



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

**FRED LEDESMA, CHAIR**

**WEDNESDAY, FEBRUARY 18, 2015 – 1:30 P.M.**

**24580 Silver Cloud Court, Board Room, 3<sup>rd</sup> Floor, Monterey, California**

## **AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ELECTION OF 2015 BOARD CHAIR AND VICE CHAIR
5. 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 who will then direct staff as it deems appropriate. Copies of materials must number no less than twelve and given to the Clerk for distribution.*
6. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS
7. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS
  - a. Budget, Personnel, and Nominating Committee
  - b. Advisory Committee
8. REPORT FROM AIR POLLUTION CONTROL OFFICER

### **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.*

9. [Accept and File Summary of Actions for the December 17, 2014 Board of Directors Meeting](#)  
*Reference: Ann O'Rourke, Executive Assistant*  
*Recommended Action: Approve summary of actions.*
10. [Accept and File Budget to Actual Report for Seven Months Ended January 31, 2015](#)  
*Reference: Joyce Giuffre, Administrative Services Manager*  
*Recommended Action: Accept and file report.*

11. [Accept and File Report on Daily Eight-Hour Peak Ozone Concentrations, Hourly Peak Ozone Concentrations, PM2.5 and PM10 Air Monitoring Data for the Month of December 2014](#)  
*Reference: Mike Gilroy, Deputy APCO*  
*Recommended Action: Accept and file report.*
12. [Accept and File Report on Daily Eight-Hour Peak Ozone Concentrations, Hourly Peak Ozone Concentrations, PM2.5 and PM10 Air Monitoring Data for the Month of January 2015](#)  
*Reference: Mike Gilroy, Deputy APCO*  
*Recommended Action: Accept and file report.*
13. [Accept and File Compliance Division Activity Report for Months of November and December 2014](#)  
*Reference: Teresa Sewell, Supervising Inspector Compliance Division*  
*Recommended Action: Accept and file report.*
14. [Accept and File Engineering Division Activity Report for Months of September and October 2014](#)  
*Reference: Jaime Hernandez, Engineering/Compliance Manager*  
*Recommended Action: Accept and file report.*
15. [Accept and File Summary of Mutual Settlement Program Actions Report for Months of December 2014 and January 2015](#)  
*Reference: Teresa Sewell, Supervising Inspector Compliance Division*  
*Recommended Action: Accept and file report.*
16. [Approve Fiscal Year 2014-15 Budget Revisions per Attached Schedule A](#)  
*Reference: Joyce Giuffre, Administrative Services Manager*  
*Recommended Action: Approve adjustments.*
17. [Approve Out-of-State Travel Request for Air Pollution Control Officer \(APCO\) to Attend National Association of Clean Air Agencies' \(NACAA\) 2015 Board of Directors and Committee Chair Winter Meeting in Orlando Florida](#)  
*Reference: Richard Stedman, APCO*  
*Recommended Action: Approve request.*
18. [Approve Amendment to Employment Agreement for District Air Pollution Control Officer](#)  
*Reference: Richard Stedman, APCO*  
*Recommended Action: Approve amendment.*

<b>REGULAR AGENDA</b>
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19. [Appoint Three \(3\) Members of the Board of Directors to District Budget/Personnel/Nominating Committee to Replace Outgoing Members Per Recommendation of the Committee](#)  
*Reference: Richard Stedman, APCO*  
*Recommended Action: Appoint three Board members to the Committee per recommendation.*

20. [Receive a Presentation on Changes in District Fee Structure and Provide Direction to Staff](#)

*Reference: Jaime Hernandez, Engineering/Compliance Manager*

*Recommended Action: Receive presentation and provide direction to staff.*

<b>CLOSED SESSION</b>
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21. The Board will meet in Closed Session pursuant to Government Code section 54950, relating to the following item(s):

- a. Pursuant to Government Code section 54956.9 (d) (1), three matters of pending litigation:
  - i) SEIU Local 521 v. MBUAPCD, PERB Charge No. SA-CE-1280-M
  - ii) Michael Sewell, et al. v. MBUAPCD, Monterey County Superior Court Case No. M130853
  - iii) Bankruptcy of Energy Alternative Solutions, Inc., U.S.D.C. Case No. 13-56583 (Chapter 7)
- b. Pursuant to Government Code section 54956.9 (d) (2), one matter of significant exposure to litigation.
- c. Pursuant to Government Code section 54957.6, the Board will confer with its labor negotiators in closed session regarding labor negotiations.  
District Representatives: Joyce Giuffre, District Administrative Services Manager; and  
Rosa Rosales, Admin & Fiscal Specialist; and  
Thomas R. Manniello, Esq. of Lozano Smith  
Employee Organization: SEIU Local 521

22. Adjournment

**NEXT REGULAR SCHEDULED MEETING IS MARCH 18, 2015**

This meeting is open to the public and all interested persons are welcome to attend. MBUAPCD does not discriminate against individuals with disabilities and meetings are held in accessible facilities. To request an accommodation or alternative format under the Americans with Disabilities Act for meetings, events or printed materials, please call (831) 647-9411 or fax a request to (831) 647-8501.