



County of Santa Cruz ¹⁴⁷

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 6/22/99

June 10, 1999

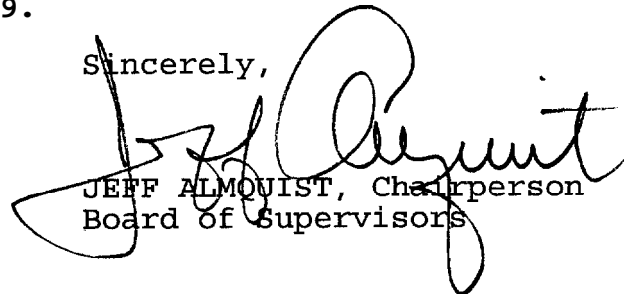
BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: OPPORTUNITY TO SUBMIT NOMINATIONS TO VARIOUS
POSITIONS ON THE MONTEREY BAY UNIFIED AIR
POLLUTION CONTROL DISTRICT HEARING BOARD

Dear Members of the Board:

Attached is a letter from Linda Mounday, Clerk of the Boards of the Monterey Bay Unified Air Pollution Control District, advising our Board of a number of vacancies on the District's Hearing Board. As you may recall, our Board has the opportunity to submit nominations to the Hearing Board, with the final appointments to be made by the District Board of Directors. Accordingly, I recommend that the Board direct the Clerk of the Board to post a notification of the vacancies outlined by the District, with nominations to be considered by the Board of Supervisors on August 3, 1999.

Sincerely,



JEFF ALMQUIST, Chairperson
Board of Supervisors

JA:ted
Attachments

cc: Clerk of the Board
Linda Mounday, Monterey Bay Unified Air Pollution Control
District

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MONTEREY BAY

Unified Air Pollution Control District

serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER

Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

June 8, 1999

DISTRICT BOARD MEMBERS

CHAIR:
John Myers
King City

VICE CHAIR:
Bob Cruz
San Benito County

Jack Barlich
Del Rey Oaks

Richard Boomer
Hollister

Anna Caballero
Salinas

Lou Calcagno
Monterey County

Tony Campos
Santa Cruz County

Edith Johnson
Monterey County

Judy Pennycook
Monterey County

Oscar Rios
Watsonville

Wait Symons
Santa Cruz County

**Santa Cruz County Board of Supervisors
701 Ocean - Room 500
Santa Cruz, CA 95060**

Subject: Vacancies on the MBUAPCD Hearing Board

Attention: Jeff Almquist, Chair

Dear Chair Almquist:

This letter is being sent to the Santa Cruz County Board of Supervisors, as well as the San Benito County and Monterey County Boards, to notify each of the tri-county Boards of vacancies on the District's Hearing Board, representing the following:

- 1 Physician vacancy (Cary Young, MD) -- moved to Bay Area**
- 1 Engineer term expiration August 1999 (Dan Weatherly)**
- 2 Public Member expirations April 1999 (Alan Holbert/Michael Leach)**
- 1 Attorney term expiration August 1999 (James King)**

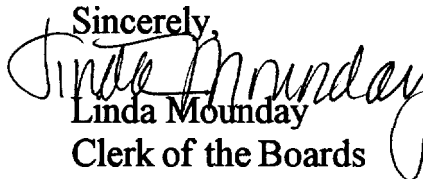
State law mandates that the Hearing Board must be comprised of five members representing the above positions. I have enclosed the Hearing Board Nominations procedure which was adopted by the District Board of Directors. Each county may submit nominees for this position. A Committee of the District Board will review all nominations submitted and recommend a nominee to the full District Board of Directors. The Directors will make the final appointment.

Enclosed is an informational sheet regarding the types of cases considered by the Hearing Board.

Also enclosed is a copy of the Hearing Board Nomination Procedure adopted by the District Board in 1993, and a copy of the Application form to be completed by nominees.

Nominations should be forwarded to this office no later than August 9, 1999.

Should you have any questions please feel free to contact me at 647-9411, X201.

Sincerely,

Linda Mounday
Clerk of the Boards

enclosures

cc: Doug Quetin, APCO
Counsel Schott
Hearing Board Members

TYPES OF CASES ADJUDICATED BY HEARING BOARDS

The Health and Safety Code delegates to the hearing boards the authority to hear and decide three types of cases: applications for variances, requests for abatement orders, and permit disputes. Although the conduct of these hearings varies somewhat from district to district because hearing boards may adopt their own procedural rules, some uniformity is insured because the basic requirements are set forth in the Health and Safety Code and, pursuant to section 40807, the hearing board rules must conform as far as practicable to the rules for administrative adjudication by state agencies found in the California Administrative Procedures Act, Government Code Sections 11500-11528.

MONTEREY BAY UNIFIED AIR POLLUTION
CONTROL DISTRICT
24580 Silver Cloud Court
Monterey, California 93940

Hearing Board Qualifications Questionnaire

Name _____
Street Address _____

City _____ County _____

State _____ Zip Code _____

Are you an officer or employee of the Monterey Bay
Unified Air Pollution Control District?
Yes No (Circle one)

Are you admitted to practice law in the State of
California?
Yes No

If yes, provide your State Bar Assn. No. _____

Are you a registered professional engineer? Yes No

If yes, please provide your registration No. _____

Are you a member of the medical profession with specialized skills, training, or interests in the fields of environmental medicine, community medicine, or occupational/toxicologic medicine.

Yes No

If yes, please provide your license number, type of license and a brief statement regarding your specialized skills, training or interests.

License No. _____ License Type _____

Signature

Date



MONTEREY BAY
Unified Air Pollution Control District

serving Monterey, San Benito, and Santa Cruz counties

ABRA BENNETT
Air Pollution Control Officer

24580 Silver Cloud Court • Monterey, California 93990 • 408/647•9411 • FAX 408/647•8501

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DATE OF BOARD CONSIDERATION: April 21, 1993
DATE OF RELEASE: April 14, 1993

TO: The Air Pollution Control Board
FROM: David P. Schott, District Counsel
SUBJECT: Hearing Board Nomination Procedure

ISSUE

Hearing Board nomination procedure.

RECOMMENDATION

Accept report and implement procedure.

DISCUSSION

As 'per the direction of this Board, District staff has prepared the following proposed procedure for the nomination of Hearing Board members.

Step 1. One hundred and twenty days prior to the expiration of any hearing board term, or immediately upon the occurrence of a vacancy, the Hearing Board clerk shall inform the Clerks of each Board of Supervisors of the vacancy and invite nominations from each county for the vacant position.' The notification shall clearly indicate the minimum qualifications for appointment. The notification will also indicate whether the position is currently occupied and by whom. A copy of this procedure will be provided to each Clerk with the notification letter, as well as standard application forms for the position;

Step 2: Within 60 days' after notification, each of the Boards of Supervisors may submit a nomination for the vacant position. The method of determining that nomination shall be determined by each individual Board of Supervisors.

DISTRICT BOARD MEMBERS

Supervisor Barbara Shipnuck,
Chair
Monterey County

Supervisor Ruth Kesler,
Vice Chair
San Benito County

Supervisor Sam Karas,
Monterey County

Supervisor Tom Perkins
Monterey County

Supervisor Judy Pennycook
Monterey County

Supervisor Fred Keeley
Santa Cruz County

Supervisor Walter Symons
Santa Cruz County

Supervisor Richard Scapotti
Alternate
San Benito County

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The Air Pollution Control District
April 21, 1993
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Step 3. Each nomination shall be forwarded to the District Counsel. The District Counsel, in cooperation with Hearing Board Counsel, shall determine if any nominee should be disqualified for any legal reason, ie. conflict of interest, statutory disqualification, etc.

Step 4. All qualified nominations received shall be submitted to the Nominations Committee of the District Board of Directors. That committee shall consider the nominees and shall make a recommendation to the full Board of Directors at their next regularly scheduled meeting.

Step 5. The Board of Directors shall, by majority vote, make the appointment(s).

FISCAL IMPACT

None.