



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
PERSONNEL COMMITTEE MEETING

COMMITTEE MEMBERS

PATRICK KWOK – CHAIRPERSON      MICHAEL SHIMANSKY – VICE CHAIRPERSON  
HAROLD BROWN  
YORIKO KISHIMOTO      SCOTT HAGGERTY  
NATE MILEY      CAROL KLATT  
PAMELA TORLIATT      MARK ROSS

WEDNESDAY  
June 7, 2006  
9:30 A.M.

CONFERENCE ROOM 716  
DISTRICT OFFICES

**AGENDA**

1. **CALL TO ORDER - ROLL CALL**
2. **PUBLIC COMMENT PERIOD** (*Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3*) *Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*
3. **APPROVAL OF MINUTES OF MAY 31, 2006**
4. **CONSIDERATION OF CANDIDATES TO FILL THE ALTERNATE ATTORNEY MEMBER POSITION ON THE AIR DISTRICT'S HEARING BOARD**  
**J. BROADBENT/5052**  
[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)  
  
*The Committee will consider candidates for the Board appointed alternate Attorney Member position on the Hearing Board.*
5. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**  
*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)*
6. **TIME AND PLACE OF NEXT MEETING AT THE CALL OF THE CHAIR**
7. **ADJOURNMENT**

**CONTACT CLERK OF THE BOARD - 939 ELLIS STREET SF, CA 94109**

**(415) 749-4965**

**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.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given at least 3 working days prior to the date of the meeting, so that arrangements can be made accordingly.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Kwok and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 31, 2006

Re: Personnel Committee Draft Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Personnel Committee meeting of May 31, 2006.

DISCUSSION

Attached for your review and approval are the draft minutes of the May 31, 2006, Personnel Committee meeting.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO

**Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109  
(415) 771-6000**

**DRAFT MINUTES**

Summary of Board of Directors  
Personnel Committee Meeting  
9:30 a.m., Wednesday, May 31, 2006

1. **Call to Order:** Chairperson Patrick Kwok called the meeting to order at 9:40 a.m.  
**Roll Call:** Patrick Kwok, Chairperson; Yoriko Kishimoto, Carl Klatt, Mark Ross, Michael Shimansky, Pamela Torliatt (9:47 a.m.).  
**Absent:** Harold Brown, Scott Haggerty, Nate Miley.  
**Also Present:** Gayle B. Uilkema.
2. **Public Comment Period:** There were none.
3. **Approval of Minutes of February 28, 2006:** Director Shimansky moved approval of the minutes; seconded by Director Klatt; carried unanimously by acclamation.
4. **Conduct Interviews of Candidates to fill the Alternate Medical Profession Position and the Regular and Alternate Attorney Member Positions on the District's Hearing Board:** *Interviews were conducted with the following candidates for these Board-appointed positions on the Hearing Board.*
  - A) *Dr. Jade Pyle*
  - B) *John F. Hanley*
  - C) *Robert P. Garcia*
  - D) *Rolf Lindenhayn*
  - E) *Jesse C. Ralph*

Michael Rich, Human Resources Officer, reviewed the process for interviewing the candidates and noted that Frank Konecny had been scheduled for an interview for the Attorney position but withdrew his application and that, due to a medical emergency, John Kelly was not available to be interviewed for the Attorney position. The Committee then interviewed the remaining candidates.

Director Pamela Torliatt arrived at 9:47 a.m.

**Committee Action:** Director Uilkema moved that the Committee recommend that the Board of Directors appoint Jade Pyle, M.D. to the alternate Medical Profession Member position on

the District Hearing Board to fill an unexpired term ending April 14, 2007; seconded by Director Klatt; carried unanimously by acclamation.

**Committee Action:** Director Uilkema moved that the Committee recommend that the Board of Directors appoint Rolf Lindenhayn to the regular Attorney Member position on the District Hearing Board for a three-year terms ending June 3, 2009; seconded by Director Shimansky; carried unanimously by acclamation.

During discussion, the Committee concluded that John Kelly should be offered a rescheduled interview before the Committee considers recommending an alternate in the Attorney Member category. There was also discussion on withdrawing the motion to appoint Mr. Lindenhayn in order that Mr. Kelly could be interviewed and considered for the regular and alternate Attorney positions, rather than for just the alternate position.

**Committee Action:** Director Torliatt moved that the Committee reconsider the appointment of Rolf Lindenhayn for the primary Attorney Member on the Hearing Board; seconded by Director Kishimoto; the motion failed on the following roll call:

AYES: Kishimoto, Torliatt, Kwok.

NOES: Klatt, Ross, Shimansky, Uilkema.

ABSENT: Brown, Haggerty, Miley.

The Committee directed staff to contact Mr. Kelly to determine his availability for an interview immediately prior to the regular Board of Directors meeting scheduled for June 7, 2006. Chairperson Kwok scheduled the next Personnel Committee meeting for June 7, 2006 in anticipation of either interviewing Mr. Kelly, or if he is unavailable on that date, to make a recommendation to fill the alternate Attorney position from among the candidates that have already been interviewed.

5. **Committee Member Comments/Other Business.** There were none.
6. **Time and Place of Next Meeting:** 9:30 a.m., Wednesday, June 7, 2006, 939 Ellis Street, San Francisco, CA 94109.
7. **Adjournment:** The meeting was adjourned at 11:08 a.m.

Mary Romaidis  
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Memorandum

To: Chairperson Kwok and Members  
of the Personnel Committee

From: Jack P. Broadbent  
Executive Officer/APCO

Date: May 31, 2006

Re: Consideration of Candidates to Fill the Alternate Attorney Position on the  
District Hearing Board

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RECOMMENDED ACTION:

Conduct a rescheduled interview for John Kelly for the alternate attorney position if he is available to attend the meeting, and, if Mr. Kelly is unavailable, to consider recommending Board of Director approval of appointment of a candidate to fill the alternate Attorney position on the District Hearing Board from among the candidates who have already been interviewed.

BACKGROUND:

Pursuant to Section 40800 of the California Health and Safety Code the District is required to maintain a Hearing Board consisting of five members. Further, section 40801 requires that one of the members is admitted to the practice of law in California. Section 40800 also allows the District to appoint one alternate member for each of the position categories, provided that the alternate has the qualifications specified in Section 40801.

DISCUSSION

The Committee met on May 31, 2006 to conduct interviews for three vacancies on the Hearing Board. The Committee considered and is recommending candidates for two of the positions; the regular Attorney position and the alternate Medical Profession position. The Committee decided to offer a rescheduled interview time for John Kelly, who was unable to appear for the interview on May 31, 2006 due to a medical emergency. If Mr. Kelly is unavailable for the rescheduled interview, the Committee will consider making a recommendation for the alternate attorney position from among the candidates who have already been interviewed.

Respectfully submitted,

Jack P. Broadbent  
Executive Officer/APCO