
SACRAMENTO ENVIRONMENTAL COMMISSION

Robert Bailey, Chair
Mark White, Vice Chair
Panama Bartholomy
Kristin Garcia
Shane Jiang
Matthew Jones
George "Buzz" Link
Marjorie Namba
Rachael Phillips

A JOINT COMMISSION APPOINTED BY
County of Sacramento
City of Sacramento
City of Sacramento
City of Folsom
City of Galt

SACRAMENTO ENVIRONMENTAL COMMISSION MINUTES

MONDAY, May 18, 2009
6:00p.m.

COUNTY OF SACRAMENTO
Dept. of Environmental Management
10590 Armstrong Avenue, Main Conference Room B
Mather, CA 95655

ITEM

1. Call to Order - Chair Bailey

Meeting was called to order at 6:05p.m.

2. Roll Call - Secretary Kloock

Commission Members Present: Robert Bailey, George Link, Rachael Phillips, Kristen Garcia, Matthew Jones and Mark White

Commission Members Absent: Marjorie Namba, Panama Bartholomy and Shane Jiang.

Guests: John Green, Division Manager, Environmental Compliance Division, EMD; Anthony Chu, Supervising Environmental Specialist IV, EMD; Barry Marcus, Supervising Environmental Specialist IV, EMD; Dana Booth, Program manager I, EMD; John Rogers, Division manager, Environmental Health Division, EMD; Dan Mendonsa, Energy Program Manager, FPARE< County of Sacramento; Judy Robinson, Principal Planner, Planning and Community Development, County of Sacramento; and Robert Chase, Chief Building Official, County Engineering, County of Sacramento.

3. Public Comments - Chair Bailey

There were no public comments.

4. Consent Item - Approval of April 20, 2009, Meeting Minutes

No changes were note necessary to the minutes.

A motion was made by Rachael Phillips and seconded by Matthew Jones to approve the minutes of the April 20, 2009, meeting as presented.

Ayes: Robert Bailey, George Link, Rachael Phillips, Kristen Garcia, Matthew Jones and Mark White.

Noes: None

Abstain None

Absent: Marjorie Namba, Panama Bartholomy and Shane Jiang.

5. EMD Draft Ordinances: 1) New Program for Aboveground Storage Tanks (AST) - Anthony Chu, Supervising Environmental Specialist IV, Sac County EMD, and 2) Amendment to Existing UST Ordinance - Barry Marcus, Supervising Environmental Specialists IV, Sac County EMD

1) Director Siebal introduced Anthony Chu. Mr. Chu made a PowerPoint presentation to the Commission on the new proposed ordinance for aboveground storage tanks. Mr. Chu explained that, in the past, the miscellaneous laws took a fragmented approach to regulation of aboveground storage tanks and involved multiple agencies. Passage of AB1130, the Aboveground Petroleum Storage Act (APSA) remedies this by transferring the responsibility for the AST program to the CUPAs (which is EMD in the case of Sacramento County). The proposed ordinance would authorize EMD to implement APSA.

The Commissioner's asked several questions of program staff.

A motion was made by Mark White and seconded by George Link to send a letter in support of passage of this ordinance to the Sacramento County Board of Supervisors.

Ayes: Robert Bailey, George Link, Rachael Phillips, Matt Jones, Kristen Jones and Mark White.

Noes: None

Abstain: None

Absent: Marjorie Namba, Panama Bartholomy and Shane Jiang.

Q. Bob Bailey - Who will draft the letter.

A. Rachael Phillips - I will.

2) Director Siebal introduced Barry Marcus. Mr. Marcus made a PowerPoint presentation to the Commission on a proposed amendment to Chapter 6.34 of the Sacramento County Code which deals with underground storage of hazardous substances. Mr. Marcus advised that since 1988, there have been 800 petroleum contaminated sites closed or remediated (returned to the local economy). Today, there are presently over 350 "active" sites left. These are composed mostly of your typical corner gas station. We estimate that we should be able to get 50% of these closed. The federal government wants to know why we don't have a better closure rate, but the sites that are left are complex and difficult. They will probably require prosecution but the District Attorney's office is reluctant to take these cases because their caseloads are already so high.

The item is to be brought back in June for further discussion.

6. Federal Superfund Update - Dana Booth, Program Manager I, Dept. of Environmental Management, County of Sacramento

Director Siebal introduced Dana Booth. Mr. Booth made a PowerPoint presentation to the Commission about the state of the federal Superfund projects in our County. This was an informational presentation only.

7. EMD Fee Increase - John Rogers, Chief, EMD Environmental Health Division

Director Siebal introduced John Rogers who gave the Commission a PowerPoint update on the 2009/10 fee increases for the food safety program the most significant piece of information being that the projected increase of 20% will only be 9% in actuality.

Q. Rachael Phillips - What are the food fees for?

A. A typical restaurant pays about \$1,000 which includes 3 inspections/year. The fee includes coverage for the inspector, travel and maintenance of the website. It also includes one free re-inspection if they get a yellow or red.

Q. Rachael Phillips - What is the gross revenue of a restaurant paying \$1,000?

A. The fee is less than .1% of their costs for running the business.

Q. Matt Jones - Is the increase being spread over 5 years to help the restaurants adjust?

A. Yes.

Q. Does a restaurant always have the same inspector?

A. Usually yes, but sometimes they are changed.

Q. Mark White - Do we offer multi-lingual services?

A. Yes, we offer many languages including for the Green-Yellow-Red program classes.

Comment - Val Siebal - It is hard to make a fee comparison between counties because most of these counties get general fund money because the program is part of the public health department.

Q. Rachael Phillips - How is it determined who gets general fund money.

A. Val Siebal - It's up to the Board of Supervisors and depends on how they choose to set the environmental management up.

Q. Matt Jones - Why would a county not want it to be part of the general fund?

A. Because it can be hard to get general fund money. As general funds are drying up, other counties are asking their environmental management/public health departments to increase their fees.

Comment - Val Siebal - Director Siebal reviewed his "draft" of EMD Efforts To Contain Costs included in the meeting packet.

Q. Kristen Garcia - When will this letter go out to your clients?

A. Val Siebal - We are taking it to the food industry group tomorrow. We will want to get it out in the next two weeks.

Q. Kristen Garcia - What do you charge for a re-inspection?

A. \$190.00

Q. Kristen Garcia - What type of violation gets you a yellow tag?

A. Major ones. It is those things that can most cause food contamination. There must be 2 or more violations.

Comment - Mark White - You get lots of awards for your program. I would suggest that you work this into your presentation. Tell them the state recommends 3 inspections and, while other counties do not do this, we do. It is for our health.

A motion was made by Mark White and seconded by Kristen Garcia to send a letter of support to the Sacramento County Board of Supervisors for the fee increases as recommended.

Ayes: Robert Bailey, George Link, Kristen Garcia, Rachael Phillips, Matt Jones and Mark White.

Noes: None

Abstain: None

Absent: Marjorie Namba, Panama Bartholomy and Shane Jiang.

Q. Robert Bailey - Who will draft the letter?

A. Kristen Garcia - I will.

8. County Energy Stimulus Proposals (For Comment By SEC Members) - Dan Mendonsa, Energy Program Manager, Dept. of Facility Planning, Architecture and Real Estate (FPARE), County of Sacramento

Director Siebal introduced Mr. Mendonsa who spoke to the Commission about their present strategy for use of funds they are scheduled to receive from the Energy Efficiency & Conservation Block Grant (EECBG) due to the American Recovery & Reinvestment Act of 2009 (ARRA). He advised that Sacramento is slated to receive \$5,364,600.00, but that the County hasn't been involved in energy efficiency and conservation projects for some time. We reviewed the proposed activities, the ARRA restrictions, the possible opportunity for additional funds and the schedule set for receipt of these funds.

Q. Matt Jones - Is this money being distributed to larger counties just by formula without relation to whether they will use it usefully?

A. No. There were qualifying factors.

Q. Rachael Phillips - Wasn't there legislation passed last year that required a green building code?

A. Yes, by the State. It has to be implemented by 2010. The Green Building Taskforce will be a city/county JPA.

Q. Matt Jones - Are the funds coming through the State?

A. No. Sacramento County went through a process to become a federal contractor so the money will come directly to us.

Q. Mark White - I would like to see a follow-up on this.

A. Dan Mendonsa - We can do that. We also have to have a website so people can check on our progress.

Statement - By Dan Mendonsa - We are looking for any public comment or input.

Q. Would it help to have a letter of support from the SEC?

A. Yes.

Q. Matt Jones - Is there an actual plan or did we just see an overview?

A. There is an actual plan. It is 4-pages long and I can send you a copy. The ARRA wants to know how our activities comply with our plan.

Q. Matt Jones - Does each recommendation have a specific cost attached to it?

A. Yes.

Q. Rachael Phillips - Were your recommendations chosen based on what would have the most environmental impact or on what was the easiest?

A. Lots of internal projects were ones we wanted to do and were just waiting for money. Programs had a tendency to take a little longer to start up, but will have a bigger impact, especially the loans. We may actually see a \$10. impact for a \$1. investment. This is why we are taking public input.

A motion was made by Mark White and seconded by Matt Jones to send a letter of support to the Sacramento County Board of Supervisors for the use of EECBG/ARRA funds as recommended.

Ayes: Robert Bailey, George Link, Kristen Garcia, Rachael Phillips, Matt Jones and Mark White.

Noes: None

Abstain: None

Absent: Marjorie Namba, Panama Bartholomy and Shane Jiang.

Commissioner Jones offered to write the letter. He was advised that this would be needed by June 2nd.

9. Sacramento County Environmental Management Department Director's Report - Director Val Siebal, EMD

Director Siebal advised the Commission that the May 2009 EMD Update was in their meeting packet.

10. Environmental New Review - Vice Chair White

Vice Chair White advised the Commission that there were 3 articles attached for their review: 1) "Sacramento Tightens Water Conservation Rules", Sac Bee, 5/13/09, 2) "New Water Conservation Rules", Sac Bee, 5/13/09, and 3) "Panel: Wastewater Ammonia 'Likely' Alters Delta", Sac Bee, 4/23/09.

Vice Chair White stated that it would be interesting to have someone come speak to us about ammonia levels in our water.

11. 2009 Meeting Topics Review - Chair Robert Bailey

It was agreed that the Landfill Buffer Use By HEAP-DERA topic be moved to the November 2009 agenda.

12. Correspondence

Secretary Kloock advised that no correspondence had been received by the SEC.

13. Commissioner Comments

Commissioner White noted that Chair Bailey had received his endorsement for reappointment to the Commissioner from the Cities of Folsom, Galt and Isleton.

14. Adjournment - Next Meeting, June 22, 2009 - 6p.m. - EMD

Meeting was adjourned at 8:45p.m.