

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
WATERFRONT PLAZA HOTEL, REGATTA ROOM I – OAKLAND, CA 94607

Approved Minutes: Board of Directors Regular Meeting and Retreat – December 1, 2004

Call To Order

Opening Comments: Chairperson Scott Haggerty called the meeting to order at 9:05 a.m.

Roll Call: Present: Scott Haggerty, Chair, Roberta Cooper, Chris Daly, Mark DeSaulnier (9:17 a.m.), Dan Dunnigan, Erin Garner, Jerry Hill, Erling Horn, Liz Kniss (9:50 a.m.), Patrick Kwok, Nate Miley (9:22 a.m.), Mark Ross, John Silva, Tim Smith, Pam Torliatt (9:31 a.m.), Marland Townsend (9:17 a.m.), Gayle Uilkema, Brad Wagenknecht, Shelia Young.

 Absent: Harold Brown, Jake McGoldrick, Julia Miller.

Pledge of Allegiance: The Pledge of Allegiance was not recited.

Public Comment Period: There were none.

Commendation/Proclamations:

The Board of Directors recognized Assemblywoman Sally Lieber for her dedication and commitment to achieving clean air in the Bay Area.

The Board of Directors recognized Executive Officer/APCO, Jack Broadbent on his one-year milestone at the Bay Area Air Quality Management District.

Consent Calendar (Items 1 – 6)

Director Uilkema requested Item 6 be removed from the Consent Calendar and Chairperson Haggerty so ordered.

1. Minutes of October 20, 2004
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council. There was no report.
4. Consider Approval of Resolution Adjusting the District’s Maximum Medical Contribution Declared to California Public Employees Retirement System (CalPERS)

The Board of Directors considered approval of a resolution adjusting the District’s maximum medical contribution declared to CalPERS for management, confidential, represented, and miscellaneous employees and retirees.

5. Out of State Business Travel

Board Action: Director Young moved approval of Consent Calendar Items 1 through 5; seconded by Director Hill; carried with the following Board members voting:

AYES: Cooper, Daly, Dunnigan, Garner, Hill, Horn, Kwok, Ross, Silva, Smith, Uilkema, Wagenknecht, Young, Haggerty.

NOES: None.

ABSENT: Brown, DeSaulnier, Kniss, McGoldrick, Miley, Miller, Torliatt, Townsend.

Adopted Resolution No. 2004-14: A Resolution to Fix the District's Contribution Under the Public Employees' Medical and Hospital Care Act

6. Set Public Hearing for December 15, 2004, to Consider Amendments to District Regulation 2: Permits, Rule 1: General Requirements, Rule 2: New Source Review, and Rule 4: Emissions Banking; and Approval of a Notice of Exemption pursuant to the California Environmental Quality Act

The primary purpose of these amendments is to conform to changes in State regulations that lower the emissions threshold at which facilities must offset emission increases from new and modified sources. A number of other miscellaneous amendments to permit requirements have also been proposed.

Directors Townsend and DeSaulnier arrived at 9:17 a.m.

In response to questions from Director Uilkema, Mr. Broadbent stated that this item sets the hearing for December 15th and that the recommended changes will bring the New Source Review regulation in line with some state requirements. With respect to crematories, Mr. Broadbent stated that there are still some small crematories that are not in the District's permit program and this regulation is designed to bring those facilities into the program. Mr. Broadbent stated that emissions banking is also part of the clean up of this regulation. Director Uilkema requested staff provide advance information to her on these two subjects.

Board Action: Director Uilkema moved approval of Consent Calendar Item 6; seconded by Director Daly; carried unanimously without objection.

Committee Reports and Recommendations

7. Report of the Public Outreach Committee Meeting of November 8, 2004

Director Ross presented the report and stated that the Public Outreach Committee met on Monday, November 8, 2004.

Tracy Keough of O'Rourke, Inc. presented information on the upcoming wintertime campaign and noted the Air District will produce a winter Spare the Air spot with Executive Officer Jack Broadbent. The message will focus on air pollution produced from wood

burning and will include a thank you message to Bay Area residents for the successful Spare the Air program this summer. There will be some television and radio spots during the three days leading up to Thanksgiving with the majority of the media in the first quarter of 2005. The consultant is working with District staff to identify events where wood smoke information and materials could be distributed.

Courtney Newman of Allison and Partners reviewed the strategies to supplement the media outreach. Media topics would include how to build a better fire, indoor air quality for the holiday season, addressing the Santa Clara County rebate program, and continuing to focus on the Hispanic community.

Malka Kopell and Jim Smith of Community Focus updated the Committee on the activities of the Spare the Air Resource Teams. The teams are trying to focus on longer-term projects and becoming part of the communities they serve. Mr. Smith discussed a regional meeting of the teams and highlighted projects the teams are working on.

Staff updated the Committee on the referrals from the previous meeting. Mr. Broadbent reviewed the following: 1) the status and progress of the Ozone Strategy Plan; 2) announced the selection of Sharon Jackson as the new Community Relations Manager; 3) reminded the Committee that the next Board meeting is also a retreat and will be held in Oakland; and 4) presented a draft of a Spare the Air calendar.

The next meeting of the Committee is scheduled for 9:45 a.m., Monday, January 10, 2005.

Board Action: Director Ross moved that the Board approve the report of the Public Outreach Committee; seconded by Director Townsend; carried unanimously without objection.

8. Report of the Stationary Source Committee Meeting of November 22, 2004

Director DeSaulnier presented the report and stated that the Committee met on Monday, November 22, 2004.

Staff provided a report on the Air District's flare monitoring rule. The presentation included information on video monitoring, web based flare data, flare emissions, and emission trends. There were two speakers on this item.

Staff presented a report and a proposed schedule on expected rule development efforts in 2005. Staff highlighted the rule development for New Source Review rules, Ozone Plan rules, Ozone Further Study Measures and Particulate Matter measures.

The next meeting of the Committee is scheduled for Monday, January 24, 2004.

Board Action: Director DeSaulnier moved that the Board approve the report of the Stationary Source Committee; seconded by Director Uilkema; carried unanimously without objection.

9. Report of the Nominating Committee Meeting of November 22, 2004

Chairperson Haggerty presented the report and stated that the Committee met on Monday, November 22, 2004.

The Committee recommends the Board approve the following slate of Board Officers for the 2005 term of office: Marland Townsend, Chairperson; Gayle Uilkema, Vice-Chairperson; and Mark Ross, Secretary.

Board Action: Chairperson Haggerty moved the Board approve the recommendations of the Nominating Committee; seconded by Director Cooper; carried unanimously without objection.

Director Miley arrived at 9:22 a.m.

Other Business

10. Consider Approval of Memorandum of Understanding (MOU) Extension between the Air District and Bay Area Air Quality Management District Employees' Association, Inc.

The Memorandum of Understanding contract approved by the Board May 15, 2002, provides annual salary and benefits adjustments for union-represented employees. The Board of Directors considered approval of MOU extension to June 30, 2010.

Mr. Broadbent recommended the Board approve an extension of the existing MOU with no change in the terms and conditions of employment except for the salary increases and the term of the Agreement. Mr. Broadbent noted the Employees' Association membership voted in the affirmative to extend the contract to 2010.

Speaker: James Corazza
President Employees' Association

Board Action: Director Ross moved to approve the extension of the current MOU between the Air District and the Employees' Association to 2010 as stated above by Mr. Broadbent; seconded by Director Townsend; carried unanimously with the following Board members voting:

AYES: Cooper, Daly, DeSaulnier, Dunnigan, Garner, Hill, Horn, Kwok, Miley, Ross, Silva, Smith, Townsend, Uilkema, Wagenknecht, Young, Haggerty.

NOES: None.

ABSENT: Brown, Kniss, McGoldrick, Miller, Torliatt.

Adopted Resolution No. 2004-15: A Resolution to Extend the Current Memorandum of Understanding Between the District and the Bay Area Air Quality Management District Employees' Association

11. Report of the Executive Officer/APCO – Mr. Broadbent introduced Jean Roggenkamp as the new Deputy Air Pollution Control Officer; Mary Ann Goodley as the Executive Office Manager; and Sharon Jackson as the Community Relations Manager. Mr. Broadbent

reminded the Board about the Goods Movement Conference being held December 8th and 9th at the Oakland Marriott.

Director Torliatt arrived at 9:31 a.m.

12. Chairperson's Report: Chairperson Haggerty stated he had no report.

13. Board Members' Comments – There were none.

The next Board meeting will be held at 1:30 p.m., Wednesday, December 15, 2004, 939 Ellis Street, San Francisco, CA 94109.

14. The Board adjourned to the Retreat at 9:32 a.m.

15. **Retreat**

The Retreat was called to order at 9:35 a.m.

Director Kniss arrived at 9:50 a.m.

The following topics were presented and discussed at the retreat:

- 2004 Air District Accomplishments
- Current District Operations
- Board of Director/Staff Communications
- Future Efforts/Challenges

The Retreat concluded at 11:50 a.m.

/s/ Mary Romaidis

Mary Romaidis
Clerk of the Boards