



ACTION SUMMARY

(Official)

Board of Directors

**May 16, 2024
1:00 P.M.**

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 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, *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**

A. CALL TO ORDER – ROLL CALL

Chair Capps called the meeting to order at 1:03 p.m.

Present: 9 - Williams (left at approx. 1:58 pm), Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse (left at approx. 1:43 pm), Patino (arrived at approx. 1:05 pm).

Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

Directors Julian, Cordova, and Patino participated via remote testimony from the Betteravia Government Center Board of Supervisors Hearing room.

B. PLEDGE OF ALLEGIANCE

C. CLOSED SESSION - Convened from 1:05 p.m. to 1:22 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).

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.

Jenna Richardson, District Counsel, announced that there was no reportable action taken in Closed Session.

D. APPROVAL OF MINUTES

Approve minutes of the March 21, 2024 meeting.

A motion was made by Board member Hartmann, seconded by Board member Perotte that the minutes of the March 21, 2024 meeting be approved. The motion carried by the following vote:

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

E. ADMINISTRATIVE ITEMS

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

Pursuant to Board Member Hartmann's request, item E-6 was pulled for brief discussion and then voted on separately.

Pursuant to District Staff's request, item E-7 was pulled for brief discussion and then voted on separately.

E-1) Update on Public Outreach Activities

Receive and file an update on District outreach activities.

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

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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.**

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

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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.

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

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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.

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

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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).**

A motion was made by Board member Patino seconded by Board member Hartmann that this matter be acted on as follows:

1. Conducted second public hearing, no public comments were received; and
2. Adopt APCD Resolution 24-03.

The motion carried by the following vote:

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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.

A motion was made by Board member Hartmann, seconded by Board member Perotte that the Board approve a 2% salary merit increase. The motion carried by the following vote:

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

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.

A motion was made by Board member Hartmann, seconded by Board member Silva that this matter be continued to the June 20, 2024 Board of Directors meeting. The motion carried by the following vote:

Ayes: 9 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Rowse, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 4 - Nelson, Lavagnino, Clark, Infanti.

F. DIRECTOR'S REPORT

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, and 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.

Received Director's Report.

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.

PUBLIC COMMENTS:
Amanda Clark, Coastal Blooms Nursery.

H. DISCUSSION ITEMS

Director Rowse left before item H-1.

H-1) Fiscal Year 2024-25 Proposed Budget

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.**

A motion was made by Board member Williams, seconded by Board member Perotte that this matter be acted on as follows:

- a) Received;
- b) Conducted public hearing, no public comments were made; and
- c) Scheduled budget adoption hearing for June 20, 2024.

The motion carried by the following vote:

Ayes: 8 - Williams, Capps, Hartmann, Silva, Perotte, Julian, Cordova, Patino.
Noes: 0 - None.
Abstain: 0 - None.
Absent: 5 - Nelson, Lavagnino, Rowse, Clark, Infanti.

Director Williams left before item H-2.

H-2) 2023 Air Toxics “Hot Spots” Program Annual Report

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.

Item Received.

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

This meeting was adjourned at 2:20 p.m. to June 20, 2024 at 1:00 p.m. in the Board of Supervisors Hearing Room, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA.