



BOARD OF DIRECTORS
EXECUTIVE COMMITTEE MEETING

COMMITTEE MEMBERS

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ASH KALRA – CHAIR
TOM BATES
CAROLE GROOM
MARY PIEPHO
BRAD WAGENKNECHT

NATE MILEY – VICE-CHAIR
JOHN GIOIA
SCOTT HAGGERTY
MARK ROSS

MONDAY
OCTOBER 21, 2013
9:30 A.M.

4TH FLOOR CONFERENCE ROOM
939 ELLIS STREET
SAN FRANCISCO, CA 94109

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 Air District headquarters, 939 Ellis Street, San Francisco, CA, and at the Air District's website www.baaqmd.gov 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 three (3) minutes each.
 3. **APPROVAL OF THE MINUTES OF AUGUST 5, 2013**
 4. **HEARING BOARD QUARTERLY REPORT : JULY – SEPTEMBER 2013**
T. Trumbull/5073
TerryT1011@aol.com
 5. **REPORT OF THE ADVISORY COUNCIL: MAY - OCTOBER 2013**
R. Bornstein, Ph.D.
pblmodel@hotmail.com
 6. **SB 1339 – BAY AREA COMMUTER BENEFITS PROGRAM**
H. Hilken/4642
hhilken@baaqmd.gov
- The Committee will receive an update on the proposed Commuter Benefits Program being developed by Air District and MTC staff pursuant to SB 1339.*
7. **COMMITTEE MEMBER COMMENTS/OTHER BUSINESS**
Any member of the Committee, 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).

8. **TIME AND PLACE OF NEXT MEETING** – *Monday, November 18, 2013, Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, California 94109 at 9:30 a.m.*

9. **ADJOURNMENT**

CONTACT THE CLERK OF THE BOARDS
939 ELLIS ST, SF, CA 94109

(415) 749-5073
FAX: (415) 928-8560
BAAQMD homepage:
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 three working days prior to the date of the meeting so that arrangements can be made accordingly.

Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District's offices at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
FOR QUESTIONS PLEASE CALL (415) 749-5016 or (415) 749-4941

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

OCTOBER 2013

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	21	9:30 a.m.	4th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	21	10:30 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month) - CANCELLED</i>	Wednesday	23	9:30 a.m.	4th Floor Conf. Room
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other month)</i>	Wednesday	23	9:30 a.m.	4th Floor Conf. Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	24	9:30 a.m.	Board Room
Board of Directors Public Outreach Committee <i>(At the Call of the Chair)</i>	Thursday	31	9:30 a.m.	4th Floor Conf. Room

NOVEMBER 2013

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	6	9:45 a.m.	Board Room
Advisory Council Regular Meeting <i>(Meets on the 2nd Wednesday of each Month)</i>	Wednesday	13	9:00 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	9:30 a.m.	4th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	10:30 a.m.	Board Room

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NOVEMBER 2013

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	Board Room
Board of Directors Climate Protection Committee <i>(Meets 3rd Thursday of every other month)</i>	Thursday	21	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	27	9:30 a.m.	4 th Floor Conf. Room
				<u>And via videoconference at</u> Santa Rosa Junior College Doyle Library, Room 4243 1501 Mendocino Avenue Santa Rosa, CA
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i> – CANCELLED AND RESCHEDULED TO DECEMBER 5, 2013 AT 9:30 AM	Thursday	28	9:30 a.m.	Board Room

DECEMBER 2013

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	5	9:30 a.m.	Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	16	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	16	10:30 a.m.	Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	25	9:30 a.m.	4 th Floor Conf. Room
				<u>And via videoconference at</u> Santa Rosa Junior College Doyle Library, Room 4243 1501 Mendocino Avenue Santa Rosa, CA
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	Board Room

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Ash Kalra and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Date: August 15, 2013

Re: Approval of the Minutes of August 5, 2013

RECOMMENDED ACTION

Approve attached draft minutes of the Executive Committee meeting of August 5, 2013.

DISCUSSION

Attached for your review and approval are the draft minutes of the Executive Committee meeting of August 5, 2013.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Sean Gallagher
Reviewed by: Rex Sanders

Attachment

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5073

DRAFT MINUTES

Summary of Board of Directors
Executive Committee Meeting
Monday, August 5, 2013

1. Call to Order – Roll Call

Chairperson Ash Kalra called the meeting to order at 11:00 a.m.

Present: Chairperson Ash Kalra; Vice Chairperson Nate Miley; and Directors John Gioia, Carole Groom, Scott Haggerty and Mark Ross.

Absent: Directors Tom Bates, Mary Piepho and Brad Wagenknecht.

Also Present: None.

2. Public Comment Period: No comments.

3. Approval of the Minutes of June 17, 2013

Committee Comments: None.

Public Comments: None.

Committee Action:

Director Miley made a motion to approve the Minutes of June 17, 2013; Director Groom seconded; and the motion carried unanimously.

4. Hearing Board Quarterly Report – April through June 2013

Hearing Board Chairperson Terry Trumbull, Esq., presented the quarterly report of the Air District Hearing Board for April through June 2013, including summaries of the cases and fees collected.

Committee Comments: None.

Public Comments: None.

Committee Action: None; informational only.

5. Approval of Financing for Joint Regional Agency Co-Location at 375 Beale Street

Jeff McKay, Deputy Air Pollution Control Officer (DAPCO), gave the staff presentation 375 Beale Street Acquisition Status and Financing, including overviews of the site location, floor plans and shared space, components for disposition of 939 Ellis, comparisons of the annual costs for each building, a detailed review of the financing team, principles and documents, and finally the next steps.

Director Haggerty asked, regarding slide 9, Floor 7 – Planning, whether the planning departments of the co-tenant agencies will all be housed on the seventh floor, which question was answered by Mr. McKay.

Mr. McKay continued the presentation.

Director Haggerty asked, regarding slide 17, BAAQMD 375 Beal Financing Principles, the current average cost of a square foot of real estate in San Francisco, which question was answered by Mr. McKay.

Mr. McKay continued the presentation.

Director Haggerty asked, regarding slide 19, Debt Service With Interest Rate Caps in Immediate Effect, whether the building has already been purchased from its previous owners and the Air District is preparing to buy its portion from the Bay Area Headquarters Authority, which question was answered by Mr. McKay.

Director Haggerty asked if the building owners will have equal votes, which question was answered by Jack Broadbent, Executive Officer/Air Pollution Control Officer (APCO).

Mr. McKay concluded the presentation.

Committee Comments:

Director Haggerty asked if 939 Ellis is paid off, which question was answered by Mr. Broadbent.

Director Haggerty asked about estimated sales prices for 939 Ellis, the total move-in cost for 375 Beale, the application of money from the sale of 939 Ellis to debt service for 375 Beale, and the timing of the sale of 939 Ellis, which questions were answered by Mr. McKay.

Director Ross asked about a provision in the Facilities Sublease, which question was answered by Brian Bunger, District Counsel, and Mr. Broadbent.

Director Ross suggested a policy or practice be established whereby positive revenues that are gained unexpectedly as the economy improves be applied to specific long-term goals or projects, such as the funding of Other Post-Employment Benefits.

Chairperson Kalra said Director Ross's suggestion is commendable but he is hesitant to enact it in the form of a policy or practice as that presumes the best perceived use today is the same in

the future, thereby limiting the options of future staff and Boards when other needs may be more urgent or be more financially prudent.

Director Haggerty asked how the money is used after closing the books, whether it is a practice or policy that dictates that use, and approximately how much money is involved, which questions were answered by Messrs. Broadbent and McKay. Director Haggerty requested that staff present a summary including the last six or seven years.

Chairperson Kalra requested additional presentations before the Executive and Budget and Finance Committees before the sale of 939 Ellis.

Public Comments: None.

Committee Action:

Director Haggerty made a motion, seconded by Director Groom, to recommend the Board of Directors authorize the Executive Officer/APCO to sign necessary documents to finance the purchase of the Bay Area Air Quality Management District portion of 375 Beale Street, San Francisco; and the motion carried unanimously.

6. Senate Bill 1339 – Bay Area Commuter Benefits Program

Jean Roggenkamp, DAPCO, introduced David Burch, Principal Environmental Planner of Planning, Rules & Research, who gave the staff presentation Bay Area Commuter Benefits Program, including key provisions, a description of the purpose of the program, the four benefit options available, potential program requirements, program elements, the expectation of positive outcomes for all, a summary of roles and responsibilities, and an overview of the development process.

Committee Comments:

Director Gioia asked about the effect of this program on employers that already provide similar benefits, the source of Air District authority to launch the program, the effective dates, and the interplay between the legislation and existing rules in local cities, which questions were answered by Messrs. Burch, Bunger and Broadbent and Ms. Roggenkamp.

Director Miley asked about the existence of and requirements for similar programs in other regions of the state, how the Air District intends to quantify the results of this program, what form the penalty for noncompliance will take, and when the Board might expect to review the results of the program, which questions were answered by Mr. Broadbent and Ms. Roggenkamp.

Director Miley asked if staff has a list of the employers for whom the program is applicable and, of those, how many have similar programs in place already and whether staff anticipates resistance from the community, which questions were answered by Ms. Roggenkamp. Director Miley requested the aforementioned list of applicable employers as well as those with preexisting programs and asked if the Air District learned anything from the program implemented by the South Coast Air Quality Management District, which question was answered by Mr. Broadbent.

Director Ross asked if staff have considered program exemptions and why the staff level of 50 full-time employees (FTE) was chosen, which questions were answered by Ms. Roggenkamp and Mr. Bunger.

Director Groom noted that many of the employers of 200 or more already have similar programs in place and that resistance, if any, will likely come from those employing closer to 50.

Director Ross asked how employees are defined, which question was answered by Ms. Roggenkamp.

Chairperson Kalra asked that staff bring forward more details for the next Committee discussion.

Director Haggerty asked for the definition of “employees,” which was provided by Mr. Burch.

Director Haggerty asked when the Air District will be ready to launch the program and whether staff are working with other public agencies on their vision for the program, which questions were answered by Mr. Broadbent and Ms. Roggenkamp.

Director Gioia asked if 100 part-time employees is equivalent to 50 FTE under the program provisions and how the Air District is involved in developing commuter benefit options that could satisfy the requirement for several employers with one system instead of several individual systems, which question was answered by Mr. Bunger and Ms. Roggenkamp.

Public Comments: None.

Committee Action: None; informational only.

7. **Committee Member Comments/Other Business:** None.
8. **Time and Place of Next Committee Meeting:** Monday, September 9, 2013, Bay Area Air Quality Management District Headquarters, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.
9. **Adjournment:** The meeting adjourned at 11:53 a.m.

Sean Gallagher
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Ash Kalra and Members of the Executive Committee
From: Chairperson Terry Trumbull, Esq., and Members of the Hearing Board
Date: October 7, 2013
Re: Hearing Board Quarterly Report – July through September 2013

RECOMMENDED ACTION

None. Informational item, receive and file.

DISCUSSION

During the third quarter of 2013 (July through September), the Hearing Board:

- Held two (2) hearings consisting of zero (0) Accusations, zero (1) Appeals and two (2) Variances (3651 and 3652);
- Processed a total of three (3) orders consisting of zero (0) Accusations, zero (0) Appeals, one (1) Variance (3651), one (1) Emergency Variance (3653) and one (1) Request for Withdrawal/Dismissal (3652); and
- Collected a total of \$814.00.

Below is a detail of Hearing Board activity during the same period:

Location: Solano County; City of Fairfield

Docket: 3651 REXAM BEVERAGE CAN COMPANY – *Application for Variance (Short)*

Regulation(s): 8-11-302; Permit Condition #391, Items 2 through 11

Synopsis: Aluminum can manufacturing facility with a regenerative thermal oxidizer controlling source emissions whose ceramic heat exchanger media bed is becoming plugged. The oxidizer must be shut down for cleaning/replacement while production lines continue to meet customer demand.

Status: Order granting Application filed August 1, 2013.

Period of Variance: July 16 through 19, 2013.

Estimated Excess Emissions: 791 lbs/day of VOC/HAPS

Fees collected this quarter: \$0.00

Location: Sonoma County; City of Petaluma

Docket: 3652 SONOMA COMPOST COMPANY – *Application for Variances (Interim and Regular)*

Regulation(s): 2-1-307

Synopsis: Diesel-powered on site portable wood grinder does not comply with Regulation 9, Rule 8, effective January 1, 2012.

Status: Order for Dismissal filed September 10, 2013, upon the request of Applicant.

Period of Variance: Requested June 21, 2013, through June 20, 2014

Estimated Excess Emissions: 12.9 lbs/day of NOx

Fees collected this quarter: \$0.00

Location: Contra Costa County; City of Richmond

Docket: 3653 CHEVRON PRODUCTS COMPANY – *Application for Emergency Variance*

Regulation(s): 2-1-307; Major Facility Review Permit Condition #8869, Part 2

Synopsis: Thermal oxidizer was not operating at the proper temperature and variance requested while determining the cause and implementing a solution.

Status: Order denying Application filed August 23, 2013.

Period of Variance: Requested August 15, 2013, through August 22, 2013

Estimated Excess Emissions: None

Fees collected this quarter: \$814.00

Respectfully submitted,

Terry Trumbull, Esq.
Chair, Hearing Board

Prepared by: Sean Gallagher
Reviewed by: Rex Sanders

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Ash Kalra and Members
of the Executive Committee

From: Chairperson Robert Bornstein and Members
of the Advisory Council

Date: October 11, 2013

Re: Report of the Advisory Council – May through October 2013

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Advisory Council studies and makes recommendations on specific matters referred from the Board of Directors or the Air Pollution Control Officer. Matters can include technical, social, economic and environmental aspects of air quality issues. For example, in 2004 and 2005, the Advisory Council focused on Climate Change and influenced the Air District's direction in establishing its Climate Protection Program in 2005. In 2011 and 2012, the Advisory Council focused on ultrafine particulate matter and provided recommendations that were included in the Air District report, *Understanding Particulate Matter; Protecting Public Health in the San Francisco Bay Area (November 2012)*.

The Advisory Council consists of 20 members, representing a variety fields and interests, including public health agencies, conservation organizations, colleges or universities, regional park districts, park and recreation commissions, public mass transportation system, agriculture, industry, community planning, transportation, registered professional engineers, general contractors, architects, and organized labor. A roster of current Advisory Council members is attached for reference.

Council members serve for a term of two years and remain eligible for re-appointment until they have served twelve (12) consecutive years. Members serve without compensation but are reimbursed for travel related to their duty on the Council.

In an effort to keep the Board of Directors apprised of the activities and progress of the Advisory Council, the Executive Committee will be briefed by the Chair of the Advisory Council on a regular basis. The current report covers Advisory Council activity from May through October 2013.

DISCUSSION

This calendar year, the Advisory Council is focusing on the effects of black carbon on public health and the global climate. Presented below are summaries of the meetings of the Advisory Council from May through October 2013:

1. Advisory Council Regular Meeting – May 8, 2013. The Council received and discussed the following presentations on Black Carbon: Introduction to Measurement and Exposure.

Black Carbon – Exposure and Mitigation, by Professor V. Ramanathan of the University of California, San Diego; and

Black Carbon – Measurement and Modeling, by Professor Robert Harley of the University of California, Berkeley.

2. Advisory Council Regular Meeting – June 12, 2013. The Council discussed their draft report summarizing the May 9, 2013 meeting on Black Carbon: Introduction to Measurement and Exposure.

3. Advisory Council Regular Meeting – July 10, 2013. The Council finalized their report summarizing the May 9, 2013 meeting on Black Carbon: Introduction to Measurement and Exposure.

4. Advisory Council Regular Meeting – September 11, 2013. The Council received and discussed the following presentations on Black Carbon: Health Effects of Exposure.

Climate Change – Health Impacts Caused by the Changing Climate, by Linda Rudolph, M.D., M.P.H., of the Center for Public Health and Climate Change, Public Health Institute; and

Black Carbon – Health Effects of Exposure by Professor Michael Kleinman of the University of California, Irvine.

5. Advisory Council Regular Meeting – October 9, 2013. The Council discussed their draft report summarizing the September 11, 2013 meeting on Black Carbon: Health Effects of Exposure.

Advisory Council Chair, Robert Bornstein will provide an update of the Advisory Council's activities at the Committee meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Expenses associated with the administration of the Advisory Council are included in the FYE 2013 Budget under program 123.

Respectfully submitted,

Robert Bornstein, Ph.D.
Chairperson, Advisory Council

Prepared by: Sean Gallagher
Reviewed by: Eric Stevenson

Attachment: 2013 Advisory Council Roster

Advisory Council Terms

Member	Category	Appointment History	Current Term Expires	12th Year Would Be:
Altshuler, Sam	Registered Prof. Engineer	Appointed 01/01/2011 (to partial term); Reappointed 01/01/2013	12/31/2014	2022
Alvarez, Ana	Regional Park District	Appointed 08/07/2013 (to partial term)	12/31/2013	2024
Bard, Jennifer	Conservation Organization	Appointed 01/01/2009; Reappointed 01/01/2011 & 01/01/2013	12/31/2014	2020
Bolles, Benjamin	General Contractor	Appointed 01/01/2009; Reappointed 01/01/2011 & 01/01/2013	12/31/2014	2020
Bornstein, Robert	Colleges & Universities	Appointed 01/01/2004 (to fill partial term); Reappointed 01/01/2007, 01/01/2009, 01/01/2011 & 01/01/2013	12/31/2014	2015
Bramlett, Jeffrey	Park & Recreation	Appointed 01/01/2004 ; Reappointed 01/01/2006, 01/01/2008, 01/01/2010 & 01/01/2012	12/31/2013	2015
Brazil, Harold	Public Mass Transportation	Appointed 01/01/2002; Reappointed 01/01/2006, 01/01/2008, 01/01/2010 & 01/01/2012	12/31/2013	2014
Cherry, Jonathan	Architect	Appointed 01/19/2011 (to fill partial term); Reappointed 01/01/2012	12/31/2013	2022
Forshey, Heather	Public Health Agency	Appointed 01/01/2013	12/31/2014	2024
Hayes, Stan	Public Member	Appointed 01/01/2009; Reappointed 01/01/2011 & 01/01/2013	12/31/2014	2020
Holtzclaw, John	Conservation Organization	Appointed 01/01/2003; Reappointed 01/01/2005, 01/01/2007, 01/01/2009, 01/01/2011 & 01/01/2013	12/31/2014	2014
Kurucz, Kraig	Industry	Appointed 02/01/2002; Reappointed 01/01/2004, 01/01/2006, 01/01/2008, 01/01/2010 & 01/01/2012	12/31/2013	2014
Lucks, Gary	Conservation Organization	Appointed 01/01/2010; Reappointed 01/01/2012	12/31/2013	2021
Lutzker, Elizabeth	Public Health Agency	Appointed 01/12/2011; Reappointed 01/01/2013	12/31/2014	2022
Lyddan, Kathryn	Agriculture	Appointed 03/28/2012 (to partial term); Reappointed 01/01/2013	12/31/2014	2023
Marshall, Rick	Transportation	Appointed 07/30/2012 (to partial term); Reappointed 01/01/2013	12/31/2014	2023
O'Connor, Timothy	Conservation Organization	Appointed 01/01/2013	12/31/2014	2024
Phillips, Estes Al	Organized Labor	Appointed 01/01/2012	12/31/2013	2023
Range, Jessica	Community Planning	Appointed 01/01/2012	12/31/2013	2023
Wood, Murray	Public Health Agency	Appointed 01/01/2012	12/31/2013	2023

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Ash Kalra and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 7, 2013

Re: SB 1339 – Bay Area Commuter Benefits Program

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

On September 30, 2012, the Governor signed into law Senate Bill (SB) 1339 (Yee), an act to add Section 65081 of the Government Code. This bill authorizes the Air District and the Metropolitan Transportation Commission (MTC) to jointly adopt and implement a region-wide commuter benefits program that would apply to employers with 50 or more full-time employees within the boundaries of the Air District. Air District staff has been developing a draft rule (Regulation 14, Rule 1) to serve as the foundation for the Bay Area Commuter Benefits Program (Program). Staff is currently conducting public workshops throughout the region to receive public input on the draft rule.

DISCUSSION

Air District staff will update the Committee on the status of developing the Program.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Air District resources to develop the program and begin implementation are included in the Fiscal Year End (FYE) 2014 budget. MTC has also dedicated resources to program development.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Burch
Reviewed by: Henry Hilken