

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Resolution No. 2013 - 06

**A Resolution to Approve the Budget for the Fiscal Year Ending June 30, 2014
(FY 2013-2014) and Various Budget Related Actions**

WHEREAS, the Board of Directors of the Bay Area Air Quality Management District (Air District) has the statutory authority and direction to set the Air District's financial budget pursuant to Health & Safety Code Sections 40130-40131 and 40270-40276;

WHEREAS, by Resolution No. 2012-03, the Board of Directors adopted the Air District Budget for Fiscal Year (FY) 2012-2013 on June 6, 2012, pursuant to the above-mentioned statutory authority;

WHEREAS, the Board of Directors, in connection with that action, approved the following budget related actions:

- A. Transfer Funds from Unencumbered Balance of Appropriations to the General Reserve;
- B. Fund Contingency Reserve;
- C. Fund The General Reserve from Year to Year;
- D. Authorize Modification to Name and Purpose of certain Designated Reserve Funds;
- E. Authorize Disposal of Surplus Government Property;
- F. Approve Salary Ranges for District Employees; and
- G. Approve Proposed District Budget for FY 2012-2013;

WHEREAS, Air District staff has determined through its annual budget review and analysis that similar actions are necessary in connection with the adoption of a budget for FY 2013-2014 and that all of these actions be incorporated into a single resolution;

WHEREAS, the Budget and Finance Committee of the Board of Directors reviewed the proposed FY 2013-2014 District Budget at public meetings held on March 27, 2013, and April 24, 2013, and recommended that the Board of Directors approve as submitted.

WHEREAS, an initial public hearing was duly noticed and held on May 15, 2013, at a Special Meeting of the Board of Directors held pursuant to Health & Safety Code Section 40131, for the purpose of reviewing the Air District's proposed FY 2013-2014 Budget and of providing the public with an opportunity to comment upon the proposed District Budget;

WHEREAS, at the May 15, 2013 Special Meeting of the Board of Directors, the Proposed FY 2013-2014 Air District Budget was set for a further hearing and proposed adoption at the Regular Meeting of the Board of Directors to be held on June 19, 2013;

WHEREAS, in connection with the public hearing and consideration of the Proposed FY 2013-2014 District Budget on June 19, 2013, the Board of Directors decided to take the following actions related to the FY 2012-2013 District Budget:

A. TRANSFER FUNDS FROM UNENCUMBERED BALANCE OF APPROPRIATIONS TO THE GENERAL RESERVE

WHEREAS, the Proposed Air District Budget provides sufficient funds for the operation of the Air District for FY 2013-2014;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby directs Air District staff, that in the event there is an unencumbered balance of appropriations from FY 2012-2013, to transfer such excess balance to the General Reserve.

B. FUND THE GENERAL RESERVE FROM YEAR TO YEAR

WHEREAS, the Board of Directors on June 12, 1958, created a General Reserve in the Air District's budget and transferred certain funds into it;

WHEREAS, the Air District has operated for much of its existence with a General Reserve in its fiscal year budget;

WHEREAS, the Air District retained the consulting firm of KPMG LLP in 1998-99 to conduct a permit fee cost recovery study of the Air District;

WHEREAS, KPMG LLP determined through their study of Air District finances that the General Reserve was inadequately funded and therefore recommended that the General Reserve be funded to a level consistent with generally accepted governmental practices;

WHEREAS, Air District staff concurred with this finding and recommendation from KPMG LLP;

WHEREAS, the Board of Directors concurs with the recommendation of KPMG LLP, Air District staff and its Budget and Finance Committee that maintaining a healthy and properly funded General Reserve in the Air District's budget is a prudent and financially sound decision;

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Reserve be continued for FY 2013-2014, and thereafter until discontinued by resolution of the Board of Directors.

C. AUTHORIZE DISPOSAL OF SURPLUS GOVERNMENT PROPERTY

WHEREAS, the Air District Budget for FY 2013-2014 provides for the replacement of certain equipment and other property that has either become obsolete and surplus or will become obsolete and surplus;

WHEREAS, Air District staff has determined that certain equipment or other property will no longer be economically feasible to maintain or repair, and that some equipment will become obsolete and not useful for Air District purposes;

WHEREAS, from time to time during the course of the coming fiscal year it may be advantageous to the Air District to sell or dispose of such equipment or other property;

WHEREAS, the Board of Directors desires to authorize the Executive Officer/APCO, or his or her designee, to sell or dispose of such surplus or obsolete equipment or other property pursuant the requirements and guidelines of Government Code Sections 25363 and 25504;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes the Executive Officer/APCO, or his or her designee, to sell or dispose of surplus or obsolete equipment or other property during FY 2013-2014.

D. SALARY RANGES FOR DISTRICT EMPLOYEES

WHEREAS, the Board of Directors established Salary Ranges and Classifications on June 10, 1962, pursuant to Resolution No. 270 and has from time to time amended those Salary Ranges and Classifications;

WHEREAS, management employees and confidential employees are not represented by a recognized employee organization;

WHEREAS, the Air District Budget for FY 2013-2014 includes funds for Board of Director discretionary use in adjusting salaries and fringe benefits for Air District employees;

WHEREAS, on March 17, 2010, by Resolution No. 2010-04, the Board of Directors approved a Memorandum of Understanding (the "MOU") with the employees represented by the recognized employee organization Bay Area Air Quality Management District Employees Association ("EA") which MOU had been previously ratified by the EA;

WHEREAS, the MOU provides, among other things, for certain adjustments to the salary and fringe benefits for EA members for FY 2012-2013 including a cost of living adjustment ("COLA");

WHEREAS, on October 16, 2002, by Resolution No. 2002-17, the Board of Directors approved certain adjustments to salary and fringe benefits for non-Board of Director appointed management and confidential employees who are not represented by a recognized employee organization;

WHEREAS, by Resolution No. 2003-04, on June 18, 2003, the Board of Directors approved adjustments to the salaries for non-Board of Director appointed management and confidential employees to reflect the same COLA as provided for in the MOU;

WHEREAS, the attached salary schedules reflect salaries adjusted in accordance with the provisions of the MOU for Represented Classes; salaries for non-Board of Director appointed Management and Confidential employees adjusted in accordance with Resolution Nos. 2002-17, 2003-04, 2005-02, 2006-12, 2007-08, and 2008-06, and the approved FY 2012-2013 Budget, and the proposed FY 2013-2014 Budget; and salaries adjusted pursuant to contracts with Board appointed management employees;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors approves the revised salary schedules attached hereto which, consistent with the MOU and Resolution Nos. 2002-17, 2003-04, 2005-02, 2006-12, 2007-08, 2008-06 2010-04 and the approved FY 2012-2013 Budget, and the proposed FY 2013-2014 Budget, and with contracts with Board appointed management employees, provide salary increases effective July 1, 2013.

E. APPROVE PROPOSED AIR DISTRICT BUDGET FOR FY 2013-2014

WHEREAS, on May 15, 2013, and June 19, 2013, public proceedings have been held in a manner and form required by Health & Safety Code Section 40131 for the adoption of the FY 2013-2014 Budget of the Bay Area Air Quality Management District;

WHEREAS, the Board of Directors has considered the Proposed Budget for the fiscal year ending June 30, 2014, as well as the report on this proposed budget from the Budget and Finance Committee of the Board of Directors which considered the Proposed FY 2013-2014 Air District Budget at their meetings of March 27, 2013 and April 24, 2013;

WHEREAS, at the May 15, 2013, Regular Meeting of the Board of Directors, in its report to the Board of Directors, the Budget and Finance Committee of the Board of Directors forwarded the Proposed FY 2013-2014 Air District Budget to the Board of Directors;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Proposed Air District Budget for FY Ending 2014 in the total consolidated amount of Eighty Nine Million, Four Hundred Thirty Three, Eight Hundred and Seventy Three Dollars (\$89,433,873),

specifying by appropriation classification – personnel, services and supplies, and capital outlay – is hereby adopted by the Board of Directors of the Bay Area Air Quality Management District to become effective as of July 1, 2013.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director GIOIA, seconded by Director PIEPHO, on the 19th day of JUNE 2013

by the following vote of the Board:

AYES: BARRETT, BATES, GIOIA, GROOM, HAGGERTY, HUDSON, KLATT, KNISS, MILEY, PEPPER, PIEPHO, ROSS, SPERING, WAGENKNECHT, ZANE, KALRA


NOES: NONE.

ABSENT: ADAMS, AVALOS, LEE, MAR, SBRANTI, YEAGER



ASH KALRA
Chairperson of the Board of Directors

ATTEST:



CAROLE GROOM
Secretary of the Board of Directors