



AGENDA

January 18, 2024

1:00 P.M.

Board of Directors

Santa Barbara County

Board of Supervisors

Das Williams, First District

Laura Capps, Second District, *Vice-Chair*

Joan Hartmann, Third District

Bob Nelson, Fourth District

Steve Lavagnino, Fifth District

City of Buellton

Mayor Dave King

Alternate, Vice-Mayor David Silva

City of Carpinteria

Mayor Al Clark

Alternate, Councilmember Wade Nomura

City of Goleta

Mayor Paula Perotte

Alternate, Mayor Pro Tem Kyle Richards

City of Guadalupe

Mayor Ariston Julian

Alternate, Councilmember Christina Hernandez

City of Lompoc

Councilmember Gilda Cordova

Alternate, Mayor Jenelle Osborne

City of Santa Barbara

Mayor Randy Rowse

Alternate, Councilmember Eric Friedman

City of Santa Maria

Mayor Alice Patino, *Chair*

Alternate, Councilmember Maribel Aguilera-Hernandez

City of Solvang

Mayor Mark Infanti

Alternate, Councilmember Claudia Orona

Clerk of the APCD Board

Aeron Arlin Genet

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

Web streaming of the of the APCD Board meetings, Agendas, Supplemental Materials, and Minutes of the APCD are available on the internet at: www.ourair.org/apcd-board-of-directors-agenda.

You may observe the live stream of the APCD Board meetings in the following ways:

- Televised on the County of Santa Barbara Television (CSBTv) local cable channel 20;
- Online at: http://sbcounty.granicus.com/player/camera/4?publish_id=35&redirect=true
- YouTube at: <<https://www.youtube.com/user/CSBTv20>>; and,
- Zoom at: <https://us02web.zoom.us/j/82531441878?pwd=dGloL2dmZjF6aXITdTUwUTBhOHhhUT09>
Password: 282745

Persons may address the Board of Directors on any matter listed on the agenda. Matters not listed on the agenda may be addressed during the public comment period. Comments timely received on an agenda item will be placed into the record and distributed accordingly. If you wish or anticipate a desire to speak during the APCD Board of Directors Meeting, the following methods are available:

- **In-Person Santa Barbara Location. County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street.**
Members of the public may address the Board on any matter listed on the agenda by completing and delivering a speaker slip to the Clerk before the item is considered.
- **In-Person Remote Testimony, City of Santa Maria City Hall Council Chambers, 110 East Cook Street, Santa Maria, CA.**
Members of the public may make a general public comment in-person by using the remote video testimony system located at the City of Santa Maria City Hall Council Chambers in Santa Maria.
- **In-Person Remote Testimony, Rural County Representatives of California Office, Placer Conference Room, 1215 K Street, Suite 1650, Sacramento, CA.**
Members of the public may make a general public comment in-person by using the remote video testimony system located at the Rural County Representatives of California office in Sacramento from 1:00 pm – 2:00 pm, excluding Closed Session.
- **By Zoom.** Individuals wishing to view and provide public comment during the Board meeting through the Zoom application may join by clicking this link at the appointed time:
<https://us02web.zoom.us/j/82531441878?pwd=dGloL2dmZjF6aXITdTUwUTBhOHhhUT09>
Password: 282745

Members of the public wishing to be called on for public comment should click on the “Raise Hand” button on Zoom when the item they wish to speak on has begun. When the Chair calls for public comment, the Clerk will announce you and will unmute your microphone. Comments from the public are limited to 3 minutes per speaker. The public will not be able to share their video or screen.

- **Telephone.** Individuals wishing to give public comment via phone are asked to call the number below at least 10 minutes prior to the start of the meeting at 12:50 pm.
Dial-In: +1 (408) 638-0968 or +1 (669) 900-6833
Webinar ID: 825 3144 1878
Passcode: 282745
- **Distribution to the Board.** Submit comments no later than 5:00 p.m. on Wednesday, January 17, 2024 via email to las@sbcapcd.org, or mail to APCD Clerk of the Board at 260 North San Antonio Road, Suite A, Santa Barbara, to the Clerk CA 93110. Your comment will be placed into the record and distributed appropriately.

The times shown for the duration of agenda items are estimates. 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 District Board less than 72 hours prior to that meeting are available for inspection on the District website. In compliance with the Americans with Disabilities Act, individuals needing special accommodations to participate in the meeting should contact the APCD Clerk of the Board at least three working days prior to the scheduled meeting.

A. CALL TO ORDER – ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES

Approve minutes of the October 19, 2023 meeting.

D. CLOSED SESSION

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) Public Employee Performance Evaluation (Gov. Code § 54957(b)(1).)
Title: Air Pollution Control Officer.

D-2) Conference with Labor Negotiators (Gov. Code § 54957.6(a).)
Unrepresented Employee: Air Pollution Control Officer.
Agency-designated Representative: Jennifer Richardson, District Counsel

E. ELECTION OF CHAIR AND VICE-CHAIR FOR 2024

F. ADMINISTRATIVE ITEMS

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

F-1) Update on Public Outreach Activities

Receive and file an update on District outreach activities.

F-2) District Grant and Incentives Program Activity

Receive and file the following grant program related activity:

1. An update on the Old Car Buy Back Program for vehicles retired during the period of October 1, 2023 through December 31, 2023;

2. An update on the Landscape Equipment Electrification Fund (LEEF) Program Year 3 for zero-emission landscape equipment vouchers during the period of October 1, 2023 through December 31, 2023; and
3. Summary of the emission-reduction grant agreements approved by the Air Pollution Control Officer for the period of August 1, 2023 through December 31, 2023; in accordance with Board Resolution Number 20-13.

F-3) Notice of Violation Report

Receive and file the summary of notices of violation issued and penalty revenue received during the months of October, November, and December 2023.

F-4) Minutes of the August 23, 2023 Regular Meeting of the Community Advisory Council

Receive and file minutes of the August 23, 2023 regular meeting of the Community Advisory Council.

F-5) Summary of Permitting Activity

Receive and file the summary of permitting activity during the months of July through December 2023.

F-6) District Fiscal Year 2022-23 Financial Audit

Receive and file the following:

1. Fiscal Year 2022-23 Air Pollution Control District Annual Comprehensive Financial Report also containing the Independent Auditor's Report;
2. 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
3. The Independent' Auditor's Report to the Board of Directors and Management.

F-7) District Hearing Board Appointment

Consider recommendation of the District Hearing Board Nominating Committee to reappoint Mr. Robert Saperstein to the legal member position on the District Hearing Board for a 3-year term.

F-8) Employee Insurance Plans and Programs

Receive summary and rates of the employee insurance plans and programs for 2024.

F-9) Approval of Contract for Bankruptcy Legal Services

Approve and authorize the Chair to execute a contract with Rimôn, P.C. for a term expiring on December 31, 2024, for an amount not to exceed \$15,000.

F-10) Salary Merit Increase for Air Pollution Control Officer Aeron Arlin Genet

Approve a 1-3% salary merit increase for Air Pollution Control Officer Aeron Arlin Genet.

F-11) Consideration of a District Cost Recovery Policy

Approve and authorize the District's Cost Recovery Policy.

F-12) Continued Participation in the Woodsmoke Reduction Program and Ratification of Grant Agreement

Consider recommendations as follows:

1. Ratify, approve, and authorize the Air Pollution Control Officer (APCO) to accept \$231,900 from the California Air Resources Board (CARB) to continue the District's implementation of the Woodsmoke Reduction Program as outlined in the Woodsmoke Reduction Program – Program Guidelines - Fiscal Year 2022-2023 Appropriation, included as Attachment 1 to the Resolution;
2. Adopt a Resolution to authorize the District's continued participation in CARB's Woodsmoke Reduction Program and the acceptance of \$231,900 in funds awarded to the District to implement the incentive program as outlined in the Woodsmoke Reduction Program – Program Guidelines – Fiscal Year 2022-2023 Appropriation;
3. Delegate authority to the APCO to sign installer agreements that are approved by Counsel, Auditor, and Risk Management and which shall meet the program requirements established by CARB; and
4. Delegate authority to the APCO to enter into Woodsmoke Reduction Program grant agreements with CARB in future years, for amounts not to exceed \$1,000,000, subject to review and approval by the District Counsel, Risk Management, and the Auditor-Controller.

F-13) Award Job Order Contract

Consider recommendations as follows:

1. Approve the plans and specifications for typical work for the Job Order Contracts (JOCs) on file with the Capital Projects Division of the County General Services Department, the District's Representative for all phases of construction and remodel projects;
2. Approve and authorize the Chair to execute the attached General Building Construction Job Order Contract, with an initial guarantee only to receive the opportunity to perform Job Orders during the Term of the Contract (January 18, 2024 to June 30, 2024), and with a potential Not to Exceed Value of up to \$2,000,000.00, with JG Contracting;
3. Authorize the Air Pollution Control Officer, or their designee, to work with County General Services to award the following categories of Job Orders under the JOC (subject to the authorized contract limits, appropriation of funds for such Job Orders, and the provision in advance of adequate bonds and other security for completing each Job Order), and to take action with respect to the JOCs in accordance with, and within the limits prescribed by, the Public Contract Code, including, but not limited to, Section 20128.5, with respect to job order contracting:
 - a. Repair, remodeling, or other repetitive work eligible for job order contracting in accordance with Public Contract Code Section 20128.5 that has been included in the District's approved annual budget; and
 - b. Repair, remodeling, or other repetitive work eligible for job order contracting in accordance with Public Contract Code Section 20128.5 for which funding has been approved pursuant to a Budget Revision Request.
4. Approve use of the JOC for repair, remodeling, and other repetitive work to be done at 1011 W. McCoy.

F-14) Minutes of the October 5, 2023 Special Meeting of the South Central Coast Basinwide Control Council

Receive and file minutes of the October 5, 2023 special meeting of the South Central Coast Basinwide Control Council.

G. DIRECTOR'S REPORT
(EST. TIME: 10 Min.)

Receive brief oral report by the Air Pollution Control Officer. Report to include items such as: Achievements of District staff, upcoming events of interest to the Board of Directors and the public, general status of District programs, state and federal activities and legislation, updates on air quality, updates from the California Air Pollution Control Officers Association (CAPCOA). 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.

H. PUBLIC COMMENT PERIOD

The Public Comment Period is reserved for 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. Comments shall be limited to fifteen minutes, divided among those desiring to speak, but no person shall speak longer than three minutes.

I. DISCUSSION ITEMS

I-1) Appointment of APCD Executive Committee
(EST. TIME: 5 Min.)

Select three members of the Board to serve on the APCD Executive Committee during calendar year 2024.

I-2) Appointment of APCD Board Members to Basinwide Control Council
(EST. TIME: 5 Min.)

Appoint one Board member to serve as the primary representative and one Board to serve as the alternate to the South Central Coast Basinwide Control Council during calendar year 2024.

I-3) Appointment of the APCD Hearing Board Nominating Committee
(EST. TIME: 5 Min.)

Select five members of the Board to serve on the APCD Hearing Board Nominating Committee during calendar year 2024.

I-4) Determine that a new District Rule for Gas Turbines and Associated Duct Burners is No Longer Necessary to Satisfy Assembly Bill 617 Requirements
(EST. TIME: 15 Min.)

Consider recommendations as follows:

1. Receive and file a report regarding Best Available Retrofit Control Technology (BARCT) for Gas Turbines and Associated Duct Burners at Assembly Bill 617 Industrial Facilities; and
2. Adopt a resolution determining that adopting a new District Rule is no longer necessary to implement BARCT for Gas Turbines and Associated Duct Burners because the affected Assembly Bill 617 Industrial Facility has requested changes to their District Permit to Operate to directly implement BARCT.

J. ANNOUNCEMENTS

This meeting will be rebroadcast on Sunday January 21, 2024, at 5:00 p.m. on County of Santa Barbara TV Channel 20.

K. ADJOURN

The Santa Barbara County Air Pollution Control District Board is adjourned to 1:00 p.m. on March 21, 2024.