

## **Placer County Air Pollution Control District**

### **Minutes of the Thursday, August 8, 2013 Meeting of the Board of Directors**

The Board of Directors of the Placer County Air Pollution Control District met in session at 2:30 PM, Thursday, August 8, 2013, at the Placer County Board of Supervisors' Chambers, 175 Fulweiler Avenue, Auburn, California.

Representing the District were: Tom Christofk, Air Pollution Control Officer; Todd Nishikawa, Deputy Air Pollution Control Officer; A.J. Nunez, Administrative Services Officer; John Finnell, Senior Engineer; Bruce Springsteen, Senior Engineer; Don Duffy, Associate Engineer; Yu-Shuo Chang, Senior Planner; Ann Hobbs, Air Specialist; Jane Bailey, Fiscal Officer; and Margie Koltun, Clerk of the Board.

The meeting was called to order by Chairperson Jennifer Montgomery. Roll call was taken by the Clerk of the Board with the following members in attendance: Mike Holmes, Donna Barkle, Miguel Ucovich, Stan Nader, Jim Holmes, Diana Ruslin, and Jennifer Montgomery. Robert Weygandt and Carol Garcia were absent; however, Ms. Susan Rohan attended as alternate for Carol Garcia. A quorum was established.

**Approval of Minutes:** June 13, 2013, Regularly Scheduled Meeting.

Motion to approve: M. Holmes/ Ruslin/Unanimous (Ms. Rohan abstained from the vote as she was not present for the June meeting).

**Public Comment:** No public comment.

### **Consent:**

#### **Item 1: Iowa Hill Residential Burning Exemption:**

Adopted Resolution #13-09, authorizing staff to submit a Request for Exemption for the Iowa Hill area from portions of the California Air Resources Board's Air Toxic Control Measure to Reduce Emissions of Toxic Air Contaminants from Outdoor Residential Waste Burning and authorized the APCO to submit another request for exemption by December 31, 2018 if needed.

Motion to approve consent item: Ucovich/Rohan/Unanimous

### **Public Hearing/Action Items:**

#### **Item 2: Proposed Final Budget for FY 2013-14**

Ms. Bailey gave this presentation. She said that the FY 2012-13 year end closed with the District under running the budgeted expenditures by 10.25% and receiving 3.62% in additional revenue. The ending fund balance was approximately \$100,000 more than projected in the preliminary

budget allowing the District to begin FY 2013-14 with more available funds. Ms. Bailey said the total proposed expenditures are \$4,066,503 and she showed a breakdown of the line items for these expenditures. Included was a reimbursement to the Settlement Fund of \$50,000 toward the payback of that fund for the purchase of the District office building. Salaries and benefits will consume 51% of the FY 2013-14 Budget which is the same percentage as last year. Ms. Bailey said that staff recommends the approval and adoption of the Proposed Final FY 2013-14 Budget as presented.

Chairperson Montgomery opened the public hearing. Directors Mike Holmes and Miguel Ucovich had some questions which were answered by Ms. Bailey and Mr. Christofk. No one came forward from the public. Chairperson Montgomery asked the Board for a motion.

Motion to approve staff recommendation: M. Holmes/J. Holmes/Unanimous

**Item 3: Consideration of amendments to Rule 502, New Source Review:**

Mr. Don Duffy gave this presentation. He provided some background on this rule which is a guideline for the permitting of stationary sources based on the concept that it is easiest and most cost effective to control air emissions by incorporating control equipment at the time of construction.

This is the third amendment to Rule 502 in recent years in an attempt to gain full SIP approval. The current version, adopted by your Board in October 2011, gained a “limited approval” and a “limited disapproval” from the EPA. Basically this means that the rule is SIP approved, but that the District needs to correct minor deficiencies within 18 months in order to avoid sanctions. Mr. Duffy said the EPA is trying to get the rule lined up with the Clean Air Act in order to provide consistency. Mr. Duffy explained the corrections and that the proposed amendments are not likely to have any fiscal impact on permitted sources or the District.

Staff recommends that the Board adopt Resolution #13-07 thereby approving the amendments to Rule 502, New Source Review.

Chairperson Montgomery asked if there was any comment from the public. Seeing none she brought the item back to the Board for a vote.

Motion to approve staff recommendation: Barkle/Ucovich/Unanimous

**Item 4: Consider the adoption of new Rule 249, Surface Coating of Plastic Parts and Products.**

Mr. John Finnell gave this presentation. He said that this new rule is a requirement of the Clean Air Act and is similar to the rule adopted in August 2009 for metal parts coatings. The District has only one source that falls under this rule for plastic parts coating. The District is required to adopt a rule even for a single source.

Mr. Finnell explained the technical aspects of the rule and why it is necessary. He said that the rule was developed through consultations with EPA. CARB has reviewed the final draft and had

no comments. Stakeholders have been kept informed and have had no concerns or comments. Staff believes that the implementation of this rule will have no fiscal impact on local businesses or the District.

Staff recommends that the Board adopt Resolution #13-08 thereby approving Rule 249, Surface Coating of Plastic Parts and Products.

Chairperson Montgomery asked if there was any comment from the public. Seeing none she closed the public hearing and brought the item back to the Board for a vote.

Motion to approve staff recommendation: J. Holmes/M. Holmes/Unanimous

### **Action Items:**

#### **Item 5: Consider approval of a new service contract with Pat Way:**

Mr. Nishikawa explained that this contract is to provide funding for the completion of a joint effort with Butte County for the rice burning data base program. Mr. Way had worked on that project a few years ago and although the initial project was completed, there are some specific modifications the District needs in order to have a fully functioning program.

Staff recommends that the Board adopt Resolution #13-10 thereby approving a multi-year consulting contract with Patrick Way, Patrick Way Consulting, for agricultural burning database software development and related technical support services. For the initial contract year of FY 2013-14 contract expenditures are not to exceed Three Thousand Dollars (\$3,000).

Motion to approve staff recommendation: Ucovich/Ruslin/Unanimous

#### **Item 6: Consider approval of a new service contract with MootsPoint:**

Mr. Nishikawa informed the Board that this contract is needed to implement the IT Strategic Master Plan which was developed for the District under a separate contract by Mr. Moots. The implementation will be a multi-year process tied to the District's budget and resources. Mr. Moots has the specific skills, knowledge and proven qualifications to assist District staff in implementing the necessary upgrades to the current IT applications.

Staff recommends that the Board adopt Resolution #13-11 thereby approving a multi-year consulting contract with Clark L. Moots, President of MootsPoint, for IT Strategic Master Plan implementation services and other information technology technical support services. For the initial contract year of FY 2013-14 contract expenditures are not to exceed Seventy-one Thousand Eight Hundred Ninety-eight Dollars (\$71,898) as provided for in the FY 2013-14 Budget.

Director Ucovich asked why the District had not sent the contract out for competitive bids. Mr. Nishikawa said that the District has a purchasing policy that allows for sole source bids under certain circumstances. Even though there are many different companies that provide IT services,

Mr. Moots is uniquely qualified to assist the District due to his familiarity with the District Database and work processes, knowledge of County IT operations and IT expertise.

Motion to approve staff recommendation: J. Holmes/Ruslin Vote 8 to 1: Ucovich No

**Item 7: APCO Compensation:**

Presentation to consider recommendations of District Board APCO Salary Subcommittee regarding the salary and compensation of the District APCO, including the potential approval of a 6% increase in the APCO salary classification and a 2% COLA within 2013. With these recommendations is also approval of a potential employment contract with the current APCO, Tom Christofk, for a two year term beginning September 21, 2013.

In negotiations with the Committee, Mr. Christofk had agreed to an 8% salary increase. He also agreed that he would not be eligible for a COLA increase within the two years of the proposed employment contract. Director Ruslin confirmed this information.

Ms. Valerie Flood, County Counsel, offered the following options to the Board for the APCO compensation. She explained that what the Subcommittee originally recommended could not be put in place due to Civil Service and other preexisting agreements regarding how Placer County establishes salary grade schedules. The action taken was as follows:

Authorize a request to the Placer County Board of Supervisors, through the Placer County Personnel Director, to create a new salary grade in the Placer County salary grade plan outside of the Placer County Department Head salary schedule that will be applicable to the District APCO. The salary grade structure to be established will follow these minimum and maximum rates:

Minimum - \$56.51 (hourly) and \$117,540.80 (annual)

Maximum - \$68.66, \$142,812.80 (annual).

- Approve an approximate 8% increase for Thomas Christofk, APCO, placing him in the requested new salary schedule grade at step 5 (with longevity), effective September 21, 2013, subject to formal approval by the Placer County Board of Supervisors.
- Approve an employment contract with Tom Christofk, the current APCO, for a two year term beginning September 21, 2013, in a form substantially similar to the draft employment contract included as Attachment #1 in the agenda packet, subject to approval by the County of Placer.

Motion to approve recommendation: J. Holmes/Ruslin/Unanimous

**Air Pollution Control Officer Report:**

**Update on field trip to Blodgett Forest**

Mr. Christofk asked if all the Board members had received and responded to the invitations to attend the Blodgett Forest field trip scheduled for August 21<sup>st</sup>. He then asked Mr. Bruce

Springsteen to give an update on the project and provide details to the Board. District staff are arranging to car-pool attendees from the District offices that morning.

**Art Walk Update:**

The Art Walk is this evening and the District offices will be open from 6-9 PM and refreshments will be served. This evening will celebrate the 20<sup>th</sup> Anniversary of the Art Walk.

**Fiscal Report:**

A balance sheet and fund summary handout were provided to the Board members and made available to the public. The District's fiscal status at July 31, 2013, is running at 46.17% over the budgeted revenue for FY 2013-14 and a decrease of 63.95% in expenditures compared to the budgeted expenditures for the same time period.

**Adjournment:**

Chairperson Montgomery adjourned the meeting at 3:47 PM.

  
Margie Koltun, Clerk of the Board

