

Bay Area Air Quality Management District
Port of San Francisco
Bayside Room
Pier 1
San Francisco, CA 94111
(415) 749-5073

Board of Directors Special Meeting / Retreat
Wednesday, January 20, 2016

APPROVED MINUTES

Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at <http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes>.

1. **CALL TO ORDER:** Outgoing Chairperson Carole Groom called the meeting to order at 9:54 a.m.

Roll Call:

Present: Outgoing Chairperson Carole Groom; Chairperson-Elect Eric Mar; Vice-Chairperson Liz Kniss; Secretary David Hudson; and Directors John Avalos, Teresa Barrett, Tom Bates, David J. Canepa, Cindy Chavez, John Gioia, Scott Haggerty, Nate Miley, Karen Mitchoff, Jan Pepper, Katie Rice, Mark Ross, Rod Sinks, Warren Slocum, Jim Spring, Brad Wagenknecht and Shirlee Zane.

Absent: Directors Osby Davis, Margaret Fujioka and Edwin Lee.

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

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

Ken Bukowski, Regional-Video.Com, addressed the Board regarding video access to meetings and materials.

Tracy Gant, Families for Clean Air, addressed the Board of Directors (Board) with a packet of materials on wood-smoke, describing the harm of wood-smoke pollution and the need for stricter regulation and incentives to aid fireplace change-outs.

NOTED PRESENT: Director Avalos was noted present at 9:59 am.

Patti Weisselberg, Families for Clean Air, addressed the Board of Directors (Board) by reading a letter titled "Families for Clean Air – comments on Incentive Program, Wood Smoke Reduction – Jan. 20,

2016” which advocated for increased incentive dollars for wood stove change-outs and reducing carbon emissions.

NOTED PRESENT: Directors Haggarty and Miley were noted present at 10:00 am.

T.M. Cahn, addressed the Board encouraging protection of the public and future generations from wood smoke and the affects from climate change.

COMMENDATIONS / PROCLAMATIONS / AWARDS

3. Outgoing Chairperson Groom welcomed new Board members. The Clerk of the Boards then administered Director Warren Slocum’s Oath of Office. Chairperson Groom recognized and passed the gavel to Chairperson-Elect, Eric Mar. Outgoing Chairperson Groom was then recognized by the Board and staff for her outstanding leadership. In return, she expressed her gratitude and thanked the staff and Board for their commitment, efforts on behalf of public health and their professionalism.
4. Chairperson Mar continued by recognizing outgoing Deputy Director Roger Kim for his service and leadership during his time on the Board.

CONSENT CALENDAR (ITEMS 5 – 11)

5. **Minutes of the Regular Board Meeting of December 16, 2015;**
6. **Board Communications Received from December 16, 2015 through January 19, 2016;**
7. **Air District Personnel on Out-of-State Business Travel;**
8. **Notices of Violation Issued and Settlements in Excess of \$10,000 in the Month of December 2015;**
9. **Bay Area Climate Action Leadership Summit;**
10. **Consider Authorizing the Executive Officer/APCO to Execute a Contract in an Amount not to exceed \$79,735 for the Purpose of Purchasing Air Monitoring Equipment;**
11. **Consider Authorizing the Executive Officer/APCO to Execute a Contract in an Amount not to exceed \$150,000 for the Purpose of Agricultural Waste Chipping in Lieu of Open Burning;**

Board Comments: None.

Public Comments: No requests received.

Board Action:

Director Wagenknecht made a motion, seconded by Director Kniss, to approve Consent Calendar Items 5 through 11, inclusive; and the motion carried by the following vote of the Board:

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

ABSTAIN: None.
ABSENT: Canepa, Davis, Fujioka and Lee.

CLOSED SESSION

At 10:17am, the Board went into closed session.

12. Existing Litigation (Government Code Section 54956.9(a))

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

California Building Industry Association v. Bay Area AQMD, Alameda County Superior Court, Case No. RG-10548693; California Court of Appeal, First Appellate District, Case No. A135335, California Supreme Court, Case No. S213478.

OPEN SESSION

At 10:56am, the Board re-opened session with no reportable action.

BOARD OF DIRECTORS RETREAT

13. Opening Comments

Chairperson Mar and Jack Broadbent, Executive Officer / Air Pollution Control Officer (APCO), made opening comments.

A. State of the Air District and Air Quality Summary

Mr. Broadbent gave the staff presentation *State of the Air District and Air Quality Summary*, including Bay Area air quality concerns, ozone and PM 2.5 [fine particulate matter] exceedance trends, CARE [Community Air Risk Evaluation] Maps, air toxics and Bay Area greenhouse gas (GHG) emissions trends, improving Bay Area air quality and challenges.

Board Comments:

The Board and staff discussed outreach and enforcement of the wood-smoke program; impact of grant money on cancer risk and trends; concerns about coal trains and the Air District's authority over these trains; reports that the Port of Oakland has decided not to accept exports and private port deliveries are being considered; accuracy of claims regarding coal shipments; accuracy of maps showing cancer risk and trends; maps showing refinery locations; the Air District's aim to balance regulation and incentives to achieve goals with technological innovation; exploring the issue of jobs associated with air quality programs, regulations, and incentives; how the Air District can influence job and housing growth; broadening the conversation around unintended consequences of air quality fixes; and considering regional task forces to aid in keeping local concerns at the forefront when considering air quality issues.

B. Update on Beale Street

Rex Sanders, Director of the Executive and Administrative Resources Division, gave the staff presentation, *Update on 375 Beale Street*, including status report, relocation update and schedule, photos of the new facility, IT [information technology] infrastructure and services, move preparedness and next steps.

Board Comments:

The Board and staff discussed the origins of the wood used in the new boardroom construction; the cost and sale of 939 Ellis; and a report on costs around the upcoming move.

C. Air District Financial Overview

Jeff McKay, Deputy APCO (DAPCO), gave the staff presentation, *Air District Financial Overview*, including financial summaries of recent history and for Fiscal Year Ending 2017 budget, staffing update and purchase of 375 Beale Street.

Board Comments:

The Board and staff discussed long-term projections for funding levels of unfunded liabilities; importance of clarifying the policy goals; the costs associated with transition from lease to mortgage at 375 Beale and condominium fees; financing for the new building; the fortunate outcome of the building sale; and the challenges of hiring staff in the Bay Area.

D. Update on New Council

Mr. McKay gave the staff presentation, *Update on New Council*, including summaries of the Council members and recent and upcoming meetings.

Board Comments:

The Board and staff discussed the addition of an environmental justice representative and the duration of existing Council appointments.

The meeting recessed at 12:30pm.

The meeting resumed at 12:41pm.

E. 2016 Legislative Agenda (Out of Order Agenda Item 13.F.)

Jean Roggenkamp, Deputy Executive Officer, gave the staff presentation *2016 Legislative Agenda*, consisting of a recommendation that the Board adopt a two-part legislative agenda for 2016.

Board Comments:

The Board and staff discussed possible enhancements to the enforcement of the smoking vehicles program; the existence of commuter benefit offerings from employers that predate the Commuter Benefits Program; and the benefits achieved from the Commuter Benefits Program.

Board Action:

Director Mitchoff made a motion, seconded by Director Hudson, to approve the adoption of staff recommendation of a two-part legislative agenda for 2016; and the motion carried by the following vote of the Board:

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

F. Update on Community Programs (Agenda Item 13.E.)

Ms. Roggenkamp gave the staff presentation *Update on Community Programs*, consisting of an overview of current community engagement programs.

Board Comments:

The Board and staff discussed the prior existence of an environmental justice committee; local listening sessions; holding town hall meetings with moderators from the community; notification and dissemination of information to the community; the participation of Peak Democracy; the reformulation of the Council; and actively engaging low-income and limited English-proficiency communities.

G. Production System and Website Project Update

Jaime Williams, Director of Engineering, gave the staff presentation *Production System and Website Project Update*, including 2015 accomplishments, permit applications, permit renewals, inspections, online complaints, permit renewal revenue permit, application revenue, 2016 organizational structure and program deliverables, next steps and complex facility plan.

Board Comments:

The Board and staff discussed the posting meeting materials on the website and placing meeting agendas on the homepage.

H. Key Policy Initiatives

Mr. Broadbent gave the staff presentation *Key Policy Initiatives*, including overview of key policy initiatives, rule development, overviews of and key initiatives for the 2016 Clean Air Plan (CAP) and Regional Climate Protection Strategy, 2016 Climate Summit, Super Bowl 50 and Board calendar.

Board Comments:

The Board and staff discussed the CAP and process for updating; Board member support for community choice energy; value of improving health of natural landscapes including restoration and improvement as a part of key initiatives; and future climate action events.

I. Upcoming Committee Assignments and Goals

Chairperson Mar announced that new committee assignments and goals will be forthcoming.

Public Comments:

Jed Holtzman, 350 Bay Area, addressed the Board regarding the history of assembling the Council, his opposition to the Council agenda for February and the incorporation of California Air Resource Board representatives, and the further development of the CAP with the Climate Protection Committee (CPC).

Board Comments:

The Board and staff discussed how the CAP is developed and vetted through the Executive Committee instead of the CPC.

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

15. BOARD MEMBERS' COMMENTS

Director Mitchoff volunteered to work directly with staff on logistics of convening meetings Contra Costa County.

OTHER BUSINESS

16. Report of the Executive Officer/APCO: None.

17. Chairperson's Report: None.

18. Time and Place of Next Meeting

The Board meeting scheduled on Wednesday, February 3, 2016 is canceled.

The next meeting will be held on Wednesday, February 17, 2016, at Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, CA 94109 at 9:45 a.m.

19. Adjournment: The Board meeting adjourned at 1:31 p.m.

15/ Tom Flannigan

Tom Flannigan
Acting Clerk of the Boards