

San Joaquin Valley Special City Selection Committee

MEETING

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA.

AGENDA

Monday, August 31, 2009 - 6:00 p.m.

Meeting held via video teleconference (VTC) at the offices of the San Joaquin Valley Air Pollution Control District: Central Region Office (Fresno), Northern Region Office (Modesto), and Southern Region Office (Bakersfield).

All meeting attendees are advised that all pagers, cellular telephones and any other communication devices should be powered off upon entering the Governing Board Room or VTC Rooms, as these devices interfere with our audio equipment.

Any member of the public may address the Committee during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of three minutes per speaker unless, for good cause, the Chair grants a longer period of time.

- To request special accommodations for those persons with disabilities please contact the Clerk to the Board at (559) 230-6000 at least 7 days prior to the meeting date.
- The Committee relies on the credibility of witnesses and the veracity of testimony on matters brought before this Committee for action.
- Please print your name clearly on the Sign-in Sheet at the entrance.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVE ACTION SUMMARY MINUTES OF MARCH 31, 2009

4. ADOPT ROBERT'S RULES OF ORDER

5. APPOINT CITY REPRESENTATIVES TO THE DISTRICT GOVERNING BOARD

6. PUBLIC COMMENT - *This time is made available for comments from the public on matters within the Committee's jurisdiction that are not on the Agenda. It is requested that no comments be made during this period on items on the Agenda. The public may make comments on each Committee Agenda Item during the time allowed for public comment. Attention is called to the fact that the Committee is prohibited by law from taking any action on matters discussed that are not on the Agenda.*

7. COMMITTEE MEMBERS COMMENTS

8. ADJOURN

Action Summary Minutes

SAN JOAQUIN VALLEY SPECIAL CITY SELECTION COMMITTEE

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno CA

Tuesday, March 31, 2009

6:00 p.m.

Meeting held via video teleconferencing at the offices of the San Joaquin Valley Air Pollution Control District: Central Region Office (Fresno), Northern Region Office (Modesto), and Southern Region Office (Bakersfield).

1. CALL MEETING TO ORDER:

The Chairman of the Special City Selection Committee, Chris Vierra, called the meeting to order at 6:05 p.m.

2. ROLL CALL:

Present:

Steve Abercrombie*	City of Tracy
Ed Alves	City of Escalon
Jerry Antonetti	City of Dos Palos
Jim Avalos	City of Selma
David G. Ayers	City of Hanford
Leonel Benavides	City of Farmersville
Anita Betancourt	City of Reedley
Sally J. Bompreszi	City of Madera
Amy Bublak	City of Turlock
John Carlisle	City of Merced
Greg Collins	City of Visalia
Nelson Crabbe	City of Atwater
Thom Crowder	City of Hughson
Rick Darling	City of Fowler
Tom Dunlop	City of Oakdale
Dominic Farinha	City of Patterson
John Flores	City of Mendota
Rich Ford	City of Gustine
Raul Gonzales	City of Woodlake
Julia Hernandez	City of San Joaquin
Glenda Hill**	City of Orange Cove
Bob Johnson	City of Lodi

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
March 31, 2009

Dave Karstetter	City of Kingsburg
Janice Keating	City of Modesto
Pamela Kimball	City of Lindsay
Dennis Martin	City of McFarland
Pedro Martinez	City of Porterville
Terry McKittrick	City of Dinuba
Juan Montano	City of Parlier
Garry Nelson	City of Shafter
Elden "Red" Nutt	City of Ripon
Robert Oliver	City of Lathrop
Dagoberto Ovalle	City of Avenal
John Plourde	City of Lemoore
Victor Ruiz***	City of Sanger
Marcia Sablan****	City of Firebaugh
Zack Scrivner	City of Bakersfield
Cynthia Sterling*****	City of Fresno
Tim Tarver	City of Arvin
Grace Vallejo	City of Delano
Mike VanWinkle	City of Waterford
Craig Vejvoda	City of Tulare
Chris Vierra	City of Ceres
Mike Villalta	City of Los Banos
Jim Wadsworth	City of Corcoran
Jeffrey Westenberger	City of Maricopa
Bob Whalen	City of Clovis
Dave White	City of Riverbank
Justin White	City of Chowchilla

*Arrived at 6:30 p.m.

**Arrived at 6:15 p.m.

***Arrived at 6:19 p.m.

****Arrived at 6:37 p.m.

*****Arrived at 6:17 p.m.

3. APPROVE ACTION SUMMARY MINUTES OF JANUARY 29, 2009 –
The Action Summary Minutes for the meeting of January 29, 2009 were approved as submitted.

4. ADOPT A ROTATION SCHEDULE FOR CITY APPOINTMENTS TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD – Seyed Sadredin, APCO/Secretary to the Special City Selection Committee, gave the presentation on Rotation Schedules A through J, designating the counties from which the city appointments to the Governing Board of the San Joaquin Valley Air Pollution Control District will be made. Mr.

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
March 31, 2009

Sadredin outlined the complex formula for appointing new Governing Board Members according to Health & Safety Code Section 40600(c) (2), which specifies that three of the city council members will be from cities with a population less than 100,000, with one member selected from the Northern Region, one from the Central Region, and one from the Southern Region of the District. The other two city council members appointed will be from cities having a population of 100,000 or more. Additionally, no more than one city council member from each county can be appointed. The Governing Board members will serve a three year term. There are currently four vacant seats on the District Governing Board.

Mr. Sadredin explained he adhered to the following guiding principles in preparing Schedules A through I:

1. Fair rotation allowing participation by all regions, counties, and cities over time.
2. Satisfy all legal requirements
3. Orderly transition

Mr. Sadredin made no representation with respect to Rotation Schedule J prepared by Mr. Vejvoda, City of Tulare.

Public Comment – *The following persons provided testimony on this item:*

- Stephen Qualls, League of California Cities

Member Comments:

Northern Region Office (Modesto) – Mr. Johnson, City of Lodi, commented on the guiding principle presented at January's City Selection Committee meeting which stated: "Start with large cities with no prior membership on the Governing Board". He noted this didn't seem to be reflected in these Rotation Schedules. Mr. Sadredin noted at this time there are nine options, some of which will reflect this guiding principle. Mr. Ford, City of Gustine, stated because Stockton and Visalia have not been represented on the SJVAPCD Governing Board previously, he favors Rotation Schedule C.

Central Region Office (Fresno) – Mr. Ruiz, City of Sanger, reiterated his desire to have the small cities from Fresno County to go first by adopting Rotation Schedules D or E. Mr. Coleman, City of Visalia, noted Visalia has not served on the Governing Board along with Stockton, therefore he stated Schedules B and C seems to make a lot of sense. Mr. Ayers, City of Hanford, stated he feels Schedule C is a reasonable proposal. Mr. Karstetter, City of Kingsburg, stated it is important for small cities to have representation on the Governing Board as they will be dealing with many agricultural issues in the near future and urged

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
March 31, 2009

members to vote for Schedule D or Schedules, G, I or J. Mr. Vejvoda, City of Tulare asked that Schedule J be pulled from consideration as he feels that Schedules A through I may serve the needs better. Mr. Avalos, City of Selma noted any of these schedules will be fair and will start the Governing Board in the right direction. Chairman Vierra noted that 2012 – 2014 will be very exciting and challenging years for the Board and its members who will begin their rotation at a later date. Ms. Sterling, City of Fresno stated that Schedules J or D should be considered.

Southern Region Office (Bakersfield) – Mr. Scrivner, City of Bakersfield, stated he supports Schedules D or E to allow Stockton and a small city from Fresno County to serve on the Governing Board. Ms. Vallejo, City of Delano, asked for support for Schedules B or C which allow for a small city from Kern County and good representation for agricultural issues. Mr. Tarver, City of Arvin, asked how the Rotation Schedules were developed and stated he supports Schedules B and C. Mr. Sadredin replied the directives for the schedules are outlined in the Health & Safety Code Section 40600(c) (2) and the five possible starting rotations are addressed in Rotation Schedules A through I. He noted there are 50 additional combinations possible, but only five potential large city combinations that the rotation schedule can begin with, and he tried to be as diverse as possible in the Rotation Schedules presented today.

Ms. Vallejo, City of Delano, asked if Robert's Rules of Order would be adopted at this meeting. Phil Jay, SJVAPCD Legal Counsel, stated Robert's Rules of Order would need to be added to the agenda for the next City Selection Committee meeting so they could be voted on. He noted the framework for Robert's Rules of Order are currently being followed at these meetings without being adopted. Ms. Vallejo requested this item to be added to the next City Selection Committee meeting Agenda. Ms. Vallejo also noted a change to Schedule I. Mr. Sadredin responded there was an error in the Schedule I that was previously mailed to members. He noted the third version of Schedule I that was sent out with the meeting agenda is the correct version.

Chairman Vierra stated he would now conduct an electronic straw poll so that members could rank the nine options in order of preference. He noted he would entertain a motion to adopt a specific Rotation Schedule after the straw poll was completed. Mr. Sadredin noted this is an informal straw poll designed to narrow the selection process, as the Brown Act currently requires a formal vote to take action. The straw poll was conducted using by electronic devices in all three Regional offices. The options with the most votes were Rotation Schedule C with 19 votes and Rotation Schedule D with 16 votes.

Public Comment: *The following persons provided testimony on this item:*

- Sarah Sharpe, Fresno Metro Ministry

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
March 31, 2009

Motion: Keating

Seconded: Collins

Ayes: Crabbe, Antonetti, Alves, Ford, Crowder, Oliver, Johnson, Faria, Keating, Dunlop, Farinha, Nutt, White, Abercrombie, Bublak, VanWinkle, Ovalle, Vierra, White, Wadsworth, Ayers, Plourde, Kimball, Bomprezzi, Carlisle, Avalos, Vejvoda, Gamboa, Gonzalez, Tarver, Vallejo, Westenberger, Martin, Martinez, Nelson

Nays: Whalen, McKittrick, Benavides, Sablan, Darling, Sterling, Karstetter, Flores, Hill, Montano, Betancourt, Ruiz, Hernandez, Scrivner

Motion carried 35-14 to adopt City Rotation Schedule C as the rotation schedule for city appointments to the San Joaquin Valley Air Pollution Control District Governing Board.

Mr. Sadredin explained the next steps toward appointments to the District Governing Board which will be made in accordance with the *City Appointment Process* adopted by the Committee on January 29, 2009, according to the following timeline:

April 15, 2009 – APCO mails application packets to eligible cities

May 15, 2009 – Application deadline

May 29, 2009 – Ballots mailed to cities within counties with an open seat

May 29 through June 30, 2009 – each city schedules a public hearing to vote for a nominee

June 30, 2009 – Deadline to submit City voting results to the APCO

July 15, 2009 – APCO tallies votes and forwards nominations to the Special City Selection Committee (additional time may be necessary in the event of a tie to allow for re-vote)

July, 2009 or soon after – Special City Selection Committee convenes and makes appointments to the Governing Board

5. **PUBLIC COMMENT:** *The following persons provided testimony during the Public Comment portion of the meeting:*

- Mary-Michal Rawling, Merced-Mariposa County Asthma Coalition
- Sarah Sharpe, Fresno Metro Ministry

At this time, Mr. Carlisle of the City of Merced suggested reconsidering the entire process at the next meeting. Mr. Sadredin explained that a motion would need to

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
March 31, 2009


be made to add this item to the next meeting agenda. Mr. Carlisle made the motion to reconsider the entire process for this rotation and place this item on the agenda for the next meeting. Mr. Vejvoda thanked his colleagues for taking the time to attend these meetings and for making this process fair, transparent and local. He noted this process may not be ideal but suggested moving forward and filling the empty seats on the Governing Board. Mr. Avalos, City of Selma, stated the Committee is moving forward in the right direction. The motion died on the floor for lack of a second.

6. COMMITTEE MEMBERS COMMENTS - None

7. ADJOURN

The meeting was adjourned at 7:22 p.m.

DATE: August 31, 2009

TO: San Joaquin Valley Special City Selection Committee 

FROM: Seyed Sadredin, Permanent Secretary and Executive Director/APCO

RE: **AGENDA ITEM 5: APPOINT CITY REPRESENTATIVES TO THE DISTRICT GOVERNING BOARD**

RECOMMENDATIONS:

1. Appoint Mr. Randy Miller, City of Taft, as the Small City Representative from Kern County.
2. Appoint Mr. Jesus Gamboa, City of Visalia, as the Large City Representative from Tulare County.
3. Appoint Mr. David G. Ayers, City of Hanford, as the Small City Representative from Kings County.
4. Appoint Ms. Ann Johnston, City of Stockton, as the Large City Representative From San Joaquin County

BACKGROUND:

At the March 31, 2009 meeting of the Special City Selection Committee, your Committee adopted a rotation schedule and a timeline based upon the *City Appointment* Process for the appointment of city members to the San Joaquin Valley Air District (District) Governing Board. Based upon the adopted timeline, the Air Pollution Control Officer mailed applications to all eligible city council members, prepared and mailed ballots including application materials from all eligible applicants to the cities within counties that have open seats, and tallied the votes to determine the nominees from each county.

The above recommendations reflect the nominees as voted by the cities within each county up for a rotation on the District Governing.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Kern County

Nominee: Randy Miller, City of Taft (3 votes)

City Votes:

- City of Arvin-Tim Tarver
- City of Bakersfield- Randy Miller
- City of Delano-Grace Vallejo
- City of Maricopa-Declined to Vote
- City of McFarland-Dennis Martin
- City of Shafter- Randy Miller
- City of Taft- Randy Miller
- City of Wasco- Tim Tarver

Tulare County

Nominee-Jesus Gamboa, City of Visalia (8 votes)

City Votes:

- City of Dinuba-Jesus Gamboa
- City of Exeter- Jesus Gamboa
- City of Farmersville- Jesus Gamboa
- City of Lindsay- Jesus Gamboa
- City of Porterville- Jesus Gamboa
- City of Tulare- Jesus Gamboa
- City of Visalia- Jesus Gamboa
- City of Woodlake- Jesus Gamboa

Kings County

Nominee-David G. Ayers, City of Hanford (3 votes)

City Votes:

- City of Avenal-Dagoberto Ovalle
- City of Corcoran-David G. Ayers
- City of Hanford-David G. Ayers
- City of Lemoore-David G. Ayers

San Joaquin County (1st vote)

Applicant Rejected

City Votes:

- City of Escalon-Reject Applicant
- City of Lathrop-Susan Talamantes Eggman
- City of Lodi-Reject Applicant
- City of Manteca-Reject Applicant
- City of Ripon-Reject Applicant
- City of Stockton-Susan Talamantes Eggman
- City of Tracy-Declined to vote

SJV Special City Selection Committee
APPOINT CITY REPRESENTATIVES TO THE DISTRICT GOVERNING BOARD
August 31, 2009

San Joaquin County (2nd vote)

Nominee-Ann Johnston, City of Stockton (4 Votes)

City Votes:

City of Escalon-Elbert Holman,
City of Lathrop-Ann Johnston
City of Lodi-Ann Johnston
City of Manteca-Ann Johnston
City of Ripon-Elbert Holman
City of Stockton-Ann Johnston
City of Tracy-Elbert Holman

The final step in the process is for the Special City Selection Committee to appoint members to the District Governing Board.