

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Approved Minutes: Board of Directors' Regular Meeting – May 18, 2005

Call To Order

Opening Comments: Chairperson Marland Townsend called the meeting to order at 9:45 a.m.

Roll Call: Present: Marland Townsend, Chair, Roberta Cooper, Chris Daly (9:55 a.m.), Mark DeSaulnier, Dan Dunnigan, Erin Garner, Scott Haggerty, Jerry Hill, Liz Kniss (9:58 a.m.), Patrick Kwok, Jake McGoldrick (9:50 a.m.), Julia Miller, Mark Ross, Michael Shimansky, John Silva, Pam Torliatt (10:22 a.m.), Gayle B. Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Harold Brown, Nate Miley, Tim Smith.

Pledge of Allegiance: Director Kwok led the Board in the Pledge of Allegiance.

Commendation/Proclamation: There were none.

Public Comment Period: There were none.

Presentation

The Board of Directors received a presentation from students of Robertson Middle School who have completed the Clean Air Challenge curriculum. Students have been selected to present their final projects and to thank the Board.

Luna Salaver, Public Information Officer, reviewed the Spare the Air youth outreach program, which includes the Clean Air Challenge Curriculum. The curriculum focuses on the impact of vehicle emissions. Six students from Robertson Middle School in Daly City presented their clean air projects to the Board.

Director Jake McGoldrick arrived at 9:50 a.m. and Director Chris Daly arrived at 9:55 a.m.

Director Uilkema suggested that the District could borrow the posters made by the students and display them.

Consent Calendar (Items 1 – 9)

1. Minutes of May 4, 2005
2. Communications. Correspondence addressed to the Board of Directors

3. Report of the Advisory Council. There was no report.
4. Monthly Activity Report

Report of Division Activities for the month of April 2005.

5. Resolution Supporting World Environment Day and the San Francisco Urban Environmental Accords

The Board of Directors considered approval of a resolution supporting the World Environment Day 2005 and the San Francisco Urban Environmental Accords.

6. Set Public Hearing for June 1, 2005 to Consider Approval of Proposed Amendments to Regulation 2, Rule 1: Permits, Section 407; Permit (Authority to Construct) Expiration and approval of the filing of a California Environmental Quality Act (CEQA) Notice of Exemption

The proposed amendments to Regulation 2, Rule 1, Section 407 will allow an Authority to Construct to be renewed by request beyond the four year time limit if the authority to construct has been substantially used or the project is a long term project that is covered by an EIR.

7. Set Public Hearings for June 1, 2005 and June 15, 2005 to Consider the Air District's Proposed FY 2005/2006 Budget

Pursuant to Health and Safety Code Section 40131, the Air District set public hearings for June 1, 2005 and June 15, 2005 to review the Air District's Proposed FY 2005/2006 Budget. Final action on the budget will be taken at the conclusion of the second public hearing on this matter scheduled for June 15, 2005.

8. Set Public Hearing for June 15, 2005 to Consider Approval of Proposed Amendments to Regulation 3: Fees and approval of the filing of a California Environmental Quality Act (CEQA) Notice of Exemption

The proposed amendments to Regulation 3: Fees, would increase fees on July 1, 2005 based on the results of the Cost Recovery Study by Stonefield Josephson, Inc.

9. Set Public Hearing for June 15, 2005 to Consider Proposed New Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants; Proposed Manual of Procedures, Volume II, Part 4: New and Modified Sources of Toxic Air Contaminants; proposed amendments to various District rules for consistency with proposed Regulation 2, Rule 5; and certification of a California Environmental Quality Act (CEQA) Environmental Impact Report

The proposed rule and chapter to the Manual of Procedures will incorporate existing Air Toxics New Source Review policies to prevent significant increases in health risks resulting from new and modified sources of toxic air contaminants. The rule will also reduce existing health risks by requiring updated control requirements when older, more highly polluting sources are modified or replaced.

Board Action: Director Young moved approval of the Consent Calendar; seconded by Director Wagenknecht; carried unanimously with the following Board members voting:

AYES: Cooper, Daly, DeSaulnier, Dunnigan, Garner, Haggerty, Hill, Kwok, McGoldrick, Miller, Ross, Shimansky, Silva, Uilkema, Wagenknecht, Young, Townsend.

NOES: None.

ABSENT: Brown, Kniss, Miley, Smith, Torliatt.

Adopted Resolution No. 2005-03 – A Resolution Supporting UN World Environment Day, June 1 – 5th 2005 and the San Francisco Urban Environmental Accords

Committee Reports and Recommendations

10. Report of the Budget and Finance Committee Meeting of May 5, 2005

Director Miller presented the report and stated that the Committee met on Thursday, May 5, 2005 and received the District Financial Audit Report for Fiscal Year 2003/2004 from the auditor. The auditor summarized the process for conducting the audit and reported that there were no reportable conditions or instances of non-compliance.

Staff presented a report on the proposed fee regulation amendments, which are based largely on the recommendations from the Cost Recovery Study. Some fee schedules have been proposed for a 15% increase, others for a 5% increase, and others to remain status quo. Several new fees were proposed on authority to construct renewal, potential to emit demonstrations and health risk screening for Toxics New Source Review. A public workshop on the proposal took place on Friday, May 6. The Committee provided direction to staff on several items. The Committee at its next meeting will take into account the input from the workshop and revised staff information in preparing its recommendations for the Board.

The Committee also received the first of two staff presentations regarding the District's budget for 2005/2006. Staff outlined the budgetary challenges facing the District. Staff is proposing some additional cost-saving measures, including shifting the workforce to a 9/80 schedule to save on building operating costs by closing the District every other Friday.

The Third Quarter Financial Report for FY 2004/2005 was deferred to the next meeting of the Committee. The next meeting of the Committee is scheduled for today immediately following the Regular Board meeting.

Board Action: Director Miller moved that the Board approve the report of the Budget and Finance Committee; seconded by Director Kwok; carried unanimously without objection.

Director Liz Kniss arrived at 9:58 a.m.

11. Report of the Public Outreach Committee Meeting of May 16, 2005

Director Young presented the report and stated that the Public Outreach Committee met on Monday, May 16, 2005. Dr. Timothy McLarney of True North Research reviewed and presented highlights from the public opinion surveys conducted during the two weekday Spare the Air days in 2004. Dr. McLarney noted that the 2004 campaign was the most successful one to date. Approximately 800 surveys were conducted over the 9 Bay Area counties.

Courtney Newman of Allison and Partners updated the Committee on the 2005 Spare the Air campaign. Ms. Newman reviewed the media coverage, events that will be happening throughout the campaign, a press conference regarding free transit days, World Environment Day and the District's 50th Anniversary symposium in June. Staff reviewed the employer program.

The Committee received an update on the progress being made in planning the District's 50th anniversary celebration. Staff presented the material being produced for the celebration, including bookmarks, a pin and kites.

Staff provided a status report on the 2005 lawn mower buy-back programs. Three lawn mower buy-back programs are being held this year in Sunnyvale, Pleasanton, and Concord. The Committee viewed two television segments that promoted the lawn mower buy-back program.

Staff updated the Committee on the referrals from the previous meeting. The Committee discussed National Walk to School Day being held on October 6, 2005 and sources of funding for the event. The next meeting of the Committee is scheduled for 9:30 a.m., Monday, July 18, 2005.

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

Public Hearing

12. Public Hearing to Consider Amendments to District Manual of Procedures, Volume III: Laboratory Methods; and Approval of a Notice of Exemption pursuant to the California Environmental Quality Act

Amendments to the Laboratory Methods in the Manual of Procedures were proposed to incorporate advances in analytical equipment, add clarity, improve accuracy, reduce costs and respond to comments by EPA technical staff.

Chairperson Townsend opened the Public Hearing at 10:02 a.m.

Jack Broadbent, Executive Officer/APCO, stated that the Manual of Procedures is part of the District Rules and Regulations and, therefore, requires Board approval.

Eppie David, Principal Chemist, briefly reviewed the new and amended Methods. The proposed amendments have been approved by EPA technical staff; have met all legal noticing requirements; and have the potential to reduce costs and increase productivity. Ms. David stated that staff recommends the Board adopt the amendments to the Manual of

Procedures, Volume III and requests the Board approve the filing of a CEQA Notice of Exemption.

There were no public speakers on this item.

Director Haggerty moved to close the Public Hearing at 10:09 a.m.; seconded by Director Daly; carried unanimously.

Board Action: Director Haggerty moved that the Board of Directors approve the staff recommendations; seconded by Director Miller; carried unanimously with the following Board members voting:

AYES: Cooper, Daly, DeSaulnier, Dunnigan, Garner, Haggerty, Hill, Kniss, Kwok, McGoldrick, Miller, Ross, Shimansky, Silva, Uilkema, Wagenknecht, Young, Townsend.

NOES: None.

ABSENT: Brown, Miley, Smith, Torliatt.

Adopted Resolution No. 2005-04 – A Resolution of the Board of Directors of the Bay Area Air Quality Management District Amending the District’s Manual of Procedures, Volume II: Laboratory Methods

Other Business

13. Report of the Executive Officer/APCO – Mr. Broadbent reported on the following items:
 1. The District’s 2004 Annual Report is completed and a copy is at each Board members place. The Report will also be sent to stakeholders and other interested parties.
 2. The Board viewed two new video spots launching the summer time Spare the Air program.
 3. The Air District is hosting a World Environment Day event on Wednesday, June 1st at St. Mary’s Cathedral Center; an invitation was at each Board members place.
 4. The Spare the Air wrist bands, which are intended to help launch the Spare the Air program, were distributed also.

Director Pamela Torliatt arrived at 10:22 a.m.

The cost of the Annual Report and its distribution was discussed by the Board.

14. Chairperson’s Report: Chairperson Townsend stated he had no report, but reminded the Board that the Budget and Finance Committee would be meeting immediately after the Board meeting.
15. Board Members’ Comments – There were none.
16. Time and Place of Next Meeting – 9:45 a.m., Wednesday, June 1, 2005, 939 Ellis Street, San Francisco, CA 94109.

17. Adjournment – The meeting adjourned at 10:38 a.m.

/s/ Mary Romaidis

Mary Romaidis
Clerk of the Boards