



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BRAD WAGENKNECHT – CHAIR
JOHN GIOIA – SECRETARY
SUSAN GARNER
MARK ROSS
GAYLE B. UILKEMA

TOM BATES – VICE-CHAIR
CHRIS DALY
SCOTT HAGGERTY
PAMELA TORLIATT

THURSDAY
AUGUST 5, 2010
9:30 A.M.

4TH FLOOR CONFERENCE ROOM
939 ELLIS STREET
SAN FRANCISCO, CA 94109

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 three (3) minutes each.*
3. **APPROVAL OF MINUTES OF MAY 24, 2010**
4. **QUARTERLY REPORT OF THE HEARING BOARD – APRIL 2010-JUNE 2010**

T. Dailey/5073
Tom.Dailey@kp.org
5. **PRODUCTION SYSTEM PROJECT UPDATE**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on the Production System.
6. **UPDATE OF STRATEGIC FACILITIES PLANNING PROCESS**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on the Strategic Facilities Planning process.
7. **UPDATE OF VIDEO CONFERENCING AND WEBCASTING CAPABILITIES**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on Video Conferencing and Webcasting capabilities.
8. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**

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).

9. **TIME AND PLACE OF NEXT MEETING: AT THE CALL OF THE CHAIR**

10. **ADJOURNMENT**

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

**(415) 749-5130
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 Clerk's 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 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) 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

AUGUST 2010

<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 Executive Committee <i>(At the Call of the Chair)</i>	Thursday	5	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Wednesday	25	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i> - CANCELLED	Thursday	26	9:30 a.m.	4 th Floor Conf. Room

SEPTEMBER 2010

<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	1	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	8	9:00 a.m.	Board Room
Joint Policy Committee Special Meeting	Friday	10	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
Joint Policy Committee Special Meeting – RESCHEDULED TO SEPTEMBER 10, 2010	Friday	17	10:00 a.m.	MTC Auditorium 101 – 8 th Street Oakland, CA 94607
Board of Directors Strategic Facilities Ad Hoc Committee <i>(At the Call of the Chair)</i>	Tuesday	21	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(At the Call of the Chair)</i>	Monday	27	9:30 a.m.	Board Room
Board of Directors Maritime Sources & Ports Committee <i>(At the Call of the Chair)</i>	Wednesday	29	9:30 a.m.	4 th Floor Conf. Room

OCTOBER 2010

<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	6	9:45 a.m.	Board Room
Advisory Council Regular Meeting	Wednesday	13	9:00 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Thursday	28	9:30 a.m.	4 th Floor Conf. Room

HL – 7/27/10 (2:40 p.m.)
P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 12, 2010

Re: Executive Committee Draft Meeting Minutes

RECOMMENDED ACTION

Approve attached draft minutes of the Executive Committee meeting of May 24, 2010.

DISCUSSION

Attached for your review and approval are the draft minutes of the May 24, 2010 Executive 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
Executive Committee Meeting
9:30 a.m., Monday, May 24, 2010

Call to Order - Roll Call: Chairperson Brad Wagenknecht called the meeting to order at 9:30 a.m.

Present: Chairperson Brad Wagenknecht; Vice Chairperson Tom Bates; Secretary John Gioia; Committee Members Chris Daly, Susan Garner, Scott Haggerty, Mark Ross, Pamela Torliatt and Gayle B. Uilkema

Absent: None

Also Present: Hearing Board Chairperson Tom Dailey, M.D.

Public Comment Period: None

Approval of Minutes: **Committee Action:** Director Uilkema made a motion to approve the February 22, 2010 minutes; seconded by Director Gioia; carried unanimously without objection.

Quarterly Report of the Hearing Board – January 2010 – March 2010

Hearing Board Chairperson Tom Dailey presented the Quarterly Report of the Hearing Board – January 2010 – March 2010. District Counsel Brian Bunker noted the occurrence of upcoming filings of Accusations by Legal Counsel relating to gas station EVR compliance. Several hearings are anticipated to be scheduled before the Hearing Board.

Committee Action: None; for information only.

Update on Video Conferencing

Deputy APCO, Jeffrey McKay, gave a presentation on possible goals for video conferencing in the Committee Room, Board Room, pre-qualified remote locations and District-owned remote locations. Extending video conferencing capabilities in the Board Room would require substantial fiscal resources, and is questionable as to whether such an investment could be supported. The District could attempt to pre-qualify remote locations on a user cost basis, and staff also could investigate alternatives to investing in its own equipment for remote locations.

Staff is working to find three pre-qualified locations to broadcast Committee meetings. To extend this capability to the Board Room would depend on proof of concept in the Committee

meetings, and it should also be tested for remote locations. Staff sent out communications and telephone calls in surrounding counties in attempts to make connections for the south and east bay sites. Staff is hoping that at the next presentation, all three sites could be ready for Committee meetings.

Committee Comments/Discussion:

Chairperson Wagenknecht confirmed that Board Members could go to remote sites and conduct Committee meetings, and he acknowledged competing perspectives on the subject.

Secretary Gioia supported video conferencing which achieves greater public input, reduces pollution, and he questioned potential partnerships and cost sharing with other regional agencies. Mr. McKay asked Board Members to forward agency(ies) interest to staff for follow-up, and acknowledged that protocols could be developed for holding various types of meetings that lend themselves to video conferencing.

Director Ross suggested staff also contact cable companies and inquire about public access services, stating some agencies have studios in place which could be utilized.

Vice Chairperson Bates and Director Haggerty both voiced mixed feelings about video conferencing interfering with participation and the conduct of holding streamlined meetings. Vice Chairperson Bates suggested staff also consider investigating webcasting, which can be viewed on-line by the public.

Director Torliatt voiced support for video conferencing at Committee meetings; however, she voiced preference for Directors to be present at regular Board meetings. She suggested reaching out to education facilities such as junior colleges, which in turn also enables Directors to get out in the educational community.

Secretary Gioia agreed with staff additionally considering webcasting, which achieves greater transparency, and believed there may be meeting protocol issues when dealing with live public interaction through videoconferencing.

Director Uilkema voiced opposition to video conferencing, stating she has not seen resounding success in terms of its implementation and cited costs to implement when the District is considering moving to a different location.

Directors Torliatt, Haggerty and Chairperson Wagenknecht supported the use of webcasting, questioned potential difficulties in its use for meetings and its costs, and confirmed with Mr. McKay that the cost to use remote locations is about \$100 per hour.

Vice Chairperson Bates suggested staff research how other agencies are currently utilizing webcasting and video conferencing, stating that large corporations regularly conduct business teleconferencing remotely in between their offices all over the world.

Secretary Gioia suggested thinking through how video conferencing should be done and supported development of protocols for certain meetings, testing of equipment, and not spending significant funds on its implementation.

Mr. Broadbent noted that the technology is available and agreed staff can immediately begin looking into webcasting, which could return at the next meeting.

Committee Action: None; for information only.

Strategic Facilities Planning Process Status Report and Consideration to Recommend Establishing a Strategic Facilities Planning Ad Hoc Committee

Strategic Facilities Planning Manager, Mary Ann Okpalaugo provided a status report on the planning process of the District's relocation, stating that an RFI was issued for commercial real estate brokerage and advisory services on January 14, 2010. An RFP for commercial real estate brokerage and advisory services was issued April 21, 2010. Proposals were received and a panel review and interviews will be conducted to select an advisory firm.

Ms. Okpalaugo said a unified strategy to achieve objectives would be presented to the Committee upon completion of the assignment, and she described the scope of work with the advisory firm, which includes:

- Preliminary facility requirements/program for the Air District, MTC and ABAG;
- Development of scenarios and master plan to include feasibility studies; and
- Preliminary cost/benefit evaluations

She presented a sample purchase scenario for 60 Spear Street, San Francisco and described the debt structure and annual principal and interest payment, and the loan balance, loan per square foot cost, and projected property values at funding, at 5 years, and at 10 years.

Ms. Okpalaugo reported that the three agency group met this month and a recommendation was made to establish a Strategic Facilities Planning Ad Hoc Committee comprised of the Chair, Vice-Chair and Executive Officer/Directors of the Air District, MTC and ABAG who will provide direction and oversight of the project. Those individuals are currently identified as:

BAAQMD: Chair Brad Wagenknecht and Vice Chair Tom Bates
MTC: Chair Scott Haggerty and Vice Chair Adrienne Tissier
ABAG: Chair Mark Green and Vice Chair Susan Adams
Staff: Executive Officer/Directors Jack Broadbent, Steve Heminger, and Henry Gardner

Committee Member Comments/Discussion:

Director Haggerty confirmed his absence at the May 3 MTC meeting and noted that site preferences have been maintained as Oakland and San Francisco.

Director Ross clarified that the District was looking at purchasing and not leasing facilities.

Vice Chair Bates supported a newer facility with upgraded technological services, and confirmed that a cost analysis and comparison would be completed as part of the scope of work by the advisory firm. He agreed to serving on the Ad Hoc Committee, but voiced preference for a member with real estate background, and suggested Director Ross.

Mr. Broadbent described the District's interest in replacing its current building, which has outlived its useful life. He noted interest expressed by ABAG and MTC for a regional governance center. He confirmed with Director Torliatt that the issue of leaving the existing building and moving forward with a new building will be addressed as part of the RFP, and with Director Uilkema that BCDC is a state agency and must follow certain GSA rules relating to property in California. He discussed the need to relocate approximately 250 District staff and approximately 150 MTC staff to San Francisco or Oakland offices, and reported that there may be interest by the owners of Cathedral Hill for the current District headquarters building to serve as support space, noting that the hotel will be turned into a hospital.

Chairperson Wagenknecht supported staff's recommendation. Director Garner confirmed that renovation of the existing building will be included as part of cost considerations.

Director Uilkema requested that the Ad Hoc Committee undertake discussion and determination of its Board Officer representation, noting that the same people may not be serving over the time it will take for relocation. Committee members supported year-to-year representation of the Ad Hoc Committee be determined at the pleasure of the Chair.

Committee Action: Director Torliatt made a motion to recommend Board of Directors' approval of a Strategic Facilities Planning Ad Hoc Committee; Vice Chair Bates seconded the motion; unanimously approved without objection.

Update on Proposed Revisions to the District's California Environmental Quality Act (CEQA) Guidelines and Selection of a Contractor to Assist with the Development of Local Emissions Inventories to Support Community Risk Reduction Plans (CRRPs)

Mr. Broadbent provided introductory remarks on progress made by staff to date.

Director of Planning and Research, Henry Hilken, provided an update on the status of the CEQA guidelines and spoke on progress and recommended action on CRRPs and staff's work to present case studies requested by Board Members at previous meetings. He reviewed the several meetings and workshops held, discussed the extensive set of technical support documents developed, training held for local government staff on tools for GHG calculations. Future training in the summer will be oriented to the risk and hazards calculations.

In looking at case studies and receipt of feedback, staff believes the thresholds to be sound. The risk and hazard thresholds are health protective, but also address Priority Development Areas. Staff has made revisions to the odor threshold, added a regional transportation plan threshold, and will present to the Board the recommended threshold, as well as a tiered approach in the risk and hazard threshold as an option.

He discussed progress made on CRRPs. The request for the Committee's consideration relates to local cities being able to develop emission inventories. Staff posted an RFP on March 18, 2010 and received two bids from Sonoma Technology, Inc. (STI) and Environ International Corp. STI was the lower bid. Therefore, staff's recommendation is that the Committee approve the selection of STI and authorize the Executive Officer/APCO to enter into a contract with STI.

Mr. Hilken presented examples of case studies which may pose challenges. He presented Japantown RDA Project in San Jose, with an exceedance which would require setting back the residential portion of the proposal by 200 feet, making the project approvable. He then presented Sciortino Ranch in Brentwood, a project with difficulties meeting the GHG thresholds and the region's long term land use goals.

Staff was also asked to look at Lafayette BART, which is a hypothetical project and revealed setting back residential development by 500 feet would make the project approvable.

Committee Member Comments/Discussion:

Secretary Gioia said the case studies are exactly the kind of thing the Board needs to think of from a regional perspective, as the District's goals may not mesh with those of MTC or ABAG, and the analysis does not address the economic realities that a mixed use project would have on a developer's financial feasibility to build it. He pointed out that developing a reduced number of units because of a project being close to BART would make it more economically challenged.

Director Torliatt reiterated that the CEQA guidelines are simply guidelines, and they provide a local jurisdiction the ability to look at impacts, determine mitigations, and approve projects with a statement of overriding considerations, as appropriate.

Mr. Hilken noted that the setback would shrink over time, given reduced emissions through the CARE program and CARB mobile source regulations. He stated next steps include conducting URBEMIS training for local staff in May, risk and hazard evaluation training in June/July, proceeding with CRRP pilot projects, seeking Air District Board approval of significance thresholds June 2, 2010, and provisions for on-going technical assistance to lead agencies.

Public Comment:

Matt Regan, Bay Area Council, said they remain very concerned about unintended consequences the CEQA amendments will have on projects, noting that developers look at land acquisition costs which will not pencil out economically. He agreed that thresholds will be reduced over time as diesel fuel technology develops, but once a site is lost, it is forever. He said long term planning decisions are being made now regarding encouragement of transit-oriented and infill development and if not feasible, development will be pushed into greenbelts. Another concern is that the amendments will move projects from negative declarations to full blown EIRs. He believes the plan would add another burden on developers and he encouraged moving forward with caution.

Director Comments/Questions:

Director Uilkema expressed concern that the amendments will halt transit-oriented, downtown residential projects from moving forward and with the word "obligations" referred to on page 1 of the staff report, and questioned if the guidelines were to be used as a tool and whether they are advisory or obligatory.

Mr. Bunger stated that in preparing an EIR, CEQA guidelines cannot be ignored. If there is a guideline and an EIR is being prepared, then the lead agency will need to follow the guideline or have sufficient evidence not to follow it. He said a threshold is bound by the fair argument standard, and impacts must be evaluated. The District's guidelines act as that argument and constitute substantial evidence. As a lead agency, one is at risk if guidelines are not followed. Regarding the issue of obligation, he stated that the lead agency has an obligation to figure out what significant impacts are. Those preparing EIR's are evaluating information already out there and they should be making discretionary decisions bound by substantial evidence.

Director Uilkema questioned and confirmed that CARB has similar land use guidance which has some input to the process, as well. She noted that the guidelines may be considered advisory, but in fact, are firm guidelines for evaluating a project for the future. Mr. Bunger stated that if someone decided not to follow the guidelines, they would be at risk of being sued, and conversely, absent guidelines would create an even worse problem.

Vice Chair Bates stated the District is a health agency and cannot ignore the charge. He believes the guidelines are actually helping industry. He stated the City of Berkeley's planning staff was opposed to guidelines, but after attending meetings and understanding them more, he agrees it works and makes sense.

Directors continued discussions regarding the case study for the Lafayette BART, discussed building assumptions and future impacts, modeling with a future inventory, and factors relating to restriction of trucks using the tunnel at certain times.

Mr. Hilken confirmed with Director Haggerty that case studies take approximately a couple of hours to complete and that he would forward the case study on the Santa Clara stadium, and could prepare a case study for a housing development at the Dublin BART station, which he noted was in Supervisor Miley's District.

Secretary Gioia thanked staff for providing case studies posing challenges for certain projects, noted there are people already living in restricted zones, and suggested compiling a CRRP for the entire community instead of on a project by project basis. He also reiterated his support for allowing time for communities to develop a CRRPs

Director Ross referred to the Lafayette BART station example, noting its siting between freeways and potential unintended consequences when smart growth is implemented.

Director Garner questioned and confirmed that funding for CRRPs has already been budgeted. She said while not originally in favor of guideline amendments in December, she believes staff has worked very hard to address all comments, has worked with cities and counties in providing necessary tools, she has heard favorable comments, and is prepared to support CEQA guidelines amendments on June 2, 2010. She believes the matter will cause litigation, as "Not In My Backyard (NIMBY) groups will utilize the CEQA guidelines to stop development. She noted the guidelines are based on science, are in place to help the public in terms of health standards, and they may need to be adjusted over time in addressing regional development.

Director Torliatt confirmed that the CARE programs are funded out of General Fund which is money that could be spent anywhere in the 9 Bay Area counties. She pointed out that the District is targeting money where there is significant health risks. She believes the District, as well as cities and counties, are in a better legal standing when they can base thresholds on science.

Secretary Gioia questioned and confirmed that CARE communities will be assisted with funding right away and some have already begun work to complete inventories.

Committee Action: Vice Chair Bates made a motion to recommend that the Board of Directors select Sonoma Technologies, Inc. (STI) to assist with the development of local emission inventories to support community risk reduction plans; and authorize the Executive Officer/APCO to execute a contract with STI to assist with the development of local emission inventories in an amount not to exceed \$207,200. Director Ross seconded the motion; unanimously approved without objection.

Committee Member Comments/Other Business:

Directors voiced appreciation for staff's work and positive outreach efforts with update of the CEQA Guidelines.

Time and Place of Next Meeting: At the call of the Chair

Adjournment: The meeting was adjourned at 11:10 a.m.

Lisa Harper
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
 Memorandum

TO: Chairperson Brad Wagenknecht and Members
 of the Executive Committee

FROM: Chairperson Thomas M. Dailey, M.D., and Members of the Hearing Board

DATE: July 12, 2010

RE: Hearing Board Quarterly Report – April 2010 – June 2010

RECOMMENDED ACTION:

This report is provided for information only.

DISCUSSION:

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Alameda/Livermore	APCO vs. KEN CHOI, individually, aka JAE KYUNG CHOI, and d/b/a GREENVILLE GAS & FOOD MART and d/b/a SKYHOPPER INVESTMENTS; SKY HOPPER INVESTMENT, INC., a California corporation, and d/b/a SKY HOPPER INVESTMENTS, INC.; and GREENVILLE GAS & FOOD MART, a/k/a SKY HOPPER INVESTMENTS, Site No. D 1174 (LIVERMORE) – <i>Accusation – Docket No. 3575 – Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 3, 2010 Issued Conditional Order for Abatement	===	===
Alameda/Newark	APCO vs. JOE DANGTRAN individually, and d/b/a CHEVRON STEVENSON, Site No. C0733- (NEWARK) – <i>Accusation – Docket No. 3576 – Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 3, 2010 Issued Conditional Order for Abatement	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Alameda/Newark	APCO vs. LIDO AUTO CARE INC., a California corporation, and d/b/a LIDO 76; SATWANT SINGH, individually, a/k/a SAT SINGH AND SATWAT SINGH, and d/b/a LIDO 76; MICHAEL LODWIG, individually, and d/b/a AUTOPIA EXPRESS and AUTOPIA CAR WASH; Site No. C9280, a/k/a LIDO AUTO CARE, INC. and LIDO 76 (NEWARK) – Accusation – Docket No. 3579 – <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===
Contra Costa/ Brentwood, Moraga (2), Walnut Creek	APCO vs. Kang Property, Inc.; Ameri Oil Company, Inc.; Ameri Mgmt Company, Inc.; Sarbjit S. Kang; Azad Amiri; Ali Amiri; Haleh Amiri; Abolghassem (“Gus”) Shahidi; Moraga Partnership; San Francisco-Moraga Partnership; Brentwood American Partnership; a Gasoline Dispensing Facility located at 2329 N. Main Street, (WALNUT CREEK); Site No. C1719 a/k/a Main Street Chevron, North Main St Chevron, and/or North Main Chevron; a Gasoline Dispensing Facility located at 398 Rheem Boulevard (MORAGA), Site No. C8950 a/k/a/Moraga Star, Stars, Moraga 76 and/or Unocal Service Station #3937; a Gasoline Dispensing Facility located at 7920 Brentwood Boulevard (BRENTWOOD), Site No. C1164 a/k/a/ Brentwood American Station; a Gasoline Dispensing Facility located at 425 Moraga Road (MORAGA), Site No. D0504 a/k/a American Gas, Moraga 76, and/or Moraga American – Accusation – Docket No. 3580 - <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===
Contra Costa/Danville	APCO vs. S P G GROUP, INC., a California corporation, and d/b/a TOSCO FACILITY #11142 a/k/a DIABLO GAS AND MART; SAEED GHAFORI, individually, a/k/a PAUL GHAFORI, and d/b/a TOSCO FACILITY #11142 a/k/a DIABLO GAS AND MART (DANVILLE) – Accusation – Docket No. 3582 - <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Scheduled for July 29, 2010	===	===
Contra Costa/Martinez	APCO vs. SHA CAPITAL INC., a California corporation, d/b/a AUTOPIA EXPRESS; SATWANT SINGH, a/k/a SAT SINGH, individually; MICHAEL LODWIG, individually; a GASOLINE DISPENSING FACILITY LOCATED AT 3950 ALHAMBRA AVENUE, MARTINEZ, CONTRA COSTA COUNTY, CALIFORNIA, a/k/a MARTINEZ GAS & CAR WASH, Site No. C9730 (MARTINEZ) – Accusation – Docket No. 3578 – <i>Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.</i>	8-7-302	Hearing Held June 10, 2010 Issued Conditional Order for Abatement	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Marin/Sausalito	APCO vs. S&O GROUP, INC., a corporation; and KAMBIZ SEPEHR, individually and d/b/a GATEWAY CLEANERS, Site. B1023 (SAUSALITO) – Accusation – Docket No. 3573 - Accusation and Request for Order for Abatement from regulation requiring an orderly procedure for the review of new sources of air pollution and of the modification and operation of existing sources, and of associated air pollution control devices, through the issuance of authorities to construct and permits to operate.	2-1-302 Request for Order for Abatement	Hearing Held May 6, 2010 Issued Conditional Order for Abatement	===	===
Solano/Fairfield	ASHLAND, INC., (FAIRFIELD) - Emergency Variance – Docket No. 3574 – Emergency Variance from Regulation 8, Rule 18, Section 301, Permit Condition No. 11; emissions of organic compounds and methane from leaking equipment.	8-18-301	Emergency Variance Denied	===	===
Solano/Benicia	CHEMICAL COATING SUPPLY, INC. (BENICIA) - Product Variance – Docket 3583 – Product Variance from Regulation 8, Rule 32, Section 302, 303, 304, 307, insofar as it requires limiting emissions of volatile organic compounds from the application of coatings to, and surface preparation of, any wood products, including furniture, cabinets and custom architectural millwork for commercial operations.	8-32-302, 303, 304, 307	Hearing Scheduled for August 5, 2010	7/22/2010 To 7/22/2012	===
Solano/Vallejo	APCO vs. 80 MAGAZINE CORP., a California corporation, and d/b/a MAGAZINE GAS a/k/a BPG FUEL & MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; BPG PACIFIC, LLC, a California limited liability corporation, and d/b/a MAGAZINE GAS a/k/a BPG FUEL & MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; SAEED GHAFORI, individually, a/k/a PAUL GHAFORI, and d/b/a MAGAZINE GAS a/k/a BPG FUEL & MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER; Manouchehr Shahab, individually, and d/b/a MAGAZINE GAS a/k/a BPG FUEL & MART – MAGAZINE a/k/a VALLEJO CONVENIENCE CENTER (VALLEJO) – Accusation – Docket No. 3581 - Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.	8-7-302	Hearing Scheduled for July 29, 2010	===	===

COUNTY/CITY	PARTY/PROCEEDING	REGULATION(S)	STATUS	PERIOD OF VARIANCE	ESTIMATED EXCESS EMISSIONS
Sonoma/Kenwood	APCO vs. ALI KAZEMINI, DAVOOD MOLLAI, and FERDOUS MOLLAI a.k.a. FERDOUS MOLLAI MEHRJERDI, each individually and d/b/a KENWOOD GAS; ALI KAZEMINI, as Trustee of the ALI KAZEMINI AND FERDOUS MOLLAI TRUST; FERDOUS MOLLAI a.k.a. FERDOUS MOLLAI MEHRJERDI as Trustee of the ALI KAZEMINI AND FERDOUS MOLLAI TRUST; KENWOOD GAS, Site No. C8355 (KENWOOD) - Accusation – Docket No. 3577- Accusation and Request for Order for Abatement; emissions of organic compounds from gasoline dispensing facilities.	8-7-302	Hearing Scheduled for June 10, 2010; Request filed by Respondent granted for Continuance to July 22, 2010	===	===

NOTE: During the second quarter of 2010, Hearing Board Chairperson Thomas M. Dailey, M.D., presented the Hearing Board's first Quarter Report at the Executive Committee's May 24, 2010 meeting. The Hearing Board received seven (7) Accusations and Requests for Order for Abatement, one (1) Emergency Variance application and one (1) Product Variance application. Six (6) hearings were held, one hearing was rescheduled from June 10, 2010 to the next quarter, and one Emergency Variance application was received and ruled upon by Hearing Board Member Julio Magalhães. The Hearing Board invited written comments to the Hearing Board Rules on May 13, 2010, discussed comments received on June 3 and June 10, 2010, and scheduled a public Workshop for August 12, 2010 to review proposed updates to the Hearing Board Rules. The Hearing Board collected \$572 (Emergency Variance application) during the second quarter of 2010.

EXCESS EMISSION DETAILS

COMPANY NAME	DOCKET NO.	TOTAL EMISSIONS	TYPES OF EMISSIONS	PER UNIT COST	TOTAL AMT COLLECTED
					\$ 0
				TOTAL COLLECTED:	<u>\$ 0</u>

Respectfully submitted,

Thomas M. Dailey, M.D.
Chair, Hearing Board

Prepared by: Lisa Harper
Reviewed by: Jennifer Chicconi

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 28, 2010

Re: Production System Project Update

RECOMMENDED ACTION:

None. Receive and File.

DISCUSSION:

Staff will present the current status for this multi-year project, and a brief description of the next milestones. In December of 2006, staff presented the plan for implementation of the new production system. At that time, staff indicated that execution of the plan would be accompanied by detailed reports on the status of actual costs as compared to projected costs, and by detailed reports on the status of actual accomplishments.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: John Chiladakis
Reviewed by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 20, 2010

Re: Update of Strategic Facilities Planning Process

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

On May 24, 2010, the Executive Committee received a status report on the Strategic Facilities Planning process which included an overview of a Request for Information for Commercial Real Estate Broker and Advisory Services and a Request for Proposal for Commercial Real Estate Broker Services; a sample purchase scenario and a recommendation to establish a Strategic Facilities Planning Ad Hoc Committee. Staff will report back on the selection of a Commercial Real Estate Broker.

The Committee voted unanimously to recommend that that Board of Directors establish a Strategic Facilities Planning Ad Hoc Committee comprised of the Chair, Vice-Chair, and Executive Officer/Directors of the Air District, Metropolitan Transportation Commission (MTC), and the Association of Bay Area Governments (ABAG). The Board of Directors' approved the recommendation at its June 2, 2010 meeting. Letters were sent to MTC and ABAG notifying the Commissioners of their appointments.

DISCUSSION

The primary objective of Phase II of the strategic facilities planning process is to explore alternative headquarter solutions and develop a real estate headquarter strategy that best aligns with the Air District, MTC and ABAG's business and financial objectives as well as operational needs. After a very competitive selection process including consultation with MTC and ABAG a contract has been awarded.

On August 5, 2010, the Executive Committee will receive an overview of the selection process and introduction to CB Richard Ellis the successful bidder. CB Richard Ellis will brief the Executive Committee on its consolidation strategy; including the project organization/core team members, objectives, scope of work, and process.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Commercial Real Estate Broker and Advisory services funding for this project has been budgeted and is included in Program 702 of the approved FY 2010/2011 budget. However, the work of the Strategic Facilities Planning Ad Hoc Committee may have significant implications for spending on capital facilities.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Ann Okpalaugo
Approved by: Jack Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Brad Wagenknecht and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 26, 2010

Re: Update of Video Conferencing and Webcasting Capabilities

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

As a continuation of the presentation on May 24, 2010, staff will demonstrate video conferencing for Committee meetings and webcasting for the Board of Directors meetings.

VIDEO CONFERENCING FOR COMMITTEE MEETINGS

District staff located two suitable locations for these meetings.

They are as follows:

North Bay: Santa Rosa Junior College
South Bay: County of Santa Clara Building (San Jose)

The District has successfully tested the capabilities in each location, and found no further investment is required.

WEBCASTING FOR BOARD OF DIRECTORS MEETINGS

The District now has the capability to webcast its Board of Directors meetings on the District's website. The District successfully webcast its Board of Director's meeting on June 16, 2010 and is schedule to webcast the September 15th Board of Directors meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Video Conferencing: Room rental and technical support fees are approximately \$500 per meeting based on the current site selection.

Webcasting: Cost for webcasting a single meeting is approximately \$5000. In addition, there is a \$660 monthly fee for the District's license.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Satnam Hundel
Reviewed by: Jack M. Colbourn