

Board of Directors



APCD Board Members:

Santa Barbara County
Board of Supervisors
Salud Carbajal, First District
Susan Rose, Second District
Brooks Firestone, Third District
Joni Gray, Fourth District
Joe Centeno, Fifth District

City of Buellton
Mayor Russ Hicks, Chair

City of Carpinteria
Councilmember Donna Jordan

City of Guadalupe
Councilmember Carlos Aguilera

City of Goleta
Councilmember Margaret Connell, Vice-Chair

City of Lompoc
Councilmember Will Schuyler

City of Santa Barbara
Councilmember Dan Secord

City of Santa Maria
Councilmember Marty Mariscal

City of Solvang
Mayor Pro Tem Brian Baca

ACTION SUMMARY (Unofficial) March 17, 2005

BOARD OF SUPERVISORS HEARING ROOM BETTERAVIA GOVERNMENT CENTER 511 E. LAKESIDE PARKWAY SANTA MARIA, CA

I. 1:30 p.m. - Convene and Recess to Closed Session

II. 2:00 p.m. - Reconvene to Regular Session

The meeting was reconvened at 2:20 p.m.

III. Roll Call – Absent: Aguilera, Gray, Secord, Carbajal

IV. Approval of minutes of the December 16, 2004 meeting

There were not a sufficient number of members present who were also present at the December 16, 2004 meeting to vote for approval of the minutes. A motion was made to accept the minutes for the purpose of filing.

Mariscal/Centeno

Accepted.

**Absent: Aguilera, Gray, Secord,
Carbajal**

V. Approval of minutes of the January 20, 2005 meeting

Firestone/Baca

Approved.

**Absent: Aguilera, Gray, Secord,
Carbajal**

VI. Report from Closed Session

Boardmember Baca recused himself from the closed session. There was no other reportable action taken.

VII. Administrative Agenda

ADMINISTRATIVE

**Approved by roll call vote on one motion
These items read only on request of Board members.**

Clerk of the APCD Board:

Terence E. Dressler

Agenda items: A-2, A-3, and A-4 pulled from consent agenda and continued due to lack of 4/5th quorum.

- A-1) Receive and file draft minutes from the December 8, 2004 meeting of the Community Advisory Council.
- Connell/Firestone
- Received and filed.
- Absent: Aguilera, Gray, Secord, Carbajal
- A-2) Consider recommendations regarding the APCD trust fund reorganization and related designations and budget revisions for budget years 2003-04 and 2004-05 as follows:
- a) Adopt a resolution to transfer and designate monies from trust funds 1961, 1962, and 1963 to operating fund 1960 to comply with Government Accounting Standards Board Pronouncement No. 34; and
- b) Adopt budget revision requests for budget years 2003-04 and 2004-05 to properly account for the activity in these new designations in fund 1960. (REQUIRES 4/5 approval.)
- Continued.
- A-3) Receive and file the Fiscal Year 2003-04 APCD Comprehensive Annual Financial Report (CAFR), including the Financial Audit Report.
- Continued.
- A-4) Receive and file the Fiscal year 2003-04 Single Audit Report.
- Continued.
- A-5) Receive and file the Fiscal Year 2003-04 Independent Auditors' Letter to the Board of Directors.
- Connell/Firestone
- Received and filed.
- Absent: Aguilera, Gray, Secord, Carbajal
- A-6) Approve the *Call for Proposals* document for release on June 1, 2005 to solicit project proposals from public and private operators to implement the District's Heavy-Duty Emission Reduction Grant Programs.
- Connell/Firestone
- Approved.
- Absent: Aguilera, Gray, Secord, Carbajal
- A-7) Consideration recommendations regarding the Carl Moyer Memorial Air Quality Standards Attainment Program as follows:
- a) Approve participation in the fiscal year 2004/2005 (Year 7) Carl Moyer Program;
- b) Commit required District matching funds (not to exceed \$200,000) necessary to qualify for up to a \$400,000 grant from the California Air Resources Board; and
- c) Authorize the Air Pollution Control Officer to execute all documents necessary for participation in the fiscal year 2004/2005 Carl Moyer Program.
- Connell/Firestone
- a) through c) Approved and authorized.
- APCD Resolution No. 05-08
- Absent: Aguilera, Gray, Secord, Carbajal

- A-8) Execute a Grant Agreement with Santa Barbara County Association of Governments for \$35,000 as an operating subsidy for two new expansion routes for the Clean Air Express commuter bus service in Santa Barbara County for fiscal year 2004/2005.

Connell/Firestone

Approved; Chair to execute.

Absent: Aguilera, Gray, Secord, Carbajal

- A-9) Execute a Grant Agreement with Celite Corporation for \$123,170 for repowering a surface-mining Caterpillar D-10N tractor bulldozer with a new Caterpillar Tier 2 low-emission diesel engine.

Connell/Firestone

Approved; Chair to execute.

Absent: Aguilera, Gray, Secord, Carbajal

PUBLIC COMMENT PERIOD

Persons desiring to address the APCD Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period.

Terry Dressler, APCO, reported on his response to the Mission County Formation Review Commission regarding California Health and Safety Code Section 40002 which addresses the legal requirements for the existence of an air pollution control district in every county.

DISCUSSION

- 1) Adopt and present a Resolution of Appreciation to Cynthia Brock for her service on the Air Pollution Control District Board.

Rose/Connell

Adopted; Boardmember Connell will present.

APCD Resolution No. 05-04

Absent: Aguilera, Gray, Secord, Carbajal

- 2) Consider recommendations regarding participation in Clean Air Month 2005 as follows:

- a) Adopt a *Clean Air Month* Resolution affirming APCD's commitment to raising awareness of health effects of air pollution and the need to work for cleaner air; and
- b) Select Board Members to represent the APCD at a Clean Air Month event at Marian Medical Center in Santa Maria on May 6 at 11:30 A.M. and at the Santa Barbara County Education Office's Education Celebration at the Santa Ynez Valley Marriott in Buellton on May 12 at 5:30 P.M.

Connell/Rose

a) Adopted; APCD Resolution No. 05-05; and

b) Selected Boardmember Mariscal to attend May 6, and Boardmembers Rose and Baca to attend May 12.

Absent: Aguilera, Gray, Secord, Carbajal

- 3) Hearing – Consider recommendations regarding proposed amendments to Rule 202, "Exemptions to Rule 201" to lower the threshold for requiring a Permit to Operate from 100 to 50 brake horsepower for any diesel engine, thereby providing administrative provisions

through the APCD permit program for implementing and enforcing the state Airborne Toxic Control Measure for these engines as follows:

- a) Hold a public hearing to receive testimony on the proposed revisions;
- b) Give direction to the Control Officer on fees to be charged for permit services related to such engines, including limiting initial permitting fees to an amount less than currently required under the District Rule 210 fee schedule or cost reimbursement provisions; and
- c) Adopt a resolution which will result in the following actions:
 - i) Adopt the California Environmental Quality Act (CEQA) findings (Attachment 1) pursuant to CEQA and the APCD CEQA guidelines;
 - ii) Adopt the associated findings (Attachment 2) in support of the proposed amended rule, including those pursuant to Health and Safety Code Section 40727 regarding authority, necessity, clarity, and consistency. The findings acknowledge public comments on the proposed revised rule (Attachment 3) and staff's responses to these comments (Attachment 4); and
 - iii) Adopt proposed amendments to Rule 202 given as Attachment 5.

Boardmember Firestone recused himself and left the dias.

Schuyler/Centeno

- a) Hearing held; there were no public comments;
- b) Directed APCO to return to the Board in 8 months with a report regarding potential revision of the permit reevaluation fee schedule for standby engines; and
- c-i) through c-iii) Adopted.

APCD Resolution No. 05-06

Recused: Firestone

Absent: Aguilera, Gray, Secord, Carbajal

Boardmember Firestone rejoined the meeting.

- 4) Hearing – Consider recommendations regarding amendments to Rule 210, Fees, for the Air Toxics Program; consider proposal to base such fees on air toxic emissions rather than criteria emissions, and consider fee schedule for same as follows:

- a) Hold the second public hearing to receive testimony on the proposed revisions; and
- b) Adopt a resolution which will result in the following actions:
 - i) Adopt the California Environmental Quality Act (CEQA) findings (Attachment 1) pursuant to CEQA and the APCD CEQA guidelines;
 - ii) Adopt the associated findings (Attachment 2) in support of the proposed amended rule, including those pursuant to Health and Safety Code Section 40727 regarding authority, necessity, clarity, and consistency. The findings acknowledge public comments on the proposed revised rule (Attachment 3) and staff's responses to these comments (Attachment 4); and
 - iii) Adopt proposed amendments to Rule 210 given as Attachment 5.

Baca/Connell

- a) Second hearing held; there were no public comments; and

b-i) through b-iii) Adopted.

APCD Resolution No. 05-07

Absent: Aguilera, Gray, Secord, Carbajal

ADJOURN

The meeting was adjourned at 3:25 p.m.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Santa Barbara County Air Pollution Control District Board will be held May 19, 2005 at 2:00 p.m. (closed session, if necessary, at 1:30 p.m.) in the Board of Supervisors Hearing Room, Betteravia Government Center, 511 E. Lakeside Parkway, Santa Maria, CA.