

BOARD OF DIRECTORS
AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Wednesday, November 16, 2005

The Air Pollution Control District Board of the County of San Luis Obispo, met in regular session at 9:00 a.m..

PRESENT: Directors K.H. 'Katcho' Achadjian, David Ekbohm, John Ewan, Jerry Lenthall, Tom O'Malley, James Patterson, Bill Peirce, Chairperson Harry L. Ovitt

ABSENT: Directors Shirley Bianchi, Joe Costello, Arlene Gonzales-Gee, James Heggarty

SUM

AGN

1 Add **Mr. Ray Biering:** Deputy County Counsel, addresses the need to add an item to the agenda.

No one appearing and thereafter, on motion of Director Achadjian, seconded by Director Lenthall, with Directors Bianchi, Costello, Gonzales-Gee and Heggarty being absent, motion carries and the Board determines that the need to add an item to the agenda arose subsequent to the 72-hour noticing requirement of the Brown Act and adds to the Consent Agenda, Item A-8 - Subordination Agreement with the City of Grover Beach in relation to the issuance of Tax Allocation Bonds. (RECOMMEND APPROVAL.)

(DIRECTOR SHIRLEY BIANCHI IS NOW PRESENT.)

2 A-1 This is the time set for members of the public wishing to address the Board on items set
thru on the Consent Agenda.
A-8

Chairperson Ovitt: opens the floor to the public without response.

Consent Agenda Item A-8 was added by prior Board action.

Thereafter, on motion of Director O'Malley, seconded by Director Achadjian and on the following roll call vote:

AYES: Directors O'Malley, Achadjian, Bianchi, Ekbohm, Ewan, Lenthall, Patterson, Peirce, Chairperson Ovitt

NOES: None

ABSENT: Directors Costello, Gonzales-Gee, Heggarty

Consent Agenda Items A-1 through A-8 are approved as recommended by the Air Pollution Control Officer.

Consent Agenda Items A-1 through A-8 are on file in the Office of the County Clerk-Recorder and are available for public inspection.

A-1 Minutes of the September 28, 2005 meeting, **Approved.**

A-2 District Financial Report: with 32% of the Fiscal Year elapsed the District has expended 26% of its appropriations and received 31% of anticipated revenue, **Received and Filed.**

A-3 **RESOLUTION NO. 2005-11**, to Participate in FY 05/06 Carl Moyer Program and Authorization to Implement the FY 05/06 Carol Moyer Program Incentive Program, **Adopted.**

A-4 Public outreach update on activities performed since the last APCD Board meeting on September 28, 2005, **Received and Filed.**

A-5 Request to allocate \$13,500 of the Costco Air Quality Mitigation Fund to San Luis Coastal Unified School District, **Approved.**

- A-6 Appropriation of Additional Year Seven Carl Moyer Funds, **Approved.**
- A-7 Request to authorize the APCO to sign the agreement providing Air Monitoring Services for ConocoPhillips at the Mesa 2 Air Monitoring Station, **Approved.**
- A-8 Subordination Agreement with the City of Grover Beach in relation to the issuance of Tax Allocation Bonds, **Approved.**

3. PC This is the time set for members of the Public wishing to address the Board on matters other than scheduled items.

Chairperson Ovitt: opens the floor to public comment without response.

4. AP This is the time set for Air Pollution Control Officer's (APCO) Report.

Mr. Larry Allen: APCO, updates the Board on the Statewide Memorandum of Understanding (MOU) with the Railroads and highlights the limits it puts on local agencies.

Board Members: address various concerns to this MOU and the impacts it will have; express the need to find a way to enforce/ticket the railroads for violations; suggest staff send a letter outlining the concerns of the Board to the State.

Mr. Allen: continues with his report and addresses outdoor burning and the season has started; highlights the various workshops they have had regarding burning alternatives; addresses the Air Resources Board updates on portable engines; updates the Board on proposed legislation. **No action taken.**

5 B-1 This is the time set for hearing to report on the options for addressing Climate Change in San Luis Obispo County.

Mr. Larry Allen: APCO, presents the staff report, addresses the greenhouse effect; highlights the various issues they looked at with respect to: 2002 California GHG (Greenhouse Gases) composition; what the various emission sources are; explains how hotter days increase emission problems using Los Angeles smog rates as an example; other impacts include: sea level rising along the California Coast; principal reservoir which is from the Sierras snow pack is shrinking; highlights the current programs to address climate changes; highlights the various options to address these changes in the County; presents the staff recommendations.

Board Members: ask staff to make this presentation to each of the cities; questions whether there is also a Statewide plan; and, speak in support of the recommendations.

Mr. Eric Greening: suggests staff go to there various local jurisdictions with practical advice; suggests changing the road fees to address the number of vehicles and not just on the building of a home; suggests working with the new Ride Share Coordinator on increasing alternate transportation being used.

Matter is discussed and thereafter, on motion of Director Bianchi, seconded by Director Achadjian and on the following roll call vote:

AYES:	Directors	Bianchi, Achadjian, Ekbom, Ewan, Lenthall, O'Malley, Patterson, Peirce, Chairperson Ovitt
NOES:	None	
ABSENT:	Directors	Costello, Gonzales-Gee, Heggarty

RESOLUTION NO. 2005-12, resolution of the Air Pollution Control Board approving the San Luis Obispo County Air Pollution Control District Climate Protection Program, adopted.

Matter is further discussed and thereafter, on motion of Director Bianchi, seconded by Director Lenthall, with Directors Costello, Gonzales-Gee and Heggarty being absent, motion carries and the Board directs staff to prioritize all seven of the measures outlined in the staff report dated November 16, 2005 relative to time

implementation and the cost and impact on the staff and bring this information back at the next meeting.

- 6 B-2 This is the time set for a report on emission reduction projects funded through District Grants during Fiscal Year 2004/05.

Ms. Aeron Arlin Genet: APCD staff, presents the staff report; outlines the Carol Moyer Grant Program, the MOVER Funds and Mitigation Funds; addresses the upcoming grant programs that will be presented to the Board; highlights the various ways to manage staff workloads.

Mr. Larry Allen: APCO, speaks to the possibility of allocating for an additional staff person to help with these programs.

No one appearing and thereafter, on motion of Director Bianchi, seconded by Director Ewan, with Directors Costello, Gonzales-Gee and Heggarty being absent, motion carries and the staff report dated November 16, 2005 is received and filed.

(DIRECTORS K.H. ‘KATCHO’ ACHADJIAN AND SHIRLEY BIANCHI ARE NOW ABSENT.)

- 7 B-3 This is the time set for a report on ConocoPhillips Mitigation Grant Funds.

Ms. Aeron Arlin Genet: APCD staff, presents the staff report; **(DIRECTOR K.H. ‘KATCHO’ ACHADJIAN IS NOW PRESENT.);** addresses the Memorandum of Understanding with ConocoPhillips on an enforcement agreement and the settlement fees secured through this agreement; outlines the recommendation to fund emission reduction projects in the southern portion of the County.

Director Achadjian: feels that this funding should only be used in the areas of Oceano and Nipomo as these are the two communities impacted by ConocoPhillips.

(DIRECTOR SHIRLEY BIANCHI IS NOW PRESENT.)

Mr. Larry Allen: APCO, responds to the concern that it only be used in those two areas.

Board Members: address the issue: agree that the money should be used closer to the source and areas further away should receive less; questions regarding battery operated mowers in rural areas and also looking at lower emission mowers; looking at where the lines are on the area to receive this and that Grover Beach should be included; support to localize where the funding is used but expanding what it can be used for.

Mr. Tim Bolander: addresses composting and mulching options.

Matter is fully discussed and thereafter, on motion of Director Ewan, seconded by Director Patterson, with Directors Costello, Gonzales-Gee and Heggarty being absent, motion carries and the Board approves the staff recommendations to allocate the ConocoPhillips Mitigation Funds to the four project categories outlined in the staff report dated November 16, 2005 and directs staff to bring back information on the impact areas from this company.

- 8 B-4 This is the time set to consider the request to modify the MOVER Grant Program evaluation criteria and Screening Committee.

Ms. Melissa Guise: APCD staff, presents the staff report and outlines the revisions to the program they are proposing; outlines the current review process and the changes they would like to make to by replacing the MOVER Committee with a procedure by staff; outlines the staff recommendations.

(DIRECTORS TOM O’MALLEY AND JOHN EWAN ARE NOW ABSENT.)

Director Ekbohm: addresses his concern to eliminating the Committee.

Mr. Eric Greening: addresses abolishing the committee and supports that as long as part of the action includes notifying the members and the County Clerk so that they don’t have

to file any more conflict of interest statements.

Matter is discussed and thereafter, on motion of Director Bianchi, seconded by Director Achadjian, with Directors Costello, Gonzales-Gee and Heggarty being absent, motion carries and the Board revises the MOVER Project Selection Criteria as outlined in the Attachment 1 of the staff report dated November 16, 2005.

Mr. Larry Allen: states they can hold workshops like they currently do as a public meeting but now these folks would make their presentations to staff versus the committee.

Matter is further discussed and thereafter, on motion of Director Bianchi, seconded by Director Patterson, with Directors Costello, Gonzales-Gee and Heggarty being absent, motion carries and the Board replaces the MOVER Screening Committee with an internal project evaluation and ranking procedure conducted by staff as described in the staff report dated November 16, 2005 and directs staff to still hold public workshops for presentations on their requests.

- 9 C-1 Information report on APCD coordination with other local, regional and State agencies and organizations, **was not heard.**

On motion duly made and unanimously carried, the Air Pollution Control District Board of the County of San Luis Obispo does now adjourn.

Chairperson, Air Pollution Control District Board

ATTEST:

JULIE L. RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Air Pollution Control District Board

By: _____
Deputy Clerk-Recorder

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