

Bay Area Air Quality Management District
375 Beale Street, Suite 600
San Francisco, CA 94105
(415) 749-5073

Board of Directors Regular Meeting
Wednesday, December 20, 2017

APPROVED MINUTES

*Note: Audio recordings of the meeting are available on the website of the
Bay Area Air Quality Management District at
<http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes>*

CALL TO ORDER:

1. **Opening Comments:** Chairperson Liz Kniss called the meeting to order at 9:48 a.m.

Roll Call:

Present: Chairperson Liz Kniss; Vice Chairperson Dave Hudson; Secretary Katie Rice; and Directors Teresa Barrett, David J. Canepa, Cindy Chavez, Pauline Russo Cutter, John Gioia, Carole Groom, Scott Haggerty, Tyrone Jue, Rebecca Kaplan, Doug Kim, Karen Mitchoff, Mark Ross, Pete Sanchez, Rod Sinks, Jim Spering, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Margaret Abe-Koga, Nate Miley, Hillary Ronen, and Jeff Sheehy.

COMMENDATIONS/PROCLAMATIONS/AWARDS

2. The Board of Directors invited Director Jue to give some remarks about the late San Francisco Mayor, and District Board Member, Edwin M. Lee, who passed away on December 12, 2017. Director Jue spoke of Mayor Lee's character, principles, and career, and then a moment of silence was observed in Mayor Lee's memory.

The Board of Directors then presented the District's Lifetime Achievement Award to Deputy Executive Officer, Jean Roggenkamp, for her service, leadership, and dedication to protecting air quality in the Bay Area. Jack Broadbent, Executive Officer/Air Pollution Control Officer, described the progression of Ms. Roggenkamp's duties and promotions over the course of thirty-three years at the District. The Board members acknowledged Ms. Roggenkamp's contributions and thanked her for her service. Ms. Roggenkamp gave closing remarks, thanking the community, the Board, District staff, and her family.

Public Comments:

Public comments were given by Jed Holtzman, 350 Bay Area and Todd Miller, Berkeley resident.

CONSENT CALENDAR ITEMS (3 - 10)

- 3. Minutes of the Regular Board of Directors Meeting of December 6, 2017
- 4. Board Communications Received from December 6, 2017 through December 19, 2017
- 5. Air District Personnel on Out-of-State Business Travel
- 6. Notices of Violations Issued and Settlements in Excess of \$10,000 in the month of November 2017
- 7. Adopt a Resolution to Accept \$3 Million in Funding for a Zero Emissions Hydrogen Ferry Demonstration Project
- 8. Selection of New Production System Emission Inventory Contractor
- 9. Proposed Regulatory Agenda for 2018
- 10. Authorization to Execute a Second Contract Amendment with Denovo Ventures LLC, for Upgrade of the Air District’s Financial System (JDE)

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Vice Chair Hudson made a motion, seconded by Director Kaplan, to **approve** Consent Calendar Items 3 to 10 inclusive; and the motion **carried** by the following vote of the Board:

- AYES: Barrett, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Abe-Koga, Miley, Ronen, and Sheehy.

COMMITTEE REPORTS

11. Report of the Mobile Source Committee Meeting of December 7, 2017

Mobile Source Committee Chair Mitchoff read:

The Committee met on Thursday, December 7, 2017 and approved the minutes of October 26, 2017.

The Committee reviewed and discussed the staff presentation, Projects with Proposed Awards Over \$100,000. The Committee recommends the Board:

- 1. *Approve Carl Moyer Program and Transportation Fund for Clean Air projects with proposed grant awards over \$100,000 as shown in Attachment 1; and*
- 2. *Authorize the Executive Officer/Air Pollution Control Officer to enter into all necessary agreements with applicants for the recommended projects.*

The Committee then reviewed and discussed the staff presentation Fiscal Year Ending 2016 Transportation Fund for Clean Air Audit Report Results and Fiscal Year Ending 2017 Report on Transportation Fund for Clean Air Regional Fund Expenditures and Effectiveness.

The Committee then reviewed and discussed the staff presentation New Grant Program Revenue and Staffing for the Technology Implementation Office and Strategic Incentives Division. The Committee recommends the Board:

- 1. Amend the Fiscal Year Ending 2018 budget for the Carl Moyer Program, authorize the Bay Area Air Quality Management District to accept, obligate, and expend \$50 million in funding from the California Air Resources Board resulting from Assembly Bill 134, and adopt a resolution authorizing this award; and*
- 2. Authorize the Executive Officer/Air Pollution Control Officer to enter into all agreements necessary to accept, obligate, and expend this funding*

Finally, the Committee reviewed and discussed the staff presentation Update on Efforts to Further Reduce Emissions at the Port of Oakland and Former Oakland Army Base.

The next meeting of the Mobile Source Committee will be held on Thursday, January 25, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District Office, 375 Beale Street, Board Room, San Francisco, California 94105. I move that the Board approve the Mobile Source Committee's recommendations. This concludes the Chair Report of the Mobile Source Committee.

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Mitchoff made a motion, seconded by Director Kaplan, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

- AYES: Barrett, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane.
- NOES: None.
- ABSTAIN: None.
- ABSENT: Abe-Koga, Miley, Ronen, and Sheehy.

12. Report of the Budget and Finance Committee Meeting of December 7, 2017

Budget and Finance Committee Chair Groom read:

The Committee met on Thursday, December 7, 2017 and approved the minutes of April 26, 2017.

The Committee reviewed and discussed the staff presentation Fourth Quarter Preliminary Financial Report Fiscal Year Ending 2017.

The Committee then reviewed and discussed the staff presentation First Quarter Financial Report Fiscal Year Ending 2018.

The Committee then reviewed and discussed the staff presentation Overview of Upcoming Budget Considerations.

Finally, the Committee reviewed and discussed the staff presentation Increase Staffing and Accept New One-Time Revenue Resulting from Assembly Bill 617. The Committee recommends the Board:

- 1. Amend the Fiscal Year Ending 2018 budget to authorize the creation of twenty-two (22) additional full time positions; and*
- 2. Accept approximately \$5 million in funding resulting from Assembly Bill 617.*

The next meeting of the Budget and Finance Committee will be held on Wednesday, January 24, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District office, 375 Beale Street, San Francisco, CA 94105. I move that the Board approve the Budget and Finance Committee's recommendations. This concludes the Chair Report of the Budget and Finance Committee.

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Groom made a motion, seconded by Director Ross, to **approve** the recommendations of the Budget and Finance Committee; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Ross, Sanchez, Sinks, Spering, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Abe-Koga, Miley, Ronen, and Sheehy.

13. Report of the Advisory Council Meeting of December 11, 2017

Ex-Officio Advisory Council Member Sinks read:

The Council met on Monday, December 11, 2017, and postponed the approval of the minutes of October 30, 2017 for lack of quorum.

The Council then received the staff presentation Regulation 11, Rule 18 Reduction of Risk from Air Toxic Emissions at Existing Facilities.

Finally, the Council received the presentation A Summary of Short-Term Particulate Matter (PM)_{2.5} and Adverse Health Outcome Studies in California, by the Office of Environmental Health Hazard Assessment.

The next meeting of the Council is at the call of the Chair. This concludes the Chair Report of the Advisory Council.

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed how Advisory Council members' attendance has affected the forming of a quorum at meetings in 2017.

Board Action:

None; receive and file.

14. Report of the Executive Committee Meeting of December 14, 2017

Executive Committee Chair Kniss read:

The Committee met on Thursday, December 14, 2017, and approved the minutes of October 16, 2017.

The Committee then reviewed and discussed the presentation Update on Technology Implementation Office Activities. During this presentation, the tentative members of the Technology Implementation Steering Committee were announced, including: Commissioner Janea Scott of the California Energy Commission; Dr. Ahmad Ganji, Director of San Francisco State University's School of Engineering Industrial Assessment Center; Mark Gupta, Principal at Prelude Ventures; Air District Board Member and Santa Clara County Supervisor, Cindy Chavez; and Harold "Bud" Beebe formerly of the Sacramento Municipal Utility District.

The Committee then reviewed and discussed the staff presentation Update on Complex Facility Permitting and Compliance Strategy.

Finally, the Committee reviewed and discussed the staff presentation Request to Amend the Fiscal Year Ending 2018 Budget to Increase Staffing. The Committee recommends that the Board:

- 1. Amend the Fiscal Year Ending 2018 budget to authorize the creation of twenty-two additional full-time positions.*

The next meeting of the Executive Committee will be held on Monday, February 19, 2018, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 9:30

a.m. I move that the Board approve the Executive Committee's recommendation. This concludes the Chair report of the Executive Committee.

At this time, Mr. Broadbent and Rex Sanders, Chief Administrative Officer, gave the staff presentation *Executive Committee Report*, including: outline; recent Board actions; new and expanded Air District programs; new and existing funding sources; staffing request; positions requested; and next steps.

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed predictions of whether the State will follow through with the funds intended for Air Districts' through various Assembly Bills (AB), and the need to press the State for long-term funding to carry out the requirements of those bills, including monitoring gubernatorial candidates leading up to Governor Brown's term limits; the request that staff bring back to the Board outcome-based budgeting for the new positions and expanded programs, in the event that a shortage of funds causes the shifting of funding allocations from one area to another, as well as how much total investment will go into staffing versus programs; the potential scope of work of the District's new Community Protection Office; the need for mobile air quality monitors; when the hiring for the new positions will occur; and concerns about needing to increase the District's Reserve funds in State funding is not made available in future years.

Board Action:

Chair Kniss made a motion, seconded by Vice Chair Hudson, to **approve** the recommendation of the Executive Committee; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Canepa, Chavez, Cutter, Gioia, Groom, Haggerty, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Ross, Sanchez, Sinks, Spring, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Miley, Ronen, and Sheehy.

15. Report of the Personnel Committee Meeting of December 18, 2017

Personnel Committee Chair Spring read:

The Committee met on Monday, December 18, 2017, and approved the minutes of June 2, 2017.

The Committee reviewed and discussed one candidate regarding the vacant Principal seat of the Air District's Hearing Board in the Professional Engineering category. The Committee and staff discussed the recruitment process and then interviewed the candidate. The Committee recommends the Board approve:

1. *The appointment of Ryan Janoch as Professional Engineer category Principal Member of the Hearing Board.*

The next meeting of the Committee is at the Call of the Chair. I move that the Board approve the Personnel Committee recommendation. This concludes the Chair Report of the Personnel Committee.

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Spering made a motion, seconded by Director Sinks, to **approve** the recommendation of the Personnel Committee; and the motion **carried** by the following vote of the Board:

AYES: Barrett, Canepa, Gioia, Groom, Haggerty, Hudson, Jue, Kaplan, Kim, Kniss, Mitchoff, Rice, Sanchez, Sinks, Spering, Wagenknecht, and Zane.
NOES: None.
ABSTAIN: None.
ABSENT: Abe-Koga, Chavez, Cutter, Miley, Ronen, Ross, and Sheehy.

16. Report of the Stationary Source Committee Meeting of December 18, 2017

Stationary Source Committee Chair Gioia read:

The Committee met on Monday, December 18, 2017, and approved the minutes of September 18, 2017.

The Committee reviewed and discussed the staff presentation Particulate Matter Rule Update.

The Committee also reviewed and discussed the staff presentation Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at Existing Facilities – Implementation Update.

The next meeting of the Committee will be held on Monday, February 19, 2018, at 9:30 a.m., at the Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105. This concludes the Chair report of the Stationary Source Committee.

Public Comments:

No requests received.

Board Comments:

The Board and staff discussed the request for Frequently Asked Questions language on the District website regarding best practices for rebuilding and heating homes in the North Bay that were lost to fires earlier this year, as well as targeted outreach to Sonoma and Napa County residents; and the timeline of the upcoming Wood Smoke Reduction Incentive Program funding cycle.

Board Action:

None; receive and file.

PUBLIC COMMENT ON NON-AGENDA MATTERS

17. Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Public comments were given by Bob Brown, Western States Petroleum Association; and Greg Karras, Communities for a Better Environment.

BOARD MEMBER COMMENTS

18. Board Member Comments

Director Gioia suggested that a representative from CARB give the District's Board a presentation on the status of CARB's 2017 Climate Change Scoping Plan, which was approved by the CARB's Board on December 14, 2017.

Director Kim requested an update on fire preparation and safety, as it's becoming more prevalent in California.

Director Kaplan expressed her hope that the District makes the following issues priorities in 2018: improved and increased distribution of fast-charging EV stations in the Bay Area, as well as increased outreach so that EVs become a viable option for everyone; community-based mitigation and treatments regarding air quality emergencies and incidents; pushing for improved mapping standards of CalEnviroScreen; and greater efforts to reduce freight emissions. She also thanked District staff who attended the recent roundtable discussion on freight issues at the Port of Oakland, hosted by the Alameda County Transportation Commission.

Director Zane urged District staff to reach out to the following people in Sonoma County:

- Christine Sosko, Environmental Health & Safety Director
- Barbie Robinson, Director of the County's Health Services Department
- Tennis Wick, Sonoma County Permit & Resource Management Dept.
- David Gouin, Director of Housing and Community Services for the City of Santa Rosa

Director Sinks sensed a remaining urgency to assist Sonoma and Napa County residents as they rebuild from the fires, and requested that early in 2018, staff gives the Board an update on steps the District has taken to assist the fire victims, and what more can be done by the District to meet those residents' needs. He said he sees this rebuilding process as an opportunity for long-term wood smoke-reduction.

Director Ross suggested that District staff create interactive multi-media and webcasts specifically for communities rebuilding from fire devastation; something more engaging than just website language.

Director Jue announced that, regarding the US Environmental Protection Agency's plan to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (Clean Power Plan), the City of San Francisco requested that a formal hearing in San Francisco take place, and the EPA has agreed to conduct one in January or February 2018. He urged local jurisdictions to get involved and said he would circulate information as he receives it.

OTHER BUSINESS

19. Report of the Executive Officer/Air Pollution Control Officer

Mr. Broadbent presented a local summary of ozone seasons in 2017, based on the National Ambient Air Quality Standards, and stated that the Bay Area has seen record PM_{2.5} levels this year. He specified that more than one day of standard exceedances occurred, but only one day of exceedance was captured in the Winter PM_{2.5} seasons chart because that one day's exceedance was due to locally grown PM_{2.5} generated in the Bay Area, whereas the exceedance on the days not captured in the chart were due to smoke transported from fires in Southern California, which do not count against the District's attainment status. Mr. Broadbent stated that an updated, more detailed ozone chart will be sent to the Board. Mr. Broadbent reported that wildland fire follow-up, AB 617 implementation, and the District's Climate Protection Planning Program will be discussed at the Annual Board Retreat on January 17, 2017.

20. Chairperson's Report

Chair Kniss announced that the San Mateo County City Selection Committee reappointed Director Kim to the District's Board of Directors for another two-year term.

21. Time and Place of Next Meeting

The Board of Directors Special Meeting/Annual Retreat will take place on Wednesday, January 17, 2018, at Dougherty Station Community Center, 17011 Bollinger Canyon Road, San Ramon, CA 94582 at 9:45 a.m.

22. Adjournment

The meeting adjourned at 11:42 a.m.

/s/ Marcy Hiratzka
Marcy Hiratzka
Clerk of the Boards