

FINAL ACTION MINUTES

I. **Roll Call: All present** – Caseber, Chiang, Grossman, Luten, Morgan, Webster, Wood, Wozniak.

Acting Chair: Wozniak. **Chair** (after election), Jami Caseber. **Secretary**, N. Al-Hadithy. **Intern**, J. Tulloch

II. Report From Chair: Wozniak wanted to participate fully but had no intention of running for chair.

III. Announcements from Commissioners:

- LA Wood – Monthly list of violations not submitted by staff. Emphasized respect for public access and Brown Act. Expressed concerns about unruliness.
- Grossman – concerned about unruliness and actions allowed under Brown Act.
- Caseber – re conflict of interest - asked Secretary to read a passage from e-mail he received from City Attorney.

V. Comments from the Public:

- **Elliot Cohen** – Would like to see commission resume conflict of interest, also commission advocate.
- **Gene Bernardi, CMTW** – Looking forward to working cooperatively with CEAC on developing Community Workshop (IFEU) around independent scientist report. CMTW has interest in (sitting on) panel of experts.
- **Dale Smith, Former CEAC Commissioner, Dist. 3** – Susan Spencer no longer managing UCB EH&S. Suggest CEAC write letter to UC asking that next appointee have regulatory background, rather than bureaucratic promotion with insufficient experience.
- **Leuren Moret, Scientist** – Low level rads are harmful. Tritium issue at LBL will be made national issue.
- **Susan B. Rodriguez, CMTW** – Request that Gordon Wozniak recuse himself.
- **Pamela Sihvola, CMTW** – Hoped that Wozniak will recuse himself.
- **Mark M^cDonald** – There is a conflict of interest with Wozniak sitting as chair.
- **Robert Clear, Former LBNL Employee** – supported Wozniak on CEAC.
- **Victor Herbert** – asked questions about conflict of interest.

V. TMD Staff Report

Training for new HazMat Specialist. Hiring temporary HazMat Specialist to advise on toxicological issues. Harrison fields update. Plan to set up GIS program on web. Staff read an extract of CA position on non action by CEAC on the subject of a commissioner having a conflict.

VII. Action

- Adopt February 22 Special meeting Minutes with corrections (M/S/C: Caseber, Luten. Unan.)

VIII. Discussion/Action

- MOTION Allow Elliot Cohen – Liaison of Peace & Justice Commission (PJC) – to speak. (MSC: Webster, Wood. For: Chiang, Caseber, Webster, Wood. Against: Luten, Wozniak, Grossman. Absent: Morgan. Fail.)
- MOTION Allow Pamela Sihvola 2 minute on IFEU costs (M/S/C: Wood, Chiang. For: Chiang, Luten, Caseber, Webster, Morgan, Wood. Against: Wozniak, Grossman. Pass.)
- ELECTION: Chair: Jami Caseber: For: Chiang, Luten, Grossman, Caseber, Webster, Morgan, Wood. Absent: Wozniak.
- ELECTION: Vice Chair: Grossman nominated by Luten, Wozniak. Wood nominated by Morgan, Chiang. Votes: for Wood: Chiang, Caseber, Webster, Morgan, Wood. For Grossman: Luten, Wozniak, Grossman.
- MOTION “CEAC advises delay in IFEU Workshop and that additional funding be pursued as needed”. (M/S/C Morgan/Grossman/ For: Chiang, Wozniak, Grossman, Wood. Against: Luten. Abst: Caseber, Webster, Morgan. FAIL.)
- MOTION “CEAC advises delay in IFEU Workshop and that additional funding be pursued as needed. To appoint Chatterjee, Grossman, Webster and Wood as subcommittee to study IFEU workshop. Webster suggested she could be alternate”. (M/S/C Morgan/Grossman/ Carried. For: Chiang, Luten, Wozniak, Grossman, Wood. Against: Morgan. Abst: Caseber, Webster. Pass.)
- MOTION “CEAC to appoint subcommittee (Caseber and Wood) to meet with CM to discuss options for new environmental department as soon as possible and to express concern and ideas to the CM and to request the CEAC be directly involved in the new department process. Subcommittee to report back to CEAC at the April meeting with a draft resolution”. (M/S/C Morgan, Wood, Unan.)

- MOTION “Put Conflict of Interest for Gordon Wozniak on next month (April) agenda”. (M/S/C Wood/Chiang/ For: Grossman, Caseber, Wood. Against: Luten, Webster. Abst: Chiang. Recuse: Wozniak. Absent: Morgan. FAIL.)
- MOTION “Allow Gene Bernardi additional time to speak” M/S/C Wood/Webster. For: Chiang, Caseber, Webster, Morgan, Wood. Against: Wozniak, Grossman. Abst: Luten. Pass.)