



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

Sam Storey, Chair

WEDNESDAY, MARCH 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 Storey at 1:30 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge was led by Vice Chair Parker.

3. ROLL CALL

PRESENT

Manuel Bersamin

Carmelita Garcia

Reb Monaco

Jane Parker

Ellen Pirie

Simon Salinas

Sam Storey

Steve Villegas

ABSENT

Lou Calcagno

Tony Campos

Richard Ortiz

4. PUBLIC COMMENT PERIOD – *Any person may address the Board during Public Comment Period.*

Comments must be addressed directly to the Board, should not exceed three minutes, must 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. Comments to staff must be made through the Board only who will then direct staff as it deems appropriate.

There were no comments from the public.

5. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS

None.

6. REPORT FROM THE AIR POLLUTION CONTROL OFFICER

Richard Stedman, Air Pollution Control Officer (APCO) reported on the following:

- **Attended meeting on March 16, 2010 of the North Coast Association in Davenport regarding the pending closure of the Cemex plant.**
- **District is developing a draft of bylaws for the Board using business rules in the Administrative Code as a guideline.**
- **EPA is disapproving the District's Rule 400 - Visible Emissions; will be revised and brought back for approval.**
- **Follow up to the AB2766 proposed guidelines presented to the Board at their February 17, 2010 meeting. District has moved forward with what was already in place and will not be lowering the emission estimates for bicycle related projects at this time.**
- **Highlights of draft of District budget for FY2010/11. Budget/Personnel/Nominating Committee meeting scheduled for today was cancelled due to lack of a quorum.**

- **District is considering various scenarios for refinancing its office building. Also looking into the possibility of paying off the mortgage.**
- **Working with CalPERS to incorporate a “Golden Handshake” option into the contract with the District.**
- **District has new employee evaluation form in place.**
- **Energy Alternative Solutions, one of the District’s debtors, had been rumored to be heading for bankruptcy. Currently it appears that the company will not need to go into receivership and will be able to pay their debt to the District.**

Resolution No. 10-006:

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.*

Upon motion of Director Monaco, seconded by Director Parker, and unanimously carried, the Board moved approval of items on the Consent Agenda.

7. Approve Summary of Actions for the February 17, 2009 Board of Directors Meeting
Reference: Ann O’Rourke, Executive Assistant
Recommended Action: Approve summary of actions.
8. Accept a Report on the Summary of Mutual Settlement Program Activities for the Month of February 2010
Reference: Ed Kendig, Compliance Manager
Recommended Action: Receive report.
9. Accept Budget Report for Period Ending on February 28, 2010
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Receive report.
10. Accept a Report on Eight Hour Average Ozone, PM_{2.5}, Hourly Average Ozone and PM₁₀ Air Monitoring Data for the Month of December 2009
Reference: Richard Stedman, APCO
Recommended Action: Receive report.
11. Accept a Report on District Activity for the Month of January 2010
Reference: Ed Kendig, Compliance Manager
Recommended Action: Receive report.
12. Confirm Chair’s Prior Approval of Air Pollution Control Officer’s Out-of-State Travel Request to Attend NACAA Meeting and 2010 NACAA/ EPA Retreat in Washington, D.C.
Reference: Richard Stedman, APCO
Recommended Action: Confirm Board Chair approval of the travel request.
13. Approve a Request by the City of Carmel-By-The-Sea for a Time Extension to Execute a Grant Agreement for AB2766 Grant 10-06 for \$85,000 to Operate Weekday Trolley Service for the Next Two Summers in that City
Reference: Dave Fairchild, Transportation/Air Quality Planner
Recommended Action: Approve request.

14. Approve a Request by Monterey County Agricultural Commissioner for a Time Extension for Two AB2766 Grant Agreements – 08-07 and 08-08 – Totaling \$267,000, to Implement Agricultural Vehicular Equipment Replacements in All Three Counties
Reference: Dave Fairchild, Transportation/Air Quality Planner
Recommended Action: Approve request.
15. Approve Recommended Appointments to District's Budget/Personnel/Nominating Committee
Reference: Richard Stedman, APCO
Recommended Action: Approve recommended appointments.
16. Approve Recommended Appointment(s) to the District's Advisory Committee
Reference: Richard A. Stedman, APCO
Recommended Action: Approve recommended appointments

REGULAR AGENDA

17. **Resolution No. 10-007:** Consider and Adopt Revisions to District Rule 1010 (Air Toxic Control Measure for Stationary Compression Ignition Engines)
Reference: Mike Sewell, Air Quality Engineer
Recommended Action: Adopt the Resolution for revisions to the rule.
Upon motion of Director Monaco, seconded by Director Salinas, and unanimously carried, the Board moved the recommended action.
18. Receive Report on District's On-Call Program and Provide Direction on Continuance or Termination
Reference: Richard Stedman, APCO
Recommended Action: Approve staff recommendations.
Upon motion of Director Pirie, seconded by Director Monaco, and unanimously carried, the Board moved to direct staff to return to the April 21, 2010 Board meeting with additional alternative options to the District's current on-call program.
19. **Resolution No. 10-008:** Adopt a Resolution Authorizing the Air Pollution Control Officer to Accept Funds and Administer the Carl Moyer Program for a Twelfth Year
Reference: Dave Fairchild, Transportation/Air Quality Planner
Recommended Action: Adopt the Resolution.
Upon motion of Director Pirie, seconded by Director Parker, and unanimously carried, the Board moved the recommended action.

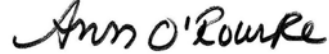
CLOSED SESSION

20. 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.

21. Reconvene to Open Session and report on any actions taken by the Board in Closed Session.
No reportable action.

22. Order for Adjournment
Upon motion of Director Monaco, seconded by Director Storey, and unanimously carried, the Board moved to adjourn the meeting at 2:35 p.m.

Respectfully Submitted,



Executive Assistant