
4. **Board of Directors Size and Composition:** *Staff presented legislative options for the Committee to consider as it discusses reducing the size of the Board of Directors.*

Executive Officer/APCO, Jack Broadbent introduced the matter, stating that at its January 8, 2009 meeting, the Committee had directed staff to:

- Consider revising of the formulation and size of the Board of Directors;
- Consider pursuing legislation to increase motor vehicle registration fees for air quality;
- Consider harmonizing wood smoke regulations;
- Consider legislation to reduce emissions from ports.

Senior Advanced Projects Advisor Tom Addison, provided an historical account of the Board of Directors size and composition, comparative sizes and composition of northern and southern California air districts, population statistics, the years in which the Board had increased in size, and instances where concern was voiced regarding the growing number of members.

Committee Members discussed with staff various options as outlined in the staff report, discussed instances during prior meetings where the subject matter had been discussed, pros and cons of capping the number of Board Members, contributions of the work performed by committees, physical constraints of the Board Room, the potential for Governor-appointed members, population growth projections by county, Committee preferences for population thresholds, comparative sizes of other air district Boards, population and funding relationships,

and methodologies of Supervisor and Councilmember representation per the Health and Safety Code.

At the request of Committee Member Garner, Mr. Broadbent said he would provide information on permit fees paid out by county.

**Committee Action:** Director Haggerty moved to recommend Board of Directors' approval of a legislative agenda for 2009 to include proposed legislation that would result in a Board of Directors with 21 members, effective January 1, 2011, which would require a county with a population of over one million to appoint three members to the district board and a county with a population of under one million to appoint two members to the district board; Vice Chair Wagenknecht seconded the motion; the motion carried with a vote of 4-2-2 (Garner and Shimansky voted no; Dunnigan and Ross absent)

**5. Update on Additional Legislative Proposals:** *Staff updated the Committee on discussions concerning the additional legislative proposals the Committee discussed at its last meeting*

Senior Advanced Projects Advisor Tom Addison, updated the Committee regarding legislative proposals the Committee had discussed at its last meeting. He noted that the Committee had voiced interest in pursuing legislation to cut emissions from the Port of Oakland given the Port's health impact on the county and entire region.

The Committee expressed their concerns that the Port had recently backed away from its plans to fund truck retrofits. Staff noted that the southern California container ports faced similar economic pressures, but were proceeding with their plans to implement a container fee, cut emissions, and retrofit trucks at an accelerated schedule compared to that required by ARB regulation.

The Committee expressed its interest in having the Port of Oakland adopt an air quality plan and having that plan be as stringent as the southern California emission reduction efforts. The Committee discussed whether any legislation should apply only to container ports, or should apply to all ports. The Committee discussed whether Senator Lowenthal would continue his efforts to implement a container fee and associated emission reduction programs. Staff indicated that this was likely.

Mr. Addison also noted there was some discussion at the previous meeting among Committee members regarding a vehicle license fee increase, which he said was less likely to be supported.

**Committee Action:** Vice Chairperson Wagenknecht made a motion to direct staff to introduce a bill that would require all container ports to file clean air plans for review, approval or disapproval by the appropriate local air pollution control district; seconded by Director Klatt; carried unanimously without objection.

**6. Committee Members' Comments:** None

7. **Time and Place of Next Meeting:** At the Call of the Chair.
8. **Adjournment:** The meeting was adjourned at 10:52 a.m.

*Lisa Harper*  
Clerk of the Boards