

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-6

Urgent

Routine

AGENDA DATE August 31, 2010

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Appointment of Pamela Neronha to the San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee (CAC)

STAFF RECOMMENDATIONS:

Appoint Pamela Neronha to the San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee (CAC) as the alternate member to a term ending on January 31, 2011.

Contact person: Christine Ferraro Tallman, Clerk of the Board

Telephone: 525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-537

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT



May 18, 2010

To: BOS
FYI

BOARD OF SUPERVISORS
2010 MAY 21 A 11:51

Christine Ferraro Tallman
Clerk to the Board of Supervisors
Stanislaus County
1110 Tenth Street, Suite 6700
Modesto, CA 95354

RE: San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee (CAC) Environmental Interest Group Primary and Alternate Members for Stanislaus County

Dear Ms. Ferraro Tallman:

Pursuant to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) Amended Resolution dated August 12, 2009 establishing the Citizens Advisory Committee (CAC), primary and alternate members are required for all CAC positions. The current CAC membership vacant is the alternate Environmental Interest Group Representative.

We respectfully request the Stanislaus County Board of Supervisors appoint an alternate member for the Environmental Interest Group at the earliest possible date.

The new term for this member would be through January 31, 2011.

When you complete the appointment process, please notify the District of the new appointments with the appropriate contact information at your earliest convenience. CAC meetings occur on the first Tuesday of every month excluding July and November. The meetings usually begin at 10:00 a.m. and run until noon. The meetings are held via the District's Video Teleconferencing (VTC) System. The CAC meetings are webcast. The meetings will be held at the Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) included VTC

Please feel free to contact me at (559) 230-6038 if you have any questions.

Cordially,

Angelina DeSantiago
Clerk to the Boards

Enclosed – Amended Resolution (Dated: 08-12-09)

BEFORE THE GOVERNING BOARD OF ~~THE~~ MAY 21 ' A 11:51
SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

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IN THE MATTER OF:
TO ESTABLISH THE CITIZENS
ADVISORY COMMITTEE

RESOLUTION NO. 08-12-09

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District, hereinafter the "District," has been formally established under the Agreement dated the 20th day of March, 1991, with subsequent amendments, hereinafter the "Agreement," by the Boards of Supervisors of the eight (8) counties of the San Joaquin Valley, hereafter "Valley," signatories thereto, and,

WHEREAS, the Agreement requires the formation of an Advisory Committee, which will be called the Citizens Advisory Committee, hereinafter the "CAC," for the purpose of receiving public comments relating to the actions and decisions of the District, and to assist the District in effecting the purpose of the Agreement, and

WHEREAS, the District's predecessor organization, the San Joaquin Valley Air Basin Authority, had previously established a similar Advisory Committee, called the Citizens Advisory Board, hereafter "CAB," which functioned in a similar manner, and

WHEREAS, the District desires to continue the organization and functioning of the CAB,

NOW, THEREFORE, the District herein resolves that the Citizens Advisory Committee shall be formed and administered as follows:

- MEMBERSHIP.** Each Board of Supervisors of the eight (8) member counties shall appoint two (2) members to the CAC. One (1) member shall represent agriculture or other industry and one (1) member shall represent environmental interest groups. Formal written notice from each Board of Supervisors to the District designating their appointees by names shall constitute appointment to the CAC by that Board. A City

1 Selection Committee organized in each County of the Valley pursuant to Article II
2 (commencing with s50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the
3 Government code shall each appoint one (1) member to represent cities of that County.
4 Formal written notice from each City Selection Committee to the District documenting its
5 authority and designating its appointee by name shall be accepted by the District as
6 appointment to the CAC. Each appointing body shall appoint an alternate member for
7 each primary member appointed. An alternate member so appointed shall serve the
8 same term and meet the same qualifications as the primary member for which they are
9 appointed, and in the absence of the primary member, exercise the rights of the primary
10 member. Current members and alternate members of the CAC previously appointed by
11 either Boards of Supervisors or City Selection Committees shall be considered to
12 automatically become members and alternate members, respectively, of the CAC.

12 **2. MEMBERSHIP QUALIFICATIONS.** CAC members must be bona-fide residents
13 of any County within the District. Current voter registration and residential mailing
14 address, inter alia, may be considered as evidence of residence. Determination of
15 residence shall be at the sole discretion of the voting membership of the District's
16 Governing Board. In addition, CAC members shall be qualified as follows:

16 A. Members appointed by City Selection Committees may be persons duly
17 elected to a public office.

18 B. Agriculture or Industry members appointed by the respective Boards of
19 Supervisors shall be representatives of legally established private enterprises operated
20 for monetary profit within the Valley.

21 C. Environmental members appointed by the respective Boards of
22 Supervisors shall be representatives of recognized environmental interest groups.

23 D. Members shall demonstrate interest by attending CAC meetings. Failure
24 to attend three consecutive CAC meetings or 50% of the CAC meetings in one year's
25 time without excuse, shall be cause for disqualification. In those cases where an
26 appointing authority has appointed an alternate member, that alternate member's
27 attendance shall constitute attendance by the primary member. Granting excuse for
28 attending CAC meetings shall be at the sole discretion of the CAC Chair.

1 **3. TERMS.** Initial members appointed by each City Selection Committee shall serve
2 terms of one (1) year from date of appointment. Initial Environmental members
3 appointed by each Board of Supervisors shall serve terms of two (2) years from date of
4 appointment. Initial Industry/Agricultural members appointed by each Board of
5 Supervisors shall serve terms of three (3) years from date of appointment. All
6 subsequent appointments shall be for terms of three (3) years. CAC members may be
reappointed to successive terms by their respective appointing bodies.

7 **4. LEADERSHIP ORGANIZATION OF THE CITIZENS ADVISORY COMMITTEE.**

8 The CAC Chair shall be selected by recorded majority vote of the CAC and serve a term
9 of two (2) years. Should the CAC be unable to elect a succeeding Chair prior to
10 expiration of a Chair's term, the succeeding Chair shall be appointed by the District.

11 **5. DUTIES AND AUTHORITY OF THE CAC CHAIR.** The Chair shall determine the
12 date, time, and place of CAC meetings, prepare the meeting agenda, and ensure that
13 CAC members are properly notified. Additionally, the Chair shall conduct CAC meetings
14 under Robert's Rules of Order or other rules which, from time to time, may be adopted
by a majority vote of the CAC.

15 **6. SUB-COMMITTEE ORGANIZATION OF THE CITIZENS ADVISORY**

16 **COMMITTEE.** The CAC shall form itself into three (3) Interest Sub-Committees. These
17 sub-committees shall be known as the Industry/Agriculture Interest Sub-Committee, the
18 Environmental Interest Sub-Committee, and the City Interest Sub-Committee. Each
19 Interest Sub-Committee shall consist of eight (8) members appointed to represent
20 Industry/Agriculture, Environment, or Cities, respectively. Each Interest Sub-Committee
21 shall be chaired by a CAC member selected by a majority vote of members of its
22 respective Interest Sub-Committee. The CAC Chair may appoint other sub-committees
23 to address specific issues and to present their findings back to the entire CAC.

24 **7. DUTIES AND AUTHORITY OF CAC INTEREST SUB-COMMITTEE CHAIRS.**

25 Interest Sub-Committee Chairs may call meetings of their respective Interest
26 Subcommittees at their discretion. The Interest Sub-Committee Chair of the Interest
27 group providing the CAC Chair shall be designated as Vice Chair of the CAC and
28 function as CAC Chair in his or her absence.

1 **8. EXECUTIVE COMMITTEE OF THE CITIZENS ADVISORY COMMITTEE.** The
2 CAC Chair and Chairs of the three (3) Interest Sub-Committees shall constitute the
3 Executive Committee of the Citizens Advisory Committee. The Executive Committee
4 shall meet at the discretion of the CAC Chair. Such meetings shall be properly noticed
5 to include agenda with action items and available to any person requesting notification.

6 **9. OPERATION OF THE CITIZENS ADVISORY COMMITTEE.** The District desires
7 that policy recommendations by the CAC to the District reflect consensus and
8 endorsement of the three (3) Sub-Committees. To that end, the Interest Sub-
9 Committees are expected to exercise professional courtesy, diligence, and compromise
10 to the maximum extent possible. CAC and Interest Sub-Committee Chairs shall provide
11 sufficient notice of meeting dates, times, place, and agenda to all CAC members to
12 ensure maximum attendance and participation. Members of the CAC shall require a
13 quorum of at least nine (9) members with at least 3 members present from each Interest
14 Sub-Committee. Actions by the CAC shall require a majority vote of the members
15 present from each Interest Sub-Committee with at least 3 votes from each Interest Sub-
16 Committee in support of the action. Meetings of the Interest Sub-Committees shall
17 require a quorum of at least fifty percent (50%) of the members appointed, plus one.
18 Actions by the Interest Sub-Committees shall require the vote of the majority of those
19 present in support of the action. All meetings of the CAC, the Interest Subcommittees,
20 all other sub-committees, and the CAC's Executive committee, shall be open to the
21 public. CAC meetings, activities, notices, and agendas are subject to the requirements
22 of the Ralph M. Brown Act (s54950, et. seq.).

23 **10. CAC SECRETARY.** The Clerk of the Boards of the District shall serve as CAC
24 Secretary. The Secretary shall maintain the CAC membership roster, arrange CAC
25 meetings, distribute notices and minutes of CAC meetings, serve as Recorder of CAC
26 meetings, and maintain records of CAC meetings minutes.

27 **11. CAC MEETINGS AGENDAS.** Meeting agenda items may be submitted only by
28 CAC members, the Executive Director/APCO of the District, or the Chair of the
Governing Board of the District. Agenda items shall be transmitted either verbally or in
writing to the Secretary at least fifteen (15) calendar days prior to CAC meetings.
Meeting agendas shall be posted in a place accessible to the public at least seventy-two

1 (72) hours before a regular meeting, showing the time and location of the meeting and a
2 brief description of each item on the agenda. A matter not on the agenda may be added
3 as provided by law, discussed, and voted on, provided at least two-thirds (2/3) of the
4 CAC members vote affirmatively that the need to take action arose subsequent to the
5 agenda being posted. If less than two-thirds (2/3) of the CAC members are present, a
6 unanimous vote is required to add an item to the agenda. On agenda items coming to a
7 vote, affirmative action shall require a majority of members present. Votes of the CAC
8 shall be recorded in the minutes. A roll call vote shall be recorded upon request by any
9 CAC member present. When requested by any CAC member, the Secretary shall
10 record in the minutes specific remarks that serve to clarify any member's position on
11 matters voted on by the CAC.

11 **12. MEETINGS.** Regular CAC meetings shall be scheduled monthly. Notices of
12 meetings shall be mailed to any person so requesting at least one (1) week prior to the
13 meeting. Special meetings of the CAC may also be scheduled as provided by law. All
14 meetings of the CAC shall be held within the District.

15 **13. ADMINISTRATIVE SUPPORT FOR THE CAC.** In addition to providing the CAC
16 Secretary, the Executive Officer/APCO shall provide to members of the CAC upon
17 request copies of technical documents, research, reports, requests for proposals, and
18 other related documents as may reasonable be available.

19 **14. TERMINATION OF CAC MEMBERSHIP.** CAC members shall serve at the
20 pleasure of their respective appointing bodies. CAC membership may be terminated by
21 action of the member or formal action of the body making the appointment of that
22 member, or upon written notification by the CAC Chair that the member has failed to
23 attend three consecutive CAC meetings or 50%, of meetings in one year's time, without
24 excuse. CAC membership shall cease on the date of such action and the appointing
25 body shall appoint a new member to fill the remaining term of the terminating member.
26 The CAC Secretary shall notify the appointing authority within 30 days of each vacancy.

27 **15. VOLUNTARY SERVICE CONDITION OF CAC MEMBERSHIP.** The CAC
28 membership shall be voluntary in all respects and without any remuneration of any kind,
except that CAC members may be reimbursed for specified expenses at the sole
discretion of the District. CAC members shall not be considered employees of the

1 District, nor shall CAC members be authorized to bind the District, its officers, agents, or
2 employees in any way.

3 **16. CHANGES.** Changes to this Resolution shall be made only after approval of the
4 change by a majority vote of the voting membership of the District's Governing Board.

5 **THE FOREGOING** was passed and adopted by the following vote of the
6 Governing Board of the San Joaquin Valley Unified Air Pollution Control District this
7 18th day of December, 2008 wit:

8 **AYES:** Watson, Telles, Case, Nelson,
9 Dominici, Barba, O'Brien, Worthley,
10 **NOES:** Vierra, Ornellas

11 **ABSENT:** Forman, Perea
12


13
14 SAN JOAQUIN VALLEY UNIFIED
15 AIR POLLUTION CONTROL DISTRICT

16
17 BY


18 Leroy Ornellas, Chair
19 Governing Board

20 **ATTEST:**
21 Clerk to the Governing Board

22 By


23 Angie DeSantiago
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