

## MINUTES

### FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT SUTTER COUNTY AND YUBA COUNTY

June 05, 2017

The Feather River Air Quality Management District held a board meeting, commencing at approximately 4:00 p.m. on the above date at the Yuba County Government Center, 915 8<sup>th</sup> Street, Marysville Conference Room, Marysville, California. The following members were present: Directors Whiteaker, Munger, Whitmore, Fletcher, Bradford, Cleveland and Alternate Director Henderson. Absent: Vasquez, Ghag and Pendergraph. Also present were Sutter County Deputy County Counsel Richard Stout, Air Pollution Control Officer Christopher D. Brown, AICP, APCO and Feather River Air Quality Management District Deputy Clerk of the Board Shelley Channel.

#### **PUBLIC COMMENTS**

There were none.

#### **APPROVAL OF MINUTES**

Approve the minutes from the February 27, 2017 Board meeting.

Director Whiteaker moved to approve the minutes from the February 27, 2017 Board meeting, seconded by Director Fletcher. All in favor, motion carried.

#### **APPEARANCE ITEMS**

Approve Resolution #2017-08 to accept Year 19 Moyer State Reserve School Bus funds and authorize the Chairman to execute related documents.

Mr. Brown referred to Ms. Sondra Spaethe, District Planner for a report on Resolution #2017-08 to accept Year 19 Moyer State Reserve School Bus funds.

Discussion ensued regarding Year 19 Moyer State Reserve School Bus funds.

Director Cleveland moved to approve Resolution #2017-08 to accept Year 19 Moyer State Reserve School Bus funds and authorize the Chairman to execute related documents, seconded by Director Bradford.

On the following roll call vote:

Ayes: Directors Fletcher, Munger, Whitmore, Bradford, Cleveland, Alternate Director Henderson

Noes: None

Abstain: Director Whiteaker

Absent: Directors, Vasquez, Ghag and Pendergraph

Motion carried.

Approve budget allocation transfers from Account #725-9901-441-23-00 (Professional Services) in the amount of \$410 to Account #725-9901-441-15-00 (Insurance), from Account #725-9901-441-02-05 (Medicare) in the amount of \$330 to Account #725-9901-441-02-02 (PERS Employer) and from Account #725-9901-441-02-08 (Unemployment) in the amount of \$2,100 to 725-9901-441-02-01 (PERS Employee) due to budget shortfall.

Mr. Brown referred to Ms. LuAnn McKenzie, District Administrative Services Officer for a report on the budget allocation transfers.

Ms. McKenzie gave a report on the budget allocation transfers.

Director Whiteaker moved to approve budget allocation transfers from Account #725-9901-441-23-00 (Professional Services) in the amount of \$410 to Account #725-9901-441-15-00 (Insurance), from Account #725-9901-441-02-05 (Medicare) in the amount of \$330 to Account #725-9901-441-02-02 (PERS Employer) and from Account #725-9901-441-02-08 (Unemployment) in the amount of \$2,100 to 725-9901-441-02-01 (PERS Employee) due to budget shortfall, seconded by Director Fletcher. All in favor, motion carried.

## **CLOSED SESSION**

Announcement of purpose of closed session:

Public Employee Performance Evaluation  
Title: Air Pollution Control Officer

### **CONFERENCE WITH LEGAL COUNSEL – EXSISTING LITIGATION**

Pursuant to subdivision (d)(1) of Government Code section 54956.9 (a): Update on ongoing cases

Case Number: CVCC 16-0877

Name of Case: People of the State of Cal. Ex rel. FRAQMD v. Thiara, et al.

Case Number: CVCV-15-0000455

Name of Case: PEOPLE OF THE STATE OF CALIFORNIA ex rel. FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT v. HARMUN TAKHAR, et al.

Case Number: CVCV-16-0002055

Name of Case: PEOPLE OF THE STATE OF CALIFORNIA ex rel. FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT v. BALJEET DHILLON & DOES 1-15

There was no announcement made following closed session.

## **APPEARANCE ITEMS**

Approve APCO employment agreement between Feather River Air Quality Management District and Christopher D. Brown and authorize the Chairman to execute related documents.

Director Cleveland inquired if the 6.75% increase that would take effect on October 1, 2017 was the offset for the 8% PERs pickup and if the District was trying to accomplish cost neutral net zero.

Ms. McKenzie stated yes it would be a cost neutral net zero.

Director Fletcher moved to approve the APCO employment agreement between Feather River Air Quality Management District and Christopher D. Brown and authorize the Chairman to execute related documents, seconded by Director Cleveland. All in favor, motion carried.

Approve Resolution #2017-05 authorizing execution of MOU and authorizing participation in the Special District Risk Management Association Health Benefits Program in order to establish an Employee Assistance Program for District employees and authorize the Chair to execute related documents.

Mr. Brown referred to Ms. McKenzie for a report on Resolution #2017-05 authorizing execution of MOU and authorizing participation in the Special District Risk Management Association Health Benefits Program in order to establish an Employee Assistance Program for District employees.

Director Whiteaker moved to approve Resolution #2017-05 authorizing execution of MOU and authorizing participation in the Special District Risk Management Association Health Benefits Program in order to establish an Employee Assistance Program for District employees and authorize the Chair to execute related documents, seconded by Director Bradford. All in favor, motion carried.

Approve Resolution #2017-03 authorizing CalPERS Employer Paid Member Contributions to be paid for Classic Employees at 0% effective 10/01/17 and authorize the Chair to execute related documents.

Mr. Brown gave a report on Resolution #2017-03 authorizing CalPERS Employer Paid Member Contributions to be paid for Classic Employees at 0% effective 10/01/17.

Director Whiteaker moved to approve Resolution #2017-03 authorizing CalPERS Employer Paid Member Contributions to be paid for Classic Employees at 0% effective 10/01/17 and authorize the Chair to execute related documents, seconded by Director Cleveland. All in favor, motion carried.

Approve Resolution #2017-04 authorizing CalPERS to tax defer Member Paid Contribution – IRC 414(h)(2) Employer pick up and authorize the Chair to execute related documents.

Mr. Brown gave a report on Resolution #2017-04 authorizing CalPERS to tax defer Member Paid Contribution – IRC 414(h)(2) Employer pick up.

Director Whiteaker moved to approve Approve Resolution #2017-04 authorizing CalPERS to tax defer Member Paid Contribution – IRC 414(h)(2) Employer pick up and authorize the Chair to execute related documents, seconded by Director Bradford. All in favor, motion carried.

Approve Resolutions #2017-06 and #2017-07 setting the Basic Salary Schedule for fiscal year 2017/18 and authorize the Chairman to execute related documents.

Mr. Brown referred to Ms. McKenzie for a report on Resolutions #2017-06 and #2017-07 setting the Basic Salary Schedule for fiscal year 2017/18.

Ms. McKenzie gave a report on Resolutions #2017-06 and #2017-07 setting the Basic Salary Schedule for fiscal year 2017/18.

Director Whiteaker moved to approve Resolutions #2017-06 and #2017-07 setting the Basic Salary Schedule for fiscal year 2017/18 and authorized the Chairman to execute related documents, seconded by Director Cleveland. All in favor, motion carried.

## **PUBLIC HEARING**

### Adoption of proposed budget.

Mr. Brown referred to Ms. McKenzie for a report on the proposed budget.

Ms. McKenzie gave a report on the proposed District budget.

Vice-Chairman Munger opened the Public Hearing and asked for comments.

There were none.

Director Whiteaker moved to close the Public Hearing and adopt the proposed District budget, seconded by Director Fletcher. All in favor, motion carried.

### APCO Update (Informational Only).

Mr. Brown gave an update on District activities which included one of the Engineers leaving and the fact that the District would be recruiting for a new Engineer. Also one employee who could be off on extended medical leave and that could lead the District to hiring a temporary employee/retiree to help keep up with the workload.

Mr. Brown gave an update on the Air Resources Board (ARB) activities which included the ARB audit which has led to ARB requesting more paperwork from the District. The District is also working with ARB on a new Emissions Mapping Tool.

Mr. Brown gave an update on the EPA activities. He stated that there were a lot of things being said about what is going on but there are no real changes and some rules have been put on hold for now.

Mr. Brown gave an update on Legislation activities. He stated that the Legislature is currently proposing a lot of Air Quality Bills which will put a bigger work load on the District. The Governor is putting them all in one big Bill which will also include the Districts Subvention.

Mr. Brown gave an update on CAPCOA and stated that there was a meeting in May, not much that had to do with the District.

Mr. Brown stated that an update on the Grant Programs was already given but that the Woodstove Program would be starting up hopefully in a couple months the District just needed to wait for the money to come from Sacramento.

Mr. Brown stated that the Hearing Board still has one vacancy that has not been filled and that the Hearing Board has not had a reason to meet in quite some time.

Board Member Reports

There were none.

**ADJOURN**

With no further business before the Board, Vice-Chairman Munger adjourned the meeting at approximately 4:50 p.m.

Attest:

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Clerk of the Board

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Chairman