



**Jean Mendoza**

To: Board Position 5 Cc: Pamela Herman, Board Position 2, Board Position 3 & 51 more

Jul 14, 2022 at 8:49 AM

[Details](#)

## Re: YRCAA Link to Public Notice for Agenda for Special meeting

Dear Chairman DeVaney,

I respectfully disagree with your reading of the YRCAA Administrative Code Part A, but you have the benefit of legal counsel and I do not. Which attorney advised you to tell people there will be a board meeting where finalists for the Air Pollution Control Officer (APCO) position will be introduced to the public, cancel the meeting, and then schedule a special meeting for the same purpose with only 24 hours' notice? And why?

My convenience or inconvenience is irrelevant. The issue is open public meetings and community engagement for the 250,000 people who live in Yakima County. People work for a living. It is prohibitively difficult to take time off work for a meeting at 2 PM on short notice. No one checks the YRCAA web site every day to make sure he/she does not miss announcements. The email announcement I received went out to 30 people and 6 of the 30 live outside Yakima County. This means that thousands of Yakima County residents are unaware of a meeting that will have a big impact on our future air quality. Your constituents in the Upper Yakima Valley will have to drive to Granger if they wish to meet the applicants and ask questions.

Did YRCAA contact each local radio and television station as required in Administrative Code Part A?

Did YRCAA inform the Spanish speaking community as required in the 2020 agreement between the YRCAA and the EPA External Civil Rights Compliance Office?

It appears that the YRCAA Board considers tomorrow's meeting a sufficient response to requests for Lower Yakima Valley involvement in selection of the next YRCAA APCO. As we have noted previously, special interest groups such as the Yakima Dairy Federation likely know a lot about the finalists due to conversations with board member Dr. Steven Jones. The rest of us do not even know their names. I know you have stated that you personally consider public comments when voting on hiring. Speaking for myself, I could not even voice an opinion based on a 1 to 2 hour presentation by someone I have never met.

Sincerely,

Jean Mendoza

On Jul 13, 2022, at 1:02 PM, Board Position 5 <BoardPosition5@yrcaa.org> wrote:

Hello Jean,

Thank you for your message.

The agenda and public notice requirements you referenced in the YRCAA admin code pertain to regular monthly Board Meetings. However, as you correctly noted in your letter, this is a Special Meeting for the purpose of hearing presentations from candidates for the position of APCO/Executive Director. The notice requirements for Special Meetings are in found in YRCAA Administrative Code Part A, Section 2.7 which states:

#### 2.7 Special Board Meetings

A special Board meeting may be called by the Chair or by a majority of the Board by delivering 24-hours prior written notification as follows:

2.7.1 Notification of the meeting by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the Board;

2.7.2 Notification of the meeting by delivering written notice personally, by mail, by fax, or by posting on the Agency website, and to each local radio or television station;

2.7.3 Notification must include the time and place of the meeting and the business to be conducted;

2.7.4 Notification is not required if:

- i. Any member of the Board, who at or prior to the time the meeting convenes, files with the clerk or secretary of the governing body a written waiver of notice. Such waiver may be given by fax, or electronic mail; or
- ii. An emergency exists which involves injury or damage to persons or property or the likelihood of such injury or damage, such that time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

2.7.5 Final disposition shall not be taken on any matter other than that included in the notice; and

2.7.6 If another issue requires action, a written notice shall be sent to the Clerk of the Board by fax, or electronic mail.

Delivery of such written notice is not required as to any member of the Board that is present at the meeting at the time it convenes.

While the notice does therefore comply with our Administrative Code, it was posted to our website later than planned due to staff travel and workload issues. I apologize if this has caused you any inconvenience. However, I also note that the meeting purpose, time, and general location were discussed at the June 9th Board Meeting which you attended.

Again, thank you for your interest in this meeting and in ensuring compliance with our administrative procedures.

Sincerely,

Jon DeVaney

YRCAA Board Chair

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**From:** Jean Mendoza <[jeanmendoza@icloud.com](mailto:jeanmendoza@icloud.com)>

**Sent:** Wednesday, July 13, 2022 10:47:53 AM

**To:** Pamela Herman; Board Position 2; Board Position 3; Board Position 4; Board Position 5; APCO; Board Position 1

**Cc:** ([cynthiaw@pscleanair.gov](mailto:cynthiaw@psccleanair.gov)); Alice Koerner, Town of Granger; Althea Godfrey ([Godfrey.Althea@epa.gov](mailto:Godfrey.Althea@epa.gov)); Bodnar, Katherine P (ATG); City of Mabton; Dan DeGroot; David taylor ([taylor.consulting.wa@gmail.com](mailto:taylor.consulting.wa@gmail.com)); Debra Suzuki, EPA; Elizabeth Alba; Elizabeth Sanchey; Environmental Engineer; Gary Cuillier; Hasan Tahat; Jan Whitefoot; Jim Dyjak; John Fannin ([john.fannin@yakimawa.gov](mailto:john.fannin@yakimawa.gov)); John Guberski; John. Elmers ([John.Elmers@Arclin.com](mailto:John.Elmers@Arclin.com)); Jose Trevino; Julie Lawrence; Julie Oliver; Kathleen Rogers; Kirk Ehlis; Lance Hoyt; Mitch Campbell; Robin Priddy; Rod Smith; Town of Harrah; Yakima Herald Republic; [morgan.damerow@atg.wa.gov](mailto:morgan.damerow@atg.wa.gov); [pferolito@yakimaherald.com](mailto:pferolito@yakimaherald.com); Jasper Sundeen; [Brozusky.sandra@Epamail.epa](mailto:Brozusky.sandra@Epamail.epa); Suzuki, Debra; [duboiski.christi@epa.gov](mailto:duboiski.christi@epa.gov); [molina.alessandro@epa.gov](mailto:molina.alessandro@epa.gov)

**Subject:** Re: YRCAA Link to Public Notice for Agenda for Special meeting

Dear Board Chairman DeVaney,

Please see the attached letter.

Jean Mendoza