



MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT
BOARD OF DIRECTORS MEETING

WEDNESDAY, DECEMBER 19, 2012 – 1:30 P.M.

24580 Silver Cloud Court, Board Room, 3rd Floor, Monterey, California

Summary of Actions

1. CALL TO ORDER – Chair Muenzer called the meeting to order at 1:40 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present

Jerry Muenzer, Chair

Neal Coonerty, Vice Chair

Lou Calcagno

Fred Ledesma

Steven McShane

Jane Parker (arr. 2:15)

Ellen Pirie

Sam Storey

Absent

Simón Salinas (C)

Note: Maggie Bilich and Carmelita Garcia absent due to terms of public office expiration prior to date of meeting.

Upon motion of Director Calcagno and seconded by Director McShane, with Director Parker absent, the Board moved to add Agenda Item No. 20b. (Closed Session) to today's agenda.

4. RECOGNITION OF DISTRICT STAFF LONGEVITY MILESTONES

The following District Staff were recognized for longevity in terms of employment:

20th Year Anniversary

- Mary Giraudo
- Mike Sewell
- Teresa Sewell
- Julia Duran
- David Frisbey

5th Year Anniversary

- Eugene Mason

5. PUBLIC COMMENT PERIOD – **None.**

6. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS

- Directors Muenzer and Calcagno expressed appreciation to outgoing Director Pirie for her years of service on the District's Board of Directors.
- Director Pirie thanked the Board and staff and further noted that she had enjoyed her term of service.

7. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS

a. Budget, Personnel, and Nominating Committee

- Director Storey, Committee Chair reported on the meeting held just prior to the Board meeting that day:

- Received site survey and American with Disabilities Act (ADA) Evaluation Report and further directed staff to bring to the Board of Directors a more detailed improvement plan which both shows the inclusion of AMBAG staff and indicates what changes would not need to include AMBAG.

b. Advisory Committee

- **Richard Stedman, APCO**, reported on behalf of the Committee Chair:
 - No meeting held in December.

8. REPORT FROM AIR POLLUTION CONTROL OFFICER

- **Richard Stedman, APCO**, reported on the following:
 - District Outreach
 - Participated in Monterey Bay Aquarium Community Day
 - Sponsored talk on Energy Security at the Monterey Institute for International Studies
 - APCO Attended Demolition Ceremonies at Camp Roberts
 - Held an Open House in San Lorenzo Valley
 - Rule 426 – Architectural Coatings
 - District will be coming to Board to suspend Rule for eight months and return with a new Rule 440, in order to paint suppliers time to come into compliance.
 - Personnel
 - Offer of employment made to top candidate for the new Computer Systems Analyst Position. However, the candidate declined due to another offer.
 - Public Employee Pension Reform Act now in place.
 - Provided legislative update.
 - District Hearing Board held a long term variance hearing on Docket No. 12-009 – Chevron USA, Inc.
 - APCO attended Community Choice Aggregation meeting in Santa Cruz County
 - Staff completing letter to Foster Farms in San Benito County regarding odor complaints.

CONSENT AGENDA

Upon motion of Director Pirie and seconded by Director McShane, with Director Parker absent, the Board moved approval of the Consent Agenda except as noted below.

The item below was pulled by Director Muenzer and moved to the beginning of the Regular Agenda for separate consideration.

~~9. Accept and File Summary of Actions for the November 28, 2012 Board of Directors Meeting~~

10. **Accepted and Filed** Budget to Actual Report for Five Months Ending November 30, 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 September 2012

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

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

14. **RESOLUTION NO. 12-024: Adopted** a Resolution Authorizing the Air Pollution Control Officer to Apply for Funding, Accept Funding and Administer the Carl Moyer Program Year 15

The item below was pulled by Director McShane and moved to the beginning of the Regular Agenda for separate consideration.

- ~~15. Adopt a Resolution Authorizing the Air Pollution Control Officer to Enter Into an Agreement with the Bay Area Air Quality Management District for the Period January 1, 2013 Through May 15, 2014 to Develop a Comprehensive Electric Vehicle Readiness Program for the Monterey Bay Region~~

REGULAR AGENDA

The item below was pulled by Director Muenzer and moved to the beginning of the Regular Agenda for separate consideration.

9. **Accepted and Filed** Summary of Actions for the November 28, 2012 Board of Directors Meeting
Upon motion of Director Coonerty and seconded by Director McShane, with Director Parker absent, the Board moved approval with direction to staff to include Public Comment and direction to staff on Agenda Item No. 17 of that Agenda.

The item below was pulled by Director McShane and moved to the beginning of the Regular Agenda for separate consideration.

15. **RESOLUTION NO. 12-025: Adopted** a Resolution Authorizing the Air Pollution Control Officer to Enter Into an Agreement with the Bay Area Air Quality Management District for the Period January 1, 2013 Through May 15, 2014 to Develop a Comprehensive Electric Vehicle Readiness Program for the Monterey Bay Region
Upon motion of Director McShane and seconded by Director Pirie, with Director Parker absent, the Board moved approval.

The Board agreed by consensus to move Agenda Item No. 17 ahead of Agenda Item No. 16 to allow a member of the Board, who needed to leave the meeting, an opportunity to consider the item.

17. **Approved** New Management Position, Job Description, and Pay Range for the Position of Engineering and Compliance Manager and Approve a FY 2012-13 Budget Adjustment for the New Position
Upon motion of Director Parker and seconded by Director Storey the Board moved approval.
16. **Received** Financial Statements and Independent Audit Report for the Year Ended June 30, 2012 from Hayashi & Wayland
Received the report; no action taken.
18. **Received** an Informational Report on Crematories Affected by the Hot Spots Program and
Provided Direction to Staff
The Board received the report and directed staff to develop a timeline of progress in resolving the issue and to report back to the Board as a regular monthly agenda item.
19. **Received** an Informational Report on San Lorenzo Valley Smoke Management and **Provided Direction** to Staff
Received the report; no action taken.

CLOSED SESSION

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

- a. Pursuant to Government Code section 54957.6, **the Board conferred** with its labor negotiator in closed session regarding meet and confer issues.
District Representative: Richard Stedman, APCO
Employee Organization: SEIU Local 521
Appropriate direction was given to staff.
- b. Pursuant to Government Code section 54956.9 (b), **the Board met** in closed session with the General Counsel to discuss one matter of significant exposure to litigation.
No reportable action.

21. Adjournment – **Chair Muenzer adjourned the meeting at 3:42 p.m.**

Ann O'Rourke
Executive Assistant