

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Approved Minutes: Board of Directors Regular Meeting – October 1, 2003

**Call To Order**

Opening Comments: Chairperson Haggerty called the meeting to order at 9:51 a.m.

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

Roll Call: Present: Scott Haggerty, Chair, Harold Brown, Maria Ayerdi, Roberta Cooper, Chris Daly (9:56 a.m.), Mark DeSaulnier (10:00 a.m.), Jerry Hill, Liz Kniss (10:00 a.m.), Patrick Kwok, Nate Miley, Mark Ross, Pam Torliatt (9:55 a.m.), Marland Townsend (9:54 a.m.), Gayle Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Jake McGoldrick, Julia Miller, Dena Mossar, John Silva, Tim Smith.

Commendations/Proclamations: There were none.

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

**Consent Calendar (Items 1 – 5)**

1. Minutes of September 17, 2003
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council
4. Approval of Proposed Amendments to the Administrative Code Division I, Operating Policies and Procedures, Section 6.2: Standing Committees

*Approved proposed amendments to the Administrative Code clarifying Standing Committee procedure and protocol, as noticed at the Board of Directors meeting of September 17, 2003.*

5. Approval of Employment Agreement Amendment/Extension for William C. Norton, Executive Officer/APCO

*Approved contract extension for the Executive Officer/APCO from November 30, 2003 to December 29, 2003.*

**Board Action:** Director Wagenknecht moved approval of Consent Calendar Items 1 through 5; seconded by Director Uilkema; carried unanimously without objection.

## Committee Reports and Recommendations

### 6. Report of the Regional Agency Coordinating Committee Meeting of September 19, 2003

Director Ross presented the report and stated that the Committee met on Friday, September 19, 2003 at MetroCenter in Oakland and that Air District staff presented informational items regarding the current ozone planning process, including the status of ozone monitoring, photochemical modeling, evaluation of potential new ozone control measures, and community meetings. The Committee expressed interest in considering how to get the California Air Resources Board and the U. S. Environmental Protection Agency to do more to clean the air.

MTC staff presented an informational item regarding the next Regional Transportation Plan, *Transportation 2030*. The report included survey results from MTC's Transportation Summit and from an Internet survey about such issues as prior funding commitments, RTP goals, performance measures, and transportation - land use connections. The results of the survey indicate significant public interest in modifying past approaches in these areas.

ABAG staff presented an informational item regarding activities to provide incentives for Smart Growth. Activities include development of a multi-agency Regional Agencies Smart Growth Corridor Planning Program to facilitate linking of local land use decision-making and MTC's Resolution 3434 transit expansion program. ABAG will also convene forums and technical sessions to provide local government officials with hands-on assistance to facilitate Smart Growth.

The next meeting is scheduled for Friday, November 21, 2003 at 1:30 p.m.

**Board Action:** None. This report provided for information only.

### 7. Report of the Budget and Finance Committee Meeting of September 24, 2003

*Action(s): The Committee recommended notification of proposed revisions to the Administrative Code Division II: Fiscal Policies and Procedures for approval at the October 15, 2003, regular Board of Directors meeting.*

Director Hill presented the report and stated that the Committee met on Wednesday, September 24, 2003 and staff presented the Fourth Quarter Financial Report for Fiscal Year 2002/2003. Staff reviewed the Statement of Revenue and noted that the Federal Grants were 146% of budgeted revenue because items from the prior year are included in the figure. Staff reported that the District had not anticipated the higher interest rates that were received and noted that the investments made by the San Mateo County Treasurer performed better than LAIF.

Staff reviewed the Statement of Expenditures and noted that the Capital Outlay was at 65% of the estimated expenditures. This is due, in part, to the following: several contracts came in under budget, the roof repairs were not done, construction on modeling projects were delayed, and of the 20 Prius' the Board approved, payments were made on the 14 that were delivered, but due to demand exceeding available supply, six 2003 models were not

delivered. Staff also reviewed the income and expenditures of the Transportation Fund for Clean Air (TFCA) fund.

Staff commented that there are a set of specific reserves for the Interest Income receipts, which was done when the Board passed the budget. Staff also noted that the unreserved portion could be used for any future loss of subvention funds.

Staff reviewed, and the Committee recommends, Board approval of the proposed amendments to Administrative Code Division II-Fiscal Policies and Procedures. The proposed changes are in the Board packet. Staff noted that approval of the proposed amendments will streamline the fiscal, purchasing, and contracting process of the District and is in line with the practices of other large air quality management districts. Staff advised the Committee that there was an error on page 9 of the report: item (i) under (c) (3) should be deleted and item (ii) would then be changed to (i).

The October 22<sup>nd</sup> meeting of the Budget and Finance Committee has been cancelled. The next meeting of the Committee will be at the Call of the Chair.

**Board Action:** Director Hill moved the Board approve the report and recommendations of the Budget and Finance Committee; seconded by Director Townsend; carried unanimously without objection.

### **Other Business**

8. Report of the Executive Officer/APCO. Mr. Norton noted the list of Community Meetings and Community Events at each Board member's place. Mr. Norton stated that the District has had about three times more community meetings this year compared to last year and that there have been 93 meetings or events so far this year. Mr. Norton stated that the Board will be notified once specific dates have been set for those meetings listed as "tentative."
9. Chairperson's Report. Chairperson Haggerty stated that the November 5<sup>th</sup> Board meeting may be cancelled and that an Environmental Justice tour in Oakland may be scheduled for that date.

### **Closed Session** (The Board adjourned to Closed Session at 10:01 a.m.)

10. Consideration of Terms and Conditions of Employment for Jack Broadbent, Executive Officer/Air Pollution Control Officer Position

*The Board considered terms and conditions of employment for Jack Broadbent, Executive Officer/Air Pollution Control Officer.*

### **Open Session** (The Board reconvened to Open Session at 10:09 a.m.)

Mr. Norton reported on Item 10 and stated that at the Closed Session, the Board discussed the Terms and Conditions of the agreement to retain Jack Broadbent as the Chief Executive Officer/APCO and gave direction to staff.

11. Consideration and Approval of Terms and Conditions of Employment for the Executive Officer/Air Pollution Control Officer Position

*The Board considered approval of an employment agreement with Jack Broadbent, Executive Officer/Air Pollution Control Officer.*

**Board Action:** Director Wagenknecht moved approval of the employment agreement with Jack Broadbent; seconded by Director Townsend.

Chairperson Haggerty called for Public Comments, but there were none. The motion then passed unanimously without objection.

Mr. Broadbent stated that he has accepted the position and looks forward to serving as the Executive Officer.

12. Board Members' Comments: Director Young discussed the California Air Resources Board's (CARB) Solid Waste Collection Vehicle Rule and noted that the Rule was approved with more stringent requirements than had been proposed. Director Young requested that copies of this Rule be sent to all Board members because it affects all cities and counties and that there is a need to be vigilant in providing Carl Moyer funds to help these agencies. Director DeSaulnier added that one issue was how to help the smaller haulers to carry out the mandate.

Director Daly reported that he had attended the San Francisco Community Meeting on the Clean Air Plan and that the issue of possible air monitoring in the South East part of San Francisco was discussed. Director Daly noted that he has been in discussions with the San Francisco Department of Environment and there is the potential that this would be eligible for some money through the National Air Toxics Monitoring Program. Director Daly stated that Community Assessment solicitations are taking place this month and that an application would have to come through this District. He requested staff work with him, or the Department of Environment in San Francisco, to see if an application could be submitted.

Director Ross urged the Board members to attend the Environmental Justice tour on November 5<sup>th</sup>, or whatever day the tour is arranged.

13. Time and Place of Next Meeting - 9:45 a.m., Wednesday, October 15, 2003, 939 Ellis Street, San Francisco, California.
14. Adjournment: The meeting was adjourned at 10:15 a.m.

Mary Romaidis  
Clerk of the Boards

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