



AGENDA

May 16, 2024

1:00 P.M.

Board of Directors

Santa Barbara County

Board of Supervisors
Das Williams, First District
Laura Capps, Second District, *Chair*
Joan Hartmann, Third District
Bob Nelson, Fourth District
Steve Lavagnino, Fifth District

City of Buellton

Mayor Dave King
Alternate, Vice-Mayor John Sanchez

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, *Vice-Chair*
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
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/84215818817?pwd=WnJqVngzTzEyRWVRQnNHQVJGRzBVQT09>
Password: 473043

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, Santa Barbara, CA.** 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. Santa Maria Location. Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria, CA.** Members of the public may address the Board on any matter listed on the agenda by using the remote video testimony system located at the Santa Barbara County Board of Supervisors Hearing Room in Santa Maria.
- **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/84215818817?pwd=WnJqVngzTzEyRWVRQnNHQVJGRzBVQT09>
Password: 473043
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: 842 1581 8817
Passcode: 473043
- **Distribution to the Board.** Submit comments no later than 5:00 p.m. on Wednesday, May 15, 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. 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).

C-1) Conference with Labor Negotiators (Subdivision (a) of Gov. Code §54957.6).
 Unrepresented Employee: Air Pollution Control Officer.
 Agency-designated Representative: Jennifer Richardson, District Counsel.

C-2) Conference with Legal Counsel-Anticipated Litigation (Paragraph (2) of subdivision (d) of Gov. Code §54956.9).
 Significant exposure to civil litigation: 1 case, based on these “facts and circumstances:”

The Environmental Democracy Project has provided to the District a draft petition for writ of mandate and complaint for injunctive and declaratory relief related to the District’s mandatory duties under the Air Toxics “Hot Spots” Information and Assessment Act of 1987. In that draft petition and complaint, the Environmental Democracy Project states the District has violated and continues to violate its legal obligations under the Hot Spots Act.

D. APPROVAL OF MINUTES

Approve minutes of the March 21, 2024 meeting.

E. ADMINISTRATIVE ITEMS

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

E-1) Update on Public Outreach Activities

Receive and file an update on District outreach activities.

E-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 March 1, 2024 through April 30, 2024; and**

2. Summary of the emission-reduction grant agreements approved by the Air Pollution Control Officer for the period of March 1, 2024 through April 30, 2024; in accordance with Board Resolution Number 20-13.

E-3) Notice of Violation Report

Receive and file the summary of notices of violation issued and penalty revenue received during the months of March and April 2024.

E-4) Minutes of the December 21, 2023 Special Meeting of the South Central Coast Basinwide Control Council

Receive and file minutes of the December 21, 2023 special meeting of the South Central Coast Basinwide Control Council.

E-5) Amendments to District Rule 210 – Fees, and other Affected Rules (Rules 203, 211, 213, 342, 359, 361, 364, 370, 502, 806, and 1201)

Consider recommendations as follows:

1. Hold the second public hearing on the proposed amendments to Rule 210 – Fees, and other affected rules; and
2. Adopt the resolution that contains the following actions items:
 - a. Adopt the California Environmental Quality Act (CEQA) Findings pursuant to the CEQA guidelines;
 - b. Adopt the General Rule Findings in support of the proposed rule amendments pursuant to Health and Safety Code §40727 regarding necessity, authority, clarity, consistency, nonduplication, and reference; and
 - c. Adopt the proposed amendments to District Rule 210 – Fees, and other affected rules (Rules 203, 211, 213, 342, 359, 361, 364, 370, 502, 806, and 1201).

E-6) 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.

E-7) Execute a Third Lease Amendment for the Office Space Located at 260 North San Antonio Road, Suite A, Santa Barbara, CA

Authorize the Chair to sign the third Lease Amendment between the Santa Barbara County Air Pollution Control District and Santa Barbara County (County) for the purposes of reducing the amount of office space leased from the County to accommodate County General Services Department needing more space to move the rest of their department into the building.

**F. 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.

G. 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.

H. DISCUSSION ITEMS

**H-1) Fiscal Year 2024-25 Proposed Budget
(EST. TIME: 15 Min.)**

Consider the Fiscal Year 2024-25 Proposed Budget as follows:

1. Receive the Proposed Budget for Fiscal Year 2024-25;
2. Hold a public hearing to accept comments and provide direction to staff regarding changes desired by the Board; and
3. Schedule a budget adoption hearing for June 20, 2024.

**H-2) 2023 Air Toxics “Hot Spots” Program Annual Report
(EST. TIME: 15 Min.)**

Receive and file the 2023 Air Toxics “Hot Spots” Annual Report and associated presentation during which District staff will present the Report and discuss its content and significance.

I. ANNOUNCEMENTS

This meeting will be rebroadcast on Sunday, May 19, 2024, at 5:00 p.m. on County of Santa Barbara TV Channel 20.

J. ADJOURN

The Santa Barbara County Air Pollution Control District Board is adjourned to 1:00 p.m. on June 20, 2024.