

MINUTES OF THE
SPECIAL MEETING OF THE
STRUCTURAL PEST CONTROL BOARD
May 28, 2009

The teleconference meeting was held on Thursday, May 28, 2009, at the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California, commencing at 9:10 A.M. with the following members constituting a quorum:

Cliff Utley, President
Cris Arzate, Vice President
Luis Agurto
Jean Melton
Bill Morris

Board members Terrel Combs-Feirrer and Mustapha Sesay were not present.

Board staff present:

Kelli Okuma, Executive Officer
Susan Saylor, Assistant Executive Officer
Robert Lucas, Chief Enforcement Officer
Ryan Vaughn, Administration Analyst

Departmental staff present:

Kurt Heppler, Legal Counsel
Katherine Demos, Regulations Coordinator

I. CALL TO ORDER AND ROLL CALL

Ms. Saylor read the roll call.

Mr. Heppler stated for the record that the publicly noticed teleconference locations were dialed into the teleconference call.

II. REVIEW AND CONSIDERATION OF COMMENT(S) RECEIVED DURING THE FIFTEEN (15) DAY COMMENT PERIOD REGARDING THE PROPOSED REVISIONS TO SECTION 1999.5 OF TITLE 16 OF CALIFORNIA CODE OF REGULATIONS

Mr. Heppler stated that the meeting was a culmination of several events. At the April Board meeting, the Board moved to mail out a 15-day notice of modified text as well as adding the

minutes of the February 19, 2009, 1999.5 Task Force Meeting, Code of Federal Regulations section 260.5, and the addendum to the final statement of reasons to the rulemaking file. If any adverse comment(s) were received, the comment(s) were to be brought back to the Board. A comment was received from Foley & Lardner LLP, representing the IPMCC. While there was no comment on the modified text, IPMCC did object to the rulemaking progress. A comment was made that it was an inopportune and dubious attempt to bolster the rulemaking file and that there was still inefficient rationale and reasons for the rulemaking. The issue before the Board is whether or not to direct the Registrar to complete the rulemaking file, respond to the comment, and transmit the rulemaking file to the Office of Administrative Law (OAL) for deliberation and approval.

Mr. Utley moved and Mr. Morris seconded to direct the Registrar to complete the rulemaking file, address the comment received, and transmit the rulemaking file to OAL for deliberation or approval.

There were no public comments.


Passed unanimously (Aye – Arguto, Arzate, Melton, Morris, Utley).

III. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments.

IV. ADJOURNMENT

Mr. Utley moved and Mr. Arzate seconded to adjourn the meeting at 9:18 A.M.
Passed unanimously (Aye – Arguto, Arzate, Melton, Morris, Utley).



CLIFF UTLEY, President



KELLI OKUMA, Executive Officer

1/21/10
DATE