

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

Board of Directors Regular Meeting  
Wednesday, June 6, 2018

## **APPROVED MINUTES**

*Note: Audio recordings of the meeting are available on the website of the  
Bay Area Air Quality Management District at  
[www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

### **CALL TO ORDER**

1. **Opening Comments:** Board of Directors (Board) Chairperson, David Hudson, called the meeting to order at 9:32 a.m.

#### **Roll Call:**

Present: Chairperson David Hudson; Vice Chair Katie Rice; Secretary Rod Sinks; and Directors Margaret Abe-Koga, Teresa Barrett, John J. Bauters, David Canepa, Cindy Chavez, John Gioia, Scott Haggerty, Tyrone Jue, Doug Kim, Liz Kniss, Nate Miley, Karen Mitchoff, Hillary Ronen, Mark Ross, Jim Spring, Brad Wagenknecht, and Shirlee Zane.

Absent: Directors Pauline Russo Cutter, Carole Groom, and Pete Sanchez.

### **CONSENT CALENDAR (ITEMS 2 – 7)**

2. Minutes of the Board of Directors Special Meeting Budget Hearing of May 2, 2018 and Regular Meeting of May 2, 2018
3. Board Communications Received from May 2, 2018 through June 5, 2018
4. Air District Personnel on Out-of-State Business Travel
5. Notices of Violations Issued and Settlements in excess of \$10,000 during the month of April 2018
6. Quarterly Report of the Executive Office and Division Activities for the Months of January 2018 to March 2018
7. Authorization to Execute Contract Amendments for Production System Office

#### **Public Comments:**

No requests received.

#### **Board Comments:**

None.

Board Action:

Director Haggerty made a motion, seconded by Director Kniss, to **approve** the Consent Calendar Items 2 through 7 inclusive; and the motion **carried** by the following vote of the Board:

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

**COMMITTEE REPORTS**

**8. Report of the Personnel Committee Meeting of May 7, 2018**

Personnel Committee Chair, Director Jim Spering, read the following Committee report:

*The Committee met on Monday, May 7, 2018, and approved the minutes of February 7, 2018.*

*The Committee discussed two vacancies on the Air District's Advisory Council, as former Council members, Robert Harley and Tam Doduc, declined consideration for reappointment at the expiration of their two-year term on the Council. The Committee then discussed the District's recruitment process. The Committee then interviewed five candidates. The Committee recommends the Board approve:*

- 1. The reappointment of the five incumbent Council members who wish to continue serving: Chair Stan Hayes, Vice Chair Michael Kleinman, and members Severin Borenstein, Tim Lipman, and Jane Long;*
- 2. The appointment of Gina M. Solomon, Medical Doctor, Master of Public Health, to the Advisory Council for a two-year term; and*
- 3. The appointment of Linda Rudolph, Medical Doctor, Master of Public Health, to the Advisory Council for a two-year term.*

*The next meeting of the Personnel Committee will be held on Thursday, July 12, 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 Personnel Committee recommendations. This concludes the Chair Report of the Personnel Committee.*

Public Comments:

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County (ICANCCC); Richard Gray, Jed Holtzman, and Janet Stromberg, 350 Bay Area.

Board Comments:

The Committee and staff discussed the original recruitment and appointment processes in 2015 of the five current Advisory Council members and their subsequent reappointment to the Advisory Council in 2018; and the Board's appreciation for the service of the five current Advisory Council members.

NOTED PRESENT: Director Zane was noted present at 9:44 a.m.

Board Action:

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

AYES: Abe-Koga, Barrett, Bauters, Canepa, Chavez, Gioia, Haggerty, Hudson, Jue, Kim, Kniss, Mitchoff, Rice, Ross, Sinks, Spering, Wagenknecht, and Zane.

NOES: None.

ABSTAIN: None.

ABSENT: Cutter, Groom, Miley, Ronen, and Sanchez.

9. **Report of the Stationary Source Committee Meeting of May 21, 2018**

Stationary Source Committee Chair, Director John Gioia, read the following Committee report:

*The Committee met on Monday, May 21, 2018, and approved the minutes of March 19, 2018.*

*The Committee reviewed and discussed the staff presentation Update on the Assembly Bill 617- Required Best Available Retrofit Control Technology Review.*

*The Committee then reviewed and discussed the staff presentation Update on the Air District's Basin-Wide Methane Strategy.*

*Finally, the Committee reviewed and discussed the staff presentation Implementation Update on Regulation 11, Rule 18 - Reduction of Risk from Air Toxic Emissions at Existing Facilities.*

*The next meeting of the Committee is at the call of the Chair. This concludes the Chair report of the Stationary Source Committee.*

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

None; receive and file.

10. **Report of the Mobile Source Committee Meeting of May 24, 2018**

Mobile Source Committee Chair, Director Scott Haggerty, read the following Committee report:

*The Committee met on Thursday, May 24, 2018, and approved the minutes of April 26, 2018.*

*The Committee reviewed and discussed the staff presentation, Projects and Contracts with Proposed Grant 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 2019 Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria. The Committee recommends the Board:*

- 1. Approve the proposed Fiscal Year Ending 2019 Transportation Fund for Clean Air Regional Fund Policies and Evaluation Criteria presented in Attachment A.*

*Finally, the Committee reviewed and discussed the staff presentation New Program: Clean and Electric Vehicle Adoption in Disadvantaged Communities.*

*The next meeting of the Mobile Source Committee will be held on Thursday, July 26, 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 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 Haggerty made a motion, seconded by Director Ross, to **approve** the recommendations of the Mobile Source Committee; and the motion **carried** by the following vote of the Board:

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

**11. Report of the Climate Protection Committee Meeting of June 4, 2018**

Climate Protection Committee Chair, Teresa Barrett, read the following Committee report:

*The Climate Protection Committee met on Monday, June 4, 2018, and approved the minutes of March 15, 2018.*

*The Committee received and discussed the staff presentation Climate Protection Grant Program. The Committee recommends the Board:*

- 1. Approve proposed projects for the 2018 Climate Protection Grant Program and authorization for the Executive Officer/Air Pollution Control Officer to execute grant agreements for the recommended projects.*

*Finally, the Committee received and discussed the staff presentation Consumption-Based Greenhouse Gas (GHG) Emissions Inventory.*

*The next meeting of the Committee will be at the call of the Chair. I move that the Board approve the Climate Protection Committee's recommendations. Also, based on the Grants Projects we are recommending today – The Committee has asked the staff to give a brief presentation to the Full Board regarding the program. This concludes the Chair report of the Climate Protection Committee.*

At this time, Abby Young, Climate Protection Manager, gave staff presentation *2018 Climate Protection Grant Program*, including: results; kick-starting regional transformation; and high-level outcomes.

NOTED PRESENT: Director Ronen was noted present at 9:53 a.m.

Public Comments:

Public comments were given by Janet Stormberg, 350 Bay Area.

Board Comments:

The Board and staff discussed the Board's appreciation for project applications serving multiple counties; the District's outreach process when advertising this program to prospective applicants; the number of applications that were received and the District's application evaluation process; whether a formula to more accurately estimate GHG emission reductions within a project is needed; recommended projects that are anticipated to produce long-term benefits; the request that public documents listing awarded projects specify that matching funds are associated with applicable projects; finding the balance between funding technology versus incentives to modify human behavior; the metrics the District plans to use to measure the progress and success of the projects; and concerns about the project application from Contra Costa County regarding web-based community engagement.

Board Action:

Director Barrett made a motion, seconded by Director Sinks, to **approve** the recommendations of the Climate Protection Committee; and the motion **carried** by the following vote of the Board:

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

12. **Report of the Ad Hoc Building Oversight Committee Meeting of June 6, 2018**

Ad Hoc Building Oversight Chair, Director Mark Ross, read the following Committee report:

*The Ad Hoc Building Oversight Committee met on Wednesday, June 6, 2018, and approved the minutes of April 18, 2018.*

*The Committee received and discussed the staff presentation Discussion of Space on the Eighth Floor of 375 Beale Street and Recommendation to Purchase. The Committee met in Closed Session to receive an update on the Richmond Property, but there is no reportable action. The Committee recommends the Board:*

- 1. Approve the purchase of approximately 11,400 rentable square feet, but not more than 13,000 rentable square feet, on the 8<sup>th</sup> Floor of 375 Beale Street, in substantially the form of Attachment A, Purchase and Sale Agreement and Joint Escrow Instructions, at a price of \$385/rentable square feet, with a total purchase price not to exceed \$5,005,000, and authorize the Executive Officer to negotiate and execute the Purchase and Sale Agreement and Joint Escrow Instructions with the Bay Area Headquarters Authority, and to negotiate and execute amended Covenants, Conditions, and Restrictions.*

*The next meeting of the Ad Hoc Building Oversight Committee will be at the call of the Chair. I move that the Board approve the Ad Hoc Building Oversight Committee's recommendations. This concludes the Chair report of the Ad Hoc Building Oversight Committee.*

Public Comments:

No requests received.

Board Comments:

None.

Board Action:

Director Ross made a motion, seconded by Director Kniss, to **approve** the recommendations of the Ad Hoc Building Oversight Committee; and the motion **carried** by the following vote of the Board:

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

## **PRESENTATION**

### **13. Governor's Global Climate Action Summit 2018**

Jack Broadbent, Executive Officer/Air Pollution Control Officer, introduced Lisa Fasano, Communications Officer, who, with Ms. Young, gave the staff presentation *Governor's Global Climate Action Summit and Bay Area Air Quality Management District (BAAQMD) Affiliated Event*, including: Governor's Global Climate Action Summit; BAAQMD affiliated forum; forum agenda; and Diesel-Free by 33 Pledge.

#### **Public Comments:**

Public comments were given by Jed Holtzman and Janet Stromberg, 350 Bay Area.

#### **Board Comments:**

The Board and staff discussed the request for more defined information, talking points, resolution language that includes county health data/health impacts, and associated action that can affect behavior/diesel use regarding the Diesel-Free by 33 pledge; stakeholders whose compliance with the pledge may be the most difficult to achieve; the anticipated pledge-compliance timelines of jurisdictions outside of the Bay Area; the District's plans to produce a publication regarding the benefits of banning diesel; the need for outreach to County Health Officers and Bay Area jurisdictions' sister cities about the pledge; the request that the pledge not focus solely on diesel, but other emissions as well; the request that the District publicly specify that efforts to address highly-impacted communities will commence prior to 2033; and the California Air Resources Board's rule development that would require transit agencies to have all zero-emission bus fleets.

NOTED PRESENT: Director Miley was noted present at 10:49 a.m.

#### **Board Action:**

None; receive and file.

## **PUBLIC HEARINGS**

### **14. Public Hearing to Consider Adoption of Proposed Amendments to Air District 3: Fees, and Approval of the Filing of a Notice of Exemption for the California Environmental Equality Quality Act**

Dr. Jeff McKay, Chief Financial Officer, stated that the first of two required Public Hearings regarding this item was held on April 18, 2018. He stated that no public comments were given at the first hearing, and none were submitted at the second Public Hearing. Dr. McKay asked if the Board wished to see his presentation that was given during the first Public Hearing, and at the consensus of the Board members present, Dr. McKay was not required to repeat the presentation. Dr. McKay stated that, if approved by the Board, the proposed amendments to Air District Regulation 3: Fees would become effective on July 1, 2018.

Chair Hudson opened the Public Hearing to Consider Adoption of Proposed Amendments to Air District 3: Fees, and Approval of the Filing of a Notice of Exemption for the California Environmental Quality Act.

Public Comments:

No requests received.

Board Comments:

None.

Chair Hudson closed the Public Hearing.

Board Action:

Director Wagenknecht made a motion, seconded by Director Mitchoff, to **adopt** the proposed amendments to Air District Regulation 3: Fees, which would become effective on July 1, 2018, and **approve** a Notice of Exemption from the California Environmental Quality Act; and the motion **carried** by the following vote of the Board:

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

**15. Public Hearing to Consider Adoption of the Air District’s Proposed Budget for Fiscal Year Ending 2019**

Dr. Jeff McKay, Chief Financial Officer, stated that the first of two required Public Hearings regarding this item was held on May 2, 2018. He stated that no public comments were given at the first hearing, and none were submitted at the second Public Hearing. Dr. McKay asked if the Board wished to see his presentation that was given during the first Public Hearing, and at the consensus of the Board members present, Dr. McKay was not required to repeat the presentation.

Chair Hudson opened the Public Hearing to Consider Adoption of the Air District’s Proposed Budget for Fiscal Year Ending 2019.

Public Comments:

No requests received.

Board Comments:

None.

Chair Hudson closed the Public Hearing.



Board Action:

Director Mitchoff made a motion, seconded by Director Wagenknecht, to **adopt** a resolution to **approve** the Proposed Budget for FYE 2019 and various budget-related actions; and the motion **carried** by the following vote of the Board:

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

**PUBLIC COMMENT ON NON-AGENDA MATTERS**

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

Public comments were given by Richard Gray, 350 Bay Area; and Jan Warren (ICANCCC)

**BOARD MEMBER COMMENTS**

**17. The following comments were made by Board members:**

- Director Zane announced that she was recently asked to serve on the Board of Directors of the National Council for Science and the Environment in Washington DC.
- Director Jue thanked District staff for addressing the smoke and odor complaints about Espetus Churrascaria steakhouse in San Francisco in conjunction with his and Director Ronen’s offices. He said he looks forward to potential amendments to existing District Regulation.
- Director Kniss announced that many city council members may be attending the League of California Cities’ Annual Conference, which conflicts with the Governor’s Global Climate Action Summit in September 2018.
- Director Sinks, Barrett, and Gioia spoke about an advertisement that has been on Facebook since January 2018.

**OTHER BUSINESS**

**18. Report of the Executive Officer/Air Pollution Control Officer**

Mr. Broadbent announced the following:

- Staff will report back to the Board regarding the District’s diversity efforts.
- Thanks to Dr. McKay and the Finance Office for preparing the FYE 2019 Proposed Budget.
- The District has not yet reached national ozone exceedances in 2018.
- Compliance and Enforcement staff will give a status update on the smoke and odor complaints about the steakhouse in San Francisco; there are similar complaints from a grill in Petaluma.
- The District’s Executive Office hired new Executive Assistants, Karen Wiess and Justine Buenaflor.

19. **Chairperson's Report**

Chair Hudson announced the following:

- District staff and Stationary Source/Ad Hoc Refinery Oversight Committee members will take a tour of the Athabasca oil sands in Alberta, Canada on August 13.
- Congratulations to Directors Gioia, Groom, Mitchoff, Spering, and Wagenknecht for being reelected to serve in their current Supervisorial roles in the primary election.
- The following meetings have been cancelled: June 20, July 4, July 18 Board meetings; and July 19 Climate Protection Committee meeting.

20. **Time and Place of Next Meeting**

Wednesday, August 1, 2018, at 375 Beale Street, San Francisco, CA 94105 at 9:30 am.

21. **Adjournment**

The meeting adjourned at 11:34 a.m.

*/s/ Marcy Hiratzka*  
Marcy Hiratzka  
Clerk of the Boards