

BOARD MEETING MINUTES

approved

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT
SUTTER COUNTY AND YUBA COUNTY
June 6, 2022

The Feather River Air Quality Management District held a board meeting, commencing at approximately 4:00 p.m. on the above date at 541 Washington, Joan Bechtel Conference Room, Yuba City, California. The following members were present: Directors Fletcher, Blaser, Conant, Ghag, Pendergraph and Espindola. Absent: Directors Bains, Branscum and Ziegenmeyer. Also present were Sutter County Deputy County Counsel Deborah Micheli, 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

Chairman Ghag inquired if there were any public comments.

There were none.

APPROVAL OF CONSENT AGENDA

Approve the minutes of the April 4, 2022 Board meeting.

Approve Resolution #2022-07 of the Board of Directors authorizing participation in the Year 24 Carl Moyer State Reserve Program, a grant award up to \$400,000 and authorize the Chairman and APCO to execute related documents.

Approve Resolution #2022-08 of the Board of Directors authorizing participation in the Year 5 Community Air Protection Program, a grant award up to \$100,000 and authorize the Chairman and APCO to execute related documents.

Approve Resolution #2022-09 of the Board of Directors authorizing participation in the Year 4 Community Air Protection Program, a grant award up to \$2,000,000 and authorize the Chairman and APCO to execute related documents.

Approve Resolution #2022-10 of the Board of Directors authorizing participation in the Year 5 AB 197 Emission Inventory District Grant Program, a grant award up to \$10,000 and authorize the Chairman and APCO to execute related documents.

Approve Resolution #2022-11 authorizing participation in the Prescribed Fire Grant Program for a grant award up to \$27,500 and authorize the Chairman to execute related documents.

Approve \$12,000 contract for Database Maintenance with Advanced Database Designs LLC.

Authorize the APCO to continue the annual software license agreement for 6 licenses for Clarity.OI air monitoring software for a total of \$7,722 dollars.

Authorize the APCO to enter into a one-year Professional Services agreement with Creating Answers to provide Bookkeeping, Controllorship and CFO level support to the District not to exceed \$70,000.

Approve Letter of Support for AB2878 relating to Biomass in California.

Approve Letter of Support for SB1109 to extend the life of existing biomass plants in California.

Approve contract with Smith and Newell for FY20/21 Audit.

Director Conant moved to approve the Consent Agenda to include the modification of dollar amount in Item 9, from \$85,000 to \$70,000, seconded by Director Fletcher.

All in favor, motion carried.

APPEARANCE ITEMS

Receive and except the auditor's independent report for FY 2019/20 Independent Audit.

Mr. Brown referred to Ms. Shawna Fitzgerald, Creating Answers, for a report on the auditor's report for FY 2019/20 Independent Audit.

Ms. Fitzgerald gave a report on the auditor's independent report for FY 2019/20 Independent Audit.

Director Pendergraph moved to approve the auditor's independent report for FY 2019/20 Independent Audit, seconded by Director Fletcher.

All in favor, motion carried.

PUBLIC HEARING

Adoption of District Proposed Budget.

Mr. Brown referred to Ms. Fitzgerald, Creating Answers, for report on the Districts Proposed Budget.

Ms. Fitzgerald gave a report on the Districts Proposed Budget.

Discussion ensued regarding proposed budget.

Chairman Ghag opened the Public Hearing.

There were no public comments.

Chairman Ghag closed the Public Hearing.

Director Pendergraph moved to approve the adoption of the District's proposed budget, seconded by Director Conant.

All in favor. Motion carried.

APPEARANCE ITEMS

Approve Resolution #2022-06 amending the Allocation and Basic Salary Schedule for Fiscal Year 2022/2023 and authorize the Chairman to execute related documents .

Mr. Brown gave a report on Resolution #2022-06 amending the Allocation and Basic Salary Schedule for Fiscal Year 2022/2023.

Director Pendergraph moved to approve Resolution #2022-06 amending the Allocation and Basic Salary Schedule for Fiscal Year 2022/2023 and authorize the Chairman to execute related documents, seconded by Director Fletcher.

All in favor, motion carried.

Approve the following budget allocation transfers:

Mr. Brown gave a report on the following budget allocation transfers:

- 1) From Account #725-9901-441-80-03 (Contingency Reserves) to #725-9901 441-23-00 (Legal Services) in the amount of \$250,000 due to the PG&E Settlement.
- 2) From Account #725-9901-441-80-03 (Contingency Reserves) to #725-9901 441-23-01 (Consultants) in the amount of \$12,000 due to the amendment to the Advanced Database Designs LLC contract.
- 3) From Account #725-9901-441-80-03 (Contingency Reserves) to #725-9901 441-20-00 (Memberships) in the amount of \$730 due to the unforeseen increase in membership dues for CAPCOA.
- 4) To Revenue Account #725-0000-341-22-01 (Penalties) in the amount of \$1,236,895.38 due to Settlement with PG&E
- 5) To Revenue Account #725-0000-341-22-01 (Penalties) in the amount of \$564,000 due to mitigation agreement with Department of Water Resources.

Discussion ensued regarding the budget transfers.

Director Pendergraph moved to approve the District's budget transfers, seconded by Director Espindola.

All in favor, motion carried.

Discuss Board Reimbursements.

Mr. Brown and Board Director's discussed the board's reimbursement procedures.

Authorize the APCO to execute all ballots for land owned by Feather River Air Quality Management District concerning the Feather River West Levee Financing Authority's proposed new assessments in order to fund ongoing operation and maintenance expenses for the west Feather River levees.

Mr. Brown gave a report on the ballot for land owned by Feather River Air Quality Management District concerning the Feather River West Levee Financing Authority's proposed new assessments in order to fund ongoing operation and maintenance expenses for the west Feather River levees.

Discussion ensued regarding ballot for land owned by Feather River Air Quality Management District concerning the Feather River West Levee Financing Authority's proposed new assessments in order to fund ongoing operation and maintenance expenses for the west Feather River levees.

Director Pendergraph moved to execute all ballots for land owned by Feather River Air Quality Management District concerning the Feather River West Levee Financing Authority's proposed new assessments to fund ongoing operation and maintenance expenses for the west Feather River levees, seconded by Director Espindola.

All in favor, motion carried.

Adoption of updated District Job Descriptions.

Mr. Brown gave a report on updated District Job Descriptions.

Discussion ensued regarding the District's updated job descriptions.

Director Fletcher moved to approve the adoption of updated District Job Descriptions, seconded by Director Conant.

All in favor, motion carried.

Receive a presentation on Open Burn Program.

Mr. Brown stated that Director Ziegenmeyer had requested that this item be on the agenda for this meeting however he was unable to attend.

Director Espindola inquired if this item could be continued to a later meeting.

Mr. Brown stated that it could be continued to the next Board of Directors meeting.

AIR POLLUTION CONTROL OFFICER REPORT

Mr. Brown gave an update on the District activities which included updates on the District staffing issues.

Mr. Brown stated there were no Hearing Board actions at this time.

Mr. Brown gave an update on the Air Resources Board activities including the AB32 Greenhouse Gas and the Off Road Equipment Regulation.

Mr. Brown gave an update on the EPA which included the SIP and the Clean Air Act.

Mr. Brown gave an update on Legislation regarding the State Budget, a bill that would allow the State to take over local Air Districts with the focus on the San Joaquin Valley, and a bill to extend the Moyer Program for 15 years.

Mr. Brown gave an update on CAPCOA and BCC which included the BCC had a meeting on Friday and had passed a budget and made updates to the Smoke Management Plan.

Mr. Brown gave an update on the Grants program which included the Carl Moyer, CAP and Mini Grant Programs.

Mr. Brown stated there was not much to update regarding the Sacramento Region.

Board Member Reports

Director Blaser inquired about a notice sent to Marysville District 2.

Mr. Brown stated it was public notice for an Authority to Construct to increase emissions and if the facility is within 1000 feet of a school or residence then everyone within the 1000 feet has to be notified.

Discussion ensued regarding the public notice.

Director Blaser inquired about the PG&E generators.

Mr. Brown stated that PG&E has an agreement with the District, paid a settlement and the equipment has been removed.

Discussion ensued regarding PG&E.

Announcement regarding Closed Session.

Ms. Deborah Micheli, District Counsel, stated that since Mr. Matt Mclear, Legal Counsel, could not attend the meeting and would be the one presenting Item 24, Closed Session would be continued to the next Board meeting.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.

Pursuant to Government Code section 54956.9 Subdivision (d)(4)
1 Case

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.

Pursuant to Government Code section 54956.9 Subdivision (d)(1)
Update on Ongoing Cases:

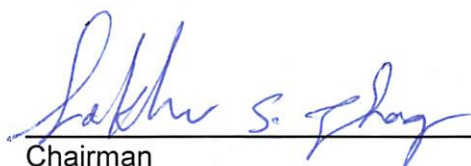
Case Number: CVCS22-0000478
Name of Case: PEOPLE ex rel. FEATHER RIVER AIR QUALITY
MANAGEMENT DISTRICT v. Thiara, JR, et al.

Director Pendergraph made a motion to adjourn the meeting with no further business, seconded by Director Espindola.

With no further business Chairman Ghag adjourned the meeting at 5:30 p.m.

Attest:


Clerk of the Board


Chairman