

## **Errata Sheet**

Revised Agenda

Board of Directors Meeting

Wednesday, May 20, 2015

The revised agenda reflects the addition of Closed Session Agenda Item Number 14, Existing Litigation: Friends of the Eel River, et al. v. North Coast Railway Authority, et al., California Supreme Court Case No. S222472.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## REVISED BOARD OF DIRECTORS REGULAR MEETING

May 20, 2015

A meeting of the Bay Area Air Quality Management District Board of Directors will be held in the 7<sup>th</sup> Floor Board Room at the Air District Headquarters, 939 Ellis Street, San Francisco, California.

### Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff Person to contact for additional information or to resolve concerns is listed for each agenda item.

### Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

This meeting will be webcast. To see the webcast, please visit <http://www.baaqmd.gov/The-Air-District/Board-of-Directors/Agendas-and-Minutes.aspx> at the time of the meeting.

## Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

**Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3** For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to commencement of the meeting. The remainder of the speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

**Public Comment on Agenda Items** After the initial public comment on non-agenda matters, the public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Up to ten (10) speakers may speak for three minutes on each item on the Agenda. If there are more than ten persons interested in speaking on an item on the agenda, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. Speakers are permitted to yield their time to one other speaker; however no one speaker shall have more than six minutes. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

# REVISED BOARD OF DIRECTORS REGULAR MEETING AGENDA

WEDNESDAY  
MAY 20, 2015

BOARD ROOM  
7TH FLOOR

IMMEDIATELY FOLLOWING  
9:45 A.M. BOARD OF DIRECTORS  
SPECIAL MEETING - BUDGET HEARING

## CALL TO ORDER

Chairperson, Carole Groom

### 1. Opening Comments Roll Call

*The Chair shall call the meeting to order and make opening comments. The Clerk of the Boards shall take roll of the Board members.*

## PUBLIC COMMENT ON NON-AGENDA MATTERS

### 2. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

*For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Board at the location of the meeting and prior to commencement of the meeting.*

## CONSENT CALENDAR (ITEMS 3 – 8)

Staff/Phone (415) 749-

### 3. Minutes of the Board of Directors Regular Meeting of May 6, 2015

Clerk of the Boards/5073

*The Board of Directors will consider approving the draft minutes of the Board of Directors Regular Meeting of May 6, 2015.*

### 4. Board Communications Received from May 6, 2015 through May 19, 2015

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*A copy of communications directed to the Board of Directors received by the Air District from May 6, 2015 through May 19, 2015, if any, will be at each Board Member's place.*

5. Air District Personnel on Out-of-State Business Travel J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*In accordance with Section 5.4 (b) of the Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business in the preceding month.*

6. Notice of Violations Issued and Settlements in Excess of \$10,000 in the Month of April 2015 B. Bunger/4920  
[bbunger@baaqmd.gov](mailto:bbunger@baaqmd.gov)

*In accordance with Resolution No. 2012-08, the Board of Directors will receive a list of all Notices of Violation issued, and all settlements for amounts in excess of \$10,000 during the month of April 2015.*

7. Consider Authorizing a Contract Amendment to Environmental Audit, Inc. and Execution of a Purchase Order in Excess of \$70,000 Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations for Continued California Environmental Quality Act (CEQA) Analyses and Documents

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to amend the current contract and issue a Purchase Order of \$97,367 for Environmental Audit, Inc. to continue providing environmental analyses and documents for Air District plans and rules as required under the California Environmental Quality Act (CEQA).*

8. Consider Authorizing a Purchase Order in Excess of \$70,000 Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations for Purchase of Greenhouse Gas Measurement Equipment

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will consider authorizing the Executive Officer/APCO to issue a Purchase Order in an amount not to exceed \$395,875 to Picarro, Inc. for equipment necessary to begin greenhouse gas (GHG) measurements.*

## **COMMITTEE REPORT**

9. Report of the **Personnel Committee** Meeting of May 18, 2015  
CHAIR: B. Wagenknecht

J. Broadbent/5052  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Committee will receive the following reports:*

A) **Strategic Staffing Update – Management Restructuring Plan**

- 1) *None; receive and file.*

## **PRESENTATION**

### **10. STATUS UPDATE OF REGULATION 6, RULE 3: WOOD BURNING DEVICES**

**J. Broadbent/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)

*The Board of Directors will receive a status update of Regulation 6, Rule 3: Wood Burning Devices.*

## **CLOSED SESSION**

### **11. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the Executive Officer.*

### **12. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - (Government Code Section 54957 and 54957.6)**

*Pursuant to Government Code Section 54957 and 54957.6, the Committee will meet in closed session to conduct a performance evaluation of the District Counsel.*

### **13. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

*Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: one potential case.*

### **14. EXISTING LITIGATION (Government Code Section 54956.9(a))**

*Pursuant to government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case(s):*

*Friends of the Eel River, et al. v. North Coast Railway Authority, et al., California Supreme Court Case No. S222472*

## **OPEN SESSION**

### **15. PUBLIC COMMENT ON NON-AGENDA MATTERS**

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**

*Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed three minutes each to address the Board on non-agenda matters.*

16. **BOARD MEMBERS' COMMENTS**

*Any member of the Board, 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)*

**OTHER BUSINESS**

17. **Report of the Executive Officer/APCO**

18. **Chairperson's Report**

19. **Time and Place of Next Meeting**

*Wednesday, June 3, 2015, 939 Ellis Street, San Francisco, California 94109 at 9:45 a.m.*

20. **Adjournment**

*The Board meeting shall be adjourned by the Board Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**939 ELLIS STREET, SAN FRANCISCO, CA 94109**  
**mmartinez@baaqmd.gov**

**(415) 749-5016**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the "Members of the Board of Directors" and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following 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 in a timely manner, 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**

**MAY 2015**

<b><u>TYPE OF MEETING</u></b>	<b><u>DAY</u></b>	<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>ROOM</u></b>
<b>Board of Directors Executive Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month) - CANCELLED</i>	Monday	18	9:30 a.m.	Board Room
<b>Board of Directors Personnel Committee</b> <i>(At the Call of the Chair)</i>	Monday	18	9:30 a.m.	Board Room
<b>Board of Directors Stationary Source Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month) - CANCELLED</i>	Monday	18	10:30 a.m.	Board Room
<b>Special Board of Directors Meeting - Budget Hearing</b> <i>(At the Call of the Chair)</i>	Wednesday	20	9:45 a.m.	Board Room
<b>Board of Directors Regular Meeting</b> <i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
<b>Board of Directors Climate Protection Committee</b> <i>(Meets on the 3<sup>rd</sup> Thursday of Every Other Month)</i>	Thursday	21	9:30 a.m.	Board Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month) - CANCELLED</i>	Wednesday	27	9:30 a.m.	Board Room
<b>Board of Directors Stationary Source Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month)</i>	Wednesday	27	9:30 a.m.	Board Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month) - CANCELLED</i>	Thursday	28	9:30 a.m.	Board Room

**JUNE 2015**

<b><u>TYPE OF MEETING</u></b>	<b><u>DAY</u></b>	<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>ROOM</u></b>
<b>Board of Directors Regular Meeting</b> <i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	3	9:45 a.m.	Board Room
<b>Board of Director Public Engagement Committee Meeting</b> <i>(At the Call of the Chair)</i>	Thursday	4	9:30 a.m.	Board Room
<b>Advisory Council Regular Meeting</b> <i>(Meets on the 2<sup>nd</sup> Wednesday of each Month)</i>	Wednesday	10	10:00 a.m.	Board Room

## JUNE 2015

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Personnel Committee</b> <i>(At the Call of the Chair)</i>	Thursday	11	9:30 a.m.	Board Room
<b>Board of Directors Executive Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month)</i>	Monday	15	9:30 a.m.	Board Room
<b>Board of Directors Stationary Source Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month)</i>	Monday	15	10:30 a.m.	Board Room
<b>Board of Directors Regular Meeting</b> <i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	17	9:45 a.m.	Board Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month)</i> - CANCELLED	Wednesday	24	9:30 a.m.	Board Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month)</i>	Thursday	25	9:30 a.m.	Board Room

## JULY 2015

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
<b>Board of Directors Regular Meeting</b> <i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	Board Room
<b>Board of Directors Regular Meeting</b> <i>(Meets on the 1<sup>st</sup> &amp; 3<sup>rd</sup> Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	Board Room
<b>Board of Directors Climate Protection Committee</b> <i>(Meets 3<sup>rd</sup> Thursday of Every Other Month)</i>	Thursday	16	9:30 a.m.	Board Room
<b>Board of Directors Executive Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month)</i>	Monday	20	9:30 a.m.	Board Room
<b>Board of Directors Stationary Source Committee</b> <i>(Meets on the 3<sup>rd</sup> Monday of each Month)</i>	Monday	20	10:30 a.m.	Board Room
<b>Board of Directors Budget &amp; Finance Committee</b> <i>(Meets on the 4<sup>th</sup> Wednesday of each Month)</i>	Wednesday	22	9:30 a.m.	Board Room
<b>Board of Directors Mobile Source Committee</b> <i>(Meets on the 4<sup>th</sup> Thursday of each Month)</i>	Thursday	23	9:30 a.m.	Board Room

HL – 5/14/15 (2:40 p.m.)

P/Library/Forms/Calendars/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

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

Date: May 6, 2015

Re: Minutes of the Board of Directors Regular Meeting of May 6, 2015

RECOMMENDED ACTION

Approve the attached draft minutes of the Board of Directors (Board) Regular Meeting of May 6, 2015.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board Regular Meeting of May 6, 2015.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sean Gallagher  
Reviewed by: Maricela Martinez

Attachment: Draft Minutes of the Board Regular Meeting of May 6, 2015

Draft Minutes - Board of Directors Regular Meeting of May 6, 2015

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

Board of Directors Regular Meeting  
Wednesday, May 6, 2015

## **DRAFT 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 Carole Groom called the meeting to order at 9:54 a.m.

**Opening Comments:** None.

#### **Roll Call:**

Present: Chairperson Carole Groom; Vice-Chairperson Eric Mar; Secretary Liz Kniss; and Directors John Avalos, Tom Bates, David J. Canepa, Cindy Chavez, Margaret Fujioka, John Gioia, Scott Haggerty, David Hudson, Roger Kim (on behalf of Edwin Lee), Nate Miley, Karen Mitchoff, Jan Pepper, Katie Rice, Mark Ross, Rod Sinks, Jim Spering, Brad Wagenknecht and Shirlee Zane.

Absent: Director Teresa Barrett.

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

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

Dr. Raymond Tompkins, Clean Air Health Alliance, submitted written material and addressed the Board of Directors (Board) regarding the air quality standards for construction at Candlestick Park, to request copies of inspection reports, staff review of the air monitor placement relative to the same project, Air District review of what it means to be designated a Community Air Risk Evaluation community and the viability of tripling fines for violations within them.

The Board and staff discussed adding this topic to the agenda for the Stationary Source Committee (SSC).

Barbara A. Johnson, addressed the Board to request increased fines for violations related to construction at Candlestick Park.

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

**CONSENT CALENDAR (ITEMS 3 – 7)**

3. **Minutes of the Board Regular Meeting of April 15, 2015;**
4. **Board Communications Received from April 15, 2015 through May 5, 2015;**
5. **Quarterly Report of the Executive Office and Division Activities;**
6. **Authorization of Design Contract for Information Technology (IT) Infrastructure; and**
7. **Increase Website Editor Contract by \$15,000 for the My Air Online Program.**

Board Comments: None.

Public Comments: No requests received.

Board Action:

Director Haggerty made a motion, seconded by Director Hudson, to approve Consent Calendar Items 3 through 7, inclusive; and the motion carried by the following vote of the Board:

AYES: Avalos, Canepa, Chavez, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mitchoff, Pepper, Rice, Ross, Sinks, Spering and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett, Bates, Mar, Miley and Wagenknecht.

NOTED PRESENT: Director Wagenknecht was noted present at 10:01 a.m.

**COMMITTEE REPORTS**

8. **Report of the Personnel Committee (PC) Meeting of April 20, 2015**  
Committee Chairperson Wagenknecht

The PC met on Monday, April 20, 2015, and approved the minutes of January 26, 2015 and February 18, 2015.

The PC met in closed session to conduct performance evaluations of the Executive Officer and District Counsel with no reportable action. The PC Chair will brief the Board on the evaluation during today's closed session.

The PC postponed the staff presentation *Strategic Staffing Plan Update – Management Restructuring Plan* to a future meeting.

The next meeting of the PC is on Monday, May 18, 2015, at 10:30 a.m.

Board Comments: None.

Public Comments: No requests received.

Board Action: None; receive and file.

NOTED PRESENT: Director Bates was noted present at 10:03 a.m.

**9. Report of the SSC Meeting of April 20, 2015**  
Committee Chairperson Gioia

The SSC met on Monday, April 20, 2015, and approved the minutes of March 16, 2015.

The SSC received and discussed the staff presentation *Lehigh Southwest Cement Compliance Status, Regulation 9, Rule 13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing*, including background; facility location; a summary of operations; an overview of the manufacturing process; emission points; elements of and emission limits and monitoring under regulation 9-13; emissions control; new kiln and cooler stacks photograph and locations; control technologies utilized; kiln and clinker cooler stacks monitoring; compliance status; compliance and enforcement activities; health risk assessment update; and the impact of new Office of Environmental Health Hazard Assessment risk factors.

The next meeting of the SSC is on Wednesday, May 27, 2015, at 9:30 a.m.

Public Comments:

Bill Almon, Quarry No, submitted written material and addressed the Board regarding the characterization of the compliance and exceedance history of Lehigh Southwest Cement facility in Cupertino and requested a withdrawal and correction of the Air District report.

NOTED PRESENT: Director Mar was noted present at 10:07 a.m.

Board Comments:

The Board and staff discussed a written follow up on Mr. Almon's comments and subsequently adding the topic as an agenda item for a SSC meeting after May 2015.

Board Action: None; receive and file.

**10. Report of the Budget and Finance Committee (BFC) Meeting of April 22, 2015**  
Committee Chairperson Hudson

The BFC met on Wednesday, April 22, 2015, and, upon establishing a quorum, approved the minutes of March 25, 2015.

The BFC received the staff presentation *Third Quarter Financial Report Fiscal Year Ending (FYE) 2015*, including an overview of general fund revenues and expenses; revenue and expense year-over-year comparisons; investments; general fund balance; purchasing reporting requirements; and cumulative vendor payments in excess of \$70,000 for Board review.

The BFC then received and discussed the staff presentation *Proposed FYE 2016 Budget*, including revenue projections for FYE 2015; overviews of the reserve funds and transfers, proposed budget, general fund revenue sources, and general fund expenditures for FYE 2016; year-over-year analysis of

services and supplies and capital; proposed fees; climate program staffing; overall staffing level; FYE 2016 fund balance summary; use of reserves recommendations; fund balance policy; unfunded liabilities; rationale to pre-fund California Public Employee Retirement System obligations; office building obligations; recommendations; and next steps, including next year's wood smoke program. The BFC recommends the Board:

1. Adopt the FYE 2016 Proposed Budget;
2. Change Reserve Policy to a minimum of 20% of the General Fund Budget; and
3. Establish a 90% minimum funding level policy for Other Post-Employment Benefits.

The BFC then received and discussed the staff presentation *Renewal of IT Infrastructure*, including background; current IT infrastructure; new IT procurement; projected timeline; and current action.

The next meeting of the BFC is on Wednesday, June 24, 2015, at 9:30 a.m.

Board Action:

Director Hudson made a motion, seconded by Director Kniss, to approve the recommendations of the BFC.

Public Comments:

Jed Holtzman, 350 Bay Area, addressed the Board to request that the additional funding consideration for wood smoke reduction incentives be designated for heating alternatives that do not use wood or gas.

Patti Weisselberg, Families for Clean Air, addressed the Board to request that the additional funding consideration for wood smoke reduction incentives and a climate change program be designated for electrical heating systems and enhanced wood smoke enforcement.

Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO), provided additional explanation of the budget proposal cited by the public speakers.

Board Comments:

The Board and staff discussed a proposal to post draft versions of proposed budgets on the Air District website; support for the proposed incentive component of the wood smoke program; and support for implementation of means testing to enable prioritization of incentives to low-income residents.

**11. Report of the Mobile Source Committee (MSC) Meeting of April 23, 2015**  
Committee Chairperson Haggerty

The MSC met on Thursday, April 23, 2015, and approved the minutes of February 26, 2015.

The MSC reviewed and discussed *Projects and Contracts with Proposed Grant 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 listed in Table 1 of the MSC staff report;
2. Authorize \$790,500 in additional TFCA revenues to be allocated to alternative fuel infrastructure projects; and
3. Authorize the Executive Officer/APCO to enter into agreements for the recommended projects.

The MSC then reviewed and discussed the staff presentation *FYE 2016 TFCA Funding Allocations*, including the proposed allocation of new TFCA revenue; a description of the proposed TFCA-funded incentive programs; proposed cost-effectiveness limits for Air District-sponsored programs; and recommendations. The MSC recommends the Board:

1. Allocate \$13.77 million in new TFCA and Metropolitan Transportation Commission (MTC) revenue to the programs listed in Table 1 of the MSC staff report;
2. Authorize the proposed cost-effectiveness limits for the Air District sponsored programs listed in Table 2 of the MSC staff report;
3. 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 MSC staff report; and
4. Authorize the Executive Officer/APCO to execute all contracts necessary to accept, appropriate, and expend Congestion Mitigation Air Quality funding awarded by the MTC.

The MSC then reviewed the staff presentation *FYE 2016 TFCA County Program Manager (CPM) Expenditure Plans*, including information covering the program's background; the expenditure plans submitted by each of the nine congestion management agencies; one request for a policy waiver; and recommendations. The MSC recommends the Board:

1. Approve the allocation of FYE 2016 TFCA CPM Funds listed in Table 1 of the MSC staff report;
2. Authorize the Executive Officer/APCO to enter into funding agreements with the CPM for the total funds to be programmed, as listed in Table 1 of the MSC staff report; and
3. Approve a policy waiver to allow Sonoma County Transportation Authority to use FYE 2015 TFCA funds for an arterial management project.

The MSC then reviewed and discussed the joint staff and MTC presentation *Bay Area Bike Share Update*, including background information about the Air District-led pilot project; preliminary pilot project system results; the status of the MTC-led system expansion effort, information about a proposal from Motivate International, Inc. (Motivate) to privately fund bike share in the cities of San Francisco, San Jose, Oakland, Berkeley, and Emeryville, MTC's approval process; and recommendations. The MSC then approved a motion to amend staff's recommendation such that the action that is being requested of the Board is to: "Authorize the Executive Officer/APCO to execute

agreements and take the necessary actions to close out the Regional Bay Area Bike share pilot project and to transition project assets in accordance with Caltrans' requirements; and, to request that the MTC allocate \$4.5 million to supplement public funding contributions for system buy-in that would be available to emerging agencies that are not included in the system expansion proposed by Motivate." The MSC also requested that a presentation on the Motivate proposal be made to the full Board as part of this agenda item.

The next meeting of the MSC is on Thursday, May 28, 2015, at 9:30 a.m.

Board Action:

Director Haggerty made a motion, seconded by Director Hudson, to approve the recommendations of the MSC.

Presentation:

Mr. Broadbent introduced Patrick Wenzinger, Administrative Analyst in the Strategic Incentives Division, who gave the staff/MTC presentation *Bay Area Bike Share Update* through slide 3, *System Results Trips by Community Area 8/29/13 – 3/31/15*, including pilot project overview and system results. Mr. Wenzinger introduced Alix Bockelman, Deputy Executive Director, MTC, who gave the remainder of the presentation, including system properties, considerations of pilot and emerging cities, performance requirements and sponsorship / revenue relative to the Motivate Proposal; low income communities; and sole source justification.

Board Comments:

The Board, staff and Ms. Bockelman discussed a suggestion that staff conduct an analysis of the long-term success of systems launched by private industry; what tools will be used for qualifying low-income participants who are not PG&E utility customers; the lack of expansion to the north counties and City of Santa Rosa; the commendable system expansion rate and ridership levels in San Francisco; desires to minimize the commercialization of the program and for expansion of participation options for low-income communities; appreciation for the Air District's and MTC's staffs efforts on this item and support for the additional funding requested of MTC; a request to see the inclusion of the capital corridor; possible improvements for rebalancing bike loads at docking stations; concerns relative to the significant change in terms since project launch combined with a lack of request for proposals; concerns relative to a sole-source bid without a request for proposals and the ability of the system to adapt its model to successfully serve the varying needs of different locales within the Bay Area; the status of pilot cities as the program transitions; the importance of not ignoring the common struggles relative to launching similar systems in other regions and to instead view this proposal as the start of a system that will expand as its successes continue; the unique nature of the program as a region-wide system; clarification of staff comments today and the MSC recommendation; the likelihood that the program transition to a private operator will result in freeing public funds that can be used to bolster system expansion in less densely populated locales where the model will require support and alteration to succeed; concerns about a potential doubling in the cost of membership; the hope that a good process is developed for identifying and brainstorming varied station locations; the identity of the pilot project cities and emerging agencies; outreach plans for nonparticipating cities; additional support for the concept of directing public funds freed up by the transition to bolstering expansion to less densely populated locales; the significance of the last mile

issue throughout Silicon Valley; whether there exists an interoperability component such that an interested employer could invest in an expansion serving the last mile for their staff; and the seemingly natural linkage between this proposed employer-bolstered system expansion and the Commuter Benefits Program.

Public Comments:

Dani Simons, Motivate, yielded her time in the interest of expediency as her intended comments had already been discussed.

Tyler Frisbee, San Francisco Bicycle Coalition, addressed the Board in support of the recommendation.

Justin Wiley, Social Bicycles, addressed the Board in opposition to the recommendation based on the availability of alternative private partners and in support of system expansion throughout the region.

Board Action (continued):

The motion carried by the following vote of the Board:

AYES: Avalos, Bates, Canepa, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mar, Miley, Mitchoff, Pepper, Rice, Ross, Sinks, Spring, Wagenknecht and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett and Chavez.

**10. Report of the BFC Meeting of April 22, 2015 (continued)**  
Committee Chairperson Hudson

Board Action:

The motion carried by the following vote of the Board:

AYES: Avalos, Bates, Canepa, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mar, Miley, Mitchoff, Pepper, Rice, Ross, Sinks, Spring, Wagenknecht and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett and Chavez.

**11. Report of the MSC Meeting of April 23, 2015 (continued)**

Board Comments (continued):

The Board and staff discussed a clarification of the MSC recommendation, resulting Board motion and parliamentary procedure.

Board Action (continued):

Director Haggerty made a substitute motion, seconded by Director Hudson, to approve the recommendations of the MSC with authorization for the Executive Officer/APCO to execute agreements and take the necessary actions to close out the Regional Bay Area Bikeshare pilot project and to transition project assets in accordance with Caltrans' requirements being conditioned upon MTC approval of the request that the MTC allocate \$4.5 million to supplement public funding contributions for system buy-in that would be available to emerging agencies that are not included in the system expansion proposed by Motivate.

Board Comments (continued):

The Board and staff discussed a clarification of the motion and substitute motion.

Board Action (continued):

The substitute motion carried by the following vote of the Board:

AYES: Avalos, Bates, Canepa, Fujioka, Gioia, Groom, Haggerty, Hudson, Kim, Kniss, Mar, Miley, Mitchoff, Pepper, Rice, Ross, Sinks, Spering, Wagenknecht and Zane.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Barrett and Chavez.

**PRESENTATION**

**12. Air Resources Board (ARB) Climate Protection Program**

Mr. Broadbent introduced the topic and Richard Corey, Executive Officer, ARB, who gave the presentation *ARB Climate Program Presentation to BAAQMD Board of Directors*, including Assembly Bill (AB) 32 history, requirements and program objectives; climate change actions needed at all levels; cap-and-trade; California oil refineries; next steps for AB 32 program; and opportunities for additional District leadership.

The Board and Mr. Corey discussed, at slide 5, *Agenda*, that cap-and-trade was conceived as being only one of many possible actions to be taken to reduce greenhouse gases (GHGs).

Mr. Corey continued the presentation.

The Board and Mr. Corey discussed, at slide 29, *Local GHG Limits on C&T [cap-and-trade] Covered Facilities*, the advanced technology efforts made in Germany and the need to implement similar measures here, particularly in relation to agricultural and waste management operations.

Mr. Corey concluded the presentation.

Public Comments:

Bill Quinn, California Council for Environmental and Economic Balance, addressed the Board regarding the value of regional planners understanding work being done at the State level and to encourage the Air District to take a leadership role on a number of fronts that will complement State efforts and make it a role model for other regional agencies.

Mr. Holtzman addressed the Board regarding the noteworthy efforts in California as not being cause for complacency and requested urgent action at the regional level to combat climate change and decrease GHG emissions in the Bay Area in fulfillment of the mission statement of the Air District.

Bill Pinkham, 350 Bay Area / Sunflower Alliance, addressed the Board in congratulations relative to the bike share program; to withhold congratulations relative to GHG levels and limits; and to request immediate action on the imposition of GHG limits and the denial of any requests for renewal of the Kinder Morgan crude-by-rail permit.

Charles Davidson, Sunflower Alliance, addressed the Board to opine that the conclusion of various oil refinery projects will serve to increase GHG emissions and other pollutants in the Bay Area in violation of various reduction mandates at the State level; to suggest that California has the highest percentage of dirty fuel-refining facilities in any region in the U.S.; to cite U.S. Environmental Protection Agency as indicating Phillips 66 Rodeo is the most polluting refinery in the state; to suggest that refining low quality crude oils comes at the price of additional natural resources and emissions; and to opine that cap-and-trade and the Low Carbon Fuel Standards programs do not apply to refined fuel exports out of California.

Board Comments:

The Board, staff and Mr. Corey discussed the timeliness of the presentation in light of the Air District rule-making efforts currently under way; various opinions about ARB's stance on GHGs being included in regional programs; whether the transportation fuel industry is working to participate in cap-and-trade or to get a legislative exclusion; the many fronts available for taking action to reduce GHGs; additional details regarding implementation of the Low Carbon Fuel Standards program and next steps; the concept of change originating with individuals and of developing a cap-and-trade program regarding one's personal water use and carbon footprint; the importance of recognizing the differences between local and larger-scale air quality impacts; the opinion that GHG reductions in the Bay Area will not translate to reductions for the State; an update on refined fuel exports out of California and if and how cap-and-trade and the Low Carbon Fuel Standards programs apply to those exports; status of legislative efforts to exclude transportation fuels from cap-and-trade; agreement with the notion that immediate action is needed based on new science and the continued rise of carbon dioxide levels; details regarding the hydrogen fuel cell station installation incentive efforts by ARB; the approximate percentage of cement used in California that comes from China as a result of economic leakage; an assessment of affairs on the international level and the characterization of cap-and-trade as a shift in emissions rather than a reduction mechanism; whether regional action to set GHG limits will interfere with cap-and-trade; and the international community's growing interest and membership in the California cap-and-trade program as a positive trend.

Board Action: None; receive and file.

**13. Public Employee Performance Evaluation (Government Code Sections 54957 and 54957.6)**

Chairperson Groom postponed this agenda item in the interest of time.

**14. Public Employee Performance Evaluation (Government Code Sections 54957 and 54957.6)**

Chairperson Groom postponed this agenda item in the interest of time.

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

**16. BOARD MEMBERS' COMMENTS**

Director Hudson clarified that the Air District is and has been working on and succeeding at reducing emissions in furtherance of its mission to protect and improve public health, air quality and the global climate.

**OTHER BUSINESS**

**17. Report of the Executive Officer/APCO**

Chairperson Groom postponed this agenda item in the interest of time.

**18. Chairperson's Report**

Chairperson Groom postponed this agenda item in the interest of time.

**19. Time and Place of Next Meeting**

Wednesday, May 20, 2015, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, California 94109 at 9:45 a.m.

**20. Adjournment:** The Board meeting adjourned at 12:58 p.m.

Sean Gallagher  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 12, 2015

Re: Board Communications Received from May 6, 2015, through May 19, 2015

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Copies of communications directed to the Board of Directors received by the Air District from May 6, 2015 through May 19, 2015, if any, will be at each Board Member's place at the May 20, 2015, Board meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Vanessa Johnson  
Reviewed by: Rex Sanders

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 5, 2015

Re: Air District Personnel on Out-of-State Business Travel

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified of District personnel who have traveled on out-of-state business.

The report covers the out-of-state business travel for the months of April 1, 2015, through May 5, 2015. The monthly out-of-state business travel report is presented in the month following travel completion.

DISCUSSION

The following out-of-state business travel activities occurred in the months of April 1, 2015, through May 5, 2015.

- Jack P. Broadbent, Executive Officer/APCO, attended the 2015 NACAA Spring Membership Meeting in Providence, RI, April 27, 2015 – April 29, 2015.
- Jack P. Broadbent, Executive Officer/APCO, attended the 28<sup>th</sup> International Electric Vehicle Symposium and Exhibition in Goyang, Korea, May 3, 2015 – May 5, 2015.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Stephanie Osaze  
Reviewed by: Jeff McKay

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 11, 2015

Re: Notice of Violations Issued and Settlements in Excess of \$10,000 in the Month of  
April 2015

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RECOMMENDED ACTION

None; receive and file.

DISCUSSION

In accordance with Resolution No. 2012-08, attached to this memorandum is a listing of all Notices of Violations issued, and all settlements for amounts in excess of \$10,000 during the calendar month prior to this report.

BUDGET CONSIDERATION/FINANCIAL IMPACT

The amounts of civil penalties collected are included in the Air District's general fund budget.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Brian C. Bunger

Attachment

## **NOTICE OF VIOLATIONS ISSUED**

The following Notice(s) of Violations were issued in April 2015:

<b>Alameda</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comments</b>
Pacific Steel Casting Co-Plant #2	A0703	Berkeley	A54093A	4/29/15	6-1-301	Visible emissions > Ringelmann # 1.5/9.5 minutes
Russell City Energy Co, LLC	B8136	Hayward	A50215A	4/24/15	2-1-307	Drift rate > 0.005% PC23763 pt 44

<b>Contra Costa</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comments</b>
Andy's Tee Shirts, Inc	A8401	Concord	A53984A	4/7/15	8-20-320.3	Open containers of ink (NTC #A44578)
Chevron Inc (Americas OE/HES)	A0072	Richmond	A53864A	4/29/15	8-33-309.5	Source Test #15067, P/V Valve emissions>3000 ppm
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53101A	4/7/15	6-1-301	SRU stack emitting smoke > 20%; > 3 mins
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53270A	4/27/15	8-18-302	4th Qtr 2012 Trihydro LDAR audit; Title V deviations
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53271A	4/27/15	8-10-501	V-100 not monitored for 3 consec. days after opening
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53272A	4/27/15	8-5-304	Product found on roof of Tk-642
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53273A	4/28/15	9-2-301	WfRd GLM, H2S > 60 ppb/3 min; RCA #06T10

Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53274A	4/28/15	9-2-301	WfRd GLM, H2S > 60 ppb/3 min; H2S > 30 ppb/60 min RCA #06T19
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53275A	4/28/15	9-2-301	WfRd GLM, H2S > 60 ppb/3 min; RCA #06T30
Tesoro Refining & Marketing Company LLC	B2758	Martinez	A53276A	4/28/15	9-2-301	WfRd GLM, H2S > 60 ppb/3 min; RCA #06T36

<b>Solano</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comments</b>
Potrero Hills Landfill, Inc	A2039	Suisun City	A53410A	4/28/15	8-34-305.2	Wellhead EW11-02 temp. greater than 131 degrees F
Valero Benicia Asphalt Plant	A0901	Benicia	A54092A	4/16/15	8-18-301	Two open-ended lines leaking >100 ppm
Valero Refining Company - California	B2626	Benicia	A54088A	4/2/15	2-6-307	Benzene monitoring missed and/or no record kept
Valero Refining Company - California	B2626	Benicia	A54089A	4/2/15	10	No daily drift checks conducted on SO2 CEM at Flue Gas Scrubber
Valero Refining Company - California	B2626	Benicia	A54090A	4/2/15	12-12-406	Primary cause of rotor blade failure not identified in Causal Report
Valero Refining Company - California	B2626	Benicia	A54091A	4/14/15	2-6-307	Excess ID-06S36/06T07: NMHC >15 lbs/day, averaged over month

<b>Sonoma</b>						
<b>Site Name</b>	<b>Site #</b>	<b>City</b>	<b>NOV #</b>	<b>Issuance Date</b>	<b>Regulation</b>	<b>Comments</b>
A'Roma Roasters & Coffee House, Inc	B5951	Santa Rosa	A53738A	4/23/15	6-1-301	Visible emission >20% opacity. Coffee Roaster
Western Fiberglass, Inc	A7974	Santa Rosa	A53737A	4/15/15	2-1-301	Sanding/Grinding Operation
Western Fiberglass, Inc	A7974	Santa Rosa	A53737B	4/15/15	2-1-302	Sanding/Grinding Operation

**SETTLEMENTS FOR \$10,000 OR MORE REACHED**

There were 2 settlement(s) for \$10,000 or more completed in April 2015.

- 1) On April 14, 2015, the District reached settlement with Chevron Inc. (Americas OE/HES) for \$14,000, regarding the allegations contained in the following 3 Notices of Violation:

<b>NOV #</b>	<b>Issuance Date</b>	<b>Occurrence Date</b>	<b>Regulation</b>	<b>Comments from Enforcement</b>
A52170A	10/4/12	10/4/12	8-33-309	8-33-309.5 two flexible vapor hoses w/holes leaking >3000ppm
A52175A	2/21/13	11/5/12	2-1-307	Permit Condition 00438, part 3
A52952A	3/27/13	12/6/12	2-1-307	permit condition 00438, part 3

2) On April 24, 2015, the District reached settlement with the City and County of San Francisco for \$31,400, regarding the allegations contained in the following 7 Notices of Violation:

<b>NOV #</b>	<b>Issuance Date</b>	<b>Occurrence Date</b>	<b>Regulation</b>	<b>Comments from Enforcement</b>
A49977A	7/10/09	4/1/09	8-7-302.1	Failure to upgrade EVR Phase II by April 1, 2009
A50197A	10/29/09	4/1/09	8-7-302.1	Did not upgrade Phase II system
A51101A	10/29/09	4/1/09	8-7-302.1	No Phase II EVR upgrade
A50198A	10/29/09	4/1/09	8-7-302.1	No Phase II EVR upgrade
A50199A	10/29/09	4/1/09	8-7-302.1	No Phase II EVR upgrade
A50200A	10/29/09	4/1/09	8-7-302.1	No Phase II EVR upgrade
A51102A	10/29/09	4/1/09	8-7-302.1	No Phase II EVR upgrade

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 4, 2015

Re: Consider Authorizing a Contract Amendment to Environmental Audit, Inc. and Execution of a Purchase Order in Excess of \$70,000 Pursuant to Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract Limitations for Continued California Environmental Quality Act (CEQA) Analyses and Documents

RECOMMENDED ACTION

The Board of Directors will consider authorizing the Executive Officer/APCO to amend the current contract and issue a Purchase Order of \$97,367 for Environmental Audit, Inc. to continue providing environmental analyses and documents for Air District plans and rules as required under the California Environmental Quality Act (CEQA).

DISCUSSION

Air District air quality plans and rules are submitted for consideration of approval by the Board of Directors. A discretionary action taken by the Board that may have an adverse impact on the environment is required to be analyzed under CEQA to determine if the impact is significant. Air District air quality plans and regulatory actions typically require the development of an environmental analysis and either a Negative Declaration, indicating that the project (plan or rule) would not have a significant adverse impact on the environment, or an Environmental Impact Report (EIR), indicating that the project may have a significant impact. EIRs typically include more detailed analysis and discussion and, in some cases, mitigation of potentially significant impacts. Air District staff contracts with independent consultants to conduct these analyses and prepare the appropriate documentation.

Staff released a Request for Proposals (RFP), RFP-2013-007, on May 30, 2013 for CEQA analyses for air quality plans and Air District regulatory projects. The RFP was also sent to 30 environmental and engineering firms known to do CEQA analyses. Staff accepted proposals through June 21, 2013. Based on the RFP responses and established scoring criteria, Environmental Audit, Inc., the provider of CEQA analyses for the Air District for many years in addition to providing CEQA analysis services for the South Coast and San Joaquin air districts, was the vendor recommended by staff. The staff recommendation was reviewed and approved by the Board of Directors (Board of Directors Meeting, August 7, 2013) resulting in a contract which runs through 2017 for a total of \$190,000. During the current contract period, Environmental Audit, Inc. have continued to provide expertise at analyzing air quality plans and

air district regulatory actions and their CEQA documents continue to meet the Air District's needs.

The contract amendment and associated Purchase Order under consideration would increase the amount of funds available for use by \$97,367, which is necessary for increases in plan and rule making activities.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. Funding for this contract is included in the Air Quality Planning and Rule Development budgets 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 Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 4, 2015

Re: Consider Authorizing a Purchase Order in Excess of \$70,000 Pursuant to  
Administrative Code Division II Fiscal Policies and Procedures, Section 4.3 Contract  
Limitations for Purchase of Greenhouse Gas Measurement Equipment

RECOMMENDED ACTION

The Board of Directors will consider authorizing the Executive Officer/APCO to issue a Purchase Order in an amount not to exceed \$395,875 to Picarro, Inc. for equipment necessary to begin greenhouse gas (GHG) measurements.

DISCUSSION

On April 2, 2014, the Board of Directors approved the 10-Point Climate Action Work Program. One of the 10 points is to update GHG inventorying and forecasting. In order to successfully accomplish this task, a second point, implementing GHG emissions monitoring, is also included. Staff has been developing a monitoring strategy that includes fixed monitoring locations that are intended to provide information on GHG coming into and leaving the Air District to aid in forecasting and provide information on the overall GHG emissions inventory. In addition, staff has also developed a strategy to employ mobile GHG monitoring to provide better spatial resolution of GHG and also to gather additional information on specific stationary sources that produce large amounts of methane and other important GHG's to address source specific emissions inventories.

Staff worked with GHG measurement experts at Lawrence Livermore National Laboratory and the University of California at Berkeley as well as other GHG measurement researchers to develop a list of equipment manufacturers capable of meeting measurement goals. Staff then discussed instrument capabilities with each manufacturer and visited manufacturers to further investigate equipment measurement capabilities and ensure those capabilities could be realized in the monitoring locations under consideration. After a thorough evaluation of all equipment capabilities, staff requested quotes from those whose equipment best met the Air District's needs. Picarro, Inc. provided the best price, which included a discount of approximately 25%, while also meeting measurement capabilities and requirements.

As a result of this thorough analysis and the ability of the selected equipment to meet the needs of GHG measurement strategy, staff recommends that the Board of Directors approve the Executive Officer/APCO to issue a Purchase Order to Picarro, Inc. for \$395,875.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None. The FYE 2015 Air Monitoring Budget (Program 802) will be increased by transferring \$360,900 from *Reserve for Tech – GHG Monitoring Equipment* with the remaining funds coming from FYE 2015 Meteorology, Measurement and Rules accounts.

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 Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 6, 2015

Re: Report of the Personnel Committee Meeting of May 18, 2015

PROPOSED RECOMMENDED ACTION

The Personnel Committee (Committee) will receive only informational items and have no recommendations of approval by the Board of Directors.

BACKGROUND

The Committee will meet on Monday, May 18, 2015, and receive the report *Strategic Staffing Plan Update – Management Restructuring Plan*.

Chairperson Brad Wagenknecht will provide an oral report of the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Sean Gallagher  
Reviewed by: Maricela Martinez

Attachment: 05/18/15 – Committee Meeting Agenda #4

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Brad Wagenknecht and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: April 8, 2015

Re: Strategic Staffing Update – Management Restructuring Plan

RECOMMENDATION

None, receive and file.

BACKGROUND

The Board of Directors and the Executive Officer/APCO have been engaged in discussions regarding the strategic staffing plan and the human resources of the Air District. As a result of these discussions, Air District staff in consultation with a third-party public sector human resources legal firm, recommends a management restructuring plan. This plan includes the creation of new job classifications in the management classification system, the establishment of additional salary levels, and amendment of the existing classifications and a refinement of the current classification system. This plan will provide clear succession opportunities and will address redundancies within the current system.

DISCUSSION

In order to address the need for clear succession planning and in an effort to refine the current system of classifications, Air District staff recommends a management restructuring plan. Specifically, the plan would create four new job classifications in the management classification system: Assistant Manager, Manager, Director/Officer and Deputy Executive Officer. The plan would also amend the current job classification of Deputy Air Pollution Control Officer to allow for specific designations of expertise within that classification (CFO, COO, etc.). This enhanced management plan allows for the greatest flexibility in staffing, better deployment of resources and a clear succession plan for the Agency.

The newly created and amended job classifications will replace 30 of the existing job classifications in the management classification system. The new streamlined classes provide the Air District with flexibility in staffing and position mobility throughout the Agency. The positions of Assistant Manager and Deputy Executive Officer will enhance succession opportunities at the Air District.

All current management staff which hold positions within the existing 30 job classifications will be reclassified to the newly adopted classifications which are consistent with current salaries.

BUDGET CONSIDERATION/FINANCIAL IMPACT

There is no budget/financial impact beyond that already contemplated in the Fiscal Year Ending 2016 budget which will be presented to the full Board this year. This recommendation will not increase FTEs.

Respectfully Submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Rex Sanders

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**

Memorandum

To: Chairperson Carole Groom and Members  
of the Board of Directors

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 12, 2015

Re: Status of Regulation 6, Rule 3: Wood Burning Devices

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Board of Directors adopted Regulation 6-3: Wood-burning Devices to protect Bay Area residents from the public health impacts of wood smoke pollution. The rule bans wood burning during *Winter Spare the Air Alerts*, limits excess visible smoke, prohibits burning garbage, restricts the sale and installation of non-EPA certified wood burning devices, and requires labeling on firewood and solid fuels sold within the Air District's jurisdiction. In the winter, more than 30% of PM<sub>2.5</sub> air pollution is attributed to wood burning from the estimated 1.4 million fireplaces and other wood-burning devices in the Bay Area.

DISCUSSION

To further enhance the effectiveness of the Wood Smoke program, rule amendments seek to update and clarify exemptions, adopt new EPA emission standards for wood heaters, incorporate new heater technologies into the Rule, and generally transition the Bay Area to cleaner and more efficient heating devices.

Proposed amendments include changes to the sole source of heat exemption, modifications in winter Spare the Air Alert forecasting, new real estate requirements, and a registration program.

Workshops held throughout the Bay Area have concluded, and the feedback from those workshops will be incorporated into the revised rule to be brought before the Board of Directors in the fourth quarter.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

Prepared by: Wayne Kino  
Reviewed by: Jeff McKay