

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

Wednesday, March 22, 2006

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, Shirley Bianchi, David Ekbom, John Ewan, Jerry Lenthall, Harry L. Ovitt, James Patterson, Bill Peirce, Mary Ann Reiss, Chairperson Tom O'Malley

ABSENT: Directors Joe Costello, James Heggarty

**SUM**      **AGN**

1            A-1    **Thereafter, on motion of Director Ovitt, seconded by Director Bianchi and on the following roll call vote:**

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

**RESOLUTION NO. 2006-2, resolution of the Air Pollution Control Board declaring April 22, 2006 to be Earth Day in San Luis Obispo County, adopted.**

**Chairperson O'Malley:** reads the resolution and presents the same to Ms. Sandra Marshall.

**Ms. Marshall:** thanks the Board for the recognition; addresses the national recognition this is receiving and is in hopes that all the cities will step up and participate in the event.

2            A-2    **Thereafter, on motion of Director Ovitt, seconded by Director Bianchi and on the following roll call vote:**

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

**RESOLUTION NO. 2006-3, resolution of the Air Pollution Control Board proclaiming May 2006 as Bike Month, May 15 to May 19, 2006 as Bike To Work Week, & Thursday evening May 18<sup>th</sup> as Bike Fest, adopted.**

**Director Patterson:** reads the resolution and presents the same to Ms. Diane Forsman-Hendrix, Administrative Asst. for Ride Share.

**Ms. Forsman-Hendrix:** thanks the Board for the recognition; addresses other agency involvement; speaks to their outreach to get other cities more involved.

**Mr. Bob Nanninga:** County Bicycle Coalition, states he is impressed with all the trails in the County and thanks the Board for the proclamation.

**Mr. Barry Henson:** Bike Coordinator for Regional Rideshare, new to this position and speaks to the goals of the bike committee.

3            A-3    **Thereafter, on motion of Director Ovitt, seconded by Director Bianchi and on the following roll call vote:**

**AYES:**            Directors      **Ovitt, Bianchi, Achadjian, Ekbom, Ewan, Lenthall, Ovitt, Patterson, Peirce, Reiss, Chairperson O'Malley**  
**NOES:**            None

**ABSENT: Directors Costello, Heggarty**

**RESOLUTION NO. 2006-4, resolution of the Air Pollution Control Board declaring May, 2006 to be Clean Air Month in San Luis Obispo County, adopted.**

**Director Reiss:** reads the resolution and presents the same to Mr. Bob Carr.

**Mr. Carr:** Board member for the Breathe California of Central Coast, thanks all for the support; addresses the letters and article about his group separating from the American Lung Association; states they are basically the same group with headquarters in Monterey.

**(DIRECTOR JAMES HEGGARTY IS NOW PRESENT.)**

4 B-PC This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

**Mr. Eric Greening:** comments on Items B-6 and is pleased with all the public outreach for this item; addresses page 3 of the report and suggests that this meeting is supposed to be open to the public and wants to ensure that the information will get out to public as to when that date is. **No action taken.**

5 B-1 Consent Agenda Item B-1 is amended to correct the minutes to reflect that Deputy County  
thru Counsel Ray Biering was absent and that the report out of Closed Session was given  
B-6 by the Air Pollution Control Officer not County Counsel.

**Thereafter, on motion of Director Achadjian, seconded by Director Ovitt and on the following roll call vote:**

**AYES: Directors Achadjian, Ovitt, Bianchi, Ekbom, Ewan, Heggarty, Lenthall, Patterson, Peirce, Reiss, Chairperson O'Malley**

**NOES: None**

**ABSENT: Directors Costello**

**Consent Agenda Items B-1 through B-6 are approved as recommended by the Air Pollution Control Officer and as amended by this Board.**

Consent Agenda Items B-1 through B-6, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

B-1 Minutes of the November 16, 2005 and January 25, 2006 meetings, **Approved as amended.**

B-2 District Financial Report: With 67% of the Fiscal Year elapsed the District has expended 62% of its appropriations and accrued 63% of anticipated revenue, **Received and Filed.**

B-3 Report on an independent audit of Fiscal Year 2004-2005 District Finances (the audit results are favorable; no changes in procedures are recommended), **Received and Filed.**

B-4 Increase the APCO auto allowance to reflect a recent increase to the County auto allowance on which it is based, **Approved.**

B-5 Authorization to implement the Year 8 (FY 05-06) Carl Moyer Program Incentive Program, **Approved.**

B-6 Public outreach update on activities since the last APCD Board meeting on January 26, 2006, **Received and Filed.**

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

**Chairperson O'Malley:** opens the floor to public comment without response.

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

**Mr. Larry Allen:** APCO, updates the Board on Emission Reduction Credits; indicates the cost of the Credits has risen to a very high level and that there are very few credits available in the County; highlights what they are working on to address this issue and the programs being looked at to quantify emissions; responds to questions on how the trains emission program can be used in conjunction with this; addresses legislation that has been introduced, with over 100 bills dealing with air quality, and they are tracking the bills closely; comments on a bond measure that will be on the November ballot that didn't make it for June; addresses the Carl Moyer funds and Federal revisions proposed by the EPA.

**Board Members:** discuss emissions requirements; train emissions; pollution from ships sailing on our coastline; and, the consensus of the Board is to direct staff to prepare a letter to the EPA on emissions to be signed by the Board and that copies of the letter need to go to the cities. **No action taken.**

8 C-1 This is the time set for consideration of a contract with Raymond Biering to provide legal services as District Counsel.

**Mr. Larry Allen:** APCO, presents the staff report and recommendation.

**Director Ekbom:** questions ongoing County Counsel costs if the contract is approved, with Mr. Allen explaining.

**No one appearing and thereafter, on motion Director Ovitt, seconded by Director Achadjian, with Director Costello being absent, motion carries and the Board approves the agreement to secure routine and standard legal services from Raymond Biering at the cost of \$30,000 per year and directs the Chairperson to sign the same.**

9 C-2 This is the time set to consider an added appropriation of \$55,000 to District salary and benefits accounts for FY 2005-2006.

**Mr. Larry Allen:** APCO, presents the staff report and recommendation.

**No one appearing and thereafter, on motion of Director Patterson, seconded by Director Bianchi and on the following roll call vote:**

<b>AYES:</b>	<b>Directors</b>	<b>Patterson, Bianchi, Achadjian, Ewan, Heggarty, Lenthall, Ovitt, Peirce, Reiss, Chairperson O'Malley</b>
<b>NOES:</b>	<b>Director</b>	<b>Ekbom</b>
<b>ABSENT:</b>	<b>Director</b>	<b>Costello</b>

**the Board authorizes the appropriations as outlined in the staff report dated March 22, 2006.**

10 C-3 This is the time set to consider the request to adopt goals and policies designed to incorporate environmental justice considerations in District programs and operations.

**Mr. Larry Allen:** APCO, presents the staff report; outlines the goals and implementation policies; presents the staff recommendations.

**Board Members:** question the cost to the District; and, environmental versus economic issues occurring Statewide, with Mr. Allen responding.

**Mr. Eric Greening:** speaks in support of the item and suggests the need to also address age and disability issues as they relate to bullet #3 regarding meetings; discusses farm workers that are exposed to toxins.

**Board Members:** address various issues, comments and concerns regarding: this creating "new" work for the staff; supporting the concept but wanting to see more as to who will be handling what; and, whether this is a mandate, with Mr. Allen responding.

**(DIRECTOR MARY ANN REISS IS NOW ABSENT.)**

**A motion by Director Achadjian, seconded by Director Lenthall to tentatively move forward as a concept but not to be finalized until budget time and continue this matter to the May meeting with a recommended implementation plan and cost, is discussed.**

**Board Members:** discuss the motion and wanting to adopt the goals today; discussion regarding what will occur during budget hearings if the funding is not there to support the programs being suggested.

**Motion is restated by the Clerk which is to continue this item to the next meeting to bring back the implementation plan and budget for this matter.**

**(DIRECTOR MARY ANN REISS IS NOW PRESENT.)**

**Board Members:** discuss the motion further.

**Matter is fully discussed and thereafter, on motion of Director Achadjian, seconded Director Lenthall and on the following roll call vote:**

<b>AYES:</b>	<b>Directors</b>	<b>Achadjian, Lenthall, Ekblom, Heggarty, Ovitt, Patterson, Reiss, Chairperson O'Malley</b>
<b>NOES:</b>	<b>Directors</b>	<b>Bianchi, Ewan, Peirce</b>
<b>ABSENT:</b>	<b>Director</b>	<b>Costello</b>

**the Board directs staff to bring this back, at the May meeting, with an implementation plan and proposed budget.**

11 C-4 This is the time set for consideration of a request for authorization to implement the Burn Alternative Program using the ConocoPhillips Mitigation Funds.

**Ms. Karen Brooks:** APCD staff, presents the staff report; addresses the program and the three-pronged approach staff is using; comments on the Chipping Program through the FireSafe Council; the loss of both State and Federal funding and the immediate need for funding; comments on the burn alternatives outreach; and, highlights the staff recommendation.

**Mr. Tim Bolander:** addresses his experience with doing workshops and the need for a longterm alternative.

**Mr. Tom Martin:** states he supports the program that Mr. Russ Bik will be presenting.

**Mr. Russ Bik:** provides a handout regarding the "Garbage Gorilla" and addresses the positive impacts this product has; comments on his grant application.

**Mr. Denny O'Neill:** CDF/Co. Fire, speaks to contracting with the Conservation Corps crews to assist with chipping events; states they are looking for funding sources.

**Director Achadjian:** addresses the need for CDF at the chipping events; indicates he wishes that Mr. Bik's invention had been ready sooner.

**Matter is fully discussed and thereafter, on motion of Director Achadjian, seconded by Director Heggarty, with Director Costello being absent, motion carries and the Board approves the Burn Alternative Program and authorizes the APCO to enter into agreements to fund projects to implement specific components of the Burn Alternatives Program designed to promote the use of alternatives to Greenwaste burning in south San Luis Obispo County as outlined in the staff report dated March 22, 2006.**

12 C-5 This is the time set to consider the request to adopt a non-binding Memorandum of Agreement with SLO Green Build to support the promotion of energy conservation in building practices, materials and design.

**Mr. Larry Allen:** APCO, presents the staff report and recommendation.

**Mr. Eric Greening:** urges the Board to get information out to member agencies.

**Mr. Turko Semmes:** SLO Green Build, urges the Board's support for this agreement; highlights other groups that are working on the Energy Forum in October.

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

**AYES: Directors Ovitt, Achadjian, Bianchi, Ekbohm, Ewan, Heggarty, Lenthall, Patterson, Peirce, Reiss, Chairperson O'Malley**  
**NOES: None**  
**ABSENT: Director Costello**

**the Board approves and authorizes the Air Pollution Control Officer to sign the non-binding Memorandum of Understanding between SLO Green Build and the District as outlined in the staff report dated March 22, 2006.**

13 BC This is the time set for Board Members to make comments.

**Chairperson O'Malley:** opens the floor without response.

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

---

**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

vms