



MEMORANDUM

TO: Hearing Board Nominating Committee:

- Das Williams
- Joan Hartmann
- Ariston Julian
- Peter Adam
- Alice Patino

FROM: Sara Hunt, Executive Assistant/Board Clerk (805-961-8853)

DATE: May 9, 2019

SUBJECT: Recruitment Parameters for the District Hearing Board Medical Representative

DISCUSSION:

As referenced in the enclosed Hearing Board Nominating Committee Agenda, immediately following the regular District Board Meeting on May 16, 2019, you will meet to discuss recruitment parameters for one position on the District Hearing Board:

Medical Representative – Dr. Francis Lagattuta has served in this capacity since July 2000. Dr. Lagattuta’s current term was not set to expire until July 2021, however on May 7, 2019 he submitted his resignation, as he is moving out of state and will no longer be able to fill this position. Therefore a recruitment will need to be conducted to fill this position.

BACKGROUND:

The District Hearing Board is a quasi-judicial body made up of five members appointed by, but acting independently of, the District Board of Directors. The members of the Hearing Board serve 3-year terms and have professional experience in the fields of medicine, engineering, law and include two members of the public¹. The Hearing Board is governed by the Health and Safety Code and hears appeals of Control Officer permit decisions, applications for variances

¹ CA Health and Safety Code § 40802: If the district board, in the case of a district with a population of less than 750,000, is unable to appoint a person with the qualification specified in Section 40801 who is willing and able to serve, and for that reason a vacancy exists on the hearing board, the county district board may, in order to fill that vacancy, appoint any person to the hearing board.

from District Rules and Regulations, and petitions for abatement orders submitted by the Control Officer. This Board typically meets at 9:30 am on the first Wednesday of each month in the Board of Supervisors' Hearing Room in Santa Barbara or Santa Maria. If there are no cases on the agenda, the meeting is cancelled.

Hearing Board members have heard 105 cases over the last three years (2016-2018). One third of the cases have been Emergency Variances, which are generally completed by a single member over the telephone. Interim and 90-Day Variances may also be heard by a single member, although these are typically performed in face-to-face meetings. Regular Variances (those in effect for more than 90 days), Permit Condition Appeals, and requests for Abatement Orders must be heard at a regular Hearing Board meeting. There were 17 regular Hearing Board meetings over the last three years.

At the May 16 meeting, the Hearing Board Nominating Committee will discuss recruitment parameters for the vacancy and give direction to the Clerk to facilitate the recruitment, including specific requests of where to advertise the position, and for how long. Previous recruitment ads have been placed in the *Santa Barbara News-Press*, *Santa Maria Times*, *Lompoc Record*, *Santa Barbara Independent*, *EdHat*, and on *CSBTV*. Recruitment notices were also circulated to all Governing Board, Hearing Board and District Community Advisory Council members, as well as posted on the District website.

In addition, committee members will need to select a date to hold interviews. Should a successful candidate be found during the recruitment, your recommendation will be taken to the Governing Board for consideration.

As reference, below is the current Hearing Board membership:

<u>Position</u>	<u>Name/Location</u>	<u>Initial Appointment</u>	<u>Term Expires</u>
Legal	Robert J. Saperstein, Santa Barbara	August 2005	October 2020
Public	Lee-Volker Cox, Santa Maria	October 2016	October 2019
Public	Terence Dressler, Goleta	June 2017	June 2020
Public	Francis Peters, Jr., Santa Barbara	June 2017	June 2020
Medical	Vacant		

ATTACHMENT:

- A) Sample recruitment notice



air pollution control district
SANTA BARBARA COUNTY

Notice of Recruitment
Santa Barbara County Air Pollution Control District
Hearing Board

The Santa Barbara County Air Pollution Control District (District) is recruiting to fill one position on the District Hearing Board. The Hearing Board is a quasi-judicial body that makes determinations on permit appeals, variances from local District rules and regulations, and considers requests for permit revocations and abatement orders. The Hearing Board meets when there are cases to be heard, on the first Wednesday of each month at 9:30 a.m. in the Santa Barbara County Board of Supervisors Hearing Room in either Santa Barbara or Santa Maria. Members may also be called upon to hear short term variances as they arise.

The Hearing Board is composed of five-members, each with three-year terms: one attorney, one professional engineer, one member of the medical profession (with specialized skills, training, or interests in the fields of environmental medicine, community medicine, or occupational/toxicological medicine), and two public members. **The current opening is for the medical profession.** The successful candidate will be subject to the provisions of the Conflict of Interest Code, California Government Code 87100 et seq. and will be required to submit a Conflict of Interest Form 700 annually as required by the California Fair Political Practices Commission. In addition, members are required to complete mandatory bi-annual training pursuant to AB1234 (Ethics) and AB1661 (Sexual Harassment Prevention Training and Education).

For more information or to download an application, visit our website at <http://www.ourair.org/apcd/apcd-hearing-board/> or call the District at (805) 961-8853. **Applications must be received by _____** at Santa Barbara County APCD, 260 N. San Antonio Road, Suite A, Santa Barbara, CA 93110, Attention: Sara Hunt.

Interviews are to be conducted by the Hearing Board Nominating Committee of the District Board of Directors on _____.