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BOARD OF SUPERVISORS - COUNTY OF MARIPOSA
RESOLUTION NO. 73-67

BE IT RESOLVED that the Board of Supervisors approves and adopts the By-Laws of the San Joaquin Valley Basinwide Coordinating Council.

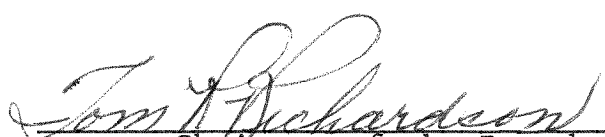
PASSED AND ADOPTED this 12th day of June, 1973 by the Board of Supervisors by the following vote:

AYES: Davis, Hurlbert, Long, Moffitt, Richardson


NOES: None

ABSENT: None

NOT VOTING: None


Chairman of the Board

ATTEST:
ELLEN BRONSON, Acting County Clerk
and Acting Ex-officio Clerk of the
Board


Clerk of the Board

COOPERATIVE AIR POLLUTION CONTROL PROGRAM
SAN JOAQUIN VALLEY BASINWIDE COORDINATING COUNCIL
April 27, 1973

In 1967, the Air Resources Committee, San Joaquin Valley Supervisors Association, adopted a resolution to retain local control in the air pollution control program. To accomplish this objective, while depicting regional government, cooperation between counties was stressed as the key to success.

The San Joaquin Valley Basinwide Coordinating Council, consisting of one appointed supervisor from each county, was formed in January, 1971 in accordance with Assembly Bill 23. Legal recognition was thus given to a group responsible for air pollution control in the San Joaquin Valley and whose objective was to develop a coordinated air pollution control program.

An Implementation Plan for Air Pollution Control for the San Joaquin Valley was developed and adopted in 1971. To provide for maximum State subvention, it is required that this Implementation Plan be put into effect through the most efficient use of manpower and the sharing of equipment.

By-Laws and cooperative program are hereby adopted to fulfill all the above goals, objectives and requirements.

By-Laws
of the
San Joaquin Valley Basinwide Coordinating Council

I. Membership

A. The membership shall consist of one supervisor, appointed by the air pollution control boards, from each of the following control districts.

- | | |
|---------------------|-----------------------|
| 1. Amador County | 7. Mariposa County |
| 2. Calaveras County | 8. Merced County |
| 3. Fresno County | 9. San Joaquin County |
| 4. Kern County | 10. Stanislaus County |
| 5. Kings County | 11. Tulare County |
| 6. Madera County | 12. Tuolumne County |

B. An alternate, who is also a supervisor, shall be appointed by each air pollution control district. The alternate shall have the same rights and privileges as the member.

C. Each control district is entitled to one vote.

II. Officers and Duties

A. Chairman

1. The Chairman shall preside at all Coordinating Council meetings.
2. Appoint the membership to the committees as needed.

B. Vice-Chairman - Treasurer

1. The Vice-Chairman shall act in the place of the Chairman at meetings should the Chairman be absent.
2. He shall keep a true record of the financial standing and transactions of the Coordinating Council
3. He shall receive and deposit monies paid to the Coordinating Council.
4. He shall make disbursements as approved by the Coordinating Council.

C. Recording Secretary

1. The Recording Secretary shall keep a true record of all the proceedings of the regular meetings of the Coordinating Council.

III. Term in Office

A. General Membership

1. The membership of the Coordinating Council shall serve at the pleasure of their respective Control Districts.

B. Officers

1. All officers shall be elected by the membership to serve for a term of one year and assume their offices at the first meeting of each calendar year.

IV. Meetings

A. Regular Meetings

1. At least one meeting shall be held during each calendar quarter.
2. Seven members constitute a quorum, and a quorum is needed for an official meeting.
3. A minimum of seven votes must be cast in favor or against for Coordinating Council action.
4. Minutes shall be kept of all regular meetings.
5. Copies of the minutes shall be distributed to all Coordinating Council members and to other persons as directed by them.
6. An approved copy of the minutes shall be sent to the California Air Resources Board.

B. Special Meetings

1. To be held at the discretion of the Chairman.

- C. Robert's Rules of Order, Revised, shall be the authority on parliamentary procedures.

V. Finances

- A. Funds shall be derived and supplied by each Control District through State Subvention Funds, Federal Grants, or other sources that are available.
- B. Each Control District shall be assessed funds for the operation of the Coordinating Council at the rate of 0.5¢ per capita in their respective district. The population shall be the same as that used by the State Air Resources Board for their subvention program.
- C. The funds will be due FY 73-74 and the maximum reserves shall not exceed 1.0¢ per capita.
- D. All expenditures shall be approved by the Coordinating Council.

VI. Duties and Responsibilities

- A. Review, revise and approve implementation plans for air pollution control as required.
- B. Review, approve, or comment on subvention applications as required.
- C. Review recommendations from the Arbitration Committee and direct action as needed.
- D. Review local, state and federal legislation, programs, etc. and provide comments as matters dictate.
- E. Direct the activities of the Technical Advisory Committee.
- F. Perform other Coordinating Council activities as needed.

VII. Committees

- A. Arbitration Committee
 1. When disputes cannot be resolved between various Air Pollution Control Districts, the Chairman shall appoint a committee consisting of three Coordinating Council members who are not directly involved in the dispute, to hear, resolve or recommend corrective action.
- B. Technical Advisory Committee (TAC)
 1. Membership

- a. The membership shall be the Air Pollution Control Officer from each Control District or their designated representative.
- b. Other designated representatives from agencies approved by the Coordinating Council.

2. Officers and Duties

- a. Chairman: The chairman shall preside at all TAC meetings and appoint members to sub-committees as needed.
- b. Recorder: The recorder shall act in the place of the chairman at meetings should the chairman be absent. He shall also keep a record of the proceedings.

3. Term in Office

- a. The membership of the officer shall serve at the pleasure of their respective Control District.
- b. All officers shall be elected to serve for a term of one year. The incoming officers shall assume office at the first meeting of each calendar year.

4. Meetings

- a. Regular meetings shall be held bi-monthly (six per year).
- b. Special meetings shall be held as necessary to fulfill the directives of the Coordinating Council.

5. Duties and Responsibilities

- a. Serve at the direction of the Coordinating Council.

C. Expenses incurred by various committees may be presented to the Coordinating Council for approval and payment.

COORDINATED AIR POLLUTION CONTROL PROGRAM
SAN JOAQUIN VALLEY AIR BASIN

- I. Resolution of Intent:- A Resolution of Intent to develop and implement a coordinated air pollution control program has been adopted by the San Joaquin Valley Basinwide Coordinating Council. Similar Resolutions of Intent have also been adopted by each Control District in the San Joaquin Valley Air Basin.
- II. Regulations:- Similar regulations have been adopted by all Control Districts. Where regulations were not adopted, request for exceptions have been filed with the California Air Resources Board.
- III. An Implementation Plan for Air Pollution Control was developed and has been adopted by the Coordinating Council and the Control Districts in the San Joaquin Valley. This plan provides for the maintenance and attainment of ambient air quality if properly implemented.

Section 39275, California Health and Safety Code requires that each county in an air basin prepare and submit a program for implementing this plan. The county program shall be submitted to the Air Resources Board for their approval on or before January 1, 1972.

- IV. Arbitration of Disputes:- Arbitration of disputes between counties is provided for in the By-Laws, San Joaquin Valley Basinwide Coordinating Council and shall be submitted for Binding Arbitration through the following processes:
 - a. The Air Pollution Control Districts involved in the dispute shall meet and attempt to resolve the dispute.
 - b. When disputes cannot be resolved between various Air Pollution Control Districts, the Chairman shall appoint a committee consisting of three Coordinating Council members who are not directly involved in the dispute, to hear, resolve or recommend corrective action.
 - c. A 3/4 vote of the Coordinating Council membership shall resolve the dispute. If there is no decision, then;
 - d. The dispute shall be heard by a neutral arbitrator appointed by the Presiding Superior Court Judge of the largest county not involved in the dispute.
- V. Meetings:- The Coordinating Council has scheduled quarterly meetings. Requirements for a quorum and minutes are provided for in the By-Laws.
- VI. Emergency Contingency Plan:- A State-wide Plan is being researched by the State Air Resources Board. When the guidelines are developed, a Basinwide Plan will be developed that is consistent with the guidelines.

- VII. Land Use and Transportation Plan:- All Control Districts are to work with the Planning elements in their respective counties. Development with proper planning shall be a requirement in order that ambient air quality standards will be attained and maintained. The State Air Resources Board and the Environmental Protection Agency are researching this approach and guidelines will be forthcoming. With direction from the Coordinating Council, the TAC will develop an acceptable plan.
- VIII. Enforcement Program:- To retain local control, each Control District shall provide the staff necessary to implement the enforcement elements of the program. Control Districts may contract for these services if they desire.
- IX. Administration:- Each Control District shall provide the staff necessary for the administrative needs.
- X. Air Monitoring, Source Testing and Engineering:- To provide for the most efficient use of manpower and resources, Control Districts may contract between districts for these services.
- XI. Mutual Support Areas:- To provide for a minimum of travel, efficient use of expensive source testing equipment and utilization of technical expertise where less than a man year is needed, the following mutual support areas are developed. The counties in each support area are to meet, develop program needs, and prepare a draft of a "Contract for Services" for consideration.
- A. Kern, Kings and Tulare: Kern has developed source testing capabilities and can provide limited source testing services. Tulare should develop their own engineering capabilities and should provide the necessary services to Kings County.
- B. Fresno, Madera, Merced and Mariposa: Fresno has developed source testing capabilities and can provide limited source testing services. Fresno should provide the engineering services to the other counties.
- C. Stanislaus, San Joaquin, Amador, Calaveras and Tuolumne: Stanislaus has developed source testing capabilities and can provide limited source testing services.

The population and industrialization of San Joaquin County indicates that source testing and engineering capabilities are warranted. San Joaquin County should develop these capabilities and provide the necessary services to Amador.

Both Stanislaus and San Joaquin Counties have engineering capabilities and both should develop them to their fullest potential.

During the interim, Stanislaus County should be the support county and should provide engineering and source testing services. When San Joaquin County is able to provide support services, a support area consisting of San Joaquin and Amador county will be developed.

XII. Subvention Applications:- To provide for continuity and organized review of applications for coordinated subvention, the Air Resources Board requires the following:

- A. The applications from each mutual support area be reviewed for budgetary continuity.
- B. The comprehensive narrative of the air pollution control program be consistent with the goals, objectives, and requirements of a BASIC program.
- C. The applications for coordinated subventions be separated into mutual support areas, packaged into one document for the San Joaquin Valley and sent to them under one cover letter. The cover letter shall state that the applications have been reviewed, found to be consistent with the requirements of a Basic Program and approved by the Coordinating Council
- D. For an approved Coordinated Program, the Entire Package, applications, comprehensive narrative, and contracts, must be approved by the Coordinating Council as well as ALL Control Boards in the San Joaquin Valley Air Basin.