

Bay Area Air Quality Management District  
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## **APPROVED MINUTES**

Summary of Board of Directors  
Legislative Committee Meeting  
Wednesday, April 15, 2009  
Immediately Following the Board of Directors Meeting

**Call to Order:** Chairperson Tom Bates called the meeting to order at 11:39 a.m.

Roll Call: Chairperson Tom Bates, Vice Chairperson Brad Wagenknecht, Scott Haggerty, Jennifer Hosterman, Carol Klatt, Mark Ross and Michael Shimansky.

Absent: Dan Dunnigan and Susan Garner

**Public Comments:** There were no public comments.

**Approval of Minutes:** Director Shimansky moved to approve March 23, 2009 minutes; seconded by Director Haggerty; carried unanimously without objection.

### **Report on Poll on Board Size and Composition** – *Senior Advanced Projects Advisor Tom Addison*

Mr. Addison reported that staff received a total of nine (9) responses on the most recent poll of four options on Board Size and Composition. He noted that as a result of the poll, Option B was voted most popular, with all other options receiving 0 to 2 votes.

Option A: No change to the language governing the size of the Board. Under this option, the Board will grow relatively quickly to 24 members.

Option B: (This was labeled as Option 3 in the previous poll). Under this option, the populations at which counties add additional representatives would be changed. A second representative would be added at 350,000 (rather than 300,000). A third representative would be added at 800,000 (rather than 750,000). A fourth representative would be added at 1,200,000 (rather than 1,000,000). However, existing representatives from counties that have already exceeded the current population triggers would not be removed, but counties would not add representatives until the new triggers are reached. This would keep the Board at its current size of 22 members for perhaps another decade.

Option C: (This proposal was suggested by Director Yeager). Each county would have one seat, and counties with a population over one million would have a second seat. San Francisco, Oakland, and San Jose would also each get an additional seat. This

would yield a Board of 15 members, which would not increase in size for perhaps another decade.

Option D: (This proposal was suggested by Director Spering). Each county with a population under 750,000 would have one seat, selected by the Board of Supervisors. Counties over 750,000 would have a second seat, selected by the City Selection Committee. This would yield a Board of 13 members, which would increase to 14 members relatively quickly.

**Committee Action:** Director Haggerty moved to recommend Board of Directors’ approval of Option B; seconded by Director Ross; unanimously approved without objection.

**Consideration of New Bills and Corresponding Agency Positions:** *Senior Advanced Projects Advisor Tom Addison*

Mr. Addison presented bills of air quality significance and staff’s recommended positions, and he briefly discussed AB 1431 (Hill); a bill which requires the Port of Oakland to have an emissions reduction program that is as stringent as Southern California’s program. AB 1431 is scheduled to be heard by the Natural Resources Committee in Room 447 on April 27<sup>th</sup> at 1:30 p.m.

Committee Discussion/Comments:

Shimansky: Confirmed that the deadline of April 1, 2009 would remain in effect for AB 96. He voiced agreement with all staff recommendations, except for SB 295, which he supported.

**Committee Action:** Director Wagenknecht moved to recommend Board of Directors’ approval of staff’s recommended positions on bills; seconded by Director Klatt; which carried by the following vote: 4-0-2-1 (Shimansky voted no on SB 295; Dunnigan and Garner absent; Hosterman abstained).

BILL	AUTHOR	DESCRIPTION	POSITION
AB 96	Ruskin	Changes to gasoline underground storage tank grant program	SUPPORT
AB 1033	Nielsen	Imposes new requirements on state and local agencies adopting GHG regulations	OPPOSE
AB 1527	Lieu	Allows a single motor vehicle emission reduction project to be funded from multiple grant programs	SUPPORT

<b>BILL</b>	<b>AUTHOR</b>	<b>DESCRIPTION</b>	<b>POSITION</b>
SB 232	Benoit	Would allow an unlimited number of specialty constructed vehicles to be registered annually	OPPOSE
SB 295	Dutton	Would prevent AB 32 implementation until the unemployment rate is below 5.8% for 3 months	OPPOSE
SB 385	Wright	Exempts historic vehicles from smog check, and allows owners to self-certify that their vehicle is historic	OPPOSE
SB 425	Simitian	Creates a new employer-based trip reduction program	SUPPORT IF AMENDED
SB 518	Lowenthal	Reforms parking policy to reduce driving and associated emissions	SUPPORT
SB 811	DeSaulnier	Requires specialty constructed vehicles from out-of-state to meet emissions requirements for their year of manufacture	SUPPORT

**Next Meeting:** At the Call of the Chair

**Adjournment:** Meeting adjourned at 11:54 a.m.

*/s/ Lisa Harper*  
 Lisa Harper  
 Clerk of the Boards