

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Board of Directors Special Meeting
Monday, July 18, 2011
9:45 a.m.

APPROVED MINUTES

CALL TO ORDER: Chairperson Tom Bates called the special meeting to order at 9:50 a.m.

PLEDGE OF ALLEGIANCE: Director Spering led the Pledge of Allegiance.

Roll Call: Chairperson Tom Bates; Secretary Ash Kalra; and Directors John Avalos, Carole Groom, Jennifer Hosterman, Kate Howard, David Hudson, Carol Klatt, Eric Mar, Nate Miley, Mark Ross, James Spering, Brad Wagenknecht, and Ken Yeager, were present. Director Susan Garner arrived after the roll was called.

Absent: Vice Chair John Gioia; and Directors Harold Brown, Susan Gorin, Scott Haggerty, Liz Kniss, Gayle B. Uilkema and Shirlee Zane were absent.

Chair Bates announced that the agenda items would be taken out of order. The meeting started with the consent calendar items and then went directly to Item #11 followed by the closed session.

CONSENT CALENDAR (Items 1-6):

- 1. Minutes of June 15, 2011 Regular Meeting.**
- 2. Board Communications Received from June 15, 2011 through July 17, 2011.**
- 3. District Personnel on Out-of-State Business Travel.**
- 4. Consider Establishing a New Job Classification of a Human Resources Manager.**
- 5. Adopt Management Leave Resolution.**
- 6. Quarterly Report of California Air Resources Board Representative – Honorable Ken Yeager.**

Board Action: Director Wagenknecht made a motion to approve Consent Calendar Items 1 through 6; Director Hosterman seconded the motion; unanimously approved without objection.

11. Status Report on the Strategic Planning for a Joint Regional Co-location Facility

Mr. Broadbent presented the open session portion item regarding the co-location facility. He stated staff is recommending that the Board of Directors approve participation in the pending acquisition of 390 Main Street, San Francisco, as a facility to be jointly occupied by the Air District, the Bay Area Toll Authority (BATA), the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), subject to the “Building Acquisition Principles” which will be discussed in closed session.

Mr. Broadbent went over the history of the search for a new location, and detailed the benefits of the building and the advantages of sharing the facility with the other agencies.

Public Comments:

The Honorable Jean Quan, Mayor of Oakland, addressed the Board of Directors encouraging relocation to Oakland, rather than San Francisco. She stated the 1100 Broadway site is fully permitted and located centrally to a BART station. She said Oakland may be able to work on the development of the current MTC/ABAG site to possibly rezone and up-zone. She would like the Board to take more time before deciding this matter.

Steven Wolmark from SKS investments spoke to the Board about the specifics of the 1100 Broadway, Oakland site.

Other speakers appearing in support of 1100 Broadway, Oakland site:

- Andreas Cluver, Secretary-Treasurer from the Alameda County Building Trades Council
- Stuart Helfer, from Teamsters Local 853
- Peter Garza, field representative of Carpenters Union, Local 713
- Scott Peterson, from the East Bay Development Alliance

Board Comments:

Director Mar thanked Oakland Mayor Jean Quan and the trade representatives from the East Bay for their participation and said he appreciated the friendly competition. He supported the staff recommendation of 390 Main Street.

Director Hosterman had questions about the utility cost savings estimates detailed in the SKS presentation regarding the 1100 Broadway, Oakland site. Mr. Wolmark of SKS responded to the questions.

Director Miley said he hoped for more information in closed session and stated unless there was something compelling his motion would be for a delay.

Chair Bates recognized Ms. Kate Howard who is the Mayor of San Francisco’s appointee to the Board of Directors at this meeting.

Chair Bates announced two letters were received on this issue from Senator Loni Hancock and Senator Ellen Corbett.

Chair Bates adjourned the meeting to closed session to hear Items 12 and 13 at 10:20 a.m.

CLOSED SESSION

12. Conference with Real Property Negotiator

13. Existing Litigation

OPEN SESSION

Chair Bates reconvened the meeting at 11:43 a.m. He reported that during the closed session a motion to delay the action regarding relocation was defeated by a vote of 3 - 12.

Board Action:

Chair Bates reported the Board of Directors voted 13 – 2 in favor of participation in acquisition of 390 Main Street, subject to the Building Acquisition Principles, pending MTC/BATA acquisition of the property and authorized staff to complete negotiations of terms and conditions of Lease/Purchase Option Agreement and Condominium Agreement and other necessary documents consistent with Building Acquisition Principles.

COMMITTEE REPORTS AND RECOMMENDATIONS *(out of order)*

10. Report of the Public Outreach Committee Meeting of July 14, 2011

Chair: Mark Ross

Director Mark Ross reported the Public Outreach Committee met on July 14, 2011 and approved the minutes of June 6, 2011.

Director Ross stated the Committee discussed the media relations contract for the Spare the Air Every Day program, and recommended Board of Directors approval of a contract with Reizobos Holzbaur Design Group (RHDG) for \$125,000, to continue media relations services for the remainder of the 2011 Spare the Air Every Day season. RHDG is currently the Air District's Smoking Vehicle and 1-800-EXHAUST program media relations contractor and is replacing the Spare the Air media relations contractor that was recently terminated.

Director Ross reported the Committee reviewed final extensions of the 2011 and 2012 Winter Spare the Air contracts for advertising and media relations, social media services, and public opinion research. The Committee recommended Board of Directors approval of three contracts totaling \$750,000. A new RFP for the Spare the Air program will be issued in the fall.

Director Ross stated the Committee received information and discussed a potential partnership between the Air District and the MTC to promote MTC's Climate Initiatives Program under the

well-known Spare the Air brand. The Committee expressed concern that MTC does not have experience running a behavior change campaign. The Committee directed staff to communicate an alternative approach where by MTC would pay for the Air District to execute this program by combining the few additional elements to the Air District's existing Spare the Air Every Day campaign.

Director Ross stated staff had presented information and materials to the Committee to promote the Air District's Great Race for Clean Air. The second annual competition takes place September 1 through October 31, 2011.

The next meeting of the Public Outreach Committee will be scheduled at the Call of the Chair.

Board Action:

Director Ross moved that the Board of Directors accept the report and approve RHDG as the contractor to carry out media relations services; and authorize the Executive Officer to execute a contract with the selected contractor in an amount not to exceed \$125,000; and approve the following contract extensions for the 2011 Winter Spare the Air campaign:

- a) Advertising and Media/Public Relations Services – O'Rorke Inc. \$650,000
- b) Social Media Services – Riezobos Holzbaur Design Group \$50,000
- c) Public Opinion Research – True North Research - \$50,000

The motion was seconded by Director Wagenknecht and carried unanimously without objection.

7. Report of the Mobile Source Committee Meeting of June 30, 2011

Chair: Scott Haggerty

Director Groom reported the Mobile Source Committee met on June 30, 2011 and approved the minutes of June 2, 2011.

Director Groom stated Committee members received a report on four mobile source grants and recommend Board of Directors' approval to accept \$2,060,000 in funding from the United States Environmental Protection Agency (EPA) and the California Air Resources Board (ARB); and authorization of matching funds of \$1 million in Goods Movement Bond On-road Truck Funding. The recommendation includes demonstration projects funded by Assembly Bill 118 for a Caterpillar emission control device on a marine vessel; construction of a Tier-4 Genset locomotive with the Richmond Pacific Railroad; and a GTE Industries diesel particulate filter for a locomotive with the Burlington Northern Santa Fe Railroad. The EPA grant will fund a Heavy-Duty Drayage Truck Replacement Program, which gives preference to trucks serving the Port of Oakland.

Director Groom reported the Committee heard an update on Electric Vehicle Planning, and the Air District's involvement with the State-wide Plug-In Electric Vehicle Collaborative. The Air

District, together with the Collaborative has applied to the United States Department of Energy (DOE) for \$300,000 to produce an electric vehicle readiness plan. In support of this effort, the Committee recommends that the Board of Directors authorize the Executive Officer/APCO to allocate \$75,000 in Transportation Fund for Clean Air (TFCA) Regional Fund monies to support outreach by Clean Cities Coalitions for the plan.

Director Groom stated staff presented a report on TFCA Regional Fund Policies and Evaluation Criteria. The Committee recommends Board of Directors' approval of the FYE 2012 policies that cover allocation of TFCA funds; and approval of a \$4 million allocation for shuttle bus and regional ride share programs. The amount of this allocation is the same as in the past two fiscal years. The Committee also recommends Board of Directors' approval of the extension and award of \$82,000 to an Oakland Waterfront shuttle as part of this action.

Committee members then received a report on the Year 2 California Goods Movement Bond Program on-road truck solicitation. Staff received over 350 applications for this program totaling over \$60 million in funding requests. A list of eligible projects will be submitted to the ARB for review and cost effectiveness ranking. Upon receipt of an approved list, staff will fund truck replacements in order of ranking until funding runs out. The Committee recommends Board of Directors' authorization for the Executive Officer/APCO to enter into agreements for on-road truck replacement projects based on the ARB rankings and with total awards not to exceed the funding available of \$7,232,574.

Director Groom explained Committee members received a report on One Bay Area Grant, a pilot regional grant program from MTC. The Air District is being requested to consider an initial contribution of \$2 million in TFCA Regional Fund monies to the program. There are several issues to be resolved and the request is for exploration only, not a commitment. Committee members recommended Board of Directors' authorization for the Executive Officer/APCO to explore this allocation.

The next meeting of the Mobile Source Committee will be scheduled at the Call of the Chair.

Board Action:

Director Groom moved that the Board of Directors accept the report and approve the following recommendations from the Mobile Source Committee:

- A) Acceptance of \$2,061,000 in Funding from EPA and ARB for Mobile Source Grants.
 - 1) Adopt a resolution to authorize the Executive Officer/APCO to accept grant funding and enter into three contracts with the ARB and one contract with the EPA on behalf of the Air District.
 - 2) Authorize the Executive Officer/APCO to match Diesel Emission Reduction Act (DERA) funding with \$1,000,000 in Goods Movement Bond (I-Bond) On-road Truck Funding.
 - 3) Authorize the Executive Officer/APCO to execute all necessary contracts to expend this funding.

- B) Update on Bay Area Electric Vehicle (EV) Planning and Funding for Clean Cities Coalitions for EV Planning Project.
 - 1) Authorize the Executive Officer/APCO to allocate \$75,000 in TFCA Regional Fund monies to support Clean Cities Coalitions outreach activities as part of a DOE grant for regional EV infrastructure planning.

- C) TFCA Regional Fund Policies and Evaluation Criteria for Fiscal Year Ending (FYE) 2012 and Proposed Allocations for Shuttle and Ridesharing Projects.
 - 1) Approve the proposed FYE 2012 TFCA Regional Fund Policies and Evaluation Criteria (FYE 2012 Policies);
 - 2) Approve an allocation of up to \$4 million in TFCA Regional Funds for shuttle/feeder bus and regional ridesharing projects. Any monies not spent in this category within 12 months will revert back to the TFCA Regional Fund for re-allocation; and
 - 3) Approve an extension request and award of \$82,000 to Project #09R14 - Oakland Waterfront – Uptown Pilot Shuttle project.

- D) California Goods Movement Bond (I-Bond) Program Funding for On-Road Trucks.
 - 1) Authorize the Executive Officer/ APCO to enter into agreements for Year 2 I-Bond truck projects ranked and approved by ARB.

- E) Participation in the MTC Block Grant Pilot Program.
 - 1) Authorize the Executive Officer/APCO to explore allocation of \$2 million in TFCA Regional Fund for a proposed MTC Block Grant pilot program.

Director Sperring seconded the motion and it carried unanimously without objection.

8. Report of the Executive Committee Meeting of July 6, 2011

Chair: Tom Bates

Chair Bates reported the Executive Committee met on July 6, 2011 and approved the minutes of May 26, 2011.

Chair Bates stated the Committee received a mid-year update from Executive Officer/Air Pollution Control Officer on the Air District's major initiatives of 2011 and saw an overview of 21 items including new rules, the production system, action plans and other programs, along with the status and target month for each initiative.

Chair Bates noted the Committee adjourned into a closed session for negotiations of real property and labor matters and there was no reportable action from the closed session. The next meeting of the Executive Committee will be at the Call of the Chair.

Board Action:

Chair Bates moved that the Board of Directors approve the report of the Executive Committee, the motion was seconded by Director Wagenknecht and carried unanimously without objection.

9. Report of the Stationary Source Committee Meeting of July 7, 2011

Chair: Gayle Uilkema

Director Wagenknecht reported the Stationary Source Committee met on July 7, 2011 and approved the minutes of May 5, 2011. He stated the Committee received a comprehensive and detailed update of the Air District's new business operations software system and staff went through the history and goals of the new system and highlighted the efficiency, consistency and enhanced customer service provided with the new system.

Director Wagenknecht reported Committee members were able to see the permit application process, the compliance and inspection overview, and look over various customer fields and staff dashboards in the new system; and staff provided the Committee with a "hands-on" demonstration opportunity after the meeting was adjourned.

The next meeting of the Stationary Source Committee will be scheduled at the Call of the Chair.

Director Wagenknecht moved the Board of Directors approve the report of the Stationary Source Committee; the motion was seconded by Director Garner and carried unanimously without objection.

PUBLIC COMMENT ON NON-AGENDA MATTERS

There was no public comment.

OTHER BUSINESS

14. Report of the Executive Office/APCO – Mr. Broadbent waived his report.

15. Chairperson's Report – None

16. Time and Place of Next Meeting: Wednesday, September 21, 2011, 9:45 a.m. at 939 Ellis Street, San Francisco, CA 94109.

17. Adjournment: Chair Bates adjourned the meeting at 12:25 p.m.

15/ Kris Perez Krow

Kris Perez Krow
Clerk of the Boards