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

DEPT: Board of Supervisors

Routine X

AGENDA DATE December 17, 2002

CEO Concurs with Recommendation YES X NO

(Information Attached)

SUBJECT: APPROVAL OF APPOINTMENT OF CHRIS SAVAGE AS THE PRIMARY INDUSTRY/AGRICULTURE MEMBER TO THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT CITIZENS ADVISORY COUNCIL

STAFF RECOMMENDATIONS:

APPROVAL OF APPOINTMENT OF CHRIS SAVAGE AS THE PRIMARY INDUSTRY/AGRICULTURE MEMBER TO THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT CITIZENS ADVISORY COUNCIL, TO A THREE-YEAR TERM ENDING ON JANUARY 31, 2006

FISCAL IMPACT: NONE

BOARD ACTION AS FOLLOWS:

On motion of Supervisor Simon, Seconded by Supervisor Caruso, and approved by the following vote,
Ayes: Supervisors: Paul, Blom, Simon, Caruso, and Chairman Mayfield
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

1) X Approved as recommended
2) Denied
3) Approved as amended

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No.

[Signature]
October 5, 2003

Christine Ferraro Tallman, Clerk to the Board of Supervisors
Stanislaus County
1010 10th Street, Suite 6700
Modesto, CA 95354

Re: San Joaquin Valley Unified Air Pollution Control District
Citizens Advisory Committee (CAC)
Industry/Agriculture Primary and Alternate Members for Stanislaus County

Dear Ms. Ferraro Tallman:

Pursuant to the San Joaquin Valley Unified Air Pollution Control District (Valley Air District) resolution of November 13, 1996 establishing the Citizens Advisory Committee (CAC), "Industry and Agriculture members appointed by the respective Boards of Supervisors shall serve for terms of three (3) years." The November 13, 1996 resolution requires an alternate for all CAC positions.

We recognize that the Industry/Agriculture members' terms will expire January 31, 2003. Therefore, we respectfully request that Stanislaus County Board of Supervisors appoint an Industry/Agriculture Primary and Alternate Member at the earliest possible date. The new term for each member would be through January 31, 2006. Incumbent CAC members may be reappointed by their respective appointing bodies.

The incumbent Industry/Agriculture Primary Member for Stanislaus County is:

Vacant

The incumbent Industry/Agriculture Alternate Member for Stanislaus County is:

Chris Savage
For your information, I have enclosed a copy of the above mentioned resolution. In particular, pages 1 and 2, paragraphs “1. Membership and 2.) Membership Qualifications” should be helpful to you in the appointment process. I have also enclosed the current CAC Roster as of October 10, 2002.

When you complete the appointment process please notify the District of the new appointments with appropriate mailing addresses and phone numbers at your earliest convenience. The first meeting that the new appointees will be expected to attend is Tuesday, February 4, 2003.

The CAC meets the first Tuesday of each month. Meeting schedule for the year 2003 enclosed. The meetings typically run from 9:30 a.m. until 11:30 a.m. or 12:00 p.m. The meetings are held via the District’s Video Teleconferencing (VTC) System. 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 via VTC.

Please feel free to contract me at the Valley Air District, Central Region Office at 559/230-6038 if you have any questions regarding this correspondence.

Sincerely,

[Signature]

Sissy Smith
Clerk to the Boards

enclosures

c. Supervisor Nick W. Blom
Councilmember Sam Armentrout, Chair, SJVUAPCD, Governing Board
Chris Savage, Industry/Agriculture Alternate Member
Lee Smith, Chair, CAC
David L. Crow, Executive Director/APCO
BEFORE THE GOVERNING BOARD OF THE
SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

IN THE MATTER OF: TO ESTABLISH THE CITIZENS ADVISORY COMMITTEE

RESOLUTION NO. 96-11-02

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:

1. 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 Selection Committee organized in each County of the Valley
pursuant to Article II (commencing with §50270) of Chapter 1 of Part 1 of Division 1 of
Title 5 of the Government code shall each appoint one (1) member to represent cities
of that County. Formal written notice from each City Selection Committee to the
District documenting its authority and designating its appointee by name shall be
accepted by the District as appointment to the CAC. Each appointing body shall
appoint an alternate member for each primary member appointed. An alternate
member so appointed shall serve the same term and meet the same qualifications as
the primary member for which they are appointed, and in the absence of the primary
member, exercise the rights of the primary member. Current members and alternate
members of the CAC previously appointed by either Boards of Supervisors or City
Selection Committees shall be considered to automatically become members and
alternate members, respectively, of the CAC.

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

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

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

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

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

4. LEADERSHIP ORGANIZATION OF THE CITIZENS ADVISORY COMMITTEE. The CAC Chair shall be selected by recorded majority vote of the CAC and serve a term of two (2) years. Should the CAC be unable to elect a succeeding Chair prior to expiration of a Chair's term, the succeeding Chair shall be appointed by the District.

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

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

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ATTACHMENT: Resolution to Establish the Citizens Advisory Committee
7. DUTIES AND AUTHORITY OF CAC INTEREST SUB-COMMITTEE CHAIRS.
Interest Sub-Committee Chairs may call meetings of their respective Interest Sub-Committees at their discretion. The Interest Sub-Committee Chair of the Interest group providing the CAC Chair shall be designated as Vice Chair of the CAC and function as CAC Chair in his or her absence.

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

9. OPERATION OF THE CITIZENS ADVISORY COMMITTEE. The District desires that policy recommendations by the CAC to the District carry the unanimous endorsement of the three (3) Sub-Committees. To that end, the Interest Sub-Committees are expected to exercise professional courtesy, diligence, and compromise to the maximum extent possible. CAC and Interest Sub-Committee Chairs shall provide sufficient notice of meeting dates, times, place, and agenda to all CAC members to ensure maximum attendance and participation. Meetings of the CAC shall require a quorum of at least nine (9) members. Meetings of the Interest Sub-Committees shall require a quorum of at least fifty percent (50%) of their membership plus one member. All meetings of the CAC, the Interest Sub-Committees, all other sub-committees, and the CAC’s Executive Committee, shall be open to the public. CAC meetings, activities, notices, and agendas are subject to the requirements of the Ralph M. Brown Act (§54950, et. seq.).

10. CAC SECRETARY: The Clerk of the Boards of the District shall serve as CAC Secretary. The Secretary shall maintain the CAC membership roster, arrange CAC meetings, distribute notices and minutes of CAC meetings, serve as Recorder of CAC meetings, and maintain records of CAC meetings minutes.
11. CAC MEETINGS AGENDAS. Meeting agenda items may be submitted only by 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 (72) hours before a regular meeting, showing the time and location of the meeting and a brief description of each item on the agenda. A matter not on the agenda may be added as provided by law, discussed, and voted on, provided at least two-thirds (2/3) of the CAC members vote affirmatively that the need to take action arose subsequent to the agenda being posted. If less than two-thirds (2/3) of the CAC members are present, a unanimous vote is required to add an item to the agenda. On agenda items coming to a vote, affirmative action shall require a majority of members present. Votes of the CAC shall be recorded in the minutes. A roll call vote shall be recorded upon request by any CAC member present. When requested by any CAC member, the Secretary shall record in the minutes specific remarks that serve to clarify any member's position on matters voted on by the CAC.

12. MEETINGS. Regular CAC meetings shall be scheduled monthly. Notices of meetings shall be mailed to any person so requesting at least one (1) week prior to the meeting. Special meetings of the CAC may also be scheduled as provided by law. If any member fails to attend three (3) consecutive meetings or fifty percent (50%) of the meetings in one (1) year's time, said member shall be replaced by the appropriate appointing authority. In those cases where an appointing authority has appointed an alternate member, that alternate member's attendance shall constitute attendance by the primary member. All meetings of the CAC shall be held within the District.

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

14. **TERMINATION OF CAC MEMBERSHIP.** CAC members serve at the pleasure of their respective appointing bodies. CAC membership may be terminated only by action of the member or formal action of the body making the appointment of that member. CAC membership shall cease on the date of such action and the appointing body shall appoint a new member to fill the remaining term of the terminating member.

15. **VOLUNTARY SERVICE CONDITION OF CAC MEMBERSHIP.** The CAC 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 District, nor shall CAC members be authorized to bind the District, its officers, agents, or employees in any way.

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

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**ATTACHMENT: Resolution to Establish the Citizens Advisory Committee**
THE FOREGOING was passed and adopted by the following vote of the Governing Board of the San Joaquin Valley Unified Air Pollution Control District this 13th day of NOVEMBER, 1996, to wit:

AYES: Board Members: Hammond, O'Banion, Shell, Retherford, Vagim, Lujan, Friedman, Cabral and Harness.

NOES: None.

ABSENT: Board Members: Hanhart McIntyre and Blom.

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

By Charles Harness, Chair
Governing Board

ATTEST:
Clerk to the Governing Board

By Sissy Smith

PMJ/tm
quorum.res.1.10.97

ATTACHMENT: Resolution to Establish the Citizens Advisory Committee