

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
(415) 749-5073

Board of Directors Regular Meeting
Wednesday, June 5, 2013

APPROVED MINUTES

CALL TO ORDER

Chairperson Ash Kalra called the meeting to order at 9:48 a.m.

ROLL CALL

Present: Chairperson Ash Kalra; Vice-Chairperson Nate Miley; Secretary Carole Groom; and Directors Susan Adams, Teresa Barrett, Tom Bates, Scott Haggerty, David Hudson, Carol Klatt, Liz Kniss, Eric Mar, Jan Pepper, Mary Piepho, Mark Ross, Jim Spering and Brad Wagenknecht.

Absent: Directors John Avalos, John Gioia, Edwin Lee, Tim Sbranti, Ken Yeager and Shirlee Zane.

PLEDGE OF ALLEGIANCE: Chairperson Kalra led the Pledge of Allegiance.

OPENING COMMENTS: None.

PUBLIC COMMENT ON NON-AGENDA MATTERS: None.

CONSENT CALENDAR (ITEMS 1 – 4)

- 1. Minutes of the Board of Directors Special Budget Hearing and Regular Meetings of May 15, 2013;**
- 2. Board Communications Received from May 15, 2013, through June 4, 2013;**
- 3. Air District Personnel on Out-of-State Business Travel; and**
- 4. Approval of Employee Contract Amendments for the Executive Officer/Air Pollution Control Officer (APCO) and District Counsel.**

Board Comments: None.

Public Comments: None.

Board Action: Director Wagenknecht made a motion to approve Consent Calendar Items 1, 2, 3 and 4; Director Ross seconded; and the motion carried unanimously.

NOTED PRESENT: Director Haggerty was noted present at 9:49 a.m.

COMMITTEE REPORTS AND RECOMMENDATIONS

5. Report of the Executive Committee (EC) Meeting of May 20, 2013

Chairperson Kalra

The EC met on Monday, May 20, 2013, and approved the minutes of February 25, 2013.

The EC received from Terry Trumbull, Esq., Chairperson of the Hearing Board, the Quarterly Report of the Hearing Board for January through March 2013, including summaries of the cases and fees collected.

The EC received from Robert Bornstein, Ph.D., Chairperson of the Advisory Council, the Report of the Advisory Council: January through May 2013, including background on the constitution and mission of the Council and a summary of recent meetings.

The EC received the staff presentation Update on Joint Regional Agency Co-Location at 390 Main Street, including overviews of the site location, floor plans and shared space, components for disposition of 939 Ellis, comparisons of the annual costs for each building, a detailed review of the financing principles and next steps.

The EC received the staff report Discussion on Directors' Obligation to Vote, including background of the relevant Administrative Code provision, an overview of recent Board discussions and gave staff direction regarding amendments.

The next meeting of the EC is Monday, June 17, 2013, at 9:30 a.m.

Public Comments: None.

Board Comments: None.

Board Action:

Chairperson Kalra made a motion to approve the report of the EC; Director Bates seconded; and the motion carried unanimously.

6. Report of the Stationary Source Committee (SSC) Meeting of May 20, 2013

Committee Chairperson Gioia (as delivered by Director Groom)

The SSC met on Monday, May 20, 2013, and approved the minutes of March 28, 2013.

The SSC received the staff presentation Update on Petroleum Refining Emissions Tracking Rule, including a review of the purpose of the proposed rule, descriptions of the proposed rule as it relates to emissions tracking, emissions reductions and air monitoring, a public workshop summary and steps remaining in the rule development process.

The SSC then received the staff presentation Update on Regulation 9, Rule 13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing, including background, emissions reductions under the regulation, comparison of District and federal standards, overview of emissions control and options for further control, estimated costs to meet District and Federal standards, summary of Breathe California study, compliance status report for Lehigh and conclusion.

The next meeting of the SSC is Monday, September 16, 2013, at 10:30 a.m.

Public Comments: None.

Board Comments: None.

Board Action:

Director Groom made a motion to approve the report of the SSC; Director Piepho seconded; and the motion carried unanimously.

7. Report of the Mobile Source Committee (MSC) Meeting of May 23, 2013
Committee Chairperson Haggerty

The MSC met on Thursday, May 23, 2013, and approved the minutes of April 25, 2013.

The MSC then reviewed selection of Vehicle Buy-Back (VBB) Program and Direct Mail Service Contractors and recommends Board of Directors (Board):

1. Approval of Environmental Engineering Studies, Inc. (EES) and Pick-N-Pull Auto Dismantlers (Pick-N-Pull) as the vehicle retirement contractors and AdMail as the direct mail service contractor; for the fiscal year ending (FYE) 2014 VBB Program;
2. Authorization for the Executive Officer/APCO to execute contracts for:
 - a. Vehicle scrapping and related services with EES and Pick-N-Pull, for a combined amount up to \$7 million; and
 - b. Direct mail services for the VBB Program with AdMail for up to \$133,417.
3. Additionally, each contract shall grant the ability to extend these services for an additional three years, at the Air District discretion, based on contractor performance.

The MSC then reviewed proposed FYE 2014 Transportation Fund for Clean Air (TFCA) Funding Allocations and recommends the Board:

1. Allocate \$22.75 million in TFCA funding to the projects and programs listed in Table 1 of the staff report;

2. Authorize the Executive Officer/APCO to enter into funding agreements and contracts up to \$100,000 for projects and programs listed in Table 1 of the staff report;
3. Authorize \$1.4 million in TFCA funding to match \$2.8 million from the Metropolitan Transportation Commission (MTC) for the Regional Bicycle Sharing (RBS) Pilot Program to bring the system to 1,000 bicycles; and
4. Authorize the Executive Officer/APCO to execute all amendments necessary to contracts for the RBS Pilot Program to accept and expend MTC and TFCA monies.

The next meeting of the MSC is at the call of the Chair.

Public Comments: None.

Board Comments: None.

Board Action:

Director Haggerty made a motion to approve the report and recommendations of the MSC; Director Piepho seconded; and the motion carried unanimously.

8. Report of the Public Outreach Committee (POC) Meeting of May 29, 2013
Committee Chairperson Ross

The POC met on Wednesday, May 29, 2013, and approved the minutes of March 21, 2013.

The POC received the staff presentation Public Participation Plan Update, including workshops strategy and an overview of additional outreach efforts.

The POC then received the staff presentation 2013 Spare the Air Creative Elements, including overviews of the 2013 campaign, social media utilization, media relations, employer outreach regarding various programs and next steps. Staff will deliver this informational presentation to the Board at the end of this committee report.

The POC then received and considered the staff presentation Funding Approval for Spare the Air Resource Teams, including contract FYE 2013 accomplishments, and recommends the Board approve funding for the 2014 FYE in the amount not to exceed \$227,000.

The next meeting of the POC is at the call of the Chair.

Board Action:

Director Ross made a motion to approve the report and recommendations of the POC and Director Wagenknecht seconded.

Mr. Broadbent introduced Lisa Fasano, Director of Communications & Outreach, who gave the staff presentation 2013 Spare the Air Campaign, including overviews of the 2013 campaign, social media utilization, media relations, employer outreach regarding various programs and next steps.

NOTED PRESENT: Directors Adams and Miley were noted present at 10:00 a.m.

Public Comments: None.

Board Comments:

Director Hudson requested copies of the advertisement material so that members of the Board may disseminate it through their local jurisdictions.

Director Ross asked for consideration of ways the Air District might encourage increased telecommuting by the Bay Area's workforce.

Director Bates asked that early notification of Spare the Air days be provided to the other regional agencies and that the idea of increasing bridge tolls and other fees on those days, as a means of encouraging alternative modes of travel, be considered as a future project.

Board Action:

The motion carried unanimously.

CLOSED SESSION: The Board adjourned to Closed Session at 10:11 a.m.

9. EXISTING LITIGATION (Government Code Section 54956.9(a))

Pursuant to Government Code Section 54956.9(a), a need existed for the Board to meet in closed session with legal counsel to consider the following case:

Lehigh Southwest Cement Company v. Bay Area AQMD, Santa Clara County Superior Court, Case No. 112CV236602.

OPEN SESSION: The Board resumed Open Session at 10:22 a.m. with no reportable action.

PUBLIC COMMENT ON NON-AGENDA MATTERS: None.

BOARD MEMBERS' COMMENTS: None.

OTHER BUSINESS

10. Report of the Executive Officer/APCO:

Mr. Broadbent presented a summary of the Summer Ozone Season, said the Public Participation Plan being developed by staff will be presented to the Board in September with public workshops throughout the region during the interim, announced the departure of Ana Sandoval from and

appointment of Rex Sanders to the position of Manager, Executive Operations, effective later in the month and announced the appointment of Jim Smith to the position of Air Quality Program Manager of Communications & Outreach.

11. Chairperson's Report:

Chairperson Kalra thanked Ms. Sandoval for her service and wished her the best.

Chairperson Kalra announced the cancellation of the Board meeting on July 3, 2013, the setting of the Board meeting on August 7, 2013 at 9:45 a.m., and the planned Board delegation to Sacramento on June 12, 2013.

12. Time and Place of Next Meeting: Wednesday, June 19, 2013, Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, California 94109 at 9:45 a.m.

13. Adjournment: The Board meeting adjourned at 10:27 a.m.

151 Sean Gallagher

Sean Gallagher
Clerk of the Boards