



MEETING MINUTES

1:30 P.M. ROLL CALL:

Members Present: Paul Teixeira (Chair), Roberta Fonzi, John Hamon

Members Absent: None

PUBLIC COMMENT PERIOD

This is the time set for members of the public wishing to address the Committee on matters other than scheduled items.

Ms. Pam Dunlap: Requests time controls on some agenda items and noted the need for kindness at future meetings.

Ms. Laura Mordaunt: Remarks on her recent tour of the dunes area and discussed monitoring equipment. Requested that all Board members visit the dunes area or recuse themselves from decisions regarding the area.

Mr. Tom Dawson: Discusses blowing sand, dunes vegetation, and noted that vehicles aren't generally in use during strong wind conditions. Recommends the Board reconsider the dust rule and that all Board members be required to tour the area.

Ms. Elsa Dawson: Remarks that other parks in the state don't have permits with air districts or are fined.

Ms. Andrea Seastrand Mentions that she has been on two tours of the dunes area and requests Board members take a tour and read the Dunites book prior to the tour.

Ms. Debbie Peterson: Observes that there is not a review process in place for the Board's legal counsel. Also mentions that independent outside opinions on scientific issues or legal issues may be necessary.

Mr. Kevin P. Rice: States no scientific evidence of vehicles responsible for dust and asked the Board to reconsider that issue, and requests Board members attend a private tour of the dunes area. Also believes a Brown Act violation occurred regarding information forwarded to full board by **Mr. Allen** via email.

Committee members each noted they have either taken a tour of the dunes area or will plan to take one in the future.

Ms. Fonzi: asks District Counsel, **Mr. Ray Biering**, to respond to Mr. Rice's assertion of a violation of the Brown Act, with **Mr. Biering** responding that a violation would occur only if a message generates some sort of discussion or consensus from a quorum of the Board outside of a meeting. **Mr. Allen** states the message was to provide the full Board with the same budgetary information provided to Ms. Peterson and will discuss the issue with **Mr. Biering** for future reference.

Mr. Teixeira: notes that there are other parks in the State Parks system that have dust issues.

Mr. Allen: notes that the District has not fined State Parks; with further discussion regarding fees and monitoring requirements at other parks in the system.

Ms. Fonzi: discusses reasons for not placing items on the agenda that are not directly related to APCD business.

BUSINESS

1. This is the time set to approve the APCD Board Executive Committee Meeting Calendar for 2013.

On motion by **Mr. Hamon**, seconded by **Ms. Fonzi**, the meeting calendar **unanimously approved**.

2. This is the time set to approve the Minutes of May 1, 2013 Executive Committee meeting.

Ms. Fonzi: asks that her comments not supporting the Children Bill of Rights item on the May 29, 2013 Board agenda be noted in the minutes.

Chairperson Teixeira: opens the floor to public comment

Ms. Debbie Peterson, Mr. Tom Dawson, Ms. Andrea Seastrand, Ms. Pam Dunlap, Ms. Laura Mordaunt, Ms. Elsa Dawson: speak.

After further discussion among Committee members, and on motion by **Mr. Hamon**, seconded by **Ms. Fonzi**, the minutes **unanimously approved, as amended**.

3. This is the time set to review the July 24, 2013 APCD Board Meeting Draft Agenda

Mr. Allen reviews the proposed agenda items.

Discussion among Board members regarding 2012 Annual Air Quality Report. On motion by **Ms. Fonzi** to postpone the report to the September meeting, seconded by **Mr. Hamon - motion unanimously approved**, with the request to provide the report to the Executive Committee prior to review by the full Board.

Mr. Allen notes that the Executive Committee meeting minutes from May will be added to the Board agenda.

Discussion among Board members regarding whether or not to have an agenda item to schedule a special Board meeting to tour the Dunes area, with the recommendation for the agenda item to read: "Proposal to Schedule a Special Public Meeting at the Ocean Dunes State Park and Tours of Vehicle Recreation Area to Follow."

After discussion, the Board asked that items deferred from the May meeting be placed first on the Public Hearing portion of the agenda.

Ms. Fonzi asked to have an update on the status of Climate Action Plan be on the July agenda or another future meeting.

Chairperson Teixeira opens the floor to public comment

Mr. Kevin P. Rice speaks

There being no other business the meeting is adjourned.

Next Meeting: September 4, 2013

Chairperson

Attest:

Kimberlee S. Johnson
APCD Board Clerk