

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

## **APPROVED MINUTES**

Summary of Board of Directors  
Mobile Source Committee Meeting  
Thursday, February 21, 2013

### **1. Call to Order – Roll Call**

Chairperson Scott Haggerty called the meeting to order at 9:34 a.m.

Present: Chairperson Scott Haggerty; Vice Chairperson Mary Piepho; and Directors John Avalos, Tom Bates, Carol Klatt, Liz Kniss and Nate Miley.

Absent: Directors Carole Groom and David Hudson.

Also Present: None.

Director Avalos led the pledge of allegiance.

**2. Public Comment Period:** None.

### **3. Approval of Minutes of January 24, 2013**

Committee Comments: None.

Public Comments: None.

Committee Action: Director Klatt made a motion to approve the Minutes of January 24, 2013; Director Piepho seconded; and the motion was carried unanimously without objection.

### **4. Projects with Proposed Grant Awards Over \$100,000**

Damien Breen, Director of Strategic Incentives, introduced Judy Williams, Administrative Analyst of Strategic Incentives, who gave the staff presentation Projects with Proposed Grant Awards over \$100,000, including a brief review of the Carl Moyer Program (CMP) to date, a detail of the Total Year 14 CMP/Mobile Source Incentive Fund and Voucher Incentive Program funds awarded as of February 6, 2013, and recommendations.

Committee Comments: None.

Public Comments: None.

Committee Action:

Director Piepho made a motion, seconded by Director Avalos, and carried unanimously without objection to recommend the Board of Directors:

1. Approve CMP projects with proposed grant awards over \$100,000; and
2. Authorize the Executive Officer/Air Pollution Control Officer (APCO) to enter into agreements for the recommended projects.

**5. Air District Grant Programs Overview**

Mr. Breen gave the staff presentation Air District Grant Programs Overview, including a six-year history of grant funding expenditures, a summary of 2012 grant funding allocations, emissions reductions figures and expenditures by County, 2013 funding projections, and upcoming opportunities and challenges for the grant program.

Committee Comments:

Chairperson Haggerty asked about the status of the bike sharing program and about the siting of the associated facilities, which questions were answered by Mr. Breen. Chairperson Haggerty requested a comprehensive history and update on the bike sharing program at the next meeting of the Committee.

Director Miley asked if electric vehicle money will be available for drayage trucks and if the Air District will continue looking for ways to support that community as its primary focus shifts to on-road trucks, which questions were answered by Mr. Breen.

Director Miley asked about the status of shore power projects at the Port of Oakland as well as other ports in the region, which question was answered by Mr. Breen.

Director Kniss asked about outreach efforts regarding the bike sharing program, which questions were answered by Mr. Breen. Director Kniss requested periodic updates on the bike sharing program.

Chairperson Haggerty asked staff to provide examples of successful programs utilizing the same private sponsor model.

Public Comments: None.

Committee Action: None; informational only.

**6. Funding for Fiscal Year Ending (FYE) 2013 Transportation Fund for Clean Air (TFCA) Regional Fund Shuttle Projects**

Chairperson Haggerty asked staff to focus on the duplicative service aspect in the presentation.

Mr. Breen introduced Karen Schkolnick, Air Quality Program Manager, who gave the staff presentation Funding for FYE 2013 TFCA Regional Fund Shuttle Projects, including overview, background, TFCA legislation, related Board adopted policies, projects with proposals for reduced funding, policy modification and waiver options, Oakland and San Francisco alternate transit options, and recommendations.

Chairperson Haggerty asked, regarding slide #5, Board Adopted TFCA FYE 2013 Regional Fund Shuttle/Feeder Bus Service Project Policies, whether policy #2: TFCA Cost-Effectiveness, is consistent throughout the state and why the cost-effectiveness threshold is \$90,000 for the Air District, which questions were answered by Mr. Breen.

Ms. Schkolnick continued the presentation.

Mr. Breen clarified, regarding slide #7, Option: Modify Policy #28 Pilot Shuttle/Feeder Bus Service, the reasoning behind the policy modification option provided by staff.

Ms. Schkolnick concluded the presentation.

#### Committee Comments:

Director Bates asked how much money is available for allocation as of today, why funding is being recommended for the Alameda and Richmond projects if they will be cancelled, and whether allocations for the Oakland and San Francisco projects will be sufficient to maintain service levels, which questions were answered by Mr. Breen.

Director Miley asked if the policy waiver option is only for the projects under consideration today or for all applicable projects, which question was answered by Mr. Breen.

Director Miley said the reports from staff and the public, regarding the duplicative service aspect, do not coincide and asked why, which question was partially answered by Mr. Breen and partially deferred to public comment.

Director Miley asked whether there are other ways for the Air District to support the Oakland shuttle, how long it has been funded, about its long-term funding goals and the ramifications of the waiver of policy #27, which questions were answered by Mr. Breen.

Chairperson Haggerty asked how these projects and their funding would be viewed by the California Air Resources Board if the Air District were audited, which Mr. Breen answered.

Director Piepho asked about the possible negative impacts of changing or waiving the policy and expressed her concern about establishing unsustainable funding expectations, which questions were answered by Mr. Breen and Brian Bunker, District Counsel.

Director Piepho requested clarification on the effect of staff recommendations, which was provided by Mr. Breen.

Director Kniss noted that some fares are clearly being lost by AC Transit because of the Oakland shuttle and asked if any guidelines exist regarding reasonable walking distances, which questions were answered by Mr. Breen.

Chairperson Haggerty asked for clarification regarding recommendation #1 and why a similar recommendation was not put forth relative to the Livermore project, which question was answered by Mr. Breen. Chairperson Haggerty asked for information from staff on areas of non-attainment and how the services provided within them differ from similar services elsewhere.

Chairperson Haggerty asked if all of the shuttles are free, which question was answered by Mr. Breen.

#### Public Comments:

Rebecca Kaplan, City Councilmember At-Large, City of Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Director Miley asked for clarification on the accuracy of the route maps provided, for more information on how long funding will be available, and for further explanation of the duplication of service aspect, which questions were answered by Mr. Breen. Director Miley asked if the walking distance involved is generating the differences on duplication of service and whether the City of Oakland is able to fund the shuttle, which questions were answered by Councilmember Kaplan.

Robert Raburn, Director – District #4, Bay Area Regional Transit (BART), addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project and City of Alameda, Shuttle Estuary Crossing project. Chairperson Haggerty asked whether BART contributes any money to the projects and if parking revenue might be redirected, which questions were answered by Director Raburn.

Susan Hollingshead, Vice President, Sungevity, Inc., addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Director Miley asked if Sungevity would be interested in working the Air District on the development of a commuter assistance program, which question was answered by Ms. Hollingshead.

Greg Harper, Director, AC Transit, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Maisha Everhart, Senior Policy Advisor for Intergovernmental Affairs, Office of the Mayor, City of Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Chairperson Haggerty and Mr. Breen discussed the inconsistent numbers being provided and the source of data from staff.

Zach Seal, Economic & Workforce Development, City of Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Director Piepho asked if the shuttle charges a fare and if its popularity might be attributed to its cost, which questions were answered by Mr. Seal.

Jim Falaschi, Jack London Square Investors, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Paul Junge, Vice President/Public Policy Director, Oakland Metropolitan Chamber of Commerce, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Lynette Gibson McElhaney, City Council District #3, City of Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Director Kniss asked if the air monitoring equipment in the area is from the Air District, which question was answered by Mr. Breen.

Casey Farmer, Policy Advisor, Office of Lynette Gibson McElhaney, City Council District #3, City of Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Gary Knecht, Board Member, Jack London Improvement District, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Chris Andree, Walk Oakland Bike Oakland, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Jacqueline Orpilla, Senior Field Representative, Office of Assemblymember Rob Bonta, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project.

Lori Reese Brown, City Manager’s Office, City of Richmond, addressed the Committee in opposition to decreased funding of City of Richmond, Shuttle Richmond Circular + Marina Bay project.

Robert Del Rosario, Director of Service Development, AC Transit, addressed the Committee in opposition to decreased funding of City of Oakland, Broadway “B” project. Chairperson Haggerty asked how much AC Transit pays into the project, which question was answered by Mr. Breen and Mr. Del Rosario. Chairperson Haggerty asked for clarification as to why the transit agency responsible for this area pays \$20,000 per year towards a program costing \$600,000 per year, which was provided by Messrs. Del Rosario and Seal.

Director Bates asked about third year funding for the program, which questions were answered by Mr. Breen and Jean Roggenkamp, Deputy APCO.

Director Miley asked about the impact of the Board deeming the service to not be duplicative, which question was answered by Mr. Breen. Director Miley commended staff's approach in the face of significant opposition and requested a legal opinion on the matter for the upcoming Board meeting, which was provided by Mr. Bunger.

Director Bates asked about the source of funds if the City of Oakland, Broadway "B" project is funded in full, which questions were answered by Mr. Breen.

Director Piepho asked if the policy must be waived in order to fund the projects, which question was answered by Ms. Roggenkamp.

Committee Action:

Director Piepho made a motion, seconded by Director Miley, to recommend the Board of Directors:

1. Modify Policy 28 to increase TFCA cost-effectiveness maximum limit to \$500,000/ton for pilot shuttle projects located in CARE areas and increase time period for which a project can maintain "pilot" status to 3 years up from 2 years;
2. Award the Oakland "B" shuttle the amount of \$177,302 and San Francisco 82X shuttle the amount of \$147,950 for last-mile commute connection service; and
3. Award funding and authorize the Executive Officer/APCO to enter into agreements for 6 Projects: 12R09, 12R10, 12R11, 12R17, 12R18 and 12R19.

Mr. Seal addressed the Committee, at the request of Director Miley, to clarify the amount of funds requested. Chairperson Haggerty said it is important that all involved fund the project.

Director Kniss said that stretching policy is a dangerous precedent and urged parties that support the project to shoulder the burden of funding it.

Director Bates said the program is clearly a great service but that the City of Oakland, BART and AC Transit need to figure out the funding as it is a transportation, not air quality, issue.

Director Haggerty suggested that AC Transit consider revising its routes.

Director Miley suggested the shuttle implement a minimal fare.

Chairperson Haggerty asked if the cost-effectiveness maximum limit may be modified upwards to \$500,000 for areas that are not in non-attainment, which question was answered by Ms. Roggenkamp.

The motion was carried unanimously without objection.

7. **Committee Member Comments/Other Business:** None.
8. **Time and Place of Next Meeting:** Thursday, March 28, 2013, at Bay Area Air Quality Management District Office, 939 Ellis Street, San Francisco, CA 94109 at 9:30 a.m.
9. **Adjournment:** The meeting adjourned at 12:18 p.m.

*151 Sean Gallagher*

Sean Gallagher  
Clerk of the Boards