

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

Board of Directors Regular Meeting  
Wednesday, October 15, 2014

## **APPROVED MINUTES**

*Note: Audio and video recordings of the meeting are available on the website of the Bay Area Air Quality Management District at <http://www.baaqmd.gov/The-Air-District/Board-of-Directors/Agendas-and-Minutes.aspx>.*

1. **CALL TO ORDER:** Chairperson Nate Miley called the meeting to order at 9:54 a.m.

**Opening Comments:** None.

**Pledge of Allegiance:** Chairperson Miley led the Pledge of Allegiance.

### **Roll Call:**

Present: Chairperson Nate Miley; Vice-Chairperson Carole Groom; Secretary Eric Mar; and Directors Susan Adams, John Avalos, Tom Bates, Margaret Fujioka, John Gioia, Scott Haggerty, Ash Kalra, Roger Kim (on behalf of Edwin Lee), Liz Kniss, Jan Pepper, Mark Ross, Jim Spering and Brad Wagenknecht.

Absent: Directors Teresa Barrett, Cindy Chavez, David Hudson, Carol L. Klatt, Mary Piepho and Shirlee Zane.

2. **PUBLIC COMMENT ON NON-AGENDA MATTERS:**

Bill Almon, Quarry No, addressed the Board of Directors (Board) regarding a non-public agreement between Lehigh Southwest Cement Company (Lehigh) and Air District staff regarding the Lehigh Cupertino facility that results in diminished air quality and increased public health impacts.

NOTED PRESENT: Director Fujioka was noted present at 9:57 a.m. and Director Wagenknecht was noted present at 9:58 a.m.

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO), committed to meeting with Mr. Almon and reported Lehigh to be the subject of a still-pending compliance and enforcement investigation.

Director Pepper asked that an update be delivered to the Stationary Source Committee (SSC) at its next meeting.

NOTED PRESENT: Director Ross was noted present at 9:59 a.m.

**CLOSED SESSION (ITEMS 3 – 4)**

The Board adjourned to Closed Session at 10:00 a.m.

NOTED PRESENT: Director Kalra was noted entering the closed session at 10:08 a.m.

**3. EXISTING LITIGATION (Government Code Section 54956.9(a))**

Pursuant to Government Code Section 54956.9(a), the Board met in closed session with legal counsel to consider the following cases:

- a. **Communities for a Better Environment, et al. v. Bay Area Air Quality Management District (AQMD), Kinder Morgan Material Services, LLC, et al., Real Parties in Interest**, San Francisco County Superior Court, Case No. CPF-14-513557.
- b. **Communities for a Better Environment v. Bay Area AQMD, Chevron Products Company, et al., Real Parties in Interest**, San Francisco County Superior Court, Case No. CPF-14-513704.

**4. THREAT OF LITIGATION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9(d)(2), the Board met in closed session with legal counsel to consider one potential matter with significant exposure to litigation.

**OPEN SESSION**

The Board resumed Open Session at 10:30 a.m. with reportable action as follows:

- 3.a. No reportable action.
- 3.b. The Board members present unanimously agreed to resolve the case and a copy of the settlement will be available when executed by the parties.
- 4. No reportable action.

**CONSENT CALENDAR (ITEMS 5 – 10)**

- 5. **Minutes of the Regular Board Meeting of September 3, 2014;**
- 6. **Board Communications Received from September 3, 2014 through October 14, 2014;**
- 7. **Air District Personnel on Out-of-State Business Travel;**
- 8. **Notice of Violations Issued and Settlements in Excess of \$10,000 for the Months of August and September 2014;**
- 9. **Consider Recommendation of Salary Increase for the Classification of Human Resources Officer; and**
- 10. **Selection of a Website Editor and Extension of Development and Integration Contracts for the My Air Online Program.**

Board Comments: None.

Public Comments: No requests received.

Board Action:

Director Wagenknecht made a motion, seconded by Director Adams, to approve Consent Calendar Items 5 through 10, inclusive; and the motion carried by the following vote of the Board:

AYES: Adams, Bates, Fujioka, Gioia, Groom, Kalra, Kim, Miley, Pepper, Ross, Spering and Wagenknecht.

NOES: None.

ABSTAIN: None.

ABSENT: Avalos, Barrett, Chavez, Haggerty, Hudson, Klatt, Kniss, Mar, Piepho and Zane.

## **COMMITTEE REPORTS**

### **11. Report of the Personnel Committee (PC) Meeting of September 22, 2014**

Committee Chairperson Wagenknecht

The PC met on Monday, September 22, 2014 and approved the minutes of July 28, 2014.

The PC then heard and denied an appeal of the Executive Officer/APCO decision on a complaint alleging violation of the Air District's Equal Employment Opportunity Policy (EEOP). The PC found that the allegations in the complaint and subsequent appeals lacked merit.

The PC then directed staff to present an update on the Air District's EEOP with an emphasis on how the Air District prevents favoritism during the hiring process.

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

Board Comments:

The Board and staff discussed the correction of a clerical error in the staff report, page 4, third paragraph, from "December 17, 2014" to December 17, 2013."

Public Comments: No requests received.

Board Action: None; receive and file.

### **12. Report of the Mobile Source Committee (MSC) Meeting of September 25, 2014**

Committee Chairperson Haggerty (report delivered by Vice-Chairperson Groom)

The MSC met on Thursday, September 25, 2014, and approved the minutes of May 22, 2014.

The MSC reviewed Projects and Contracts with Proposed Awards Over \$100,000 and recommends the Board:

1. Approve Carl Moyer Program and Transportation Fund for Clean Air (TFCA) projects with proposed grant awards over \$100,000;
2. Authorize the Executive Officer/APCO to enter into agreements for the projects; and
3. Approve policy waivers to allow Santa Clara Valley Transportation Authority and Alameda County Transportation Commission (ACTC) to use Fiscal Year Ending (FYE) 2015 TFCA County Program Manager (CPM) Funds for bicycle sharing projects, and to allow ACTC to use FYE 2014 TFCA CPM Funds to fund a shuttle project for the second year at a cost-effectiveness that aligns with the TFCA Regional Fund.

The MSC then reviewed and discussed the presentation *Hydrogen Fuel Cell Electric Vehicles in the Bay Area*, as jointly delivered by Tyson Eckerle, Zero Emission Vehicle Infrastructure Project Manager, Governor's Office of Business and Economic Development; Catherine Dunwoody, Chief, Fuel Cell Program, California Air Resources Board; and Jim McKinney, Program Manager, Alternative and Renewable Fuel and Vehicle Technology Program, California Energy Commission (CEC). The presentation included a summary of Governor Brown's 2012 executive order on zero-emission vehicles; an overview of hydrogen fuel cell electric vehicles; the importance of Bay Area participation; a demonstration of the need for zero-emission technologies; anticipated fuel cell electric vehicle market launches in 2014-2015; fuel cell buses in service; the June 2014 Assembly Bill (AB) 8 report findings; projected fuel cell electric vehicles growth; progress in hydrogen station development throughout California; Alternative and Renewable Fuel and Vehicle Technology Program AB 118 overview and funding summary for 2009 through 2014; and a map of planned Northern California public hydrogen stations and CEC funding details for each site.

The MSC then reviewed and discussed the staff presentation *Update on the Plug-in Electric Vehicle and Infrastructure Program*, including background; Bay Area plug-in electric vehicle adoption rates by county, and target statistics for vehicles and charging infrastructure in the region; State and Air District incentives from 2014 through 2016; Air District incentives awarded to date; education and outreach efforts; and next steps.

The next meeting of the MSC is on Thursday, October 23, 2014, at 9:30 a.m.

#### Board Action:

Director Groom made a motion, seconded by Director Kniss, to approve the recommendations of the MSC.

#### Board Comments:

The Board and staff discussed the full cost of proposed projects; matching funds requirements; and efforts at population-based or geographic equity in the distribution of funds.

Director Adams requested future presentations include the full cost of projects, not just the amount of the award.

Public Comments: No requests received.

Board Action (continued):

The motion carried by the following vote of the Board:

AYES: Adams, Bates, Fujioka, Gioia, Groom, Kalra, Kim, Kniss, Miley, Pepper, Ross, Spering and Wagenknecht.

NOES: None.

ABSTAIN: None.

ABSENT: Avalos, Barrett, Chavez, Haggerty, Hudson, Klatt, Mar, Piepho, and Zane.

**13. Report of the Climate Protection Committee (CPC) Meeting of September 29, 2014**  
Committee Chairperson Avalos (report delivered by Director Kalra)

The CPC met on Monday, September 29, 2014, and approved the minutes of July 17, 2014.

The CPC received the staff presentation *Regional Climate Protection Strategy Update*, including strategy overview and contents; analysis climate policies at local, regional, state and federal levels; methodology for identifying policy gaps and opportunities for regional actions; challenges and observations; path forward for gap analysis; and next steps for the Regional Climate Protection Strategy.

The CPC then received the presentation *How the Climate Readiness Institute Can Help BAAQMD*, as delivered by Bruce Riordan, Climate Strategist, Joint Policy Committee/Climate Readiness Institute (CRI). The presentation included an overview of CRI; its current status; potential joint projects with the Air District; and next steps.

The next meeting of the CPC is on Monday, November 17, 2014, at 9:30 a.m.

Board Comments: None.

Public Comments: No requests received.

Board Action: None; receive and file.

**14. Report of the SSC Meeting of October 1, 2014**  
Committee Chairperson Gioia

The SSC met on Wednesday, October 1, 2014, and approved the minutes of July 21, 2014.

The SSC received the staff presentation *Bay Area Emissions and Air Quality: Trends & Refinery Overview*, including refinery overview; Air District refinery regulations; refinery sources of emissions; summaries of Regulation 8, Rule 18, regarding fugitive emissions, and Regulation 12,

Rules 11 and 12, regarding flares; Air District compliance and enforcement statistics for 2013; distribution of 2013 annual average emissions; all source, stationary source and refinery emission trends from 1980 through 2015; measurement-based trends relative to declining risk from toxic air contaminants in the Bay Area; Board of Directors actions requiring emissions reductions at refineries from 1992 through 2013; emissions reductions from Air District rules from 1992 through 2013; Bay Area refinery emissions per production capacity in 2012; 2015 Clean Air Plan (CAP) preliminary draft control measures and further study measures for refineries; and next steps.

The SSC then received the staff presentation *Regulations to Track and Reduce Emissions from Petroleum Refineries*, including current Regulation 12, Rule 15 elements; a summary of a proposed companion rule; possible approaches for decreasing emissions; 2015 CAP preliminary draft control measures and further study measures for refineries; and strategy for tracking and reducing refinery emissions.

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

#### Staff Comments:

Mr. Broadbent introduced Wayne Kino, Director of Compliance and Enforcement, who gave the initial staff presentation *Bay Area Emissions and Air Quality: Trends & Refinery Overview* through slide 7, *District Compliance & Enforcement - 2013*, including refinery overview; Air District refinery regulations; refinery sources of emissions; summaries of Regulation 8, Rule 18 regarding fugitive emissions and Regulation 12, Rules 11 and 12 regarding flares; Air District compliance and enforcement statistics for 2013.

NOTED PRESENT: Secretary Mar and Director Avalos were noted present at 10:48 a.m.

Mr. Kino introduced Henry Hilken, Director of Planning, Rules and Research, who gave the remainder of the staff presentation *Bay Area Emissions and Air Quality: Trends & Refinery Overview*, including distribution of 2013 annual average emissions; all source, stationary source and refinery emission trends from 1980 through 2015; measurement-based trends relative to a declining risk from toxic air contaminants in the Bay Area; Bay Area refinery emissions by facility in 2012, both in tons per day and in terms of production capacity; Bay Area versus South Coast refinery emissions per production capacity in 2010 and by pollutant; Board of Directors actions requiring emissions reductions at refineries from 1992 through 2013; emissions reductions from Air District rules from 1992 through 2013; 2015 CAP preliminary draft control measures and further study measures for refineries; and next steps.

#### Board Comments:

The Board and staff discussed the reasons for the differences found in the comparisons between Bay Area and South Coast refineries; the value of finding and emulating those measures that have proven successful for the South Coast AQMD (SCAQMD); the information about South Coast refineries being helpful for future discussions with refinery representatives about the need to remain competitive in the marketplace; whether and what information on fine particulate matter is available since it is absent from slide 15, *Bay Area vs. South Coast Refinery Emissions per Production Capacity, 2010*; the number, age and explanation for the emission differences of refineries in the South Coast; the existence and function of nitrogen oxide (NOx) and sulfur oxide (SOx) cap-and-trade programs under

SCAQMD; the noteworthiness of SO<sub>x</sub> reductions at Valero and what is needed in order for the other Bay Area refineries to achieve the same; whether and how NO<sub>x</sub> and SO<sub>x</sub> are expected to decrease under the cap-and-trade program by SCAQMD; why Shell is an outlier in slide 14, *Bay Area Refinery Emissions per Production Capacity, 2012*, and if projects currently underway will have an impact; and the desire for the inclusion of year-over-year enforcement numbers for those categories listed on slide 7, *Air District Compliance & Enforcement – 2013*.

Staff Comments (continued):

Mr. Broadbent introduced the topic further and Eric Stevenson, Director of Technical Services.

Director Gioia made opening comments regarding discussions between the SSC and staff.

Mr. Stevenson gave the staff presentation *Regulations to Track and Reduce Emissions from Petroleum Refineries*, including a summary of an enhanced approach; current Regulation 12, Rule 15 elements; a summary of a proposed companion rule to 12-15; possible approaches for decreasing emissions; 2015 CAP preliminary draft control measures and further study measures for refineries; and strategy for tracking and reducing refinery emissions.

Public Comments: No requests received.

Board Action: None; receive and file.

**15. Resolution Regarding Tracking and Reducing Refinery Emissions**

Mr. Broadbent delivered the staff report and draft resolution “Addressing Emissions from Bay Area Petroleum Refineries.”

Board Action:

Director Bates made a motion, seconded by Director Gioia, to adopt the draft resolution “Addressing Emissions from Bay Area Petroleum Refineries.”

Board Comments:

The Board and staff discussed the value added from rules that increase tracking and monitoring; concerns relative to establishing a baseline or cap at this time; the proper timing of the companion rule; the need for real emissions reductions instead of a cap-and-trade program; the seeming inconsistency between discussions calling for cautious improvements to regulatory scheme and proposals to impose reductions immediately.

Public Comments:

Ross Nakasone, Blue Green Alliance, addressed the Board in support of the proposed resolution as a furtherance of the Air District mission to find solutions that are economically and environmentally beneficial.

Marilyn Bardet, Benicians for a Safe and Healthy Community (BSHC) and Good Neighbor Steering Committee, addressed the Board in support of the proposed resolution, proposed rule 12-15 and its companion rule because further reductions are essential.

David McCoard, Sierra Club, addressed the Board in support of the proposed resolution and draft rules.

David Gassman, Greenaction, addressed the Board in support of the proposed resolution and to ask about a seemingly absent enforcement mechanism.

Jeff Ritterman, Physicians for Social Responsibility, addressed the Board in support of the proposed resolution because the data exists to necessitate taking action to protect public health.

Juan Li, Chevron, addressed the Board in opposition to the proposed resolution and suggested proposed rule 12-15 is an important one that will provide valuable information to help all stakeholders with the path forward.

John T. Hansen, Pillsbury Winthrop Shaw Pittman on behalf of Western States Petroleum Association (WSPA), submitted written material and addressed the Board in opposition to the proposed resolution based on the abundance of other regulations that have proven effective and to opine the proposed resolution and the companion rule have tenuous legal foundations.

John Hill, Valero, addressed the Board in opposition to the proposed companion rule noting major strides in air quality recently and throughout the Air District's history that were achieved through a partnership between industry and the Air District established upon data and facts instead of speculation.

Claire Spencer, Tesoro, addressed the Board in opposition to the proposed resolution, suggesting that Tesoro has and continues to implement projects with significant reductions attained through the regulatory process.

Don England addressed the Board in opposition to the proposed resolution because the technology necessary to attain the stated goals remains out of reach at this time.

Shoshana Wechsler, Sunflower Alliance, addressed the Board in support of the proposed resolution, proposed rule 12-15 and its companion rule, noting the Chevron refinery incident of 2012 as an example of the urgent and real need to address toxic pollutants and greenhouse gas emissions.

Jeff Kilbreth, Richmond Progressive Alliance (RPA) , addressed the Board in support of the proposed resolution and to suggest that a review of a refinery permit makes clear that a baseline must be established in order to understand the operational requirements already in place, refinery documents and programs at the SCAQMD show that improvements are currently possible, best practices are universal despite individual operations being unique, and toxic air contaminants are an important and undiscussed matter.

Andrés Soto, Communities for a Better Environment (CBE), BSHC, Sunflower Alliance and RPA, addressed the Board in support of the proposed resolution, proposed rule 12-15 and its companion



rule, and to suggest that the notices of violation staff report in the Board agenda packet reveals industry's stance on these matters.

Diane Bailey, Natural Resources Defense Council, addressed the Board in support of the proposed resolution with a proposed amendment to commit to the reductions by 2020 or another date certain, to ask if past reductions are adequate going into the future, as industry representatives seem to be implying, and to opine that the proposed resolution is legally and technically sound.

Sylvia Gray-White, CBE, addressed the Board in support of any and all reductions of any size, the larger the better, as the public health suffers the consequences of any alternative.

Bill Quinn, California Council for Environmental and Economic Balance (CCEEB), submitted written material, addressed the Board in opposition to the proposed resolution, suggested the current turn of events to be confusing in light of the history of accomplishments by the Air District and current air quality levels, and to urge the Board to adopt proposed rule 12-15, if desired, and to then determine the best course of action once it yields the expected result.

Guy Bjerke, WSPA, addressed the Board in opposition to the proposed resolution, suggested the need for regulations based on fact instead of speculation and that staff will acquire the necessary information through the adoption of rule 12-15, and opined that the companion rule is premature and will conflict both with existing permits and the state's emission reduction program.

Mike McDonough, Pillsbury Winthrop Shaw Pittman on behalf of Valero, addressed the Board in opposition to the proposed resolution as an alleged violation of state and federal law due to its basis in presumptions instead of facts and suggested the past approach to regulations has been successful.

Mr. McDonough and Chairperson Miley discussed the nature of a cause of action for a violation of federal law and the propriety of characterizing the proposed resolution as a regulation.

Lisa Groleske addressed the Board in opposition to the proposed resolution to avoid the closing of refineries and the creation of a reliance on foreign sources of gasoline that will increase air pollution.

Don Bristol, Phillips 66, addressed the Board in opposition to the proposed resolution, noted the history of reductions through regulations based on science and voluntary industry implementation of technological advances, and addressed the Board in support of proposed rule 12-15.

Jed Holtzman, 350 Bay Area, addressed the Board in support of the proposed resolution, suggested the proposed resolution supports many existing Air District programs, inquired of industry when, if not now, action should be taken to achieve the State's 2020 goals, and opined that industry profit stems from chemical trespass and noted that the protection from various forms of trespass is one of the core functions of government.

The Board and Brian Bunger, District Counsel, discussed why the Board may record the individual votes of members as it is volunteered before departing.

Richard Gray, 350 Marin, addressed the Board in support of the proposed resolution and to suggest the SCAQMD refineries are an exemplar for possible progress in the Bay Area and economic feasibility is not an appropriate factor for Air District consideration.

Ken Jones, 350 Marin, addressed the Board in support of the proposed resolution in light of its impact both in the Bay Area and globally, to suggest Air District staff behave passive-aggressively in response to some Board comments and to request stronger refinery regulations.

Quannah Parker Brightman, United Native Americans, addressed the Board in support of the proposed resolution, to request the full enforcement of and compliance with the provisions of AB 32 and related state and federal clean air standards, and to urge an end to the use of tar sands oil.

Michael Hoexter addressed the Board in support of the proposed resolution and to request consideration of a reduction in fossil fuel reliance.

Steven Yang, Chevron, addressed the Board in opposition to the proposed resolution, suggested emissions are already decreasing and future decreases need to be based on scientific facts, and opined that evidence does not support claims that refineries in the jurisdiction of SCAQMD are cleaner than in the Bay Area nor that refineries are the cause of current air quality levels in the Bay Area.

Janet Whittick, CCEEB, addressed the Board in opposition to the proposed resolution, shared a lack of understanding about how the 20% reduction goal lines up with the provisions of AB 32 and related state and federal clean air standards, suggested this process to be inconsistent with the Air District rule-making process, and requested time for Air District staff to develop the resolution further if the goal is merely a numeric one.

Mike Miller, United Steel Workers 326 on behalf of Phillips 66, addressed the Board in opposition to the proposed resolution as a potential job killer and cause of unnecessary delays to projects currently underway.

Director Gioia explained why consideration of the Phillips 66 project permit was continued by the Contra Costa County Board of Supervisors.

Walt Gill, Chevron, addressed the Board in opposition to the proposed resolution, characterized the proposed resolution as a regulatory imposition of an emissions limit, suggested there is always room for continuous improvement through science, and addressed the Board in support of proposed rule 12-15.

Kathy Wheeler, Shell, addressed the Board in opposition to the proposed resolution; suggested emissions have consistently been reduced during her twenty years of work, air quality in the Bay Area and around the refineries is not hazardous, and the cap is both contrary to state law and will not serve the goal of improved health; and addressed the Board in support of proposed rule 12-15.

Vivian Huang, Asian Pacific Environmental Network, addressed the Board in support of the proposed resolution based on the imbalanced and real health impacts for real people in the Bay Area.

Jenny Bard, American Lung Association in California, addressed the Board in support of the proposed resolution as a life-saving step to protect community members and to note that the current federal ozone standard has been identified as inadequate and a revision is now pending.

Jess-Dervin Ackerman, Sierra Club, addressed the Board in support of the proposed resolution.

Tom Griffith, Martinez Environmental Group (MEG), addressed the Board in support of the proposed resolution as a way to mitigate global climate change and protect the health of residents of the neighboring communities.

Ratha Lai, Sierra Club, addressed the Board in support of the proposed resolution for the sake of climate protection and public health.

Ben Keller, Sunflower Alliance, addressed the Board in support of the proposed resolution, to suggest that SCAQMD has shown a 20% reduction is feasible, to express confidence that Air District staff can implement any direction provided by the Board in a way that is legally acceptable, and to encourage the identification of further reduction targets.

Colin Murphy, Sunflower Alliance, addressed the Board in support of the proposed resolution because public concern about the global climate crisis is growing.

Roger Lin, CBE, addressed the Board in support of the proposed resolution because industry does not have a vested right to pollute, particularly when no permit has been issued.

John Ribeiro-Broomhead addressed the Board in support of the proposed resolution and to suggest the burden of fighting for clean air should not rest with the public.

Greg Karras, CBE, submitted written material, addressed the Board in support of the proposed resolution, said that a switch to lower quality crude oil is proven to negatively impact emissions if production slates are unchanged, and said CBE was a rule development partner in the past and the process looked the same as this one despite comments suggesting otherwise.

Board Comments (continued):

The Board and staff discussed the viability of the dates set forth in the proposed resolution; whether robust science will be the product of staff work in response to the resolution, if adopted, and the likely timeline for staff development; the implication of the phrase “20% reduction in refinery emissions, or as much emissions as are feasible;” the consistency between the items under discussion and the Air District mission; the mischaracterization of the proposed resolution as regulation and the misconception that the proposed resolution will be the end of the matter; the need for industry partners; the proposed resolution as a work plan to guide future work of staff and inform the interests of stakeholders, as was the case with the flare rule that is now looked back upon as a success; the damaged credibility of industry when they represent to local bodies that proposed projects will not result in net increases and then appear before the Air District Board to defend the opportunity for future increases; the desire for the inclusion of date-specific deadlines in the proposed resolution if not for the perceived need to preserve the votes of already departed Board members; the Air District’s duty to protect public health; how staff will “set emissions thresholds and mitigate potential emissions increases;” concerns about prematurely establishing emissions requirements; the success of the current process and the multitude of forces and concerns converging thereupon; the work that remains for the sake of clean air but the need to base it upon fact-based science and in an open and transparent process; the lack of desire to drive industry out of the Bay Area coupled with a continued desire to achieve clean air and the advancement of green technology; a request that industry stand down, join

the discussion regarding proposed rule 12-15 and the proposed companion rule, and to hold back on lawsuits based on today's matter being a resolution, not regulation, in keeping with the role and responsibility of the Air District within the limits of its authority.

Board Action (continued):

The motion carried by the following vote of the Board:

AYES: Adams, Avalos, Bates, Fujioka, Gioia, Groom, Kalra, Kim, Kniss, Mar, Miley, Pepper, Ross, Spering and Wagenknecht.

NOES: None.

ABSTAIN: None.

ABSENT: Barrett, Chavez, Haggerty, Hudson, Klatt, Piepho, and Zane.

**16. PUBLIC COMMENT ON NON-AGENDA MATTERS:** No requests received.

**17. BOARD MEMBERS' COMMENTS:** None.

**OTHER BUSINESS**

**18. Report of the Executive Officer/APCO:**

Mr. Broadbent announced the appointment of Rex Sanders to the position of Director of Administrative Services, gave the staff presentation *Summary of Ozone Seasons*, and announced the signing into law of Senate Bill 1415 regarding the reconstitution of the Advisory Council.

**19. Chairperson's Report:**

Chairperson Miley asked those Board members who are interested in serving on the Nominating Committee to notify him or Air District staff and announced the cancellation of the regular Board meeting on November 5, 2014.

**20. Time and Place of Next Meeting:**

Wednesday, November 19, 2014, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, California 94109 at 9:45 a.m.

**21. Adjournment:** The Board meeting adjourned at 1:24 p.m.

*151 Sean Gallagher*

Sean Gallagher  
Clerk of the Boards