

San Joaquin Valley Special City Selection Committee

MEETING

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA.

AGENDA

Tuesday, March 31, 2009 - 6:00 p.m.

Meeting held via video teleconference (VTC) at the offices of the San Joaquin Valley Air Pollution Control District: Central Region Office (Fresno), Northern Region Office (Modesto), and Southern Region Office (Bakersfield).

All meeting attendees are advised that all pagers, cellular telephones and any other communication devices should be powered off upon entering the Governing Board Room or VTC Rooms, as these devices interfere with our audio equipment.

Any member of the public may address the Committee during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of three minutes per speaker unless, for good cause, the Chair grants a longer period of time.

- To request special accommodations for those persons with disabilities please contact the Clerk to the Board at (559) 230-6000 at least 7 days prior to the meeting date.
 - The Committee relies on the credibility of witnesses and the veracity of testimony on matters brought before this Committee for action.
 - Please print your name clearly on the Sign-in Sheet at the entrance.
1. CALL TO ORDER
 2. ROLL CALL
 3. [APPROVE ACTION SUMMARY MINUTES OF JANUARY 29, 2009](#)
 4. [ADOPT A ROTATION SCHEDULE FOR CITY APPOINTMENTS TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD](#)
 5. PUBLIC COMMENT - *This time is made available for comments from the public on matters within the Committee's jurisdiction that are not on the Agenda. It is requested that no comments be made during this period on items on the Agenda. The public may make comments on each Committee Agenda Item during the time allowed for public comment. Attention is called to the fact that the Committee is prohibited by law from taking any action on matters discussed that are not on the Agenda.*
 6. COMMITTEE MEMBERS COMMENTS
 7. ADJOURN

Agenda Item #3

APPROVE ACTION SUMMARY MINUTES OF JANUARY 29, 2009

Action Summary Minutes

SAN JOAQUIN VALLEY SPECIAL CITY SELECTION COMMITTEE

Central Region Office, Governing Board Room

1990 E. Gettysburg Avenue, Fresno, CA

Thursday, January 29, 2009

6:00 p.m.

Meeting held via video teleconferencing at the Offices of the San Joaquin Valley Air Pollution Control District: Central Region Office (Fresno), Northern Region Office (Modesto), and Southern Region Office (Bakersfield).

1. CALL MEETING TO ORDER:

Seyed Sadredin, Secretary to the Special City Selection Committee, called the meeting to order at 6:01 p.m.

2. ROLL CALL

Present

Ed Alves	City of Escalon
Jerry Antonetti	City of Dos Palos
Jim Avalos	City of Selma
David G. Ayers	City of Hanford
Leonel Benavides	City of Farmersville
Anita Betancourt	City of Reedley
Sally J. Bomprezzi	City of Madera
Amy Bublak	City of Turlock
John Carlisle	City of Merced
Nelson Crabbe	City of Atwater
Thom Crowder	City of Hughson
Rick Darling	City of Fowler
Tom Dunlop	City of Oakdale
Tom Faria	City of Los Banos
Dominic Farinha	City of Patterson
Rich Ford	City of Gustine
Jesus Gamboa	City of Visalia
Tony Garcia	City of Coalinga
Raul Gonzales	City of Woodlake
Julia Hernandez	City of San Joaquin
Glenda Hill	City of Orange Cove
Carl Joe Hively	City of Wasco
Bob Johnson	City of Lodi

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
January 28, 2009

Janice Keating	City of Modesto
Ted Kelly	City of Newman
Pamela Kimball	City of Lindsay
Michael Maciel	City of Tracy (Alternate)
Dennis Martin	City of McFarland
Pedro Martinez	City of Porterville
Terry McKittrick	City of Dinuba
Debbie Moorhead	City of Manteca
Elden "Red" Nutt	City of Ripon
Dagoberto Ovalle	City of Avenal
Hilda R. Plasencia	City of Huron
John Plourde	City of Lemoore
Trinidad Rodriguez	City of Kerman
Victor Ruiz	City of Sanger
Marcia Sablan	City of Firebaugh
Zack Scrivner	City of Bakersfield
Robert Silva	City of Mendota
Cynthia Sterling	City of Fresno
Tim Tarver	City of Arvin
Grace Vallejo	City of Delano
Mike VanWinkle	City of Waterford
Craig Vejvoda	City of Tulare
Chris Vierra	City of Ceres
Jim Wadsworth	City of Corcoran
Jeffrey Westenberger*	City of Maricopa
Bob Whalen*	City of Clovis
Dave White	City of Riverbank
Justin White	City of Chowchilla

Gregg Collins, representing the City of Exeter, was excused from participating as a member of the Committee because he was not an elected official from the City of Exeter. For cities located within the boundaries of the San Joaquin Valley Air Pollution Control District, the State law restricts membership on this Committee to elected members of the council from each city.

Election of the Chair and the Vice-Chair

The first order of business prior to considering the remaining items on the agenda was the election of the Chair and the Vice-Chair.

Moved: Vejvoda

Seconded: White

Ayes: Crabbe, Antonetti, Alves, Ford, Crowder, Johnson, Faria, Moorhead, Keating, Kelly, Dunlop, Farinha, Nutt, White, Maciel, Bublak, VanWinkle, Ovalle, Vierra, White, Whalen, Garcia, Wadsworth, McKittrick, Benavides, Darling, Sterling, Ayers, Plasencia, Plourde, Kimball, Bomprezzi, Carlisle, Hill, Betancourt, Ruiz, Hernandez, Avalos, Vejvoda, Gamboa, Gonzalez, Tarver, Scrivner, Vallejo, Westenberger, Martin, Hively, Martinez

Nays: None

Motion passed unanimously to appoint Chris Vierra, City of Ceres, as the Chair of the San Joaquin Valley Special City Selection Committee.

Mr. Vierra thanked all the representatives for attending the Special City Selection Committee meeting. He stated it is impressive to see the number of cities that are demonstrating interest.

The Chair opened the nominations for Vice-Chair.

Moved: Vallejo

Seconded: Scrivner

Ayes: Crabbe, Antonetti, Alves, Ford, Crowder, Johnson, Faria, Moorhead, Keating, Kelly, Farinha, Nutt, White, Maciel, Bublak, VanWinkle, Ovalle, Vierra, White, Whalen, Garcia, Wadsworth, McKittrick, Benavides, Darling, Sterling, Ayers, Plasencia, Plourde, Kimball, Bomprezzi, Carlisle, Hill, Betancourt, Ruiz, Hernandez, Avalos, Vejvoda, Gamboa, Gonzalez, Tarver, Scrivner, Vallejo, Westenberger, Martin, Hively, Martinez

Nays: Dunlop

Motion passed 47-1 to appoint Tim Tarver, City of Arvin, as the Vice-Chair of the San Joaquin Valley Special City Selection Committee.

Mr. Whalen, City of Clovis, arrived at 6.25 p.m.

3. OVERVIEW OF SB 1548 AND PURPOSE OF THE SPECIAL CITY SELECTION COMMITTEE - Seyed Sadredin presented an overview of the state law governing city representation on the District's Governing Board and the duties assigned to the San Joaquin Valley Special City Selection Committee in relation to appointments to the District Board.

Following the presentation by Mr. Sadredin, the Chair solicited comments from the members of the Committee.

Member Comments:

Northern Region Office (Modesto) – No comment.

Central Region Office (Fresno) - Mr. Vejvoda, City of Tulare, referred to the work he and a few representatives on the San Joaquin League of Cities have performed in the past concerning city representation on the District Board. He also commented on the complex rules in the state law relating to city representation. He expressed a desire for a process that is fair, transparent, and local. Lots of hours have gone into developing a process. He introduced a city rotation proposal designated as "City Rotation Sample #4".

The Chair directed that comments and questions be limited to the presentation made on the related legislation and stated that rotation schedules will be discussed and considered under the next agenda item.

Ms. Sterling, City of Fresno, articulated her reasoning for having the City of Fresno serve on the District Board on a permanent basis.

Mr. Carlisle, City of Merced, asked why it was proposed to set new rotation schedule every 8 years. Mr. Sadredin pointed out that issues related to appointment process will be addressed under the next agenda item. Mr. Sadredin stated that since the terms are 3 years, every ninth year the committee will have to make appointments. Setting a new rotation schedule in the 8th year would set the stage for appointments in the following year.

Mr. Ruiz, City of Sanger, articulated his reasoning for small cities within Fresno County serving on the Board and the impact that appointing the City of Fresno to the District Board would have in relation to small city representation in Fresno County.

Southern Region Office (Bakersfield) – No comment.

Public Comments – *The following person provided testimony during this time.*
Sarah Sharpe, Fresno Metro Ministry

4. ADOPT PROCEDURES AND ROTATION FOR CITY APPOINTMENTS TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD - Seyed Sadredin gave a presentation recommending a set of procedures to be used by the Committee for nominating and appointing members to the District Board, including a rotation schedule for adoption by the Committee. Mr. Sadredin explained the guiding principles and the reasoning for the recommendations offered.

Chairman Vierra summarized the issues that were before the Committee and asked for comments from the members of the Committee.

Member comments:

Northern Region Office (Modesto): Mr. Dunlop, City of Oakdale, expressed support for staff recommendation. He stated that the proposal was fair to all counties in the regions. It gives opportunity to cities that have not had the opportunity to have members on the District Board before. He added that the staff's recommendations on procedures are very well thought through.

Mr. Gamboa, City of Visalia, stated that Mr. Sadredin did a good job in reiterating the guiding principles on the rotation schedules. He supported the rotation schedule starting with the City of Visalia which has not previously served on the Board.

Mr. Whalen, City of Clovis, stated the committee needs to act now and expressed support for the rotation schedule proposed by Mr. Vejvoda. He stated the rotation schedule proposed by Mr. Vejvoda was not perfect but it did address the issue of every city having the opportunity to serve. He added that modifications could be made so that San Joaquin County and Kern County have representation.

Janice Keating left the meeting at 7:25 p.m.

Mr. Avalos, City of Selma, supports the rotation with a few modifications to allow every city to serve on the District Board.

Mr. Vejvoda, City of Tulare, stated that his proposal would make it possible for every city to participate over the next 8 years.

Mr. Ayres, City of Hanford – supports rotation process versus the “free for all” approach. It seems a fair and equitable way for all cities to be represented. He had concerns on the nomination process.

Mr. Carlisle, City of Merced – supports rotation process versus the “free for all” approach.

Mr. White, City of Chowchilla, supported a rotation schedule. He articulated that the committee needs to adopt a rotation schedule at this meeting and that It is important to have a voice on the District Board.

Ms. Sterling, City of Fresno, expressed support for the rotation schedule proposed by Mr. Vejvoda, providing the City of Fresno with two consecutive terms on the District Board until 2017.

Mr. Ruiz, City of Sanger, supports rotation process versus the “free for all” approach, but not the rotation schedules presented. He articulated his concerns that small cities in Fresno do not get an opportunity to serve. He added that he would like to see a small city in Fresno County start in the rotation adopted by the Committee.

Mr. Scrivner, City of Bakersfield – supports rotation schedule entitled “City Selection Option 2” that would allow the city of Bakersfield the opportunity to serve earlier. Rotation schedule City Selection Option 2 was put on the screen for clarification.

Debbie Moorhead left the meeting at 7:45 p.m.

Ms. Vallejo, City of Delano, asked to be given more time to look at a number of rotation schedules, study them, and decide.

Mr. Hively, City of Wasco, concurs with City of Delano. He articulated that he supports the “free for all” approach without voting for nominees at the local level by each city council.

Mr. Johnson, City of Lodi, expressed concern with the appearance that all members did not have all the information being discussed and made a motion to adjourn the meeting until all the committee members are sent all the information that is presented.

Mr. Crabbe, City of Atwater, seconded the motion.

Mr. Justin White, City of Chowchilla, expressed opposition to the motion and urged action at this meeting.

Ms. Julia Hernandez, City of San Joaquin, expressed support for establishing a rotation schedule but urged for more time for reviewing potential rotation schedules. She also expressed concern that a number of small cities in Fresno County were not able to attend this meeting due to a conflict with another meeting.

Public Comments – The following persons provided testimony on this item

- Mary-Michal Rawling, Asthma Coalition for County of Merced
- Laura Fultz-Stout, Coalition for Clean Air
- David Elias, City of Fowler
- Sarah Sharpe – Fresno Metro Ministry
- Albert Carlson – Service Employees International Union Local 521
- Manual Cunha – President of NISEI Farmers League
- Hillary Baird – League of California Cities

Mr. Sadredin answered questions raised by the members of the public

Mr. Vierra asked for clarification on the motion. Mr. Johnson stated that his motion is to adjourn to a future date until all information is reviewed by the committee members before making a decision.

Mr. Phil Jay, District Council, stated the item can be postponed, but cannot adjourn the whole meeting.

Mr. Jim Avalos, City of Selma, asked if the maker of the motion would consider an amendment to allow for a vote on the concept of rotation schedule versus a free for all approach. The maker of the motion, Mr. Johnson, declined.

Moved: Johnson

Seconded: Crabbe

Ayes: Crabbe, Antonetti, Alves, Ford, Crowder, Johnson, Faria, Kelly, Dunlop, Farinha, Nutt, White, Maciel, Bublak, VanWinkle, Vierra, Whalen, Darling, Sterling, Plasencia, Hill, Betancourt, Hernandez, Gamboa, Tarver, Scrivner, Vallejo, Westenberger, Hively,

Nays: Ovalle, White, Garcia, Wadsworth, McKittrick, Benavides, Ayers, Plourde, Kimball, Bomprezzi, Carlisle, Ruiz, Avalos, Vejvoda, Gonzalez, Martin, Martinez

Motion defeated 29-17 to dismiss the meeting and reconvene at a later date.

Mr. Vejvoda moved to approve the proposed nomination and election process, item 1 through 18 as contained in the staff report from the Secretary, without establishing a specific rotation schedule at this time.

Mr. White seconded to motion.

Mr. Vierra opened for discussion on the proposed nomination and election process as proposed by the Secretary.

Tom Crowder left the meeting at the 8:30 PM.

Mr. Ruiz, City of Sanger, requested to change the proposed procedures to allow for one re-vote in the event of a tie and random drawing only if there is a subsequent tie.

Ms. Vallejo, City of Delano proposed to change the nomination process to allow the entire Special City Selection Committee to vote for nominations in lieu the voting on nominations to be limited to cities within the county for which there is vacancy on the District Board. Ms. Vallejo also proposed that a provision be added to allow meeting of the Special City Selection Committee as needed in addition to the annual meeting as provided.

The maker of the motion, Mr. Vejvoda, accepted Ms. Vallejo's recommendation to provide for the Committee meeting as needed. Mr. Vejvoda did not agree with the other recommendation by Ms. Vallejo. Mr. Vejvoda agreed with the amendment requested by Mr. Ruiz to allow for re-vote in the event of a tie and random drawing in the event of a subsequent tie. The maker of the second on the motion, Mr. Ruiz, concurred with the amendment.

Public Comments – The following persons provided testimony on this item:

- Mary-Michal Rawling – Asthma Coalition, County of Merced
- Sarah Sharpe – Fresno Metro Ministry

Mr. Farinha left the meeting at 8:45 p.m.

Moved: Vejvoda

Seconded: Ruiz

Ayes: Crabbe, Antonetti, Alves, Ford, Johnson, Faria,
Kelly, Dunlop, Nutt, White, Maciel, Bublak, VanWinkle,
Vierra, Whalen, Darling, Sterling, Plasencia, Hill, Betancourt,
Hernandez, Gamboa, Tarver, Scrivner, Westenberger, Ovalle,
White, Garcia, Wadsworth, McKittrick, Benavides, Ayers, Plourde,
Kimball, Bomprezzi, Carlisle, Ruiz, Avalos, Vejvoda, Gonzalez,
Martin, Martinez

Nays: Vallejo, Hively

Motion passed 42-2 to approve the City Appointment Process as presented by the Secretary, with changes to item #15 to include "The Special City Selection Committee will meet annually at a predetermined time or as needed."; also, to change item #13 to read "In the case of a tie, there shall be one re-vote by the cities within the county for which there is a vacancy on District Governing Board followed by a random drawing at a public meeting of the Special City Selection Committee in the event of a subsequent tie." – [See Attached - City Appointment Process](#)

Chairman Vierra asked for the direction from the committee on the rotation schedule.

Mr. Vejvoda, City of Tulare, motioned to adopt "City Rotation Sample #4" as the rotation schedule. Mr. Whalen, City of Clovis, seconded the motion.

Member Comments:

Mr. Johnson, City of Lodi, asked if it is legal to consider the rotation schedule proposed by Mr. Vejvoda since it had not been presented to the public prior to the meeting. Mr. Jay stated the agenda indicates that a rotation will be adopted by the committee, and the committee can consider and vote on a variety of rotation schedules. He added that the Brown Act only requires a general description of the items to be considered and the agenda does include a fair description of the rotation options proposed.

Mr. Ruiz, City of Sanger, expressed opposition stating that small cities in the County of Fresno are not adequately represented.

Ms. Vallejo, City of Delano, expressed concern that everyone should have all the information to review before voting. She urged the committee not to vote for this item.

Public Comments: The following persons provided testimony on this item:

- Sarah Sharpe – Fresno Metro Ministry

Motion: Vejvoda

Seconded: Whalen

Ayes: Ford, White, Maciel, Vierra, Whalen, Sterling, Plasencia, Hill, Betancourt, Gamboa, Ovalle, White, Wadsworth, McKittrick, Benavides, Ayers, Plourde, Kimball, Bomprezzi, Avalos, Vejvoda, Gonzalez,

Nays: Crabbe, Antonetti, Alves, Johnson, Faria, Kelly, Dunlop, Nutt, Bublak, VanWinkle, Garcia, Darling, Carlisle, Ruiz, Hernandez, Tarver, Scrivner, Vallejo, Westenberger, Martin, Hively, Martinez

Motion was defeated 22-22 to adopt "City Rotation Sample #4" as the rotation schedule

Ms. Vallejo, City of Delano, motioned to have the Secretary submit 9 rotation schedules for review and consideration by the full committee at the next meeting. Mr. Tarver, City of Arvin, seconded the motion.

Mr. Vejvoda, City of Tulare, requested an amendment to the motion to add “City Rotation Sample #4” previously rejected by the Committee for a total of 10 rotation schedules to be considered by the Committee at the next meeting. Ms. Vallejo accepted the amendment. The maker of the second on the motion, Mr. Tarver, concurred with the amendment.

Member Comments:

Mr. Johnson, City of Lodi, asked if the amendment to include the just rejected “City Rotation Sample #4” was permissible. Mr. Jay opined that since this committee has not adopted Roberts Rules of Order, which would have required a member in opposition to request reconsideration, the proposed amendment if allowed by the Chair would be permissible. Chairman Vierra allowed the amendment.

Mr. Ruiz, City of Sanger, urged that rotation schedules presented to the Committee include options that would start the rotation with small cities in Fresno.

Public Comments: Laura Fultz-Stout, Coalition for Clean Air

Motion: Vallejo
Second: Tarver
Ayes: Crabbe, Antonetti, Alves, Ford, Johnson, Faria, Kelly, Dunlop, Nutt, White, Maciel, Bublak, VanWinkle, Vierra, Whalen, Darling, Sterling, Plasencia, Hill, Betancourt, Hernandez, Gamboa, Tarver, Scrivner, Westenberger, Ovalle, White, Garcia, Wadsworth, McKittrick, Benavides, Ayers, Plourde, Kimball, Bomprezzi, Carlisle, Ruiz, Avalos, Vejvoda, Gonzalez, Martin, Martinez, Vallejo, Hively
Nays: None

Motion passed unanimously to direct the Secretary to forward 10 rotation schedules including “City Rotation Sample #4” in advance of the next committee for consideration by the Committee.

5. SET NEXT MEETING DATE – Mr. White, City of Chowchilla, suggested to have staff work with the Chairman in setting a meeting date. Mr. Vierra stated he will move forward with setting a date and making sure everyone is given adequate time to schedule.
6. PUBLIC COMMENT – The following persons provided testimony:
 - Hillary Baird, League of California Cities

San Joaquin Valley Special City Selection Committee
ACTION SUMMARY MINUTES
January 28, 2009

Meeting adjourned 9:21 p.m.

Attachment to Action Summary Minutes for January 29, 2009

City Appointment Process

**San Joaquin Valley Special City Selection Committee
City Appointment Process
City Members of the San Joaquin Valley
Air Pollution Control District Governing Board
Adopted: January 29, 2009**

General Requirements

1. The process must conform to all statutory provisions.
2. The process must be local, transparent and fair to all.
3. Appointments will be for a fixed three year term, with the term beginning on January 1st and ending on December 31st of the third year. Members appointed after the commencement of a term shall only serve for the remainder of that term.

Rotation Schedule

4. The Special City Selection Committee will establish a rotation schedule indicating the counties that each small and large city governing board appointment will come from.
5. A new rotation schedule will be adopted every 8 years.
6. City populations will be determined based upon the State Department of Finance population estimates at the time the rotation schedule is adopted.

Application Process

7. The San Joaquin Valley Air Pollution Control District (District) staff will submit application packages to all eligible cities in the county(s) specified in the rotation schedule.
8. The application packet will include a standardized application form, an explanation of the appointment process, a statement of the responsibility and a clear deadline for submission of nominations.
9. Applicants will have 30 days from the date the District mails them to submit their applications.

City Nominations

- 10. District staff will gather all submitted application materials and create a standardized voting packet which contains the standardized application for each eligible applicant, directions for each city on the process, a written ballot and due date for when the cities' votes must be returned. Only cities within the county eligible for the seat (based upon the rotation schedule) will be voting, and each city will vote for one candidate.**
- 11. Each city's vote will take place as an item on their publicly noticed agenda discussed during their normal city council meeting with time for public comment.**
- 12. District staff will tally the votes and report the results in writing to all cities within the District.**
- 13. In the case of a tie, there shall be one re-vote by the cities within the county for which there is a vacancy on District Governing Board followed by a random drawing at a public meeting of the Special City Selection Committee in the event of a subsequent tie.**

Appointments

- 14. The Special City Selection Committee will hold a publicly noticed meeting to appoint nominated members to the District Governing Board. If the Special City Selection Committee rejects the candidate nominated by the cities within a county, the cities in the county with the vacancy will be asked to nominate another candidate utilizing the above specified nomination procedures.**
- 15. The Special City Selection Committee will meet annually at a predetermined time or as needed. If there are no city vacancies to fill the meeting will be cancelled. If the Special City Selection Committee declines to appoint a nominee, a second meeting will be scheduled to consider additional candidates forwarded by the cities within the county(s) where the vacancy exists.**

Mid-term Appointments

- 16. If a vacancy occurs during a member's term, a member from the county with the vacancy may be nominated by the cities within that county to be appointed by the Special City Selection Committee to fulfill the remainder of the term.**

- 17. The nominations procedure will be identical to the procedure for full-term appointments.**
- 18. Mid-term appointments will be made at the next regularly scheduled Special City Selection Committee meeting.**

Agenda Item #4

ADOPT A ROTATION SCHEDULE FOR CITY APPOINTMENTS TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

DATE: March 31, 2009

TO: San Joaquin Valley Special City Selection Committee

FROM: Seyed Sadredin, Permanent Secretary and Executive Director/APCO

RE: **ADOPT A ROTATION SCHEDULE FOR CITY APPOINTMENTS TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD**

RECOMMENDATION:

Select a rotation schedule, from Rotation Schedules A through J (attached), designating the counties from which the city appointments to the Governing Board of the San Joaquin Valley Air Pollution Control District will be made.

BACKGROUND:

At your last committee meeting on January 29, 2009, you adopted the *City Appointment Process* for city representation on the Governing Board of the San Joaquin Valley Air Pollution Control District (District). These procedures necessitate the adoption of a rotation schedule designating the counties from which city appointments to the Governing Board of the District will be made.

At the January, 2009 meeting, on a motion by Ms. Vallejo, City of Delano, seconded by Mr. Scrivner, City of Bakersfield, your committee instructed the Air Pollution Control Officer (APCO) to prepare and present to your Committee ten potential rotation schedules for your consideration at your next meeting. The motion also instructed the APCO to include "City Rotation Sample #4" presented by Mr. Vejvoda, City of Tulare, which was rejected at your January 29, 2009 meeting of your committee. The "City Rotation Sample #4" is now designated as Rotation Schedule J.

DISCUSSION:

The District Governing Board consists of 15 members with five of those members being elected city council representatives. H&SC Section 40600(c)(2) outlines the requirements for the five city representatives and specifies that three of the city council members will be from cities with a population less than 100,000, with one member selected from the northern region, one from the central region, and one from the southern region of the District. The other two city council members appointed will be from cities having a population of 100,000 or more, with each member coming from

different regions of the District. Additionally, no more than one city council member from each county can be appointed. There are currently four vacant seats on the District governing board.

The following guiding principles were adhered to by the APCO in preparing Rotation Schedules A through I:

1. Fair rotation allowing participation by all regions, counties, and cities over time
2. Satisfy all legal requirements
3. Orderly transition

The APCO makes no representation with respect to Rotation Schedule J prepared by Mr. Vejvoda.

Although many options can be crafted, currently, at the start there are only five potential large city combinations that the rotation schedule can begin with. Those are as follows:

Cities of Bakersfield and Fresno (Rotation Schedule A)
Cities of Visalia and Stockton (Rotation Schedules B and C)
Cities of Bakersfield and Stockton (Rotation Schedules D and E)
Cities of Visalia and Fresno (Rotation Schedules F, G, and J)
Cities of Fresno and Stockton (Rotation Schedules H and I)

City of Modesto cannot be among the large cities represented on the Board at the start of any rotation at this time since the applicable law does not allow more than one city from each county to serve on the Board at any given time. Cities in Stanislaus County, currently and until the end of 2012, are represented by the city of Ceres. The earliest that Modesto can serve on the Board is in 2015. All proposed Rotation Schedules, as attached, provide Modesto an opportunity to serve in 2015.

Cities of Bakersfield and Visalia cannot be on the District Board at the same time as the state law requires that the two large cities be from different regions. Visalia and Bakersfield are both in the Southern Region of the District.

Except for Rotation Schedules H and I, all rotation schedules offer equal representation to the designated cities in the rotation schedules. Due to the inherent limitations in the law, Rotation schedules H and I would give the large city in Fresno County (currently the city of Fresno) two consecutive terms. The attached Rotation Schedules all meet the complex requirements specified in the state law.

Under previous law, there were three city representatives on the District Board with one from each region. Past city appointments by the League of Cities to the District Board are as follows:

1992 – Ceres, Clovis/Fresno, Wasco (Clovis and Fresno each served part of the year)

March 31, 2009

- 1993 – Ceres, Clovis/Fresno, Wasco (Clovis and Fresno each served part of the year)
- 1994 – Ceres, Clovis, Wasco
- 1995 – Modesto, Selma, Tulare
- 1996 – Modesto, Selma, Tulare
- 1997 – Modesto, Selma, Tulare
- 1998 – Modesto, Selma, Tulare
- 1999 – Modesto, Selma, Tulare
- 2000 – Modesto, Selma, Tulare
- 2001 – Newman, Madera, Bakersfield
- 2002 – Newman, Madera, Bakersfield
- 2003 – Ripon, Madera, Bakersfield
- 2004 – Ripon, Madera, Bakersfield
- 2005 – Ripon, Madera, Bakersfield
- 2006 – Ripon, Madera, Bakersfield
- 2007 – Ceres, Fresno, Arvin
- 2008 – Ceres, Fresno, Arvin (Early resignation by Arvin representative)
- 2009 – Ceres and 4 vacancies

If a rotation schedule is adopted by your committee, appointments to the District Board will be made in accordance with the *City Appointment Process* adopted by your Committee on January 29, 2009, according to the following timeline:

- April 15, 2009 - APCO mails application packets to eligible cities
- May 15, 2009 - Application deadline
- May 29, 2009 - Ballots mailed to cities within counties with an open seat
- May 29 through June 30, 2009 – each city schedules a public hearing to vote for a nominee
- June 30, 2009 - Deadline to submit City voting results to the APCO
- July 15, 2009 – APCO tallies votes and forward nominations to the Special City Selection Committee (additional time may be necessary in the event of a tie to allow for re-vote)
- July, 2009 or soon after - Special City Selection Committee convenes and makes appointments

Attachments

Rotation Schedules A through J (10 Pages)

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule A

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin				Large - San Joaquin				Small - San Joaquin		
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced					Small - Merced					
Madera				Small - Madera						
Fresno							Small - Fresno			
Kings				Small - Kings						
Tulare	Small - Tulare			Large - Tulare			Small - Tulare			
Kern	Large - Kern			Small - Kern			Large - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule B

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin				Small - San Joaquin					
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced								Small - Merced		
Madera	Small - Madera									
Fresno				Large - Fresno			Small - Fresno			
Kings				Small - Kings						
Tulare	Large - Tulare			Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule C

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin							Small - San Joaquin		
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced					Small - Merced					
Madera				Small - Madera						
Fresno				Large - Fresno			Small - Fresno			
Kings	Small - Kings									
Tulare	Large - Tulare			Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule D

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin				Small - San Joaquin					
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced								Small - Merced		
Madera							Small - Madera			
Fresno	Small - Fresno			Large - Fresno						
Kings				Small - Kings						
Tulare	Small - Tulare			Large - Tulare			Small - Tulare			
Kern	Large - Kern			Small - Kern			Large - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule E

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin				Small - San Joaquin					
Stanislaus	Small - Stanislaus ¹						Large - Stanislaus			
Merced								Small - Merced		
Madera				Small - Madera						
Fresno	Small - Fresno			Large - Fresno						
Kings							Small - Kings			
Tulare	Small - Tulare			Large - Tulare			Small - Tulare			
Kern	Large - Kern			Small - Kern			Large - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule F

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin				Large - San Joaquin				Small - San Joaquin		
Stanislaus	Small - Stanislaus ¹						Large - Stanislaus			
Merced					Small - Merced					
Madera	Small - Madera									
Fresno	Large - Fresno						Small - Fresno			
Kings				Small - Kings						
Tulare	Large - Tulare			Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule G

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin				Large - San Joaquin				Small - San Joaquin		
Stanislaus	Small - Stanislaus ¹						Large - Stanislaus			
Merced					Small - Merced					
Madera				Small - Madera						
Fresno	Large - Fresno						Small - Fresno			
Kings	Small - Kings									
Tulare	Large - Tulare			Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule H

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin				Small - San Joaquin					
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced								Small - Merced		
Madera	Small - Madera									
Fresno	Large - Fresno			Large - Fresno			Small - Fresno			
Kings				Small - Kings						
Tulare				Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule I

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin	Large - San Joaquin				Small - San Joaquin					
Stanislaus	Small - Stanislaus¹						Large - Stanislaus			
Merced								Small - Merced		
Madera				Small - Madera						
Fresno	Large - Fresno			Large - Fresno			Small - Fresno			
Kings	Small - Kings									
Tulare				Small - Tulare			Large - Tulare			
Kern	Small - Kern			Large - Kern			Small - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

Color Code by County

Northern Region	Central Region	Southern Region
Small - San Joaquin	Small - Merced	Small - Tulare
Large - San Joaquin	Small - Madera	Large - Tulare
Small - Stanislaus	Small - Fresno	Small - Kern
Large - Stanislaus	Large - Fresno	Large - Kern
Small - Merced	Small - Kings	

City Rotation Schedule J (Option offered by Mayor Vejvoda - 1/29/2009)

County	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
San Joaquin				Large - San Joaquin				Small - San Joaquin		
Stanislaus	Small - Stanislaus ¹						Large - Stanislaus			
Merced					Small - Merced					
Madera				Small - Madera						
Fresno	Large - Fresno			Large - Fresno			Small - Fresno			
Kings	Small - Kings									
Tulare	Large - Tulare				Small - Tulare			Small - Tulare		
Kern	Small ²	Small - Kern					Large - Kern			

Term for the incumbents expire on December 31

New appointments needed after the end of each 3-year term

1 - Current term for member from city of Ceres expires December 31, 2012

2 - Allow a small city from Kern to finish the term early vacated by Councilmember from Arvin (new appointment in 2010)