

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

Approved Minutes: Board of Directors’ Regular Meeting – September 5, 2007

**Call To Order**

Opening Comments: Chair Mark Ross called the meeting to order at 9:57 a.m.

Roll Call: Present: Mark Ross, Chair, Tom Bates, Harold Brown, Erin Garner (10:08 a.m.), Scott Haggerty (10:07 a.m.), Jerry Hill, Yoriko Kishimoto, Liz Kniss (10:08 a.m.), Patrick Kwok, Janet Lockhart, Jake McGoldrick, Nate Miley (10:07 a.m.), Michael Shimansky, Pamela Torliatt (10:23 a.m.), Gayle B. Uilkema, Brad Wagenknecht.

Absent: Chris Daly, Dan Dunnigan, John Gioia, Carol Klatt, John Silva, Tim Smith.

Pledge of Allegiance: The Board of Directors recited the Pledge of Allegiance.

Commendation/Proclamation: There were none.

**Public Comment Period:** There were none.

**Consent Calendar (Items 1 – 5)** – Approval of the Consent Calendar was deferred until a quorum was present.

**Presentation**

6. Presentation from the San Francisco Bay Conservation and Development Commission (BCDC) on the agency’s role in dealing with climate change

*Will Travis, Executive Director of BCDC, gave a presentation regarding BCDC’s role in dealing with climate change.*

Will Travis, Executive Director of BCDC, presented information on the following:

- San Francisco Bay and the history of how and why its levels have changed over the years.
- The Bay Conservation and Development Commission was created by the California Legislature in 1965 to provide regional oversight for all development in the Bay, or within 100 feet inland of the Bay shoreline.
- The sea level in San Francisco Bay from 1900 to 2000 has risen over seven inches and it is projected that the sea level could rise another five to seven inches over the next century.

- Effects of global warming include increased storm activity, extended droughts and wild fires.
- The challenges posed by climate change and how, working together, the regional agencies can help each other.
- A new San Francisco Bay Plan needs to be prepared that anticipates the impacts of climate change and would help the Bay Area adapt to the impacts when they occur.
- Greenhouse gas emissions need to be reduced; the biggest single source is transportation.
- The Bay Area is a leader in the challenge to reduce global warming.

The following Board members arrived during the presentation: Directors Scott Haggerty and Nate Miley arrived at 10:07 a.m. Directors Erin Garner and Liz Kniss arrived at 10:08 a.m. Director Pamela Torliatt arrived at 10:23 a.m.

**Board Action:** The Board received and filed the report.

### **Consent Calendar (Items 1 – 5)**

Director Uilkema requested item 5 be removed from the Consent Calendar and Chair Ross so ordered.

1. Minutes of July 25, 2007 Regular Meeting
2. Communications. Correspondence addressed to the Board of Directors. For information only.
3. Quarterly Report of Air District Activities for the Months of April 2007 – June 2007
4. Approval of Resolution Authorizing Use of an Optional Benefit with the California Public Employees' Retirement System Pursuant to Government Code Section 20903

*The Board of Directors considered approval of a Resolution authorizing use of an optional benefit with the California Public Employees' Retirement System pursuant to Government Code Section 20903.*

**Board Action:** Director Wagenknecht moved approval of Consent Calendar items 1 through 4; seconded by Director Hill; carried unanimously with the following Board members voting:

AYES: Bates, Garner, Haggerty, Hill, Kishimoto, Kniss, Kwok, Lockhart, McGoldrick, Miley, Shimansky, Torliatt, Uilkema, Wagenknecht, Ross.

NOES: None.

ABSENT: Brown, Daly, Dunnigan, Gioia, Klatt, Silva, Smith.

**Adopted Resolution No. 2007-10: A Resolution of the Board of Directors of the Bay Area Air Quality Management District Granting Another Designated Period for Two Years of Additional Service Credit**

5. Approval of Resolution Establishing a Budgetary Revenue Line Item to accept Green House Gas Mitigation Funds and Establishing a Program Within the Grants Section to Expend Such Funds

*The Board of Directors considered approval of a Resolution establishing the addition of a budgetary revenue line item to accept green house gas mitigation funds and establish Grants Program 309: Climate Impact Mitigation to expend such funds.*

Director Uilkema inquired if this fund is being established in anticipation of any potential mitigation or offsets that may be offered in the future for refinery development. Brian Bunger, Counsel, responded that the funds could be used for that purpose and others and that it is designed to be as broad as possible.

**Board Action:** Director Uilkema moved approval of Consent Calendar item 5; seconded by Director Torliatt; carried unanimously with the following Board members voting:

AYES: Bates, Garner, Haggerty, Hill, Kishimoto, Kniss, Kwok, Lockhart, McGoldrick, Miley, Shimansky, Torliatt, Uilkema, Wagenknecht, Ross.

NOES: None.

ABSENT: Brown, Daly, Dunnigan, Gioia, Klatt, Silva, Smith.

**Adopted Resolution No. 2007-11: A Resolution of the Board of Directors of the Bay Area Air Quality Management District Establishing a Budgetary Revenue Line Item to Accept Green House Gas Mitigation Funds and Establishing a Program Within the Grants Office to Expend such Funds**

**Closed Session**

7. Conference with Legal Counsel – *Existing Litigation*

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

***Hornblower Cruises and Events v. California Air Resources Board, Bay Area Air Quality Management District, David Burch, et al., Superior Court of the County of San Francisco, Case No. CGC-07-464286***

The Board convened to closed session at 10:49 a.m.

**Open Session:** The Board reconvened to open session at 10:52 a.m.

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Director Kwok announced that he has accepted a position on the Santa Clara Valley Water District Board of Directors effective August 9, 2007 and that he has resigned his position on the City Council as of August 8, 2007. The Santa Clara County Board of Supervisors will determine if he is to remain on the Air District Board.

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Brian Bunger, Counsel, reported that the Board of Directors met in closed session on agenda item 7 and received a report from Counsel on the item.

**Other Business**

8. Report of the Executive Officer/APCO – Mr. Bunger reported on the following:
  - A) There were two Spare the Air days on Wednesday and Thursday of last week.
  - B) The 2007 ozone exceedances through September 4<sup>th</sup>.
  - C) The media packet at each Board member’s place.
9. Chairperson’s Report – Chair Ross had no report.
10. Board Members’ Comments – Director Pamela Torliatt reported on her attendance at the Air & Waste Management Annual Conference and Exhibition in Pittsburgh, PA from June 26 through June 29<sup>th</sup>. Director Torliatt also reported on her post hurricane Katrina tour of the New Orleans, LA area from June 29<sup>th</sup> through June 30<sup>th</sup>.
11. Time and Place of Next Meeting –9:45 a.m., Wednesday, September 19, 2007 – 939 Ellis Street, San Francisco, CA 94109
12. Adjournment – The meeting adjourned at 11:08 a.m.

*/s/ Mary Romaidis*  
Mary Romaidis  
Clerk of the Boards