

COUNTY OF SAN DIEGO AIR POLLUTION CONTROL BOARD
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, AUGUST 5, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY ROOM 310
SAN DIEGO, CA 92101

- A. Roll Call
- B. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- C. Approval of the Statement of Proceedings/Minutes for the meeting July 8, 2020.

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Supporting documentation and attachments for items listed on the agenda can be viewed online at www.sandiegocob.com or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

Agenda Items

- | Agenda # | Subject |
|-----------------|--|
| 1. | SERVICES AND COSTS AGREEMENT BETWEEN THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT AND THE COUNTY OF SAN DIEGO [FUNDING SOURCE: AIR POLLUTION CONTROL DISTRICT FUND AVAILABLE PRIOR YEAR FUND BALANCE] |

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1. SUBJECT: SERVICES AND COSTS AGREEMENT BETWEEN THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT AND THE COUNTY OF SAN DIEGO (DISTRICTS: ALL)

OVERVIEW

County air pollution control districts were recognized and established in state law in 1975. Since that time, the San Diego County Air Pollution Control District (APCD) has been governed by the County of San Diego Board of Supervisors, even though it has technically been a separate legal entity from the County, and has received services from County officers and employees. As a result, the County and the APCD did not have a need to formalize the fiscal and operational relationship between the two entities. In 2019, the California legislature adopted AB 423, which provides that as of March 1, 2021, the governing board of the APCD shall be made up of two members representing the Board of Supervisors, six members representing local cities, and three public members. This formal separation of the governance of the APCD from the County now necessitates that the County and the APCD enter into a formal agreement related to the provision of services and payment of costs between the two entities.

This is a request to authorize the Interim Air Pollution Control Officer to enter into the attached agreement entitled, "Agreement Between the Air Pollution Control District of San Diego County and the County of San Diego Regarding the Provision of Services and Payment of Costs." The Agreement addresses the current legal relationship between the two agencies, as well as the specific changes that will occur to that relationship with the change in governance structure on March 1, 2021.

RECOMMENDATION(S)

AIR POLLUTION CONTROL OFFICER

Authorize the Interim Air Pollution Control Officer to approve and execute the Agreement Between the Air Pollution Control District of San Diego County and the County of San Diego Regarding the Provision of Services and Payment of Costs, and any future amendments to the Agreement that may be needed prior to March 1, 2021, provided the terms and conditions are not materially impacted or altered.

FISCAL IMPACT

Funds and staffing for this request will be included in the Fiscal Year 2020-21 CAO Recommended Operational Plan for the Air Pollution Control District. If approved, this request will result in costs of \$1,223,681 in Fiscal Year 2020-21. The costs are related to services provided by County Counsel, Auditor & Controller, Department of Human Resources, County Technology Office and other County departments to the APCD and allocated through the A-87 Cost Allocation Plan. The funding source is Air Pollution Control District Fund available prior year fund balance. There will be no change in net General Fund cost. Implementation of AB 423 also will require an estimated 5.0 additional staff years in the APCD beginning in Fiscal Year 2020-21 and will be included in future Operational Plans.

BUSINESS IMPACT STATEMENT

The proposed action will have a minimal impact on the regulated community. The Agreement is a restatement of the current fiscal and operational relationship between the County and the APCD and is intended to result in the most efficient provision of ongoing services once the governing structure changes pursuant to AB 423.

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