

AGENDA

December 20, 2018

1:00 P.M.

Board of Directors

Santa Barbara County
Board of Supervisors
Das Williams, First District
Janet Wolf, Second District
Joan Hartmann, Third District
Peter Adam, Fourth District
Steve Lavagnino, Fifth District, *Chair*

City of Buellton
Mayor Holly Sierra
Alternate, Councilmember Ed Andrisek

City of Carpinteria
Councilmember Al Clark
Alternate, Vice Mayor Wade Nomura

City of Goleta
T.B.D.
Alternate, Councilmember Roger Aceves

City of Guadalupe
T.B.D.
Alternate, Mayor Ariston Julian

City of Lompoc
Councilmember James Mosby
Alternate, Mayor Jenelle Osborne

City of Santa Barbara
Mayor Cathy Murillo
Alternate, Councilmember Jason Dominguez

City of Santa Maria
Mayor Alice Patino
Alternate, Councilmember Etta Waterfield

City of Solvang
Mayor Ryan Toussaint
Alternate, Councilmember Karen Waite

BOARD OF SUPERVISORS HEARING ROOM
COUNTY ADMINISTRATION BUILDING
105 EAST ANAPAMU STREET
SANTA BARBARA, CA

Persons may address the Board in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, in Santa Maria. Members of the public may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period following the administrative agenda. The times shown for the duration of agenda items are estimates. Board meetings are televised live on County of Santa Barbara TV Channel 20. Additional information can be obtained at the APCD office, 260 North San Antonio Road, Suite A, Santa Barbara, CA, or on the APCD website at: <http://www.ourair.org/apcd/district-board-of-directors/>. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Board Clerk to all or a majority of the members of the APCD Board less than 72 hours prior to that meeting are available for inspection in the APCD office or website.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations to participate in the meeting should contact the APCD at 961-8800 at least three working days prior to the scheduled meeting.

- I. CALL TO ORDER – ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES

Approve minutes of the October 18, 2018 meeting.

Clerk of the APCD Board:
Aeron Arlin Genet

IV. ADMINISTRATIVE ITEMS

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

A-1) Notice of Violation Report

Receive and file the summary of notices of violation issued and penalty revenue received during the months of October and November 2018.

A-2) District Grant Program Activity

Receive and file the following grant program related activity:

- a) An update on the Old Car Buy Back Program for vehicles retired during the period of August 1, 2018 through September 30, 2018;
- b) An update on the Woodsmoke Reduction Program for fireplace and stove replacement projects during the period of October 25, 2018 through December 1, 2018; and
- c) Summary of the emission-reduction grant agreements approved by the Air Pollution Control Officer for the period of October 4, 2018 through December 5, 2018 in accordance with Board Resolution Number 09-14, including:
 - i. Santa Barbara City College – EV Charging Station Infrastructure Program (Termination).

A-3) Minutes of the January 2018 APCD Community Advisory Council Meeting

Receive and file the minutes from the January 11, 2018 meeting of the APCD Community Advisory Council.

A-4) Resolution for authorizing the District to accept credit cards, debit cards, or electronic funds transfers and to impose certain fees for the use of a credit or debit card or electronic funds transfer not to exceed the costs incurred by the District

Adopt a resolution authorizing the District to:

- a) Accept credit cards, debit cards, or electronic funds transfers for the payment of services rendered by the District and the payment of fees and charges due to the District; and
- b) Impose certain fees on the holder of the credit card, debit card, or electronic funds transfer not to exceed the costs incurred by the District from the credit or debit card issuer or the processor of the electronic funds transfer in providing for payment by credit card, debit card, or electronic funds transfer.

A-5) New Rule 3.5 of California’s Rules of Professional Conduct for Lawyers

Consider recommendations as follows:

- a) Adopt a Resolution that will govern communications with members of the Board pursuant to new Rule 3.5 of California’s Rules of Professional Conduct for lawyers which became effective on November 1, 2018, that:
 - i. The Board’s Legal Counsel, as the advisor to the Board, may continue to provide confidential attorney-client legal advice on the merits of adjudicative matters to members of the Board;
 - ii. All lawyers may continue to communicate with members of the Board on the merits of adjudicative matters and those communications will be subject to *ex parte* disclosure by the member when *ex parte* disclosures are required;
 - iii. Any gifts from lawyers to members of the Board and/or to District employees, shall be regulated by the Political Reform Act, Government Code § 81000 *et seq*; and
- b) Find that the proposed actions are not a “project” under California Environmental Quality Act Guidelines § 15378(b)(5) in that they are organizational or administrative activities of the government that will not result in direct or indirect physical changes to the environment.

**A-6) Fiscal Year 2018-19 Budget Amendment
(Requires 4/5 Approval Vote, i.e. 11 Affirmative Votes)**

Consider recommendations as follows:

- a) Transfer appropriations of \$40,000 from Services & Supplies Account #7460 (Professional and Special Services) to Capital Assets #8300 (Equipment); and
- b) Increase appropriations of Capital Assets Account #8300 (Equipment) by an additional \$50,000, for a total budget amount of \$227,000.

A-7) Waiver of Competition for the Purchase of a MicroPHAZIR AS analyzer for the Compliance Division

Authorize the Santa Barbara County Air Pollution Control District (District) to purchase a MicroPHAZIR AS analyzer for the Compliance Division from Thermo Scientific Portable Analytical Instruments Inc. as sole source procurement without being required to conduct a formal bid process, for a total cost of \$29,092.50, including taxes.

V. PUBLIC COMMENT PERIOD

Persons desiring to address the APCD Board on any subject within the jurisdiction of the Board that is not included as part of the agenda must complete and deliver to the Clerk the “Request to Speak” form which is available at the Hearing Room entrance prior to the commencement of this comment period. Comments shall be limited to fifteen minutes, divided among those desiring to speak, but no person shall speak longer than three minutes.

VI. DIRECTOR'S REPORT
(EST. TIME: 5 Min.)

Receive brief oral report by the Air Pollution Control Officer on any community events and/or matters of interest to the Board. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

VII. DISCUSSION ITEMS

1) Recognition of Departing Board Members
(EST. TIME: 5 Min.)

Recognize Board members Janet Wolf, Michael Bennett, John Lizalde and Jim Richardson for their years of service on the APCD Board of Directors.

2) Consideration of Salary Merit Increase for Control Officer Arlin Genet
(EST. Time: 15 Min.)

Consider a salary merit increase for Control Officer Aeron Arlin Genet. For purposes of discussion, the Board letter proposes a three percent (3%) salary merit increase.

3) Low-Cost Air Sensors for Community Partners
(EST. TIME: 10 Min.)

Consider recommendations as follows:

- a) Approve a "Low-Cost Air Quality Sensor Agreement" to loan low-cost air sensors (e.g., PurpleAir sensors) to community partners;
- b) Delegate authority to the Control Officer to enter into said agreements; and
- c) Authorize the Control Officer to update the Board-approved agreement from time to time to implement requirements and policies identified by District Counsel, Risk Management, and the Auditor that do not require Board approval.

4) Air Monitoring Network Update
(EST. TIME: 15 Min.)

Receive an update on the current and future ambient air monitoring network in Santa Barbara County.

5) **Adopting the Assembly Bill 617 Best Available Retrofit Control Technology Rule Development Schedule**
(EST. TIME: 20 Min.)

Hearing: Consider recommendations as follows:

- a) Hold a public hearing to receive testimony on the adoption of the Assembly Bill 617 Best Available Retrofit Control Technology Rule Development Schedule;
- b) Adopt a resolution formally adopting the rule development schedule contained in Attachment B to the resolution; and
- c) Find that the adoption of the Best Available Retrofit Control Technology Rule Development Schedule is not a project under CEQA, and is therefore exempt from CEQA review.

VIII. **ANNOUNCEMENTS**

This meeting of December 20, 2018 will be rebroadcast on Sunday, December 23, 2018, at 5:00 p.m. on County of Santa Barbara TV Channel 20.

IX. **ADJOURN**

The Santa Barbara County Air Pollution Control District Board is adjourned to 1:00 p.m. on January 17, 2019 in the Board of Supervisors Hearing Room, County Administration Building, 105 East Anapamu Street, Santa Barbara, CA.