



BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

NATE MILEY – CHAIR
TOM BATES
SCOTT HAGGERTY
MARY PIEPHO
BRAD WAGENKNECHT

CAROLE GROOM – VICE CHAIR
JOHN GIOIA
ASH KALRA
MARK ROSS

MONDAY
JULY 21, 2014
9:30 A.M.

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

AGENDA

1. **CALL TO ORDER – ROLL CALL**

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members.

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 Air District headquarters, 939 Ellis Street, San Francisco, CA, and at the Air District's website www.baaqmd.gov 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 THE MINUTES OF MARCH 17, 2014 AND MAY 28, 2014**

The Committee will consider approving the attached draft minutes of the Executive Committee meeting of March 17, 2014 and May 28, 2014.

4. **HEARING BOARD QUARTERLY REPORT: APRIL – JUNE 2014**

T. Trumbull/5073
TerryT1011@aol.com

The Hearing Board Chair will present the Hearing Board Quarterly Report for the period of April through June 2014.

5. **JOINT POLICY COMMITTEE UPDATE**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on the Joint Policy Committee.

6. **UPDATE OF REMOTE PARTICIPATION PROTOCOL FOR COMMITTEE MEETINGS**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update of remote participation protocol for Committee meetings.

7. **FINAL REPORT: AIR MONITORING TECHNOLOGY AND METHODOLOGY EXPERT PANEL**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive a final report on Air Monitoring Technology and Methodology Expert Panel.

8. **BAY AREA COMMUTER BENEFITS PROGRAM IMPLEMENTATION**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on the implementation of the Commuter Benefits Program, adopted by the Board of Directors on March 19, 2014.

9. **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).

10. **TIME AND PLACE OF NEXT MEETING**

Monday, August 18, 2014, Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, California 94109 at 9:30 a.m.

11. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

**CONTACT THE CLERK OF THE BOARDS
939 ELLIS ST, SF, CA 94109**

**(415) 749-5073
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.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
FOR QUESTIONS PLEASE CALL (415) 749-5016 or (415) 749-4941

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

JULY 2014

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting - CANCELLED <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee – <i>(Meets 3rd Thursday every other Month)</i>	Thursday	17	9:30 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	21	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets Quarterly – At the Call of the Chair)</i>	Monday	21	10:30 a.m.	Board Room
Board of Directors Budget & Finance Committee - CANCELLED <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	23	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee - CANCELLED <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	24	9:30 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Monday	28	9:30 a.m.	4 th Floor Conf. Room
Special Board of Directors Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Thursday	31	9:45 a.m.	Board Room

AUGUST 2014

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i> - CANCELLED	Wednesday	6	9:45 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room

AUGUST 2014

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	28	9:30 a.m.	Board Room

SEPTEMBER 2014

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	3	9:45 a.m.	Board Room
Advisory Council Regular Meeting <i>(Meets on the 2nd Wednesday of each Month)</i>	Wednesday	10	9:00 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	15	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee – <i>(Meets 3rd Thursday every other Month)</i>	Thursday	18	9:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	24	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	25	9:30 a.m.	Board Room

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Date: June 3, 2014

Re: Approval of the Minutes of March 17, 2014 and May 28, 2014

RECOMMENDED ACTION

Approve attached draft minutes of the Executive Committee meetings of March 17, 2014 and May 28, 2014.

DISCUSSION

Attached for your review and approval are the draft minutes of the Executive Committee meetings of March 17, 2014 and May 28, 2014.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Sean Gallagher
Reviewed by: Rex Sanders

Attachment A: Draft Minutes of the Executive Committee meeting of March 17, 2014

Attachment B: Draft Minutes of the Executive Committee meeting of May 28, 2014

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

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
Monday, March 17, 2014

1. Call to Order – Roll Call

Chairperson Nate Miley called the meeting to order at 9:36 a.m.

Present: Chairperson Nate Miley; Vice-Chairperson Carole Groom; and Directors John Gioia, Scott Haggerty, Mark Ross and Brad Wagenknecht.

Absent: Directors Tom Bates, Ash Kalra and Mary Piepho.

Also Present: None.

2. Public Comment Period: No requests received.

3. Approval of the Minutes of December 16, 2013

Executive Committee (Committee) Comments: None.

Public Comments: No requests received.

Committee Action:

Director Wagenknecht made a motion to approve the Minutes of December 16, 2013; Director Haggerty seconded; and the motion carried by the following vote of the Committee:

AYES: Gioia, Groom, Haggerty, Miley, Ross and Wagenknecht.

NOES: None.

ABSTAIN: None.

ABSENT: Bates, Kalra and Piepho.

4. Hearing Board Quarterly Report: October – December 2013

Hearing Board Chairperson Terry Trumbull, Esq., presented the quarterly report of the Air District Hearing Board for October through December 2013, including summaries of the cases and fees collected.

Committee Comments: None.

Public Comments: No requests received.

Committee Action: None; receive and file.

5. Senate Bill (SB) 1339 – Bay Area Commuter Benefits Program

Henry Hilken, Director of Planning, Rules and Research, introduced David Burch, Principal Environmental Planner of Planning, Rules and Research, who gave the staff presentation *Bay Area Commuter Benefits Program* (BACBP), including the purpose and positive benefits of the BACBP; the four commuter benefit options that employers could choose among; applicability of the BACBP; employer outreach and public workshops; input received; recent progress and preparations for implementation; and next steps.

Committee Comments:

The Committee and staff discussed population segments with the possibility of limited BACBP options, such as minimum-wage service workers in the suburbs who travel after peak hours; the logistics of payroll deductions for employers; BACBP plans for the continuing education of employers; a proposal to phase-in the BACBP in the three urban centers that receive transit funding support; plans for BACBP promotion and outreach; the possibility that the BACBP tax treatment may not be beneficial to all employers; how employers who currently provide the benefit do so; compliance enforcement plans; the next steps for the Air District; and the meaning of comments on slide 9, *Comments Received*, “Exempt worksites not near transit” and “Expand beyond commuter trips.”

Public Comments: No requests received.

Committee Action: None; receive and file.

6. Community Air Risk Evaluation (CARE) Program Update

Mr. Hilken introduced Phil Martien, Ph.D., Air Quality Engineering Manager of Planning, Rules and Research, who gave the staff presentation *CARE Program Update*, including air quality improvement and remaining challenges; CARE program objectives and accomplishments; health impact reductions; first identified cumulative impact areas; an overview of the update objectives and methodology; the effect of episodic factors; use of maps; and next steps.

In regard to slide 4, *Air Quality Challenges Remain*, the Committee and staff discussed, how the cancer risk map was created; how to align it with health data and the presumed causes for some of the areas identified as having higher risk; and why there appears to be drop in the risk level for a stretch along the Interstate 580 corridor.

Dr. Martien continued the presentation.

In regard to slide 17, *Uses of Map*, the Committee and staff discussed a past staff proposal at targeted efforts in response to an earlier version of this map and possible uses going forward.

Dr. Martien concluded the presentation.

Committee Comments:

The Committee and staff discussed the possibility of cap-and-trade revenue that will have to be spent in defined communities; the need to include the defined community data on the CARE map on slide 17, *Uses of Map*; Air District concerns relative to CalEnviroScreen and the impact on the Bay Area; the Air District's intention to engage CARE areas regardless of regional demographics; the need for the development of a metric for revenue disbursement that takes into account population density; how this will affect the ongoing discussion regarding Neptune Crematorium in Oakland; and the possibility of applying stricter cumulative impact standards to new facilities in specific regions within the Bay Area and the potential impact on economic development in those areas.

Public Comments: No requests received.

Committee Action: None; receive and file.

7. Briefing Regarding Senate Bill (SB) 1415 (Hill) – Bill Regarding Air District Advisory Council

Jack Broadbent, Executive Officer/Air Pollution Control Officer, delivered the staff report *Briefing Regarding SB 1415 (Hill)*.

Committee Comments: None.

Public Comments: No requests received.

Committee Action: None; receive and file.

8. Committee Member Comments/Other Business: None.

9. Time and Place of Next Committee Meeting:

Monday, April 21, 2014, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.

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

Sean Gallagher
Clerk of the Boards

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

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
Wednesday, May 28, 2014

1. Call to Order – Roll Call

Chairperson Nate Miley called the meeting to order at 9:47 a.m.

Present: Chairperson Nate Miley; and Directors Mark Ross and Brad Wagenknecht.

Absent: Vice-Chairperson Carole Groom; and Directors Tom Bates, John Gioia, Scott Haggerty, Ash Kalra and Mary Piepho.

Also Present: None.

2. Public Comment Period: No requests received.

3. Approval of the Minutes of March 17, 2014

Executive Committee (Committee) Comments: None.

Public Comments: No requests received.

Committee Action:

Approval of the minutes of the Committee meeting of March 17, 2014 was postponed for lack of a quorum.

4. Hearing Board Quarterly Report: January – March 2014

Hearing Board Chairperson Terry Trumbull, Esq., presented the quarterly report of the Air District Hearing Board for January through March 2014, including summaries of the cases and fees collected.

Committee Comments: None.

Public Comments: No requests received.

Committee Action: None; receive and file.

5. Update of Remote Participation Protocol for Committee Meetings

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO) delivered the staff report and requested Committee direction.

Committee Comments:

The Committee and staff discussed the cost of installing videoconferencing equipment in the seventh floor board room at 939 Ellis Street; the approximate date of the Air District headquarters move to 375 Beale Street; current Air District standards for remote participation; cost-benefit considerations; whether a less robust form of remote participation is viable in the short-term; Board protocol as dictating the current arrangement; additional and ongoing Air District costs relative to providing remote participation sites; and the exportability of a system to other users for a cost in an effort to recoup the investment.

Chairperson Miley directed staff to agendize the matter for the next Board meeting and to provide cost estimates for the equipment necessary for both the full and less robust forms of remote participation.

Public Comments: No requests received.

Committee Action: None; receive and file.

6. Update on the My Air Online Program

Jaime Williams, Information Technology Officer, gave the staff presentation *My Air Online Program Update*, including the program goal, structure and plan; website project process and content organization; website design samples; permitting and compliance systems status; next steps; public data access status; geospatial mapping request for proposals results; and next steps.

Committee Comments:

The Committee and staff discussed the project history and timeline; website integration with social media; anticipated website launch at the end of 2014; the public interactivity capabilities of the new website; goals of transparency, interactivity and efficiency; the positive progress made on a project with an inherently expanding scope; and whether a “climate” button can or should be added to the Home page.

Public Comments: No requests received.

Committee Action:

A consensus of the Committee members present recommended the Board:

1. Select Lightmaker USA, Inc. (Lightmaker) as the successful vendor for the Geospatial Mapping and Data Visualization Tool for the My Air Online program website; and
2. Authorize the Executive Officer/APCO to execute all contracts not to exceed \$193,320 with Lightmaker for this project.

7. Information Technology (IT) Infrastructure for 375 Beale Street Vendor Prepayment in Excess of \$70,000

Mr. Broadbent introduced David James, Information Systems (IS) Manager of IS Services, who gave the staff presentation *IT Infrastructure for 375 Beale Street*, including IT procurement cycle; 2010 equipment; IT infrastructure lease; and recommendation.

Committee Comments:

The Committee and staff discussed whether the new infrastructure is transportable and can be shared with the other agencies that will be operating at 375 Beale Street; the state of discussions with other agencies regarding shared services; and the scope of shared services topics.

Public Comments: No requests received.

Committee Action:

A consensus of the Committee members present recommended the Board authorize the Executive Officer/APCO to prepay one annual payment of \$368,000 for the Air District's IT infrastructure capital lease.

CLOSED SESSION

The Committee adjourned to Closed Session at 10:35 a.m.

8. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6(a))

Pursuant to Government Code Section 54957.6(a), the Committee met in closed session to confer with agency negotiators to discuss the status of labor negotiations as follows:

Agency Negotiators: Jack P. Broadbent, Executive Officer/APCO
Jack M. Colbourn, Director of Administrative Services

Employee Organization: Bay Area Air Quality Employee's Association, Inc.

OPEN SESSION

The Committee resumed Open Session at 11:00 a.m. with no reportable action.

9. Committee Member Comments/Other Business: None.

10. Time and Place of Next Committee Meeting:

Monday, July 21, 2014, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.

11. Adjournment: The meeting adjourned at 11:00 a.m.

Sean Gallagher
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members of the Executive Committee
From: Chairperson Terry Trumbull, Esq., and Members of the Hearing Board
Date: July 7, 2014
Re: Hearing Board Quarterly Report – April through June 2014

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

During the second quarter of 2014 (April through June), the Hearing Board:

- Held one hearing on one Accusation (3661). There were no hearings on Appeals or Variances;
- Processed a total of three orders, including one Accusation (3661) and two Requests for Withdrawal/Dismissal (3660 and 3662). There were no orders relative to Appeals, Variances or Emergency Variances; and
- Collected a total of \$0.00 in filing fees.

Below is a detail of Hearing Board activity during the same period:

Location: Contra Costa County; City of Richmond

Docket: 3660 CHEVRON PRODUCTS COMPANY – *Appeal*

Regulation(s): Permit to Operate Abatement Equipment, A-629, Temporary Carbon System for Abating No. 17 Pump Station Fugitive Emissions

Synopsis: In 1992, Appellant applied for a permit to install eight thermal oxidizers to abate various pump seal fugitive emissions and applied to use thermal oxidizers for the exemptions. In August 2013, Appellant found the thermal oxidizer operating at less than the minimum required temperature and filed emergency variance docket number 3653. During the course of an Enforcement investigation, Appellant was found not to have done any preventative maintenance of the thermal oxidizer since installation in 1992 (over 20 years of operation). The emergency variance request was denied on September 12, 2013. In January 2014, Respondent issued the permit to operate with new Permit Condition # 8869 Part 5 (requiring continual abatement with the thermal oxidizers) and new Permit Condition # 25708.

Status: Hearing postponed from April 17, 2014 to May 8, 2014; Order for Dismissal filed May 8, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: \$3,260.00

Location: Contra Costa County; City of San Pablo

Docket: 3661 AIR POLLUTION CONTROL OFFICER OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT VS. ALEX AGUILAR – *Accusation*

Regulation(s): 2-1-302

Synopsis: Respondent is alleged to own and operate a body shop since at least 2012 without a permit to operate, failed to install a spray booth or use any filtration device for the coating operations, and failed to maintain volatile organic compounds, coating, or solvent records, as required per District regulations.

Status: Stipulated Conditional Order for Abatement submitted at hearing held April 10, 2014, and filed April 26, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: N/A

Location: San Mateo County; City of South San Francisco

Docket: 3662 AIR POLLUTION CONTROL OFFICER OF THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT VS. TIMOTHY SIMPSON; and D. J. SIMPSON COMPANY – *Accusation*

Regulation(s): 2-1

Synopsis: Respondent is alleged to own and operate a paint manufacturing facility since 1988, failed to pay the required permit fees for February 2010 – 2011, and the permit expired.

Status: Order for Dismissal filed June 27, 2014

Period of Variance: N/A

Estimated Excess Emissions: N/A

Fees collected this quarter: N/A

Respectfully submitted,

Terry Trumbull, Esq.
Chair, Hearing Board

Prepared by: Sean Gallagher
Reviewed by: Rex Sanders

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 8, 2014

Re: Joint Policy Committee Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Joint Policy Committee (JPC) consists of Board/Commission representatives of the four regional agencies and provides a forum for discussing issues of regional importance.

DISCUSSION

At the upcoming Executive Committee meeting, the JPC Director, Allison Brooks, will provide an update on the activities of the Joint Policy Committee.

BUDGET CONSIDERATIONS/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 16, 2014

Re: Update of Remote Participation Protocol for Committee Meetings

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In 2010, the Executive Committee discussed over several meetings a remote participation protocol for the Board of Directors to attend Committee meetings. Air District staff identified and tested the capabilities of two remote videoconference locations, one at the Santa Rosa Junior College in Santa Rosa and the other at the Santa Clara County Building in the City of San Jose.

In October 2010, the Executive Committee recommended that the Board develop a protocol that would allow remote participation by members via videoconference and teleconference for committee meetings.

In January 2011, the Executive Committee recommended, and the Board adopted, a protocol for remote participation of committee meetings during meetings that were informational only (no remote voting).

In May 2013, the Executive Committee revisited the protocol, recommended changes to the protocol and the Board adopted the following Remote Participation Protocol for Committee meetings:

1. Allow remote participation by committee members for all committee meetings held in the Air District Headquarters 4th floor Conference Room at 939 Ellis Street in San Francisco, with the exception of Executive Committee and Personnel Committee meetings.
2. Any remote participation for committee meetings will occur only via video-conferencing at identified and secured locations.
3. Video-conferencing locations will be made available for committee meetings upon direction of the Executive Officer/APCO or by request by one or more members of the committee; provided the location(s) is/are available and all legal noticing requirements can be met.

The Air District staff utilizes the following video-conferencing locations to implement the protocol:

North Bay: Santa Rosa Junior College in Santa Rosa

South Bay: San Jose State University in San Jose

East Bay: California State University East Bay – Oakland Center.

In 2013, the Climate Protection Committee began to have larger stakeholder participation and public attendance at meetings. The Committee, which traditionally met in the 4th Floor conference room at the Air District, no longer accommodates the number of public members that attend the meetings. Air District staff, in consultation with the Chair of the Committee, moved the meeting to the 7th Floor Board Room in anticipation of a sustained increase in participation. The increase in participation has continued to date.

Director Shirlee Zane (Sonoma County) regularly participates in these Committee meetings via the videoconference location at Santa Rosa Junior College when the meeting is held in the 4th Floor Conference Room. Because the 7th Floor Board Room does not have videoconferencing capabilities, Director Zane is not able to participate via videoconference.

On March 18, 2014, Director Zane sent a letter to the Board of Directors asking the Board to, “revisit the remote conferencing policy. The letter is attached for your reference.

At the March 19, 2014 Board Meeting, Chair Miley referred Director Zane’s request to the Executive Committee for review.

At the May 28, 2014 Executive Committee Meeting, the committee met without a quorum and discussed the item and Chairperson Miley directed staff to provide cost estimates for the equipment necessary for both the full and less robust forms of remote participation.

At the June 4, 2014 Board of Directors regular meeting, Executive Committee Report item, Director Zane asked staff to research a less expensive alternative that could be implemented in the board room, such as Skype or FaceTime technologies.

DISCUSSION

Staff has researched options for videoconferencing that could be implemented in the Board room and that would also meet the requirements of open meeting laws (Brown Act).

The Air District currently contracts with GovTV to provide webcasting services of Board Meetings and for the equipment required for webcasting those meetings. Staff asked GovTV to provide an informal quote to the Air District for the installation of a video conferencing system that would also meet the Brown Act requirements. As the Air District currently meets those requirements with its current videoconference locations, we used those locations as examples for GovTV to provide the quote.

The Brown Act requirements are that meetings must:

1. Make available a room for the meeting with 10-person minimum capacity;
2. Have building and conference rooms that are publicly accessible;
3. Use building and conference rooms that meet the requirements of the Americans with Disability Act and are accessible to those with disabilities.
4. Be near public transit for members of the public. If not near transit, there needs to be public parking available.
5. Have public noticing of the Agenda 72 hours before the start of the meeting somewhere the public would be able to see it as they passed by the location.

After researching using low-cost/free alternatives to videoconferencing such as Skype and FaceTime, staff found that these options are generally used for casual-use interactions and are not meant for formal public meetings in which the camera, software and technology is controllable by the meeting attendees and the Air District in order to make certain that the meeting complies with the requirements of the Brown Act.

The Air District's current videoconference locations have a fixed location and controllable technology that meet the Brown Act requirements. Staff asked GovTV to quote videoconferencing to/from these locations.

GovTV quoted the following:

- | | |
|---|----------|
| 1. Upfront hardware and installation cost | \$45,000 |
| 2. Video conferencing per meeting | \$750 |
| 3. Monthly maintenance | \$500 |

BUDGET CONSIDERATION/FINANCIAL IMPACT

Current costs for video conferencing (location fees) are included in the Fiscal Year Ending 2015 Air District Budget. Costs for adding videoconference service and equipment to the 7th Floor Board Room will increase the FYE 2015 Air District Budget by \$60,000.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Satnam Hundel

Reviewed by: Jack Colbourn

Attachment: Letter Addressed to the Board of Directors from Director Shirlee Zane dated
March 18, 2014

BOARD OF SUPERVISORS

575 ADMINISTRATION DRIVE, RM. 100A
SANTA ROSA, CALIFORNIA 95403

(707) 565-2241
FAX (707) 565-3778



SHIRLEE ZANE
Supervisor, Third District

March 18, 2014

Dear Fellow Bay Area Air Quality Management District Board of Directors,

As you know I am a member of the Bay Area Air Quality Management District's (BAAQMD) Climate Protection Committee. Since last year I have been participating by videoconference when the meetings are held in the 4th floor conference room. Videoconferencing has spared me (and our crowded Bay Area freeways, our climate and our air quality) the four hour roundtrip drive I would need to make to attend the meetings. Remote participation also appeals to my environmental sensibilities. **It took quite a bit of lobbying on my part to get the videoconferencing approved; frankly it has been frustrating to me that BAAQMD has been slow to embrace remote participation for committee meetings given its mission "to protect and improve public health, air quality, and the global climate."**

I write to you today because stakeholders have been quite active in attending the Climate Committee meetings. As such, BAAQMD staff have decided to move the meetings to the 7th floor Board room—where there is no videoconferencing capability. I have been advised by BAAQMD staff that I will now have only one option—to attend the Climate meetings in person. As a compromise I suggested that I participate via teleconference but according to staff teleconferencing has not been authorized by the Board.

With all due respect to Chair Miley and our Board, it does not make any sense whatsoever to make it virtually impossible for me to attend, of all things, a Climate Protection Committee meeting because I cannot justify the drive, both in terms of time constraints and with regard to GHG emissions. I also think that having a remote location can allow more stakeholders to participate without commuting. I know that Sonoma County's leading non-profit climate partner—The Climate Protection Campaign—will also not be able to participate without the remote location in Santa Rosa.

The Climate Committee is doing important work and I feel strongly that I need to continue to participate at the level that videoconferencing has allowed. I would ask that the Board revisit the remote conferencing policy to find a solution to this relatively simple problem. **To be quite frank, I can't believe how difficult it has been to bring the Air District into the modern era of remote participation, again, given its mission.**

Please let me know if you are willing to address this issue. I appreciate your consideration of my request.

Most sincerely,

Shirlee Zane
Supervisor, Third District

**Supervisor Shirlee Zane
Sonoma County's Third District**

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 14, 2014

Re: Final Report: Air Monitoring Technology and Methodology Expert Panel

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

On August 6, 2012, a substantial fire occurred due to a hydrocarbon leak at a crude oil processing unit at the Chevron Refinery in Richmond, CA. The fire resulted in a large plume of black smoke and visible emissions from a refinery flare. The Contra Costa County Health Department issued a community warning and ordered a shelter-in-place for about five hours in Richmond, San Pablo and North Richmond. Thousands of residents sought medical treatment, with most claiming that they suffered respiratory and/or eye discomfort.

The August 6, 2012 incident prompted the Bay Area Air Quality Management District (Air District) staff and Board of Directors to identify a series of follow-up actions to enhance the Air District's response to similar incidents (Board of Directors, October 17, 2012). One of these actions was to convene a panel of air monitoring experts (Expert Panel) to recommend technologies, methodologies and tools to enhance community air monitoring capabilities near refineries. The Expert Panel was convened on July 11, 2013 with academics, researchers, community members, industry and government agency staff from around the state and nation with extensive knowledge and experience in air monitoring.

A report developed by the Desert Research Institute (DRI) and provided to the Expert Panel evaluated the Air District's current air monitoring network and reviewed applicable technologies and methodologies that might be utilized to enhance the air monitoring capabilities around refineries. Immediate actions were taken to improve ambient air monitoring capabilities near the refineries and purchase of additional instrumentation for Air District inspectors to utilize during incidents is ongoing. Using the DRI report as a starting point, the Expert Panel provided input on additional monitoring techniques as well as the best tools and methodologies available to collect data at fence lines, in nearby communities and during incidents. This report has been finalized and is now available on the Air District's website (located here [Expert Panel Report and Findings](#)).

DISCUSSION

The Expert Panel acknowledged the Air District's current air monitoring network meets or exceeds the requirements for which it is designed. However, the Panel believed monitoring at refinery fence lines and in nearby communities could be augmented to provide useful air quality information to the Air District, the refineries and the surrounding community. This input is being used to develop an air monitoring guidance document that will be part of Regulation 12, Rule 15, the Petroleum Refining Emissions Tracking Rule, which will require fence line monitoring at refineries and additional monitoring in nearby communities.

The Expert Panel also provided input on ways in which monitoring during incidents could be enhanced and supported the development of a mobile monitoring platform, capable of measuring multiple compounds accurately with real-time data availability. While the Air District currently has limited mobile capabilities, specific additional instrumentation needs to be acquired. In addition, Air District staff needs to be hired to operate, maintain and ensure equipment readiness. Until the Air District develops this capability, an agreement with the U.S. EPA Region IX Incident Response team has been reached to provide limited additional capabilities through their mobile monitoring platform. Air District staff will develop purchasing and staffing recommendations and for consideration by the Executive Committee in the fall.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funds for equipment purchase have been placed into a reserve account for FYE 2015.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Eric Stevenson
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Nate Miley and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: July 2, 2014

Re: Bay Area Commuter Benefits Program Implementation

RECOMMENDED ACTION:

None; receive and file.

BACKGROUND

Pursuant to Senate Bill 1339, the Air District and the Metropolitan Transportation Commission (MTC) worked together to develop a regional commuter benefits program. On March 19, 2014, the Air District Board of Directors approved Regulation 14, Rule 1: Bay Area Commuter Benefits Program (Program). The regulation took effect upon ratification by MTC on March 26, 2014. The Program requires employers with 50 or more full-time employees within the boundaries of the Air District to select one of four commuter benefit options to offer to their employees, to notify employers about the commute benefit selected, and to register via the 511.org website by September 30, 2014.

DISCUSSION

Air District staff will describe outreach and assistance provided to employers, experience in implementing the Program to date, and efforts that will be implemented by the Air District and MTC in coming weeks to encourage employers to comply with the Program by the September 30, 2014 deadline.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding to administer the program is included in the Air District and MTC Fiscal Year Ending 2015 budgets.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Burch
Reviewed by: Henry Hilken