



Sacramento Metropolitan Air Quality Management District

ACTION SUMMARY

BOARD OF DIRECTORS MEETING
Board of Supervisors Chambers
700 "H" Street – Suite 1450
Sacramento, California

Thursday

AUGUST 25, 2011

9:30 am

DIRECTORS: ROBERTA MacGLASHAN, ROBERT McGARVEY, DON NOTTOLI, SUSAN PETERS, SOPHIA SCHERMAN, PHIL SERNA, SANDY SHEEDY, JEFF STARKY, JIMMIE YEE, CHAIR JAYNA KARPINSKI-COSTA
(Directors Cohn, Fong, Payne & Schenirer absent)

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AIR POLLUTION CONTROL OFFICER'S REPORT**

THE BOARD OF DIRECTORS WILL HOLD A CLOSED SESSION IN HEARING ROOM #1 AT THE CONCLUSION OF THIS MEETING TO DISCUSS THE FOLLOWING ITEMS (as time allows):

- **Conference with Legal Counsel - Existing or Pending Litigation:**
Review of litigation status and authorization for related actions in the following cases filed by the District:

RTS Transport, Inc., (Case No. 34-2011-00100257)
Souza, Ronald, dba American Farms (Case No. 34-2011-00095088)
Pangburn, Matthew, dba Pangburn Transport (Case No. 34-2011-00095070)
California Distribution Centers, LLC (Case No. 34-2011-00100258)
Government Code Section 54956.9(a)

- **Conference with Legal Counsel – Anticipated Litigation:** Based on existing facts and circumstances, the Board is deciding whether to initiate litigation under Government Code Section 54956.9(c) – One Potential Case

ACTION: *Closed session was held and the Board authorized the District Counsel to file one legal action (anticipated litigation) and pursue settlement of two other cases.*

CONSENT MATTERS
(ITEMS #4 THROUGH #10)

4. Adopt a Resolution Nominating Candidates for the Special District Risk Management Authority Board of Directors

Approved by AQMD Resolution No. 2011-026

5. Adopt a Resolution Authorizing the Air Pollution Control Officer to Execute Proposition 1B: Goods Movement Emission Reduction Program Funding Agreements

Approved by AQMD Resolution No. 2011-027

6. Adopt a Resolution to Enter Into a Sole Source Contract with Hanson Bridgett Marcus Vlahos & Rudy, LLP for the Hearing Board Counsel

Approved by AQMD Resolution No. 2011-028

7. Adopt a Resolution for Approval of a New Three Year Contract for the District Counsel

Approved by AQMD Resolution No. 2011-029

8. Information Item: Refinancing of the Certificates of Participation Used to Finance the District's 2002 Office Building Purchase

Received and filed

9. Receive a Report on Public Notice Procedures for District Rulemaking Actions and Plan Revisions

Received and filed

10. Adopt a Resolution Authorizing the Air Pollution Control Officer to Execute a Memorandum of Understanding for Intern Services with the Greater Sacramento Clean Air Coalition

Approved by AQMD Resolution No. 2011-030

ACTION: *Starsky/Sheedy – Approved Consent Calendar Items 4 through 10. UNANIMOUS VOTE OF THOSE PRESENT (Directors Cohn, Fong, MacGlashan, Payne, Schenirer, & Scherman absent)*

PUBLIC HEARING

11. Conduct a Public Hearing to Adopt Resolutions Approving Amendments to the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan:

(a) Removing Control Measures IS-1, Construction Mitigation Rule

Approved by AQMD Resolution No. 2011-031

(b) Removing Control Measures SMAQMD-412, Internal Combustion Engines, and SMAQMD-471, Asphaltic Concrete

Approved by AQMD Resolution No. 2011-032

(c) Revisions to the Control Measure Adoption Schedule

Approved by AQMD Resolution No. 2011-033

Director Starsky said that a further analysis of IS-2, Operational Indirect Source Review should be completed. Staff intends to bring this matter back to the Board in October.

The public hearing was opened for comments from the audience.

ACTION: Starsky/Scherman – Closed the public hearing, determined that the amendments to the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan are exempt from the California Environmental Quality Act, and Adopted Resolutions 2011-031, 2011-032 & 2011-033 amending the Plan. UNANIMOUS VOTE AMONG THOSE PRESENT (Directors Cohn, Fong, MacGlashan, Payne, & Schenirer absent).

12. Conduct a Public Hearing and Adopt a Resolution Approving Amendments to Rule 459 – Automotive, Mobile Equipment, and Associated Parts and Components Coating Operations Refinishing

The public hearing was opened for comments from the audience.

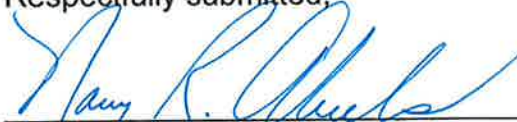
ACTION: Starsky/Sheedy – Closed the public hearing, determined that the amendments to Rule 459 – Automotive, Mobile Equipment, and Associated Parts and Components Coating Operations Refinishing are exempt from the California Environmental Quality Act, and Adopted a Resolution amending Rule 459. UNANIMOUS VOTE AMONG THOSE PRESENT (Directors Cohn, Fong, McGarvey, Payne & Schenirer absent).

Approved by AQMD Resolution No. 2011-034

PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA

ADJOURN

Respectfully submitted,



Nancy R. Abeels, Clerk
SMAQMD Board of Directors