

## ACTION SUMMARY

Official

### Board of Directors

Meeting  
January 17, 2019

1:00 P.M.

Santa Barbara County  
Board of Supervisors  
Das Williams, First District, *Vice-Chair*  
Gregg Hart, Second District  
Joan Hartmann, Third District  
Peter Adam, Fourth District  
Steve Lavagnino, Fifth District

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

City of Buellton  
Mayor Holly Sierra  
*Alternate*, Councilmember Ed Andrisek

#### A. CALL TO ORDER – ROLL CALL

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

Chair Lavagnino called the meeting to order at 1:02 p.m.

City of Goleta  
Mayor Paula Perotte  
*Alternate*, Councilmember Stuart Kasdin

Present: 12 - Williams, Hart, Hartmann, Adam (arrived approx. 1:04 p.m.), Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.

City of Guadalupe  
Mayor Ariston Julian  
*Alternate*, Mayor Pro Tem Gina Rubalcaba

Absent: 1 - Clark.

City of Lompoc  
Councilmember James Mosby  
*Alternate*, Mayor Jenelle Osborne

Board members Adam, Sierra, Julian, Patino and Waite participated remotely from Santa Maria. Roll call votes were taken for each item.

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

#### B. PLEDGE OF ALLEGIANCE

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

#### C. ELECTION OF CHAIR AND VICE-CHAIR FOR 2019

**Elect the Chair and Vice-Chair to serve as APCD Officers for calendar year 2019.**

City of Solvang  
Mayor Ryan Toussaint  
*Alternate*, Councilmember Karen Waite

*Board member Adam arrived during this item.*

A motion was made by Board member Hartmann, seconded by Board member Sierra to elect Cathy Murillo as Chair and Das Williams as Vice-Chair for 2019. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.

Noes: 0 - None.

Abstain: 0 - None.

Absent: 1 - Clark.

Clerk of the APCD Board:  
Aeron Arlin Genet

*Chair Murillo assumed the gavel and presided over the remainder of the meeting.*

**D. CLOSED SESSION - Convened from 1:05 p.m. to 1:14 p.m.**

**Following closed session, Counsel will report, orally, or in writing, any action taken in closed session and the vote or abstention thereon, as required by Government Code § 54957.1(a). Documents that are finally approved or adopted in the closed session will be provided upon request as required by Government Code § 54957.1(b).**

**D-1) Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9(d)(4).)**

**Deciding whether to initiate civil litigation: one case.**

Rachel Van Mullem, District Counsel, announced that the Board voted unanimously to initiate litigation against HVI Cat Canyon, Inc. Pursuant to Government Code section 54957.1 (a)(2), other particulars such as details of the action will be disclosed upon inquiry once the litigation is formally commenced.

**E. APPROVAL OF MINUTES**

**Approve minutes of the December 20, 2018 meeting.**

A motion was made by Board member Lavagnino, seconded by Board member Hartmann that the minutes be approved. The motion carried by the following vote:

Ayes: 7 - Williams, Hartmann, Lavagnino, Sierra, Mosby, Murillo, Patino.  
Noes: 0 - None.  
Abstain: 5 - Hart, Adam, Perotte, Julian, Waite.  
Absent: 1 - Clark.

**F. ADMINISTRATIVE ITEMS**

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

**F-1) Notice of Violation Report**

**Receive and file the summary of notices of violation issued and penalty revenue received during the month of December 2018.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be received and filed. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-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 October 1, 2018 through October 31, 2018; and**
- b) **An update on the Woodsmoke Reduction Program for fireplace and stove replacement projects during the period of October 25, 2018 through January 4, 2019.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be received and filed. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-3) Employee Insurance Plans and Programs**

Receive summary and rates of the employee insurance plans and programs for 2019.

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be received. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-4) Fiscal Year 2018-19 Budget Amendment and a Waiver of Competition for the Purchase of an Airpointer Portable Air Monitor  
*(Requires 4/5 Approval Vote, i.e. 11 Affirmative Votes)***

Consider recommendations as follows:

- a) **Authorize the following budget amendments:**
  - i. **Transfer appropriations of \$48,200 from Services & Supplies Account #7460 (Professional and Special Services) to Capital Assets #8300 (Equipment);**
  - ii. **Increase appropriations of Capital Assets Account #8300 (Equipment) by an additional \$50,000, for a total budget amount of \$235,200; and**
- b) **Authorize the Santa Barbara County Air Pollution Control District to purchase an Airpointer portable air quality monitor as a sole source procurement without being required to conduct a formal bid process, for a total cost not to exceed \$108,200, including taxes.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be approved. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-5) APCD Fiscal Year 2017-18 Financial Audit**

Receive and file the following:

- a) **Fiscal Year 2017-18 APCD *Comprehensive Annual Financial Report (CAFR)*, also containing the *Independent Auditor's Report*;**
- b) **The *Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards*; and**
- c) **The *Independent Auditor's Report to the Board of Directors and Management*.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be received and filed. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-6) Approval of Contract for Bankruptcy Matters Legal Services**

**Approve and authorize the Chair to execute a contract with Snow Spence Green LLP for a term of one year (January 17, 2019 to January 17, 2020) and an amount not to exceed \$7,500.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be approved. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-7) Resolution for Delegating Authority to the Air Pollution Control Officer to Sign Certain Specified Legal Contracts**

**Adopt a resolution delegating authority to the Air Pollution Control Officer to amend, enter into, and renew certain specified legal contracts, not to exceed \$3,500 each.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be approved. Adopted APCD Resolution No. 19-01. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**F-8) Modifications to Classification Specifications**

**Adopt revised class specifications entitled Office Technician and Accounting Technician I/II/III.**

A motion was made by Board member Hartmann, seconded by Board member Hart that matter be approved. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**G. 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.**

Received Public Comment.

**H. DIRECTOR'S REPORT**

**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.**

Received Director's Report.

**I. DISCUSSION ITEMS**

**I-1) Appointment of APCD Executive Committee**

**Select three members of the Board to serve on the APCD Executive Committee during calendar year 2019.**

A motion was made by Board member Lavagnino, seconded by Board member Hartmann to appoint Board member Lavagnino, Vice-Chair Williams, and Chair Murillo to the APCD Executive Committee for 2019. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**I-2) Appointment of APCD Board Member to Basinwide Control Council**

**Appoint one Board member to serve as the representative to the South Central Coast Basinwide Control Council during the calendar year 2019.**

A motion was made by Board member Perotte, seconded by Board member Hartmann to appoint Board member Perotte to the Basinwide Control Council for 2019. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**I-3) Appointment of the APCD Hearing Board Nominating Committee**

**Select five members of the Board to serve on the APCD Hearing Board Nominating Committee during calendar year 2019.**

A motion was made by Board member Hartmann, seconded by Board member Lavagnino to appoint Board members Adam, Patino, Hartmann, Julian and Vice-Chair Williams to the APCD Hearing Board Nominating Committee for 2019. The motion carried by the following vote:

Ayes: 12 - Williams, Hart, Hartmann, Adam, Lavagnino, Sierra, Perotte, Julian, Mosby, Murillo, Patino, Waite.  
Noes: 0 - None.  
Abstain: 0 - None.  
Absent: 1 - Clark.

**I-4) Santa Barbara County Emission Inventory**

**Receive presentation from District staff on Santa Barbara County's Emission Inventory.**

Item Received.

**J. ANNOUNCEMENTS**

This meeting will be rebroadcast on Sunday, January 20, 2019, at 5:00 p.m. on County of Santa Barbara TV Channel 20.

**K. ADJOURN**

This meeting was adjourned at 1:58 p.m. to March 21, 2019 at 1:00 p.m. in the Board of Supervisors Hearing Room, County Administration Building, 105 East Anapamu Street, Santa Barbara, CA.