



MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

BOARD OF DIRECTORS SPECIAL MEETING

WEDNESDAY, NOVEMBER 28, 2012 – 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 Muenzer at 1:32 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present

Jerry Muenzer, Chair

Neal Coonerty, Vice Chair

Maggie Bilich

Lou Calcagno

Carmelita Garcia

Fred Ledesma

Jane Parker

Ellen Pirie

Simon Salinas

Sam Storey

Absent

Steve McShane

4. RECOGNITION OF OUTGOING BOARD MEMBERS

On behalf of the Board, Richard Stedman, APCO, presented awards of appreciation to the following outgoing Board members.

- Ellen Pirie, Santa Cruz County Supervisor, Member of the Board 2001-2012; 2002 Board Vice Chair; 2003 Board Chair
- Carmelita Garcia, Mayor, City of Pacific Grove, Member of the Board 2009-2012
- Maggie Bilich, San Juan Bautista City Councilmember, Member of the Board 2010-2012

5. PUBLIC COMMENT PERIOD – None.

6. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS

- **Director Garcia** expressed appreciation to the Board and the District for the pleasure of serving on the Board.
- **Maggie Bilich** expressed appreciation to the Board and the District for the pleasure of serving on the Board.

7. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS

a. Budget, Personnel, and Nominating Committee

- **Director Storey, Chair**, reported on the Committee meeting held prior to today's Board meeting:
 - Received Draft Financial Statements and Independent Audit Report for the Year Ended June 30, 2012 from Hayashi & Wayland and recommended it be brought to the Board for review.

- Directed Air Pollution Control Officer (APCO) to Develop New Management At-Will Position to Provide Oversight to Engineering and Compliance Divisions
 - Received Monterey County's Treasurer's Report of Investments for the Quarter Ended September 30, 2012
- b. Advisory Committee
- **Richard Stedman, APCO**, on behalf of Advisory Committee Chair, reported on the Committee meeting held on November 1, 2012:
 - **Received** an Informational Report from Patrick Mathews, General Manager, Salinas Valley Solid Waste Authority on Status of Exploration of Waste Conversion Technology at Johnson Canyon Landfill in Gonzales, California
 - **Received** an Informational Report on Possibility of Fracking in San Benito County
8. REPORT FROM AIR POLLUTION CONTROL OFFICER
- Richard Stedman, APCO**, reported on the following
- District had a booth at Ag Expo in Monterey this month.
 - Running PSAs on radio KUSP concerning woodstove and back yard burning
 - Classification and Compensation Study is underway performed by Koff & Associates.
 - All Staff Off-Site Training Day was held November 8, 2012 at Seascape Golf Course in Aptos.
 - Working to finalize contract with BAAQMD to receive approximately \$190,000 from CEC to prepare an EV readiness plan for District's jurisdiction.
 - Probability EPA to grant \$50K to District in support of woodstove change-out program.
 - Online permit system up and running.
 - Start of burn season on December 1, 2012.
 - Rule 426 Compliance Advisory
 - Due to District's IT contractor locating a number of unused phone lines, District has new contract with AT&T resulting in approximately \$1,000 a month in savings.
 - PG&E conducting energy audit of building to determine if District is eligible for grants to install energy-saving fixtures.
 - Recently interviewed two well qualified candidates for the new Computer Systems Analyst position and hope to extend an offer of employment soon.

CONSENT AGENDA

Upon motion of Director Salinas and seconded by Director Coonerty the Board moved approval of the Consent Agenda with exception of Agenda Item No. 12 which was pulled for discussion by Director Parker and considered separately from the remainder of the Consent Agenda.

9. **Accepted and Filed** Summary of Actions for the October 17, 2012 Board of Directors Meeting

10. **Accepted and Filed** Budget to Actual Report for Four Months Ending October 31, 2012

11. **Accepted and Filed** Report on Daily Eight-Hour Peak Ozone Concentrations, Hourly Peak Ozone Concentrations, PM2.5 and PM10 Air Monitoring Data for Month of August 2012

The item below was pulled for discussion by Director Parker and considered separately from the remainder of the Consent Agenda as the first item on the Regular Agenda.

~~12. Accept and File District Activity Report for the Month of September 2012~~

~~— Reference: Teresa Sewell, Supervising Inspector Compliance Division~~

~~— Recommended Action: Accept and file report.~~

13. **Accepted and Filed** Report of Summary of Mutual Settlement Program Actions for Month of October 2012

14. **RESOLUTION NO. 12-022: Adopted** a Resolution Adopting an Amendment to the Monterey Bay Unified Air Pollution Control District Flexible Benefits Plan Effective January 1, 2013 in Accordance With the Changes to Internal Revenue Code Section 125(i)

15. **RESOLUTION NO. 12-023: Adopted** a Resolution Authorizing the Administrative Services Manager to Declare Certain Items Located at the District Office as Surplus and Authorizing the Disposition, Sale or Donation of Surplus Items

REGULAR AGENDA

The item below was pulled from the Consent Agenda for discussion by Director Parker and considered separately from the remainder of the Consent Agenda.

12. **Accepted and Filed** District Activity Report for the Month of September 2012

Upon motion of Director Parker and seconded by Director Coonerty the Board moved to accept and file the report.

16. **Received** an Oral Informational Report on Controlled Burns
No action required.

17. **Received** an Oral Informational Report on Visit to Foster Farms to Investigate Nuisance Complaint
While no formal action was required or taken on this item, the Board requested staff to:

- **Monitor situation and return to the Board with a status update; and**
- **Forward a request to the San Benito County Planning Commission to provide input and recommendation.**

Public Comment

- **Mike Cullinan and Rich Behrami** provided public comment on the nuisance issues regarding the item.

18. **Received** an Oral Informational Report on Santa Cruz Crematorium
No action taken.

Public Comment

- **Craig Rowland** provided public comment on the item.

19. **Received** an Informational Report on San Lorenzo Valley Smoke Management
No action taken.

20. **Approved** 2013 Meeting Schedule for District Board of Directors

Upon motion of Director Pirie and seconded by Director Coonerty the Board moved to approve the 2013 Board meeting schedule using currently used format.

CLOSED SESSION

21. The Board **met** in Closed Session pursuant to Government Code section 54950, relating to the following item(s):

- a. Pursuant to Government Code section 54956.9 (b), the Board will **met** in closed session with the General Counsel to discuss one matter of significant exposure to litigation.
No reportable action.
- b. Pursuant to Government Code section 54957 (b), the Board **met** in closed session to provide a performance evaluation of the Air Pollution Control Officer.
No reportable action.

22. Adjournment – **The meeting was adjourned at 3:42 p.m.**

Ann O'Rourke
Executive Assistant