



**MONTEREY BAY UNIFIED
AIR POLLUTION CONTROL DISTRICT
BOARD OF DIRECTORS MEETING**

**WEDNESDAY, FEBRUARY 17, 2010 – 1:30 P.M.
24580 Silver Cloud Court, Board Room, 3rd Floor, Monterey, California**

SUMMARY OF ACTIONS

1. CALL TO ORDER

The meeting was called to order by Chair Salinas at 1:35 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

PRESENT

**Manuel Bersamin
Lou Calcagno
Tony Campos
Carmelita Garcia
Reb Monaco**

**Richard Ortiz
Ellen Pirie
Simon Salinas
Sam Storey
Steve Villegas**

ABSENT

Jane Parker

4. PUBLIC COMMENT PERIOD – *Any person may address the Board during Public Comment Period. Presentation should not exceed three minutes, should be directed to an item not on today's agenda, and should be within the jurisdiction of the Board. Board Members will not take action or respond to any public comments presented, but may choose to follow up at a time, either individually or on a subsequent agenda.*

- **Hans Jongens** expressed opinion that concerns regarding Global Warming were unnecessary.

5. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS

- **Director Monaco** expressed appreciation to the APCO and Lance Ericksen, District Engineering Manager, for meeting with prospective business owners in San Benito County.

6. REPORT FROM THE AIR POLLUTION CONTROL OFFICER

Richard A. Stedman, APCO reported on the following:

- **Personnel:**
 - Introduction of Joyce Giuffre, newly hired as the Administrative Services Manager.
 - Announced Bill Chevalier's promotion to Air Monitoring Supervisor.
- **Provided updates on the District's outreach efforts:**
 - Way to Go Program working with school districts to increase air quality awareness.
 - Clean Air Month Art Contest; prizes to be awarded at the May 2010 Board meeting.
- **Other District activities:**
 - Looking at methods to reduce expenses and enhance revenues.
 - Draft of a District records retention policy to be brought to the Board in March.
 - Working with County Counsel to update the Administrative Code.
- **Federal ozone standard most likely to be lowered and more stringent.**
- **EPA proposing a monitoring network for nitrogen oxide near roadways throughout the country. District working with NACAA to redirect EPA's efforts.**

- EPA proposing new lead monitoring strategy.
- District recently joined the Western Regional Air Partnership.

CONSENT AGENDA

The Consent Agenda consists of items considered routine and/or noncontroversial. One motion will cover all items on the Consent Agenda and authorize the recommended actions. Board Members, staff or member of the audience may request an item or items be pulled for further discussion at which time the Board may determine to consider that item separately from the Consent Agenda.

Resolution No. 10-004: Upon motion of Director Calcagno, seconded by Director Monaco, and unanimously carried, with Director Parker absent, the Board moved approval of the Consent Agenda, as follows:

7. Approve Minutes of the December 16, 2009 Board of Directors Meeting
Reference: Ann O'Rourke, Executive Assistant
Recommended Action: Approve
8. Report on Summary of Mutual Settlement Program Activities for the Months of December 2009 and January 2010
Reference: Ed Kendig, Compliance Manager
Recommended Action: Receive Report
9. Accept Budget Reports for December 2009 and January 2010
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Accept Report
10. Accept Report on Air Quality
Reference: Richard Stedman, APCO
Recommended Action: Accept Report
11. Accept District Activity Report
Reference: Ed Kendig, Compliance Manager
Recommended Action: Accept Report
12. **Resolution No. 10-001:** Consider a Resolution Authorizing the Administrative Services Manager to Declare Certain Items Located at the District Office as Surplus and the Disposition or Sale of Surplus Items
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Adopt Resolution
13. **Resolution No. 10-002:** Consider a Resolution Designating Certain District Employees and the Calendar Year 2010 Board Chair as Authorized to Sign at First National Bank for the District's Payroll Account
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Adopt Resolution
14. **Resolution No. 10-003:** Consider a Resolution Approving Electronic Funds Transfers and Designating Employees Authorized to Initiate Electronic Funds Transfers and Notifying Monterey County Treasurer
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Adopt Resolution

15. Consider Request by Monterey County for Time Extension to Implement their \$38,775 AB2766 Grant (08-06) Funded Coordination of Traffic Signals on San Miguel Canyon Road
Reference: David Fairchild, Transportation/Air Quality Planner
Recommended Action: Approve request
16. Consider Request by Monterey-Salinas Transit for Time Extension to Implement \$40,000 AB2766 Grant (07-09) Funded Bus Rapid Transit Study
Reference: David Fairchild, Transportation/Air Quality Planner
Recommended Action: Approve request
17. Consider Approval of Recommended Appointments to the District's Advisory Committee
Reference: Ann O'Rourke, Executive Assistant
Recommended Action: Approve recommended appointments

REGULAR AGENDA

18. Consider Election of the Air Pollution Control District's Board of Directors' Chair and Vice Chair for the 2010 Calendar Year
Reference: Richard Stedman, APCO
Recommended Action: Elect the Board's Chair and Vice Chair for the 2010 Calendar Year
Director Pirie informed the Board that the Budget/Personnel/Nomination Committee had agreed to the following recommendations:
Nomination of Director Sam Storey as Chair
Nomination of Director Jane Parker as Vice Chair
 1. Upon motion of Director Calcagno, seconded by Director Campos, and unanimously carried, with Director Parker absent, the Board moved to close nominations.
 2. Upon motion of Director Pirie, seconded by Director Monaco, and unanimously carried, with Director Parker absent, the Board moved approval of Director Store as Board Chair and Director Parker as Board Vice Chair.

Outgoing Chair Salinas turned the meeting over to incoming Chair Storey, who conducted the remainder of the meeting.

19. Receive a Report on Impact of Cemex Closure on District
Reference: Richard Stedman, APCO
Recommended Action: Receive the Report
Receipt of Report only; no Board action required.

Public Comment:

- **Hans Jongens** expressed concern about the economic reasons for the Cemex's closure. The APCO assured the Board that, according to the facility, District permit fees were not the primary consideration in plant closure.
20. Consider Recommendations by Staff to the Board for Areas of Revenue Revision for FY 2010-11
Reference: Richard Stedman, APCO
Recommended Action: Approve staff recommendations.

It was the consensus of the Board to direct staff to continue analysis of potential revenue enhancement including research of direct costs recovery and the acceleration of payments on the District's office building.

Public Comment:

- **Hans Jongens** said fees should remain the same in order to economically aid businesses.

21. Consider Approval of Proposed Agency Reorganization

Reference: Richard Stedman, APCO

Recommended Actions:

1. *Approve creation of new Deputy Air Pollution Control Officer position.*
2. *Approve deletion of Compliance, Engineering and Planning/Air Monitoring Manager positions.*
3. *Approve meet and confer session with Union.*
4. *Provide input and direction on transition.*

Upon motion of Director Garcia, seconded by Director Pirie, and unanimously carried, with Director Parker absent, the Board moved to approve the recommended actions.

Public Comment:

- **Lance Ericksen, Engineering Manager**, asked the Board to consider restricting recruitment for a Deputy APCO to in-house.
- **Hans Jongens** indicated he supported for the proposed agency reorg.

Director Calcagno left the meeting prior to consideration of the remainder of the Agenda.

22. **Resolution No. 10-005:** Consider Budget and Personnel Committee Recommendations Regarding Criteria and Procedures for the Fiscal Year 2011 AB2766 Grant Program

Reference: David Fairchild, Transportation/Air Quality Planner

Recommended Action: Approve recommendations from Budget and Personnel Committee

Upon motion of Director Pirie, seconded by Director Salinas, and unanimously carried, with Directors Parker and Calcagno absent, the Board moved to approve recommendations 4, 5, and 6 as outlined in the report and further directed staff to bring recommendations 1, 2, and 3 back to the March 17, 2010 Board meeting for further consideration and to notify those who have applied within the past 2 years of the proposed changes and of that meeting.

Public Comment:

- **Hans Jongens** requested clarification as to where the money for the grant comes from.

Staff clarified on behalf of the Board that the District annually receives revenues generated by a \$4.00 surcharge on registration fees collected by the Department of Motor Vehicles (DMV) for motor vehicles registered within Monterey, San Benito and Santa Cruz counties.

The item below was previously addressed under Agenda Item No. 6

~~23. Receive an Informational Report From the Air Pollution Control Officer~~

~~*Reference: Richard Stedman, Air Pollution Control Officer*~~

~~*Recommended Action: Receive the Report*~~

CLOSED SESSION

24. The Board will meet in Closed Session pursuant to Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Air Pollution Control Officer.
25. Reconvene to Open Session and report on any actions taken by the Board in Closed Session.
The Board met in Closed Session; no reportable action taken.
26. Order for Adjournment
The meeting was adjourned at 3:00 p.m.

Respectfully Submitted,

Ann O'Rourke

Executive Assistant

