

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

## **APPROVED MINUTES**

Summary of Board of Directors  
Mobile Source Committee Meeting  
Thursday, January 24, 2013

### **1. Call to Order – Roll Call**

Chairperson Scott Haggerty called the meeting to order at 9:39 a.m.

Present: Chairperson Scott Haggerty; Vice Chairperson Nate Miley; and Directors John Avalos, Tom Bates, Carol Klatt and Mary Piepho.

Absent: Directors Carole Groom, Edwin M. Lee and Brad Wagenknecht.

Also Present: None.

### **2. Public Comment Period: None.**

### **3. Approval of Minutes of December 3, 2012**

Committee Comments: None.

Public Comments: None.

Committee Action: Director Bates made a motion to approve the Minutes of December 3, 2012; Director Klatt seconded; and the motion was carried unanimously without objection.

### **4. Projects with Proposed Grant Awards Over \$100,000**

Damien Breen, Director of Strategic Incentives, introduced Avra Goldman, Environmental Planner of Strategic Incentives, who gave the staff presentation Projects with Proposed Grant Awards over \$100,000, including a brief review of the Transportation Fund for Clean Air (TFCA) program to date, a detail of the TFCA Fiscal Year Ending 2013 and recommendations.

Committee Comments:

Director Miley asked about the Broadway Shuttle, which questions were answered by Mr. Breen.

NOTED PRESENT: Director Piepho was noted present at 9:47 a.m.

Public Comments:

Maisha Everhart, Senior Policy Advisor for Intergovernmental Affairs, Office of the Mayor, City of Oakland, addressed the Committee in opposition to staff's recommendation to discontinue funding of City of Oakland, Broadway "B" shuttle project.

Robert Del Rosario, AC Transit Liaison, AC Transit, addressed the Committee in opposition to staff's recommendation to discontinue funding of City of Oakland, Broadway "B" shuttle project, and to request more time to respond to the proposal.

Gerald Bilbo addressed the Committee in opposition to staff's recommendation to reduce funding for the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Zach Seal, Economic & Workforce Development, City of Oakland, echoed the comments of Ms. Everhart and Mr. Del Rosario.

Isela Ileana Zamora, Easy Go Transportation Services, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Efrain Zamora, Easy Go Transportation Services, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Trenay Hall Alderson addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Director Miley asked for clarification of the staff recommendation regarding the City of Richmond, Shuttle Richmond Circular + Marina Bay project, which Mr. Breen provided.

Chairperson Haggerty asked staff in the future to provide reports on available information from agencies regarding the anticipated effects on services resulting from proposed changes in funding.

Director Bates asked staff to also provide information relative to funding levels for the prior year and the range of funding available.

Director Avalos asked how the grant program guidelines apply in impacted communities, in the pursuit of equity. Mr. Breen said that priority funding is available for impacted communities such as the City of Richmond.

Director Piepho asked staff in the future to provide reports on available information regarding ridership.

Barbara Saucer addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Reginald Russell addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

George Mitchell II addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Pam Saucer Bilbo, Valor Community Awareness & Outreach, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Dwight Adams, Easy Go Transportation Services, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

George Mitchell III addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Stephanie Johnson, Men & Women of Valor, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Stephen Johnson, Men & Women of Valor, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Jeremy Dodson, Men & Women of Valor, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Lori Reese-Brown, City Planner, City of Richmond, addressed the Committee in opposition to staff's recommendation to reduce funding of the City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Director Bates and Chairperson Haggerty discussed the selection process under state law and Air District guidelines.

The Committee discussed how best to proceed and directed Mr. Breen to return with the requested information as it relates to the City of Richmond, Shuttle Richmond Circular + Marina Bay project and City of Oakland, Broadway "B" shuttle project.

Committee Action:

Director Piepho made a motion, seconded by Director Klatt, to recommend the Board of Directors:

1. Approve five projects (12R12, 13, 14, 15 and 16) with proposed grant awards over \$100,000; and

2. Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into agreements for the recommended projects.

Jack Broadbent, Executive Officer/APCO and Chairperson Haggerty discussed how best for staff to address the perceived issue regarding the City of Oakland Broadway shuttle.

Director Miley asked about the policy regarding duplication of service and an amendment to said policy, which questions were answered by Messrs. Broadbent and Breen.

Director Bates asked whether the Committee can revise the policy regarding duplication of service which was answered by Mr. Breen. Director Bates requested an analysis of applicable state law.

Director Miley asked about increased ridership as a factor despite duplication of service, which questions were answered by Mr. Breen.

Director Piepho suggested the inclusion of any applicable policy language in future agenda reports.

The motion was carried unanimously without objection.

## **5. Matching Funds for Carl Moyer Program (CMP) Year 15 and United States Department of Energy (DOE) Alternative Fuels Project**

Mr. Breen introduced Anthony Fournier, Grants Manager of Strategic Incentives, who gave the staff presentation Matching Funds for CMP Year 15 and DOE Alternative Fuels Project, including funding sources, CMP Year 15 funding and process, DOE alternative fuels project and recommendations.

### Committee Comments:

Director Bates asked about the projects that are eligible, which questions were answered by Mr. Breen.

Chairperson Haggerty asked where TFCA comes from and goes to, which questions were answered by Mr. Breen. Chairperson Haggerty requested a written history of the same for the last several years.

Public Comments: None.

### Committee Action:

Director Piepho made a motion, seconded by Director Avalos, and carried unanimously without objection to recommend the Board of Directors:

1. Adopt a resolution authorizing the Executive Officer/APCO to execute all necessary agreements with the California Air Resources Board (ARB) relating to the Air District's receipt of CMP funds for fiscal year 2012-2013 (Program Year 15);

2. Allocate \$5 million in Mobile Source Incentive Funding to provide the required match funding and additional monies for projects eligible for funding under the CMP; and
3. Adopt a resolution authorizing the Executive Officer/APCO to allocate \$100,000 in TFCA monies to provide required match funding for a \$1 million DOE Alternative Fuels Project.

## **6. Selection of a Contractor for a Lawnmower Replacement Program**

Mr. Breen gave the staff presentation Lawn Mower Replacement Contractor Selection, including background, Air Quality Improvement Program Grant, request for proposals process and evaluation, and recommendations.

### Committee Comments:

Chairperson Haggerty asked about the nature of the replacement event, which questions were answered by Mr. Breen.

Chairperson Haggerty asked staff to forward promotional material for the event to all members of the Board of Directors.

Director Bates asked about the air quality impact of and legal jurisdiction regarding lawnmowers and Chairperson Haggerty asked about the possibility of a replacement program for leaf blowers, which questions were answered by Brian Bunger, District Counsel.

Director Bates asked about the availability of information regarding the air quality impact of lawn mowers, which questions were answered by Mr. Broadbent.

Chairperson Haggerty directed staff to agendize a briefing regarding the prospects of a similar program for leaf blowers.

Public Comments: None.

### Committee Action:

Director Piepho made a motion, seconded by Director Bates, to recommend the Board of Directors:

1. Approve the selection of Black & Decker, a contractor to assist the Air District in the implementation of a lawn mower replacement program under a grant from the ARB; and
2. Authorize the Executive Officer/APCO to enter into all necessary agreements with Black & Decker to implement the program funded by the ARB not to exceed \$364,050.

Director Piepho asked if leaf blowers are included in the current program and how the replacement process works, which questions were answered by Mr. Breen.

Director Bates asked staff to provide a written opinion of the scientific and legal arguments for regulation of lawn mowers and leaf blowers by cities and counties.

The motion was carried unanimously without objection

## **7. Port Truck Program Update**

Mr. Breen introduced Mr. Fournier who gave the staff presentation Port Truck Program Update, including background, a summary of the current drayage truck population, a status report on the Engine Model Year 2005/2006 Replacement Program, a cost-effectiveness analysis and a look at engine repowers.

### Public Comments:

Bill Aboudi, AB Trucking, addressed the Committee regarding the program rules.

Kathy Fitzgerald, Fitzgerald Truck Sales, addressed the Committee regarding interest in the program and requested an exception to the rules.

Director Miley, Ms. Fitzgerald and Mr. Breen discussed the state of communication between truck owner/operators and the Air District and a potential engine repower program.

### Committee Comments:

Mr. Breen introduced Ralph Reynoso, Port Wharfinger, Port of Oakland, who addressed the Committee regarding compliance levels.

Chairperson Haggerty asked about service levels and responses by the Port of Oakland and its shipping company clientele, which questions were answered by Tim Leong, Port Environmental Scientist, Port of Oakland.

Director Miley asked about air quality emissions reduction targets in West Oakland, which questions were answered by Mr. Breen.

The Committee discussed the impact of Air District policies, public outreach efforts to inform the public about the same, and potential targets for future programs.

Director Bates asked staff to provide some preliminary information regarding on-road truck emissions requirements.

Chairperson Haggerty asked staff to provide clarification on targeted truck routes.

Mr. Aboudi urged the ARB to provide training on the repair of new technology as a component of future programs to better ensure that new vehicle fleets can be serviced.

Director Miley asked about the Air District's level of discretion in applying the rules, which questions were answered by Mr. Breen.

Committee Action: None; informational only.

8. **Committee Member Comments/Other Business:** None.
9. **Time and Place of Next Meeting:** Thursday, February 21, 2013, at Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.
10. **Adjournment:** The meeting adjourned at 11:41 a.m.

*151 Sean Gallagher*  
Sean Gallagher  
Clerk of the Boards