



Monterey Bay Air Resources District
BOARD OF DIRECTORS MEETING

RYAN COONERTY, VICE CHAIR

WEDNESDAY, FEBRUARY 20, 2019 – 1:30 P.M.

24580 SILVER CLOUD COURT, 3RD FLOOR, MONTEREY, CA, 93940

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ELECTION OF 2019 BOARD OF DIRECTORS CHAIR AND VICE CHAIR
5. PRESENTATION OF DISTRICT VIDEO
6. PUBLIC COMMENT PERIOD – *Any person may address the Board during Public Comment Period. Comments must be addressed directly to the Board, should not exceed three minutes, must be directed to an item not on today’s agenda, and should be within the jurisdiction of the Board. Board Members will not take action or respond to any public comments presented, but may choose to follow up at a time, either individually or on a subsequent agenda. Comments to staff must be made through the Board who will then direct staff as it deems appropriate. Copies of materials must number no less than twelve and given to the Clerk for distribution.*
7. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS
 - a. Budget, Personnel, and Nominating Committee
 - b. Advisory Committee
8. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS
9. REPORT FROM AIR POLLUTION CONTROL OFFICER

CONSENT AGENDA

The Consent Agenda consists of items considered routine and/or noncontroversial. One motion will cover all items on the Consent Agenda and authorize the recommended actions. Board Members, staff, or member of the audience may request an item or items be pulled for further discussion at which time the Board may determine to consider that item separately from the Consent Agenda.

10. Accept and File Summary of Actions for the December 19, 2018 Board of Directors Meeting
Reference: Ann O’Rourke, Executive Assistant
Recommended Action: Approve summary of actions.

11. Receive and File Budget to Actual Report for the Seven Months Ended January 31, 2019
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Receive and file report.
12. Adopt a Resolution Approving Fiscal Year 2017-18 Budget Revisions per Attached Schedule A
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Adopt the resolution.
13. Receive and File Report of Fiscal Year 2018-19 Budget Adjustments Approved by the Air Pollution Control Officer in December 2018 and January 2019
Reference: Joyce Giuffre, Administrative Services Manager
Recommended Action: Receive and file report.
14. Accept and File Report of Summary of Mutual Settlement Program Actions for December 2018 and January 2019
Reference: Amy Clymo, Engineering/Compliance Manager
Recommended Action: Accept and file the report.
15. Receive a Report Summarizing the Daily Eight-Hour Peak Ozone Concentrations, Hourly Peak Ozone Concentrations, and Concentrations of Particulate Matter Under 2.5 Micrometers (PM2.5) and 10 Micrometers (PM10) Air Monitoring Data for 2018
Reference: David Frisbey, Planning/Air Monitoring Manager
Recommended Action: Receive the report.
16. Approve Out-of-State Travel Request for Air Pollution Control Officer to Attend the 2019 NACAA Spring Membership Meeting in Kansas City, MO
Reference: Richard Stedman, APCO
Recommended Action: Approve the request.
17. Approve Out-of-State Travel Request for Planning/Air Monitoring Manager to Attend the 2019 NACAA Spring Membership Meeting in Kansas City, MO
Reference: David Frisbey, Planning/Air Monitoring Manager
Recommended Action: Approve the request.
18. Adopt a Resolution Adopting a Policies and Procedures Manual for the Monterey Bay Air Resources District's (District) Boards and Committees
Reference: Richard Stedman, APCO
Recommended Action: Adopt the resolution.

REGULAR AGENDA

19. Receive a Status Report on the MBARD AB2766 Electric Vehicle Incentive Program (EVIP) and Consider Staff Recommended Options for the AB2766 FY20 Clean Vehicle Program

Reference: Richard Stedman, APCO

Recommended Action: Receive the report and consider staff recommendations.

20. Receive Report on Calendar Year 2018 Engineering and Compliance Activities

Reference: Amy Clymo, Engineering/Compliance Manager

Recommended Action: Receive the report.

CLOSED SESSION

21. The Board will meet in Closed Session pursuant to Government Code section 54950, relating to the following:

- a. Pursuant to Government Code section 54956.9 (d) (1), the Board will meet on two matters of existing litigation:
 - i) MBARD v. Superion LLC, et al, Monterey County Superior Court case no. 18CV004087
 - ii) Associated Industries Insurance Company, Inc. v. MBARD, U.S. District Court case no. 5:18-cv-00830 HRL
- b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Air Pollution Control Officer.

22. Adjournment

NEXT MEETING IS MARCH 20, 2019

This meeting is open to the public and all interested persons are welcome to attend. The Monterey Bay Air Resources District does not discriminate against individuals with disabilities and meetings are held in accessible facilities. To request an accommodation or alternative format under the Americans with Disabilities Act for meetings, events or printed materials, please call (831) 647-9411 or fax a request to (831) 647-8501.



Monterey Bay Air Resources District BOARD OF DIRECTORS MEETING

WEDNESDAY, DECEMBER 19, 2018 – 1:30 P.M.

24580 SILVER CLOUD COURT, BOARDROOM, 3RD FLOOR, MONTEREY, CA

Summary of Actions

1. Call to Order – The meeting was called to order by Chair Muenzer at 1:34 p.m.

2. Pledge of Allegiance

3. Roll Call

Present

Jerry Muenzer, Chair
Ryan Coonerty, Vice Chair
Zach Friend
Fred Ledesma
Lowell Hurst

Felipe Hernandez
Steve McShane
Jane Parker
John Phillips
Simon Salinas

Absent

None

4. PRESENTATIONS

a. RECOGNITION OF OUTGOING MEMBERS OF THE BOARD OF DIRECTORS

- Simon Salinas
- Jerry Muenzer
- Steve Dallas

b. RECOGNITION OF MIKE SHEEHAN UPON HIS RETIREMENT FROM THE DISTRICT

c. RECOGNITION OF DISTRICT STAFF LONGEVITY MILESTONES

- Sandy Hartunian 30 years
- JoAnne Marcuzzo..... 25 years
- Alan Romero 10 years
- Trevor Benites 5 years
- Carol Fontanilla..... 5 years

5. Public Comment Period – **None.**

6. Reports by Committee Chairs on Committee Meetings

- a. Budget, Personnel, and Nominating Committee
- b. Advisory Committee

7. Comments and Referrals from Chair and Board Members

- a. **Director McShane announced the Salinas Valley Sustainability Fair and Electric Vehicle Drive event in Salinas on January 19.**
- b. **Director Hurst expressed appreciation to MBARD staff for their work.**

December 19, 2018

- c. **Director Muenzer expressed appreciation to the Board and staff for his experiences during the eight years he served on the Board.**
 - d. **Director Salinas also thanked the Board and staff for their support during his 14 years on the Board.**
8. Report from Air Pollution Control Officer
Richard Stedman, APCO, reported on the following:
- District Business**
- **Engineering**
 - District continues to sporadically receive odor complaints from Marina residents. MRWMD has assisted with this by sending their staff to surveil the areas where odors were experienced. Complaints are shared with MRWMD, Monterey One Water, compost operator, bio-digester operator, and Monterey County Environmental Health.
 - District is moving forward with the in-house recruitment of two Inspector III positions.
 - **Planning and Air Monitoring**
 - Ft. Ord prescribed burn window is now closed. The Army did not conduct a burn in 2018 because the required combination of weather conditions, fuel moisture, and fire management resources did not come together. The Fort Ord prescribed burn program will resume July 1, 2019.
 - The District-wide Wood Stove Change-out program launched on September 24. All \$374,000 of funds available for the program are now obligated and a waiting list is growing.
 - Due to smoke impacting the Monterey Bay area from the Camp wildfire, a Spare the Air alert was issued on November 9 and was extended into Thanksgiving week.
 - **Outreach**
 - January 19th Sustainability Fair at Salinas City Hall from 10-3. Guest speakers, entertainment, food and EV test rides.
 - **Boardroom Artwork**
 - All of the new photos decorating the Boardroom walls were taken by district employees.

CONSENT AGENDA

Upon motion by Director Parker and seconded by Director McShane the Board unanimously moved to approve the items on the Consent Agenda unless otherwise noted.

9. **Accepted and Filed** Summary of Actions for the November 14, 2018 Board of Directors Meeting
10. **Received and Filed** Budget to Actual Report for the Five Months Ended November 30, 2018
11. **Received and Filed** Report of Fiscal Year 2018-19 Budget Adjustments Approved by the Air Pollution Control Officer in November 2018
12. **RESOLUTION NO. 18-032: Adopted** a Resolution Approving Fiscal Year 2018-19 Budget Revisions for the Transfer of \$110,000 from the General Fund to the New Clean Air Fund and Approving the Clean Air Fund's Current Year Expenditure Budget of \$100,000
13. **RESOLUTION NO. 18-033: Adopted** a Resolution Authorizing the Administrative Services Manager to Declare Certain Items Located at the District Office as Surplus and Authorizing the Donation of the Surplus Items to San Luis Obispo Air Pollution Control District

14. **Accepted and Filed** Report of Summary of Mutual Settlement Program Actions for the Month of November 2018
15. **Approved** Director Steve McShane's Appointment of Jefferson Davis to the District's Advisory Committee
16. **Approved** an Extension Request by the City of Watsonville for the AB2766 Grant 17-06 Green Valley Adaptive Traffic Control System Project to March 31, 2020
17. **Approved** a One-Year Extension Request by the City of Monterey for the AB2766 EV Voucher Agreement 18-15 to February 5, 2020
18. **RESOLUTION NO. 18-034: Adopted** a Resolution Authorizing the Air Pollution Control Officer to Apply for Funding, Accept Funding and Administer the Carl Moyer Program Year 21
19. **RESOLUTION NO. 18-035: Adopted** a Resolution to Approve Changing the June 19, 2019 Meeting Date to June 24, 2019 and Approve the 2019 Board of Directors Meeting Schedule
20. **Approved** Out-of-State Travel Request for Air Pollution Control Officer to Attend 2019 National Association of Clean Air Agencies' Board of Directors and Committee Chairs Winter Meeting in Washington, DC
21. **Authorized** the Air Pollution Control Officer (APCO) to Execute a Memorandum of Understanding (MOU) between the District and the University of California Santa Cruz to Establish and Implement a new Chemistry Department Course Entitled, "Atmospheric Chemistry and Air Pollution" (CHEM 123)

The item below was pulled for discussion by Director Muenzer and placed on the Regular Agenda as Item No. 22.

- ~~22. Adopt a Resolution Approving the Addition of a Board of Directors' Stipends and Reimbursements for Expenses Policy to the District's Administrative Policies and Procedures Manual and Approving Revisions to Existing Policies C.1., Classification of Employees and C.2.a., Compensation Effective January 1, 2019~~

The item below was pulled for discussion by Director Parker and placed on the Regular Agenda as Item No. 23.

- ~~23. Approval of Revisions to the District's Organization Chart and to the Air Quality Compliance Inspector III Job Description~~

REGULAR AGENDA

22. **RESOLUTION NO. 18-036: Adopted** a Resolution Approving the Addition of a Board of Directors' Stipends and Reimbursements for Expenses Policy to the District's Administrative Policies and Procedures Manual and Approving Revisions to Existing Policies C.1., Classification of Employees and C.2.a., Compensation Effective January 1, 2019
Upon motion by Director Parker and seconded by Director McShane the Board unanimously moved to adopt the resolution.

23. **Approved** Revisions to the District's Organization Chart and to the Air Quality Compliance Inspector III Job Description
Upon motion by Director Parker and seconded by Director McShane the Board unanimously moved to approve the revisions.
24. **Received and Accepted** Draft Financial Statements and Independent Audit Report for the Year Ended June 30, 2018 Prepared by Badawi & Associates
Upon motion by Director Coonerty and seconded by Director McShane the Board unanimously moved to receive and accept the report.
25. Adjournment – **The meeting was adjourned**

Ann O'Rourke
Executive Assistant



Monterey Bay Air Resources District
24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT
TO:	The Air Pollution Control Board	
FROM:	Joyce Giuffre, Administrative Services Manager	
SUBJECT:	Receive and File Budget to Actual Report for the Seven Months Ended January 31, 2019	

RECOMMENDATION

Accept and file the Budget to Actual Report for the seven months ended January 31, 2019.

DISCUSSION

The Budget to Actual Report for the period ending January 31, 2019 is attached for your information, covering the first seven months of the 2018-19 fiscal year.

Through January 31, California Department of Motor Vehicle (DMV) surcharge payments for July through November 2018 were received. When compared to last year for the same period, DMV fees are about 1.5% higher than the previous year. No CARB Subvention monies were received in January but \$178,865 was received in early February. For other grant programs, \$223,000 of offsite mitigation fees have been received through January. For the new Funding Agricultural Replacement Measures for Emission Reductions (FARMER) program, \$649,100 was received in December of which \$567,962 is designated for grants and \$81,138 is designated for administrative costs. No monies have yet been received for the new Community Air Protection Program (CAPP). CAPP grant revenues are expected to be received later in the fiscal year.

Year-to-date Permit Fees revenues total approximately \$1.9 million representing about 65% of the total annual budget. When compared to last year for the same period, permit fees are about 12% lower primarily due to a reduction in Dynegy major source permit fees. Year-to-date penalties and fines total about \$107,647, with the majority from asbestos and permitting penalties.

The report shows year-to-date operating expenditures of about \$3.4 million as compared to the annual operating budget of \$6,482,496. Salaries and benefits were under budget by about \$36,000 with staffing of 31 and one open position due to a recent retirement. General Fund professional and legal services totaled about \$218,000 compared to the overall budget of about \$585,000. AB923 Fund professional services totaled about \$955,000 as compared to budget of \$2.5 million for expenditures related to the District’s electric vehicle charging stations infrastructure project.

For non-operating expenditures, year-to-date grant reimbursements include \$473,350 in AB2766 grants, \$397,000 in AB2766 electric vehicle incentives, \$37,305 in AB923 grants, \$465,082 in Carl Moyer grants, \$250,457 in FARMER grants, \$184,500 in Woodsmoke changeout grants, and \$143,022 in grants funded by offsite mitigation fees. In addition, earlier in the fiscal year, \$100,000 was deposited to the District’s Other Post-Employment Benefit (OPEB) trust account to fund retiree health

AGENDA ITEM NO. 11

benefits. Fixed assets expenditures included \$45,812 for final contractor payments for the third floor remodel project and \$63,654 for two District vehicle replacements.

ATTACHMENTS

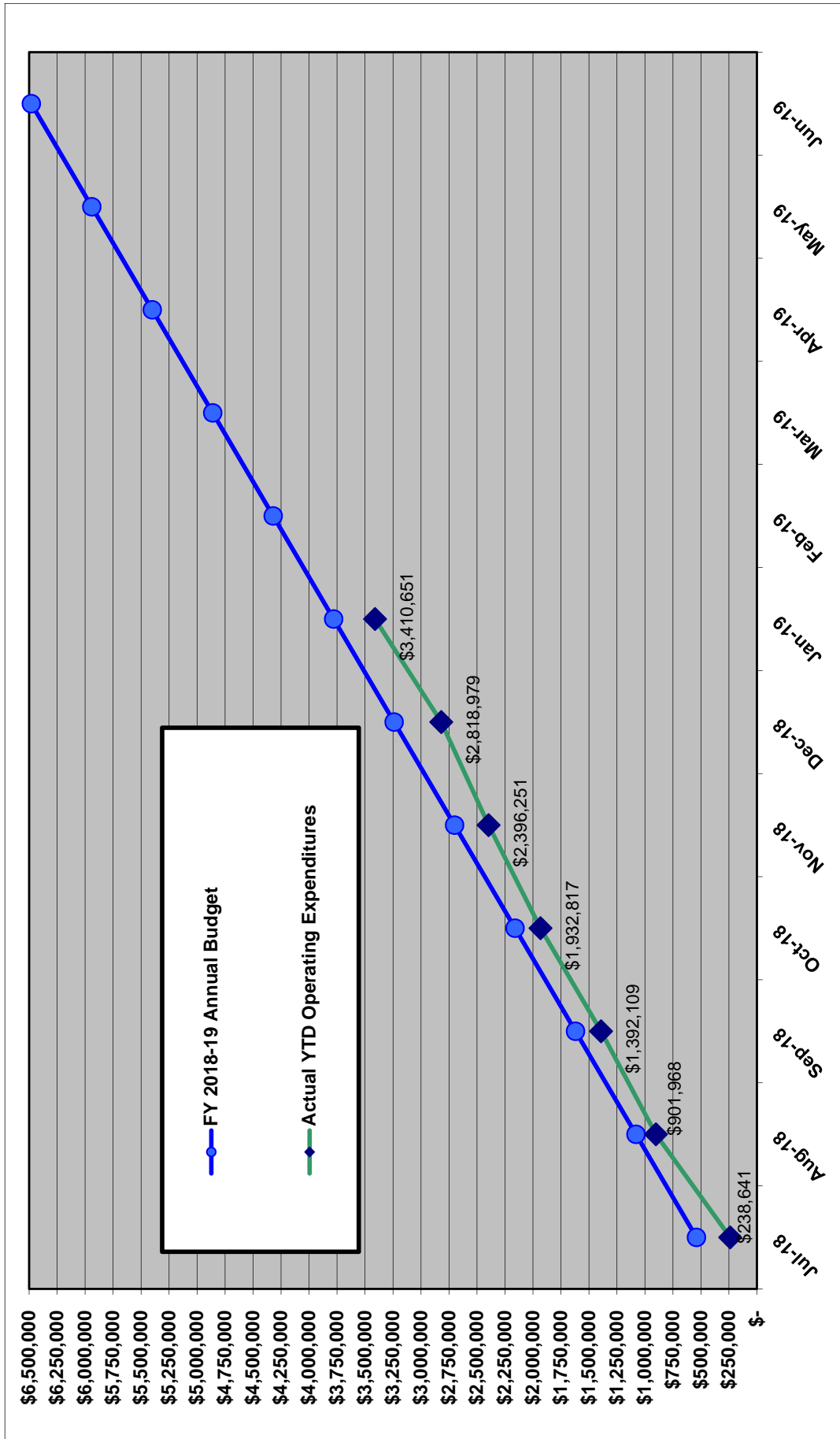
Budget to Actual Report for period ending January 31, 2019

Fiscal Year 2018-19 Operating Expenditures versus Budget Graph Thru January 31, 2019

Monterey Bay Air Resources District
 Budget Versus Actual
 For Seven Months Ended January 31, 2019

	GENERAL FUND			AB2766 FUND			AB923 FUND			MOYER FUND			OTHER GRANT FUNDS (CAPP, FARMER, CLEAN AIR, GEN GRANTS)		
	Budget	Actual	% of Budget	Budget	Actual	% of Budget	Budget	Actual	% of Budget	Budget	Actual	% of Budget	Budget	Actual	% of Budget
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**Monterey Bay Air Resources District
Fiscal Year 2018-19
Operating Expenditures Versus Budget Thru 1/31/19**



FY 2018-19 Revised Budget = \$6,482,496 YTD Operating Expenditures = \$3,410,651 (53% of total budget)



Monterey Bay Air Resources District
 24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT AGENDA
TO:	The Air Pollution Control Board	
FROM:	Joyce Giuffre, Administrative Services Manager	
SUBJECT:	Adopt a Resolution Approving Fiscal Year 2017-18 Budget Revisions per Attached Schedule A	

RECOMMENDATION

At the February 20, 2019 Budget, Personnel and Nominating Committee meeting, the proposed fiscal year 2018-19 budget revisions per attached Schedule A were reviewed. It is anticipated that the Committee will recommend approval to the Board of Directors for the budget revisions.

DISCUSSION

Management staff reviewed the budget to actual revenue and expenditure reports through December 31, 2018 to determine what mid-year budget adjustments may be needed. Attached is Schedule A which includes a summary of the proposed budget adjustments on page 1 followed by a detailed list starting on page 2. Below is a summary description of the proposed budget adjustments.

Expenditures Proposed Adjustments

The proposed budget adjustments are for Planning Division expenditures, primarily for salaries and benefits. The adjustments reflect that time spent by Planning Division staff on grant programs has been less than originally budgeted. More time has been spent on Planning General Fund activities such as the burn program and smoke management. The variances are largely as a result of the District implementing two new grant programs, the Community Air Projection Program (CAPP) and the Funding Agricultural Replacement Measures for Emission Reductions (FARMER). The timing of steps required to start these programs has resulted in less time spent than anticipated. However, it is expected that additional staff time will be required through the end of this fiscal year and into the next year once the programs are fully implemented.

FINANCIAL IMPACT

The net effect of the proposed budget adjustments for each fund is shown on Schedule A, page 1. In total, the adjustments net to zero as proposed budget increases will be offset by decreases to other funds' budgets.

The General Fund's budgeted deficit will increase by \$127,500 to \$325,500. This deficit can be covered with the General Fund undesignated fund balance, which is projected to be about \$3.8 million by June 30, 2019.

ATTACHMENTS

Schedule A – Fiscal Year 2018-19 Mid-Year Budget Adjustments
 Proposed Resolution

RESOLUTION 19-XXX

BEFORE THE AIR POLLUTION CONTROL BOARD OF THE
MONTEREY BAY AIR RESOURCES DISTRICT

Approval of Fiscal Year 2018-19 Budget Revisions....)
Per Attached Schedule A.....)

WHEREAS, the Board of Directors adopted the District’s fiscal year 2018-19 budget on June 25, 2018;
and

WHEREAS, it is requested that the Board of Directors approve fiscal year 2018-19 mid-year budget
adjustments, per the attached Schedule A; and

WHEREAS, at its February 20, 2019 meeting, the Budget and Personnel Committee moved to
recommend approval to the Board of Directors for the budget revisions.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE MONTEREY BAY
AIR RESOURCES DISTRICT:

- 1. Approve fiscal year 2018-19 budget revisions per the attached Schedule A.

PASSED AND ADOPTED this 20th day of February 2019, upon motion of Director
_____, seconded by Director _____ and carried by the following
vote, to wit:

AYES:

NOES:

ABSENT:

I hereby certify that the foregoing is a true and correct Resolution as duly adopted by the Board of Directors of the Monterey Bay Air Resources District
on February 20, 2019.

By: _____
Ann O’Rourke, Executive Assistant

Approved: _____
Richard A. Stedman, APCO

**Monterey Bay Air Resources District
Fiscal Year 2018-19
Summary of Mid-Year Budget Adjustments**

Fund	Fund Name	Division	Acct Description	Increase (Decrease)
<u>EXPENDITURE ADJUSTMENTS:</u>				
10	General Fund	Planning	Salaries and Benefits	\$ 145,000
10	General Fund	Planning	Professional Services	\$ (17,500)
			Subtotal - General Fund	\$ 127,500
20	AB2766	Planning	Salaries and Benefits	\$ (27,500)
21	Moyer Fund	Planning	Salaries and Benefits (NOx Remediation Funding)	\$ 4,130
24	AB923 Fund	Planning	Salaries and Benefits	\$ (43,625)
27	CAPP Grants Fund	Planning	Salaries and Benefits	\$ (18,887)
28	FARMER Grants Fund	Planning	Salaries and Benefits	\$ (41,618)
Total - Adjustments to Expenditures, All Funds				\$ -

**Monterey Bay Air Resources District
Fiscal Year 2018-19
Details of Mid-Year Budget Adjustments
For Board of Directors Approval**

Fund	Division	Program	Account #	Acct Type	Acct Description	Increase (Decrease)	Notes
EXPENDITURE ADJUSTMENTS:							
10	Planning	General Fund	1057256000	Expend	Wages-Regular Pay	\$ 100,000	Increase based on YTD analysis
10	Planning	General Fund	1057256002	Expend	Wages-Overtime	\$ 1,000	Increase based on YTD analysis
10	Planning	General Fund	1057256005	Expend	Retirement	\$ 20,000	Increase based on YTD analysis
10	Planning	General Fund	1057256006	Expend	Health Insurance	\$ 20,500	Increase based on YTD analysis
10	Planning	General Fund	1057256007	Expend	FICA Expense	\$ 1,500	Increase based on YTD analysis
10	Planning	General Fund	1057256008	Expend	Workers Comp Insurance	\$ 2,000	Increase based on YTD analysis
10	Planning	General Fund	1057256323	Expend	Professional Services	\$ (17,500)	Decrease based on YTD analysis
					Subtotal - General Fund Adjustments	\$ 127,500	
20	Planning	AB2766	2057256000	Expend	Wages-Regular Pay	\$ (25,000)	Decrease based on YTD analysis
20	Planning	AB2766	2057256005	Expend	Retirement	\$ (2,000)	Decrease based on YTD analysis
20	Planning	AB2766	2057256007	Expend	FICA Expense	\$ (500)	Decrease based on YTD analysis
					Subtotal - AB2766 Adjustments	\$ (27,500)	
21	Planning	Moyer Fund-NOx Remed	2157306000	Expend	Wages-Regular Pay	\$ 3,000	Increase-no amounts included in original budget (new grant program)
21	Planning	Moyer Fund-NOx Remed	2157306005	Expend	Retirement	\$ 550	Increase-no amounts included in original budget (new grant program)
21	Planning	Moyer Fund-NOx Remed	2157306006	Expend	Health Insurance	\$ 500	Increase-no amounts included in original budget (new grant program)
21	Planning	Moyer Fund-NOx Remed	2157306007	Expend	FICA Expense	\$ 50	Increase-no amounts included in original budget (new grant program)
21	Planning	Moyer Fund-NOx Remed	2157306008	Expend	Workers Comp Insurance	\$ 30	Increase-no amounts included in original budget (new grant program)
					Subtotal - Moyer Fund Adjustments	\$ 4,130	
24	Planning	AB923 Grants	2457256000	Expend	Wages-Regular Pay	\$ (35,000)	Decrease based on YTD analysis
24	Planning	AB923 Grants	2457256002	Expend	Wages-Overtime	\$ (50)	Decrease based on YTD analysis
24	Planning	AB923 Grants	2157256005	Expend	Retirement	\$ (6,000)	Decrease based on YTD analysis
24	Planning	AB923 Grants	2157256006	Expend	Health Insurance	\$ (2,000)	Decrease based on YTD analysis
24	Planning	AB923 Grants	2157256007	Expend	FICA Expense	\$ (500)	Decrease based on YTD analysis
24	Planning	AB923 Grants	2157256008	Expend	Workers Comp Insurance	\$ (75)	Decrease based on YTD analysis
					Subtotal - AB923 Fund Adjustments	\$ (43,625)	
27	Planning	CAPP Grants	2757406000	Expend	Wages-Regular Pay	\$ (15,000)	Decrease based on YTD analysis
27	Planning	CAPP Grants	2757406002	Expend	Wages-Overtime	\$ (37)	Decrease based on YTD analysis
27	Planning	CAPP Grants	2757406005	Expend	Retirement	\$ (2,500)	Decrease based on YTD analysis
27	Planning	CAPP Grants	2757406006	Expend	Health Insurance	\$ (1,000)	Decrease based on YTD analysis
27	Planning	CAPP Grants	2757406007	Expend	FICA Expense	\$ (200)	Decrease based on YTD analysis

**Monterey Bay Air Resources District
Fiscal Year 2018-19
Details of Mid-Year Budget Adjustments
For Board of Directors Approval**

Fund	Division	Program	Account #	Acct Type	Acct Description	Increase (Decrease)	Notes
27	Planning	CAPP Grants	2757406008	Expend	Workers Comp Insurance	\$ (150)	Decrease based on YTD analysis
					Subtotal - CAPP Grant Fund Adjustmen	\$ (18,887)	
28	Planning	FARMER Grants	2857456000	Expend	Wages-Regular Pay	\$ (30,000)	Decrease based on YTD analysis
28	Planning	FARMER Grants	2857456002	Expend	Wages-Overtime	\$ (68)	Decrease based on YTD analysis
28	Planning	FARMER Grants	2857456005	Expend	Retirement	\$ (5,000)	Decrease based on YTD analysis
28	Planning	FARMER Grants	2857456006	Expend	Health Insurance	\$ (6,075)	Decrease based on YTD analysis
28	Planning	FARMER Grants	2857456007	Expend	FICA Expense	\$ (250)	Decrease based on YTD analysis
28	Planning	FARMER Grants	2857456008	Expend	Workers Comp Insurance	\$ (225)	Decrease based on YTD analysis
					Subtotal - FARMER Grant Fund Adjustm	\$ (41,618)	
					Grand Total - All Funds	\$ -	



Monterey Bay Air Resources District
 24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT
TO:	The Air Pollution Control Board	
FROM:	Joyce Giuffre, Administrative Services Manager	
SUBJECT:	Receive and File Report of Fiscal Year 2018-19 Budget Adjustments Approved by the Air Pollution Control Officer in December 2018 and January 2019	

RECOMMENDATION

By consent, accept and file the report of fiscal year (FY) 2018-19 budget adjustments that were approved by the Air Pollution Control Officer in December 2018 and January 2019.

DISCUSSION

District policy number B.6, Annual Budget, gives authority to the Air Pollution Control Officer (APCO) to approve budget transfers between line items up to \$10,000. Below is a summary of budget transfers recently approved by the APCO during the months of December 2018 and January 2019.

Date Approved	Transfer Amount	From Acct Number	Description	To Acct Number	Description	Reason
12/13/18	\$ 800	1037336205, 1037336221	Compliance- Postage & Tools	1037336213	Compliance- Rent/Lease Equip	To transfer funds for bottled water service for Watsonville office
1/15/19	\$ 500	1037196323	Compliance- Prof Svcs	1037196327	Compliance- Special Dist Exp	To transfer funds for Asbestos program
1/24/19	\$ 5,000	1057256323	Planning-Gen Fund, Prof Svcs	1057256330	Planning-Gen Fund, Employee Training	To transfer funds for Planning Staff training

FINANCIAL IMPACT

The net effect on the overall FY 2018-19 budget is zero because amounts were transferred from one line item to another.



MONTEREY BAY AIR RESOURCES DISTRICT

24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT AGENDA
TO:	Board of Directors	
FROM:	Teresa Sewell, Supervising Inspector, Compliance Division	
SUBJECT:	Accept and File Report of Summary of Mutual Settlement Program Actions for December 2018 and January 2019	

RECOMMENDATION

Accept and File Report of Summary of Mutual Settlement Program Actions for the Months of December 2018 and January 2019.

DISCUSSION

The Mutual Settlement Program resolves significant violations of air quality regulations without formal legal proceedings. Notices of Violation are usually settled by mutual agreement between the District and the respondent. When a mutual settlement has been reached, and its obligations fulfilled, the respondent is then released from liability for that incident. Settlements include civil penalties, emission reductions, and Supplemental Environmental Projects (SEP). The Mutual Settlement Program is operated from within the Compliance Division by District staff.

During the months of December 2018 and January 2019 five (5) cases were settled through the District's Mutual Settlement Program. The cases involved violations of Permit Conditions and Asbestos regulations. The settlements ranged from penalties in the amount of \$780.00 to \$9,908.00.

As of January 31, 2019, there were five (5) cases in process or pending settlement. A total of five (5) Notices of Violation were issued between December 1, 2018 and January 31, 2019.

ATTACHMENTS

Table of Dispositions of Mutual Settlement Actions.

DISPOSITIONS OF MUTUAL SETTLEMENT ACTIONS
For the Months of December 2018 and January 2019

SOURCE (City)	NOV #	VIOLATION	SETTLEMENT
VIEIRA ENTERPRISES (MARINA)	ASB18-014	Violation of District Rule 424 and 40 CFR Part 61 Subpart M by failing to thoroughly inspect for asbestos prior to conducting construction activities. Violation of District Rule 424 and 40 CFR Part 61 Subpart M by failing to provide written notification prior to conducting a regulated demolition project.	\$9,908.00
CITY OF HOLLISTER INDUSTRIAL WASTEWATER PLANT (HOLLISTER)	NUIS18-002	Violation of District Rule 200.3.7 for failing to comply with Permit to Operate conditions. Violation of District Rule 402.3 by the discharge of air contaminants in such quantities as to constitute a public nuisance.	\$8,293.00
GIDEL & KOCAL COMPANY (CAPITOLA)	ASB18-013	Violation of District Rule 424 and 40 CFR Part 61 Subpart M by failing to thoroughly inspect for asbestos prior to conducting construction activities.	\$780.00
AERA ENERGY, LLC (SAN ARDO)	PTO18-138	Violation of District Rule 200.3.7 for failing to comply with Permit to Operate conditions.	\$2,496.00
CHEVRON U.S.A., INC (SAN ARDO)	PTO18-200	Violation of District Rule 200.3.7 for failing to comply with Permit to Operate conditions.	\$2,808.00



Monterey Bay Air Resources District
 24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	REGULAR AGENDA
TO:	Board of Directors	
FROM:	David Frisbey, Planning and Air Monitoring Manager	
SUBJECT:	Receive a Report Summarizing the Daily Eight-Hour Peak Ozone Concentrations, Hourly Peak Ozone Concentrations, and Concentrations of Particulate Matter Under 2.5 Micrometers (PM _{2.5}) and 10 Micrometers (PM ₁₀) Air Monitoring Data for 2018	

RECOMMENDATION

Receive a report summarizing the daily eight-hour peak ozone concentrations, hourly peak ozone concentrations, and concentrations of particulate matter under 2.5 micrometers (PM_{2.5}) and 10 micrometers (PM₁₀) air monitoring data for 2018.

DISCUSSION

The District operates six permanent air monitoring stations year-round to meet the regional minimum air monitoring requirements established by the Environmental Protection Agency (EPA) and the California Air Resources Board (CARB). These stations are located in the San Lorenzo Valley (SLV), Santa Cruz, Hollister, Salinas, Carmel Valley and King City. PM_{2.5} is monitored at all stations, ozone is monitored at all stations except SLV, and PM₁₀ is monitored only in Hollister and King City.

The National Park (NP) Service operates an ozone monitor at Pinnacles NP to meet the EPA’s visibility requirements for Class I air sheds. This monitoring station also serves to measure attainment with the National and California’s Ambient Air Quality Standards (NAAQS and CAAQS) in the North Central Coast Air Basin (NCCAB) which includes Monterey, San Benito and Santa Cruz Counties. The Pinnacles NP station has historically measured the highest concentrations of ozone in the NCCAB, causing the District to be out of attainment with the CAAQS. This station is predominantly affected by air pollution transported from the Bay Area and San Joaquin Valley.

In addition to the permanent SLV station, the District operates three additional seasonal monitors in Felton, Zayante, and Boulder Creek which run from November through April of each year. These stations measure PM_{2.5} to track the air quality in the SLV which is affected during the winter months by smoke from wood burning stoves and fireplaces. District staff use this data to determine when to declare Spare-the-Air days to notify the community so people can choose to voluntarily use an alternative source of heat when air quality is forecast to exceed standards. See Figure 1. below for locations of air monitoring stations in the District.

2018 Air Pollution Graphs

Please see attached graphs of daily eight-hour peak ozone concentrations, hourly peak ozone concentrations, and concentrations of PM_{2.5} and PM₁₀ for 2018.

Emissions Summary:

1-Hour and 8-Hour Ozone Data: There were no exceedances of NAAQS or CAAQS for both 1-hour and 8-hour ozone measurements in 2018, although elevated readings were measured at Pinnacles NP during the summer. Smoke from the Carr Fire, a wildfire that occurred in Shasta and Trinity Counties from July 23 to August 30 and burned 229,651 acres, may have had some influence on the concentration of ozone in the NCCAB.

PM_{2.5} Data: There were exceedances of the NAAQS at all of the permanent stations, except SLV, during August which was likely a result of the Carr Fire, and all of the permanent stations in November, most likely as a result of the Camp Fire which occurred in Butte County from November 8 to November 25 and burned 15,336 acres. The SLV permanent station and the Felton, and Zayante seasonal stations may also have been affected in early November by the Rincon Fire, a wildfire which burned 17 acres in the SLV. There were exceedances of the NAAQS at all stations in the SLV Area during the Camp Fire event in November.

PM₁₀ Data: There were no exceedances of the NAAQS but many exceedances of the CAAQS in King City during the late spring, summer and fall of 2018, particularly during the Camp Fire event in November when smoke appeared to influence PM₁₀ readings. CAAQS were also exceeded in Hollister during the Camp Fire event. Seasonally, during dry months, the King City station routinely measures higher concentrations of PM₁₀ due to wind-blown dust from agricultural operations in the Salinas Valley. These concentrations usually exceed the CAAQS, however, don't typically exceed the NAAQS.

ATTACHMENTS

Air Monitoring Data Graphs for 2018

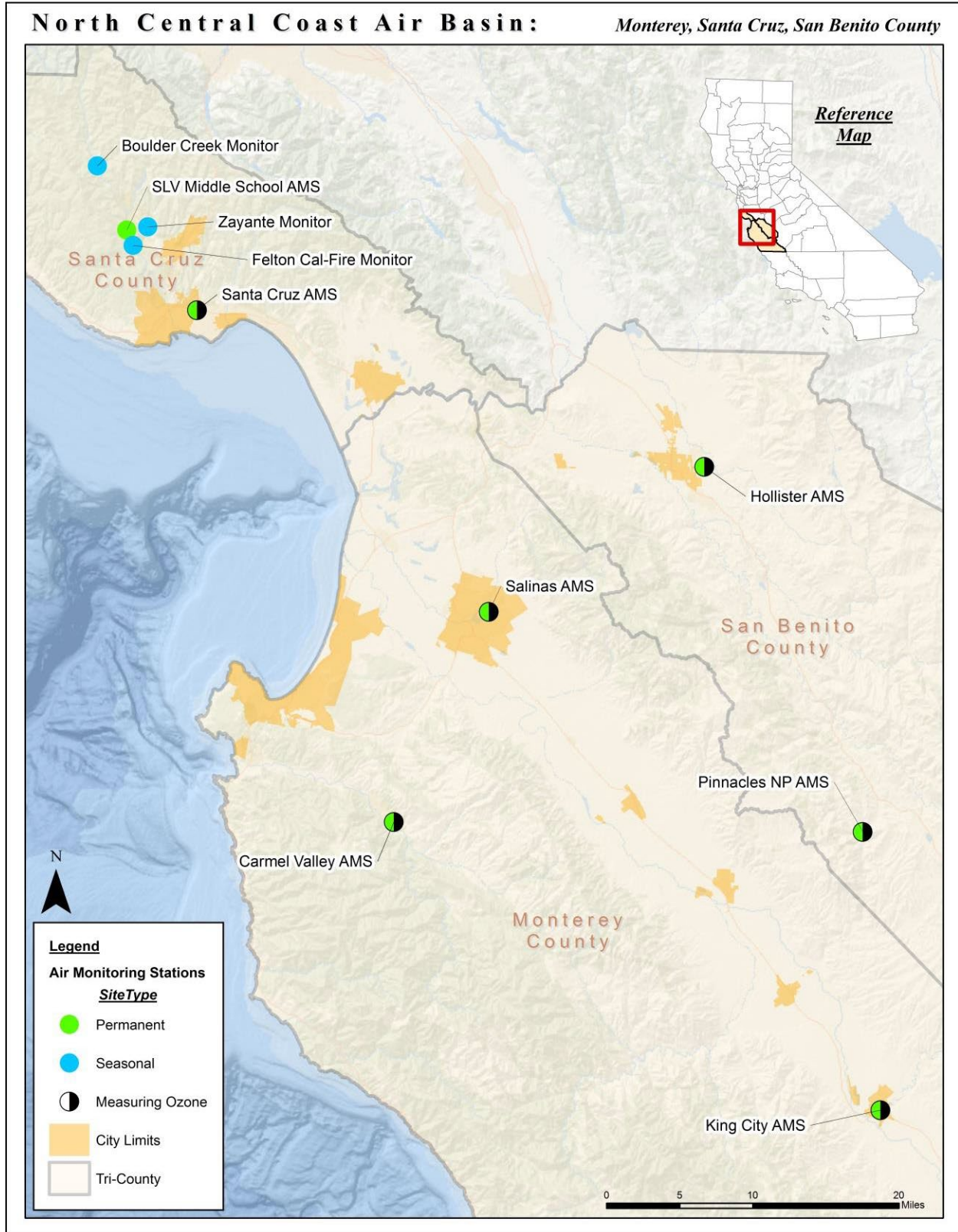
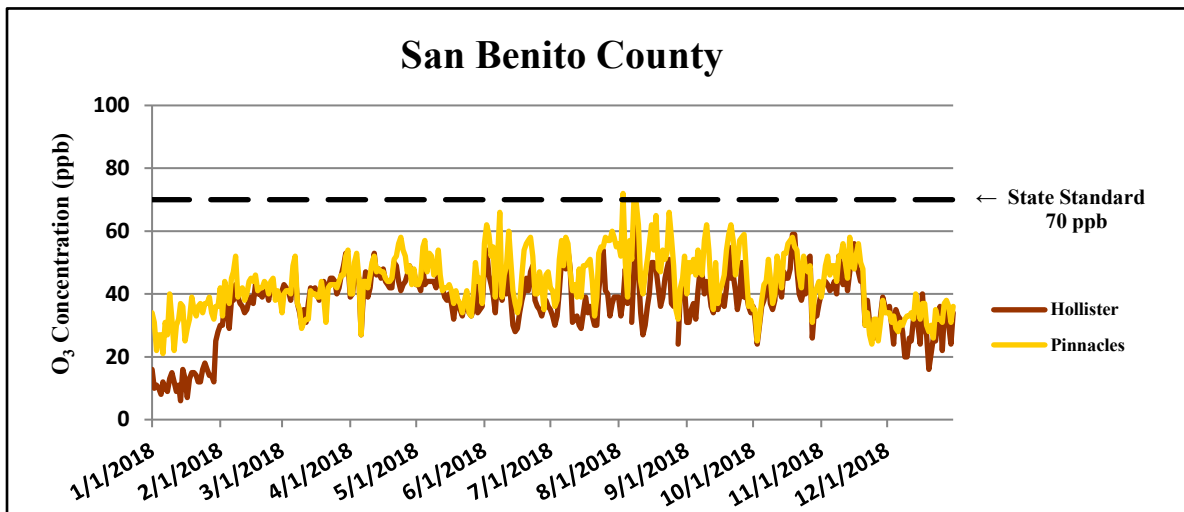
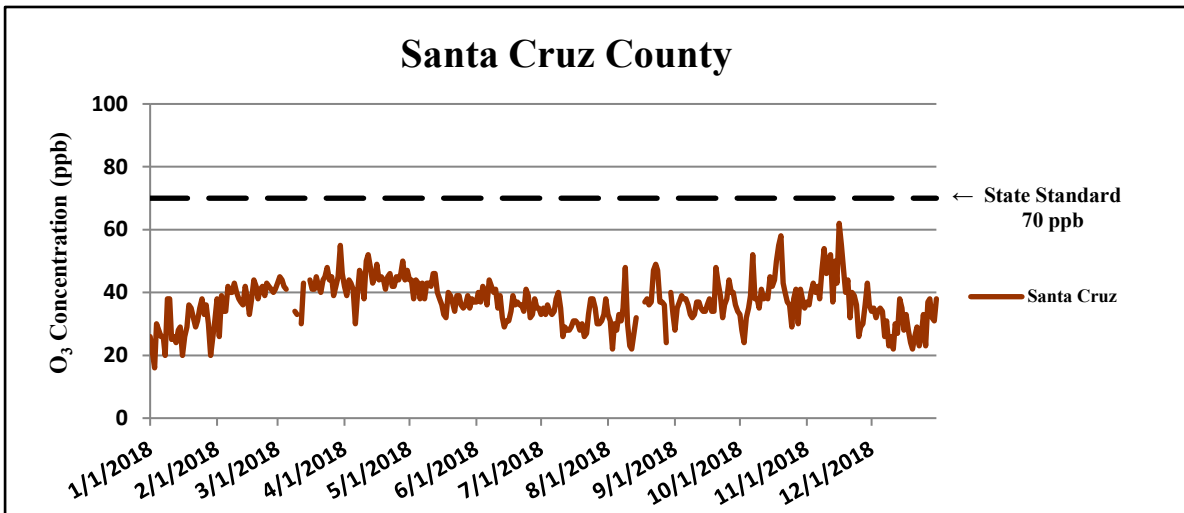
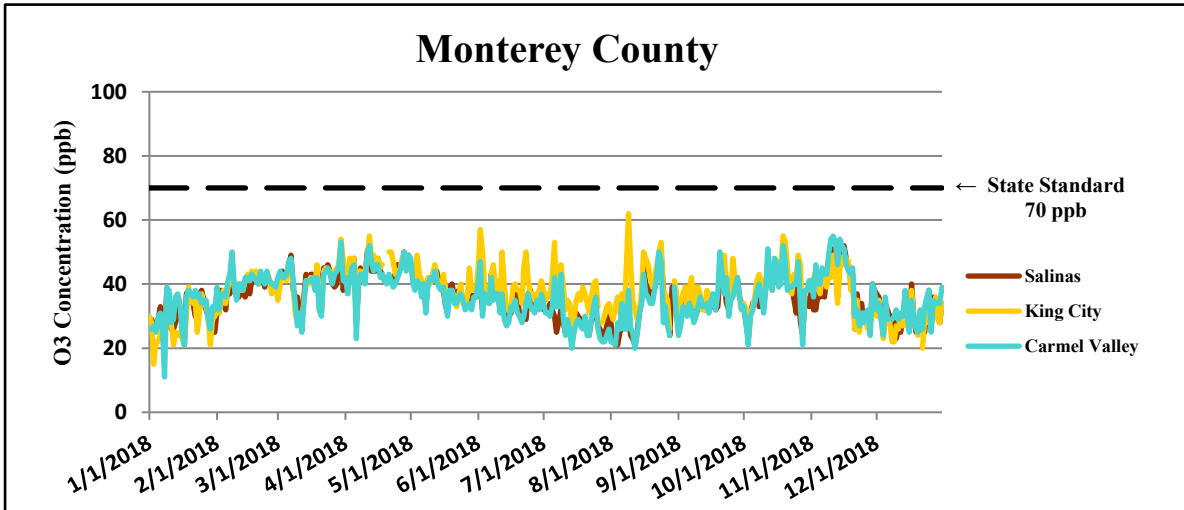


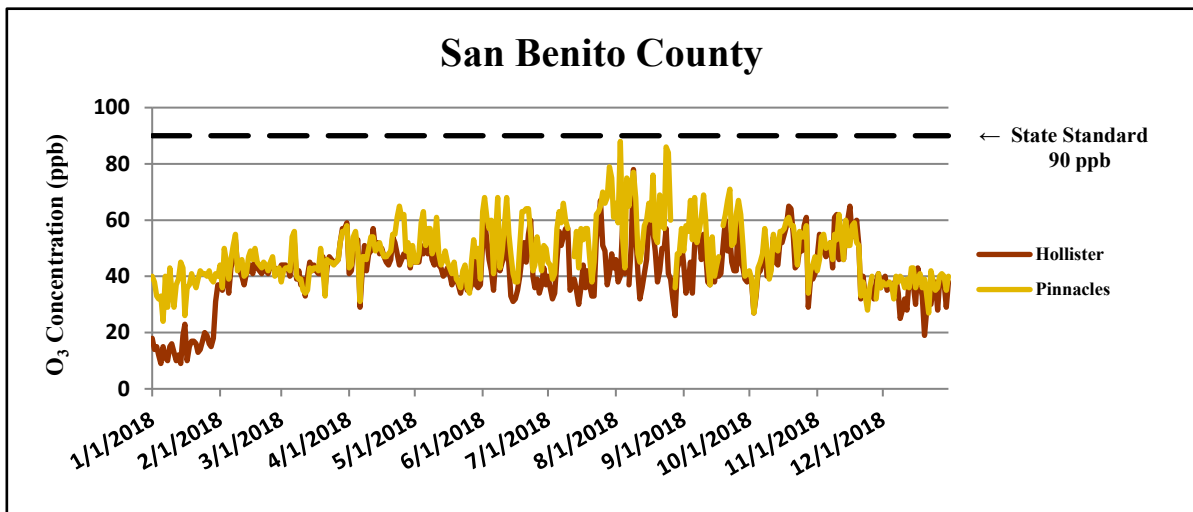
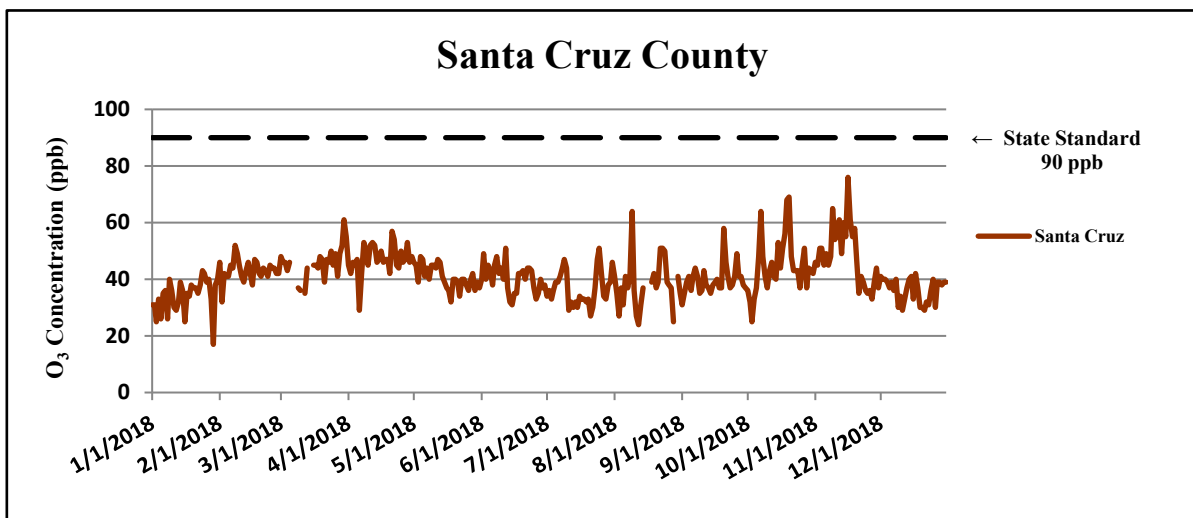
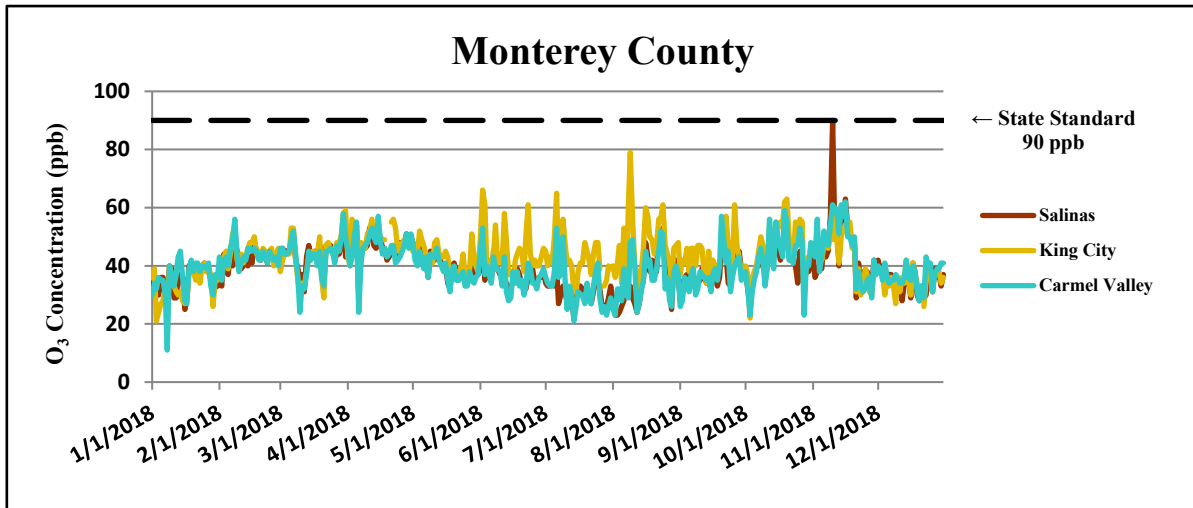
Figure 1. – Air Monitoring Stations in the North Central Coast Air Basin

Monterey Bay Air Resources District Air Quality Data

Air Pollution Levels - 2018
Daily 8-Hour Peak Ozone Concentrations [parts per billion]



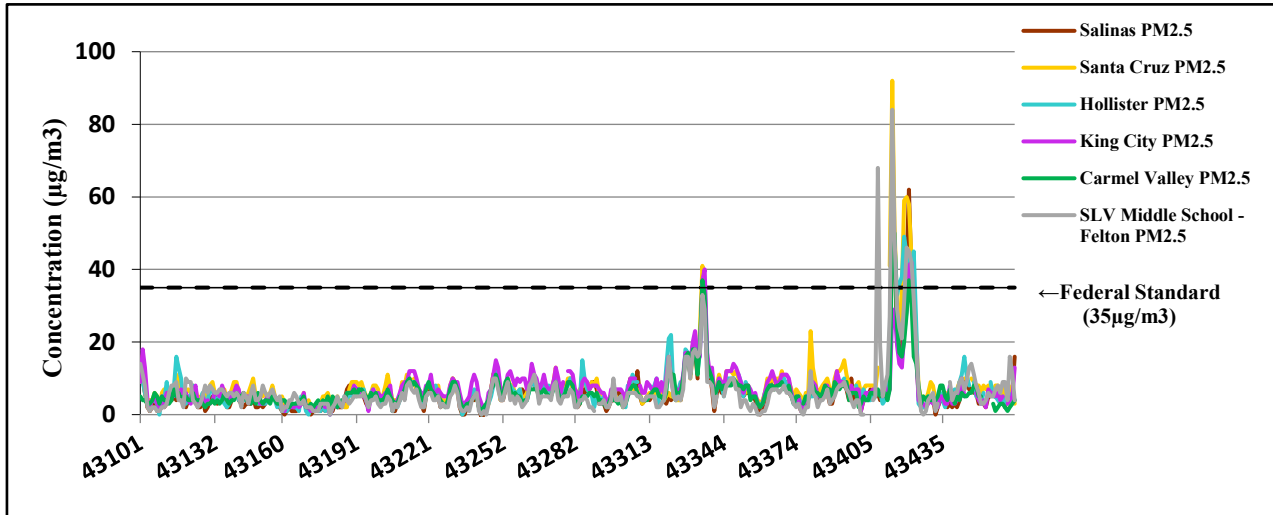
**Monterey Bay Air Resources District
Air Quality Data
Air Pollution Levels - 2018
Hourly Peak Ozone Concentrations [parts per billion]**



Monterey Bay Unified APCD Air Quality Data Air Pollution Levels - 2018

PM2.5 Concentrations

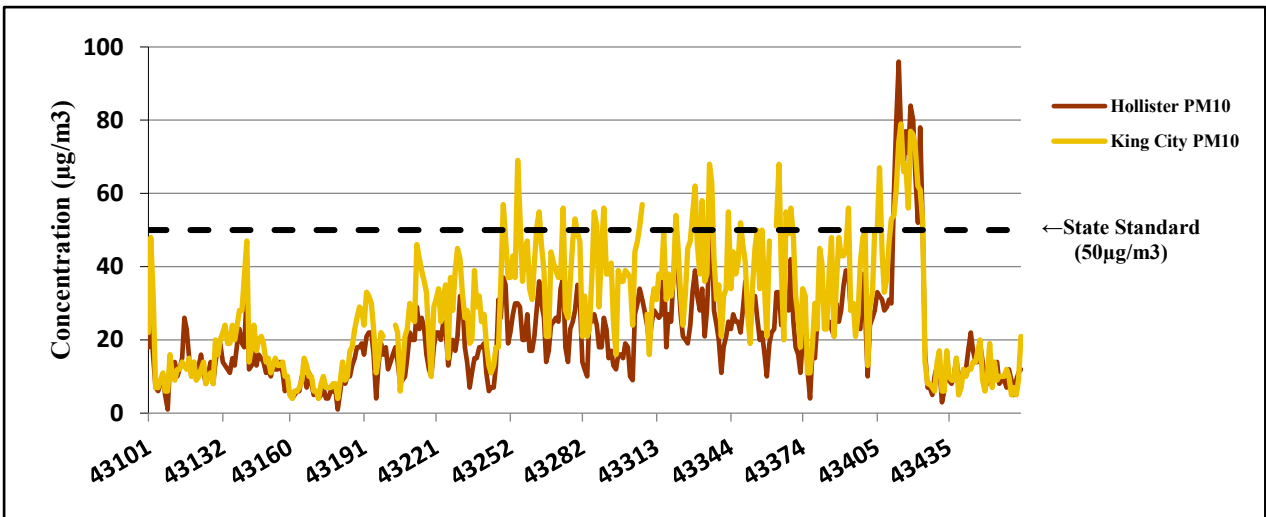
Micrograms/cubic Meter of Particulates 2.5 microns or less



Values above the applicable standards are exceedances of health-based standards.

PM10 Concentrations

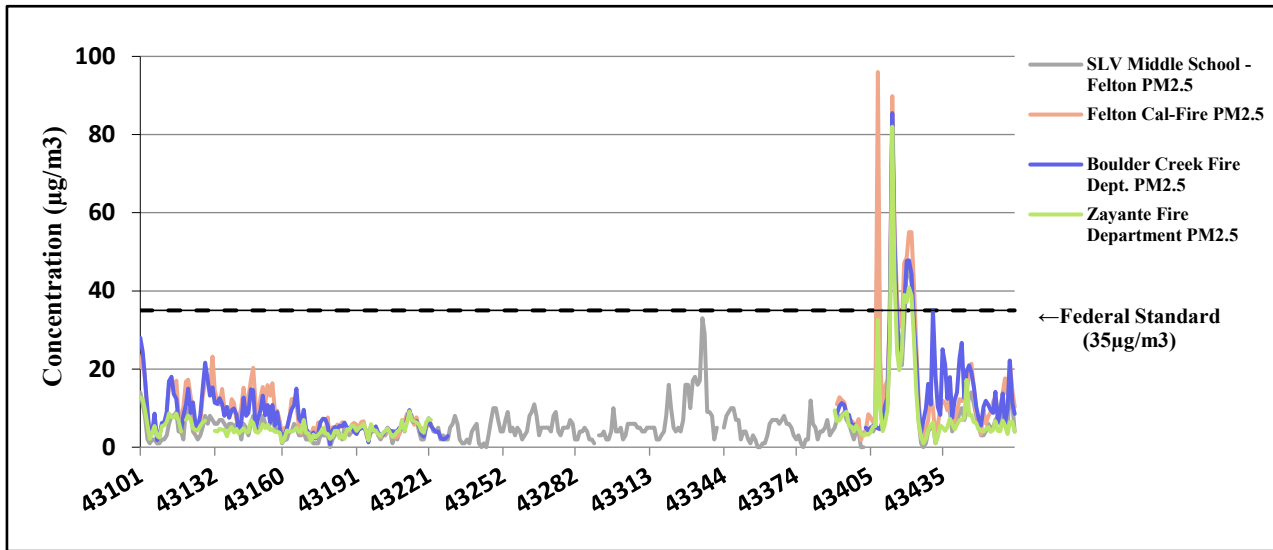
Std. Micrograms/Cubic Meter of Particulates 10 microns or less



Values above the State standards are exceedances of health-based standards.

San Lorenzo Valley Air Quality Data Air Pollution Levels - 2018

PM2.5 Concentrations Micrograms/cubic Meter of Particulates 2.5 microns or less



Values above the applicable standards are exceedances of health-based standards.



Monterey Bay Air District
 24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT AGENDA
TO:	District Board of Directors	
FROM:	Richard A. Stedman, Air Pollution Control Officer	
SUBJECT:	Approve Out-of-State Travel Request for the Air Pollution Control Officer (APCO) to Attend the 2019 National Association of Clean Air Agencies' (NACAA) Spring Membership Meeting in Kansas City, Missouri	

RECOMMENDATIONS

Approve an out-of-state travel request for the APCO to attend the 2019 National Association of Clean Air Agencies' (NACAA) Spring Membership Meeting in Kansas City, Missouri April 29-30, 2019.

DISCUSSION

Staff is requesting approval for Richard Stedman, APCO, to attend the NACAA meeting as noted above. Mr. Stedman is currently serving as NACAA co-president.

FISCAL IMPACT

Funds for this item are available in the FY 2018/2019 budget.



Monterey Bay Air District
 24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT AGENDA
TO:	District Board of Directors	
FROM:	David Frisbey, Planning and Air Monitoring Manager	
SUBJECT:	Approve Out-of-State Travel Request for Planning and Air Monitoring Manager to Attend the National Association of Clean Air Agencies (NACAA) 2019 Spring Membership Meeting, April 28-30, 2019, in Kansas City, MO.	

RECOMMENDATION

Approve Out-of-State Travel Request for Planning and Air Monitoring Manager to Attend the NACAA 2019 Spring Membership Meeting, April 28-30, 2019, in Kansas City, MO.

DISCUSSION

Staff is requesting approval for the Planning and Air Monitoring Manager to Attend the NACAA 2019 Spring Membership Meeting as stated above.

FISCAL IMPACT

If approved, funds for this item are budgeted for FY 2018/2019. The estimated cost to travel and attend is approximately \$1,550.



MONTEREY BAY AIR RESOURCES DISTRICT

24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	CONSENT AGENDA
TO:	Monterey Bay Air Resources District Board of Directors	
FROM:	Richard A. Stedman, APCO	
SUBJECT:	Adopt a Resolution Adopting a Policies and Procedures Manual for the Monterey Bay Air Resources District’s (District) Boards and Committees	

RECOMMENDATION

Adopt a Policies and Procedures Manual which is specific to the operation of the District’s boards and committees. This would include the Board of Directors, Advisory Committee, Budget, Personnel, and Nominating Committee, and Hearing Board.

DISCUSSION

The Board of Directors approved and adopted the District’s Administrative Policies and Procedures Manual (PPM) for the administrative operations of the District on February 15, 2017. This document supersedes the Administrative Code dated February 18, 2004.

At the time the Administrative PPM was being drafted, it was determined that sections of the old Code relating to boards and committees should be removed and revised as a separate PPM.

Staff is recommending approval of the attached Boards and Committees Policies and Procedures Manual with an effective date of February 20, 2019.

FINANCIAL IMPACT

There is no financial impact related to taking this action.

ATTACHMENTS

- Draft Resolution Adopting the Boards and Committees Policies and Procedures Manual
- Draft Boards and Committees Policies and Procedures Manual

RESOLUTION 19-XXX

**BEFORE THE AIR POLLUTION CONTROL BOARD OF THE
MONTEREY BAY AIR RESOURCES DISTRICT**

Adopt the District’s Boards and Committees Policies and Procedures Manual Effective February 20, 2019.....)

WHEREAS, the purpose of the Boards and Committees Policies and Procedure Manual is to supersede the District’s Administrative Code that was adopted on February 18, 2004 and to provide guidance regarding the legal and consistent operations of the District’s boards and committees; and

WHEREAS, the Boards and Committees Policies and Procedures Manual applies to all members of the District’s Board of Directors, Advisory Committee, Budget, Personnel, and Nominating Committee, and Hearing Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE MONTEREY BAY AIR RESOURCES DISTRICT:

1. Adopt the District’s Boards and Committees Policies and Procedures Manual Effective February 20, 2019.

PASSED AND ADOPTED this 20th day of February 2019, upon motion of Director _____, seconded by Director _____ and carried by the following vote, to wit:

AYES:

NOES:

ABSENT:

I hereby certify that the foregoing is a true and correct Resolution as duly adopted by the Board of Directors of the Monterey Bay Air Resources District on February 20, 2019.

By: _____
Ann O’Rourke, Executive Assistant

Approved: _____
Richard A. Stedman, APCO



*Monterey Bay Air
Resources District*

Board of Directors Policies and Procedures Manual

SUPERSEDES ADMINISTRATIVE CODE DATED FEBRUARY 18, 2004

DRAFT

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A. Board of Directors

1. Function

The District Board of Directors is the governing body of the District ~~and shall~~, which exercises all the legislative and organizational powers of the District as conferred by the California Health and Safety Code section 40701 *et seq.* Those powers include, but are not limited to: adopting the District's budget, setting staffing levels, adopting rules and regulations, setting District policies, authorizing litigation, and hiring and evaluating the APCO.

2. Composition

The Board is composed of elected officials, both city and county, from the Counties of Monterey, Santa Cruz, and San Benito, as set forth in the District's Unification Agreement.

3. Meetings

a. Meeting Management

District meetings will be conducted in accordance with California's open meeting laws applicable to local agencies as set out in Government Code section 54950 *et seq.* ("the Brown Act") and other applicable laws.

b. Types of Meetings

1) Regular Meetings

Regular meetings of the Board of Directors shall be held on the third Wednesday of each month, beginning at the hour of 1:30 pm or as otherwise scheduled, except that all such meetings are subject to cancellation when, in the judgment of the Chairperson, there is insufficient District business to warrant such meeting.

The District Board may, by resolution, revise any regular meeting date. Such revisions shall be published in the Board minutes and by other means as appropriate.

All regular meetings of the Board of Directors shall be held at the offices of the District, 24580 Silver Cloud Court, Monterey, California, unless otherwise determined by the Board Chairperson.

2) Special and Emergency Meetings

A special meeting may be called at any time by either the Chair or a majority of Board members in accordance with the Brown Act. The Clerk of the Board shall deliver to each Board member and to each local newspaper, radio or T.V. station which has a notice request on file, a written notice detailing the date, time, place and the business to be transacted or discussed at the meeting of the Board, and post the notice on the District's website.

That special meeting notice must be posted at least 24 hours prior to the meeting in a location that is freely accessible to all members of the public. No other business than what is noticed may be considered at such special meetings. A special meeting cannot be called regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the District's executive.

The Board may hold an emergency meeting without complying with either the 24 hour notice requirement or the 24 hour posting requirement of Government Code Section 54956 if a majority of the members of the Board determines that a work stoppage or crippling disaster has occurred which severely risks the public health or safety.

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice or 24-hour posting requirement for special meetings under Government Code 54956. The Board must comply with all other requirements for special meetings during an emergency meeting.

An emergency meeting means either of the following:

- An emergency, which is defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both as determined by a majority of the Board members; or
- A dire emergency, which is defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health or safety as determined by a majority of the Board members.

The minutes of the meeting, a list of person the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting must be posted for at least ten days in a public place as soon after the meeting as possible.

The Board may adjourn or continue meetings as allowed by law. Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment or continuance must be conspicuously posted on or near the door of the place where the meeting was held.

The District must, however, attempt to notify by phone, at least one hour prior to the meeting, any media which have requested notice of special meetings.

3) Closed Meetings

All meetings of the Board of Directors, Hearing Board, Advisory Committee and Board committees, including ad hoc committees, which receive financial or staff support from the District, shall be open to the public, except when a closed session is permitted by the Brown Act.

Meetings of all standing committees and ad hoc committees shall be open to the public and noticed as required by the Brown Act. The Brown Act authorizes closed sessions for some matters including, but not limited to, issues related to personnel, trade secrets, permit determinations, real property negotiations, litigation, liability claims, and labor negotiations.

c. Order of Business

1) Agenda

All reports, communications, resolutions, contracts or other written matters submitted by persons other than Board members or the APCO, that are to be included on a Board meeting agenda, must be delivered to the APCO at least ten (10) days prior to the requested Board meeting.

Any Board member may request that a matter be placed on the Board's agenda by submitting a request to the Board Chair, along with any supporting material and recommendation for action by the Board, at least 10 days prior to the Board meeting at which the submitting member requests that action be considered by the Board.

The APCO and the Board Chair shall develop an agenda of such matters as are requested by the Board, the public, or the APCO, according to the appropriate order of business, and shall furnish each Board member with a copy of the resulting agenda prior to the meeting and as far in advance of the meeting as is feasible.

The agenda shall contain a general identification of each item of business

to be considered by the Board. No action or discussion may be taken on any items not included on such agenda unless:

- By a majority vote of the sitting Board of Directors, a determination is made that an emergency situation exists. For the purposes of this section, an emergency situation means a work stoppage or other circumstance which severely risks the public health or safety, or a crippling disaster which severely risks the public health or safety; or
- By a determination of two thirds of the total board membership, or if less than two thirds of the membership is present, then by unanimous vote of the members present that there is a need to take immediate action and that the need to take action arose subsequent to the agenda being posted; or
- The item being proposed to be heard was continued from a prior meeting that was held less than five days before the date action is taken on the item, at which time the item had been properly posted.

2) Procedure

The following shall be the ordinary order of business for meetings of the Board of Directors:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Public Comment Period
- Comments and referrals from Chair and Board member
- Report from the APCO
- Consent Agenda
- Regular Agenda

The Chair of the Board may deviate from this format if necessary to ensure the orderly conduct of business.

Agenda items which have not been publicly noticed by posting for 72 hours prior to the Board meeting may only be considered for discussion or action if they meet the Brown Act criteria regarding emergencies or the need to consider the matter is immediate and arose subsequent to the posting of the agenda.

d. Conduct at Meetings

1) Quorum

For the Board to conduct business involving taking formal action, a quorum of the members of the Board must be present. A quorum consists of a simple majority of the total Board membership. Thus, for an 11 member Board, a quorum is six members. In addition, the quorum must include at least one representative of a county or city where the action being taken by the Board affects or relates to only a particular city or county or portion thereof, as opposed to an action of general applicability.

The latest edition of Robert's Rules of Order shall guide the conduct of meetings of the Board, except where inconsistent with express provisions of law, these Policies and Procedures, or other resolutions of the District Board of Directors.

e. Voting Procedure

Each member of the Board shall have one vote. Proxies are not be allowed although messages from an absent Board member may be considered by the Board and made a part of the official record. Alternates may vote in place of a member as provided for by Section 6 of the District Unification Agreement, attached hereto as Appendix 2.

All motions to propose an action shall be made, seconded, and considered as required by Roberts Rules of Order.

All acts of the Board of Directors shall require the affirmative vote of not less than six members, with at least one affirmative vote from each of two zones. (See the District's Unification Agreement at Appendix 2, Section 7.)

A Board member moving the adoption of a regulation or resolution shall ordinarily have the privilege of closing debate thereon.

A Director may request, through the Chairperson, the privilege of having an abstract of his or her statement on any subject under consideration entered into the minutes of the meeting if consented to by the Chairperson. The Director so requesting shall furnish the APCO and Clerk of the Boards with an abstract or transcript of his or her statement no later than 15 days before the next regularly scheduled Board meeting.

The usual method of taking a vote is by voice vote. However, if requested by any Board Member, the Chairperson may take a vote by roll call.

Adoption of the District's annual budget shall always be by roll call.

If a Board member remains silent on a voice vote or a roll call, the Board member shall be deemed to have voted "aye" on the question presented.

A Board member who has any conflict of interest in the matter being voted upon, or who is otherwise disqualified from acting, shall announce that fact and shall neither participate in the discussion of the item nor vote. In such case the failure to vote shall not be deemed a vote on either side.

If any member of the Board states that he or she is "abstaining" or "not voting" the failure to vote shall not be deemed a vote on either side.

f. Public Testimony

Every agenda shall provide an opportunity for members of the public to directly address the District Board on items of interest to the public that are within the subject matter jurisdiction of the District and which are not on the agenda for consideration at that meeting. Public testimony shall be limited to five minutes per speaker on any public hearing item or for each speaker during the public comment period. The Chairperson may exercise discretion to allow shorter or longer testimony when necessary for the orderly conduct of business.

Persons not members of the Board of Directors desiring to address the Board shall first secure permission of the Chairperson to do so. The Clerk of the Board shall provide the public with request forms for this purpose.

For the purpose of addressing the Board, the Chairperson will ordinarily recognize:

- Persons who have addressed written communications to the District in regard to the matters under discussion, and
- Persons who have made written request for permission to address the Board on any matter properly listed on the agenda and outlined in their request.

After the Chairperson has closed a public hearing on an issue, no person may address the Board until the matter is concluded unless the Board Chair determines that further comment or clarification will assist the orderly conduct of business.

Each person addressing the Board shall step up to the speaker's podium. If appearing in a representative capacity, each speaker shall state the party he or she is representing, or, if appearing in a professional capacity, such as attorney or registered engineer, shall state that fact to the Board. Unless further time is granted by the Board, remarks shall be limited to five minutes.

for each speaker. All remarks shall be addressed to the Board as a body and not to any individual member thereof. No person, other than members of the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the Chairperson. No questions shall be asked of a member of the Board except through the chairperson.

Upon the conclusion of public testimony, the Board Chairperson or other Board member, may ask a question for clarification or provide a reference to staff or other resources for factual information.

g. Decorum

Any person who becomes boisterous or unruly while addressing the Board, may be barred by the Chairperson from further discussion before the Board unless permission to continue is granted by a majority vote of the board.

If, in the opinion of the Chairperson, a person continues to behave inappropriately, the Chairperson may call for a meeting recess.

h. Officers

1) Chairperson and Vice Chairperson

The presiding officer of the Board is the Chairperson. The Chairperson and Vice Chairperson shall be elected by the Directors at the first meeting in February of each year and will assume office at that time. The Chairperson shall preserve order and decorum at regular and special meetings of the Board. The Chairperson shall state each question, shall announce the decision, and shall decide all questions of order. The Chairperson shall vote on all questions, last in order of the roll.

The Chairperson shall commence proceedings at the hour appointed for the meeting and call the District Board to order. In the absence of the Chairperson, the Vice Chairperson shall call the Board to order and serve as temporary Chairperson. Upon arrival of the Chairperson the Vice Chairperson shall relinquish the chair upon the conclusion of the business then pending before the Board. If, for any reason, the Chairperson ceases to be a member of the Board, the Vice Chairperson shall automatically assume the office of Chairperson and shall appoint from the other Board members another Vice Chairperson to serve out the remainder of the term.

The Chairperson shall execute contract documents on behalf of the Monterey Bay Air Resources District in excess of \$25,000.00 \$50,000,

with the exception of any federal grant, State subvention, and other contracts or requests for financial assistance as determined and directed by the Board to be negotiated and signed by the APCO.

It is the intent that the tenure of the offices of Chairperson and Vice Chairperson, insofar as may be feasible, be rotated among the cities and counties constituting the District so as to provide for participation in the affairs of the District from as wide a representation as possible. Thus, when the Chairperson is a county representative the Vice Chairperson should be a city representative, and vice versa.

2) Treasurer

The Treasurer of the County of Monterey shall be ex-officio Treasurer of the District and shall have all the duties imposed by law.

3) Clerk of the Board

The District's Executive Assistant shall also function as the Clerk of the Board, shall be the official custodian of the official records of the District, and shall perform such duties as may be required by the APCO and the Board of Directors in carrying out the District's objectives.

The Executive Assistant shall also serve as the Clerk of the Hearing Board, and as the Clerk of the Advisory Committee.

Before the business of the Board commences, the Clerk of the Board shall call the roll, and the names of those Board members present shall be entered in the Minutes. The names of members who arrive after the initial roll call shall be noted at that stage of the Minutes.

4. Board Communications

a. Communications to Board

Any written communication from the public addressed to the Board Chair or the Board of Directors as a whole shall be provided to the Clerk of the Board. The Clerk of the Board shall furnish copies to the members of the Board and to APCO.

In order to be considered part of an agenda packet, written communication must be received no less than 10 days prior to the Board meeting for which it is offered.

Communications received within 10 days of a scheduled meeting may be

considered as new business at the discretion of the Board only if it can be placed on the agenda in accordance with the provisions of the Brown Act.

b. Board Member Requests

Should any member of the Board require information, documents, or assistance from the District, the Board member should make such request directly to the APCO.

B. Committees

1. Standing Committees

The Board Chairperson shall appoint members to the Board's Standing Committees, except for the Advisory Committee, whose membership is otherwise provided for below.

a. Budget, Personnel, and Nominating Committee

The Budget, Personnel and Nominating Committee shall advise the APCO in the preparation of the annual budget for the District; present the annual budget with recommendations to the District Board of Directors; propose a slate of officers and recommend staffing levels for the District; and, following the formula set forth in the District Unification Agreement (Appendix 2), ensure proper allocation of the total budgeted cost to the cities and counties included within the District. This committee shall consist of 5 Board members appointed by the Chairperson.

The Budget, Personnel and Nominating Committee shall recommend to the Board the appointment of members of the public to serve on the District's Hearing Board in accordance with the requirements of the California Health and Safety Code and the District's Regulation VI.

b. Advisory Committee

The Advisory Committee shall meet at such times and occasions as the Advisory Committee itself shall determine. The Advisory Committee shall consider issues presented to it by the Board or by the APCO and formulate recommendations to the Board.

The Advisory Committee shall consider matters which come before it, to arrive at recommendations for the Board of Directors. Such recommendations to the Board may include technical, social, economic, environmental, or fiscal aspects of such matters under consideration.

The members of the Advisory Committee are to be selected by virtue of their expertise in their professions and fields of endeavor, with a view to providing a reasonable balance between the regulated community and the public interest.

Each member of the Board of Directors shall nominate two members of the public for Board appointment to the Advisory Committee. Nominees must reside within the boundaries of the District. Any member of the Advisory Committee may be removed from the Committee by a majority vote of the Board of Directors.

Any Advisory Committee member missing three consecutive properly noticed meetings of the Committee shall forfeit his or her membership on the Advisory Committee. The Board of Directors may reinstate such member or appoint a replacement to fill out the remainder of the absent member's term, as is appropriate.

The term of office for members of the Advisory Committee shall coincide with the term of the nominating Board member.

A quorum of the Advisory Committee shall consist of a simple majority of the Committee. Action may be taken by the Committee upon the affirmative vote of a simple majority of the Committee members present.

2. Ad Hoc Committees

The Board of Directors may, by majority vote, establish ad hoc committees which shall deal with a single subject for a limited period of time. Should the work of the committee exceed one year, the Ad Hoc Committee must receive a renewed authorization to continue its activities.

All ad hoc committees shall be appointed by the Chairperson, unless otherwise directed by the Board.

3. Operating Procedures of Committees

a. Quorum for Standing Committees

A quorum for all standing committees shall consist of a simple majority of the membership of the committee. In the event that a committee meeting is regularly called and a quorum cannot be present, then those committee members present may act as a subcommittee of the whole committee. Such subcommittees may consider the business called before the committee at the time and report its conclusions thereon to the whole committee or to the

Board of Directors.

b. Quorum for Ad Hoc Committees

A quorum for any ad hoc committee shall be a simple majority of the total committee membership. No ad hoc committee shall conduct any business without at least one District Board member being in attendance.

c. Alternates

In making appointments to the Standing Committees of the Board, the Chairperson may appoint an alternate for each member of the Committee. In the absence of the regular member, the alternate may serve in his or her place. Upon learning in advance of the inability of a regular member of a Committee to attend a scheduled meeting, the Clerk of the Board shall notify the alternate with a request to attend the meeting.

If a quorum of any Committee is not present at the time set for the meeting, the Chairperson of the Committee, or the Chairperson of the Board, may appoint any Board Member who is present, to be a member of the Committee for that meeting for purposes of establishing a quorum.

4. Hearing Board

The District's Hearing Board is formed and operates pursuant to the provisions of the Health and Safety Code and District Regulation VI, which codifies standard procedures for the conduct of hearings before the Hearing Board.

The Clerk of the Board (staffed by the Executive Assistant) serves as the Clerk of the Hearing Board. The Clerk is responsible for maintaining the files of the Hearing Board, processing applications for variances, abatement orders, and other actions, and publishing appropriate notices of matters to be brought before the Hearing Board for adjudication.

The District's counsel, the APCO, or his or her delegate represents the District before the Hearing Board. The District's representative is also responsible for coordinating the presentation of the District's case before the Hearing Board with District staff and other parties as may be appropriate.

C. Reimbursement for Expenses

Members of the Board of Directors, the Hearing Board, the Advisory Committee, Standing and Ad Hoc Committees shall be reimbursed for actual and necessary

expenses, including travel, incurred by them in the performance of their duties for the District. Members shall also be reimbursed for travel expenses outside of the District when authorized by the Board of Directors. Members shall be reimbursed for mileage and expenses in accord with the Travel Expense Claims Section of these Policies and Procedures.

Mileage shall be allowed to Directors and Hearing Board members for meetings of the Board of Directors and Hearing Board meetings, and for committee meetings from their homes to the office of the District or to such other place as the meeting of the Directors or the Committee, or other official business, may be held. Necessary incidental expenses shall include all reasonable charges for bridge tolls and for parking of automobile.

The Board of Directors and Hearing Board are authorized to include meals in their expenses when such expenses occur as a result of attendance at Board, committee, Hearing Board or other authorized functions. Meal expenses are also authorized for members of the Board, and the Advisory Committee, when such meal expenses are necessarily incurred in the course of meetings or hearings of the Board, the Advisory Committee, or any committee or subcommittee thereof.

D. Authority of the Air Pollution Control Officer

The Governing Board has employed the Air Pollution Control Officer (APCO) to carry out Board policies, direct District operations, provide day-to-day supervision of District employees and control District expenditures. It is the judgment of the Board that a clear delineation of the APCO's authority is essential to effective District management. Therefore, it is the policy of the Board to delegate to the APCO the management authority as set forth herein.

The Board delegates to the APCO the following:

- a. The authority to make management decisions in conformity with policies established by the Board;
- b. The authority to manage District financial operations and expend District funds in conformity with the District budget as adopted by the Board. The APCO must propose the budget in a form and at a level of detail as determined by the Board. Upon Board adoption of the budget, the APCO will have the authority to:
 - Transfer funds within major budget categories, up to \$10,000 for each transfer;
 - Expend District funds for capital replacement and improvement; and
 - Expend District funds for contracts not exceeding \$50,000 for non-emergency items.

- c. The authority to determine that an emergency exists that adversely affects the ability of the District to perform its services, puts District personnel or property in jeopardy, or may jeopardize the health and safety of the community and its residents. In the event of an emergency, the APCO will:
- Take whatever steps and expend whatever funds he or she determines is necessary to meet the emergency; and
 - At the earliest opportunity, inform the Board of the emergency and the steps he or she has taken and expenditures that have been incurred.
- d. The authority to hire, dismiss, make assignments, direct, supervise, or assist District employees and independent contractors to ensure the successful operation of the District; and to grant annual compensation increases of up to five percent (5%);
- e. The authority to accept, on behalf of the District, easements and similar real property rights and interest required for effective performance of the District's legitimate functions. The Board reserves to itself the sole authority to convey real property or real property rights; and
- f. The authority to carry out District management objectives and plans as approved by the Board.

The Board recognizes that there are management areas in addition to those enumerated in this Manual, which may require further delineation of management.



Monterey Bay Air Resources District

24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	REGULAR AGENDA
TO:	The Board of Directors	
FROM:	Richard A. Stedman, Air Pollution Control Officer	
SUBJECT:	Receive a Status Report on the MBARD AB2766 Electric Vehicle Incentive Program (EVIP) and Consider Staff Recommended Options for the AB2766 FY20 Clean Vehicle Program	

RECOMMENDATION

Receive a status report on the MBARD AB2766 Electric Vehicle Incentive Program (EVIP) and consider staff recommended options for the AB2766 FY20 Clean Vehicle Program

DISCUSSION

For the past 28 years, MBARD has implemented and funded the AB2766 Motor Vehicle Emission Reduction Grant Program. The primary objective of the program is to solicit cost-effective motor vehicle direct emission reduction projects as mandated by the California Health and Safety Code §44220 which reads:

- § 44220 (a) authorizes MBUAPCD to levy a portion (\$4.00) of DMV fees on motor vehicles registered within the District.
- § 44220 (b): The District must adopt a resolution *“providing for both the fee and a corresponding program for the reduction of air pollution from motor vehicles pursuant to, and for related planning, monitoring, enforcement, and technical studies necessary for implementation of the California Clean Air Act”*

Starting in FY17, all eligible AB2766 motor vehicle emission reduction projects were streamlined into two major divisions of the overall grant program:

- Clean Air Management Program:
 - Roundabout Design and Construction
 - Adaptive Traffic Signal Control
 - New Transit
 - Fleet Vehicle Replacement
- Clean Vehicle Program:
 - EV Voucher Replacement Incentives for Public Agencies
 - EVIP for residents only in Santa Cruz, San Benito and Monterey Counties

To date, the MBARD AB2766 EVIP obligated a total of \$1.2M (\$400K annually) of AB2766 funds over the past three fiscal year grant cycles and funded a total of 734 incentive awards over that same period. The EVIP performance metrics are presented below in figures 1-3

Figure 1

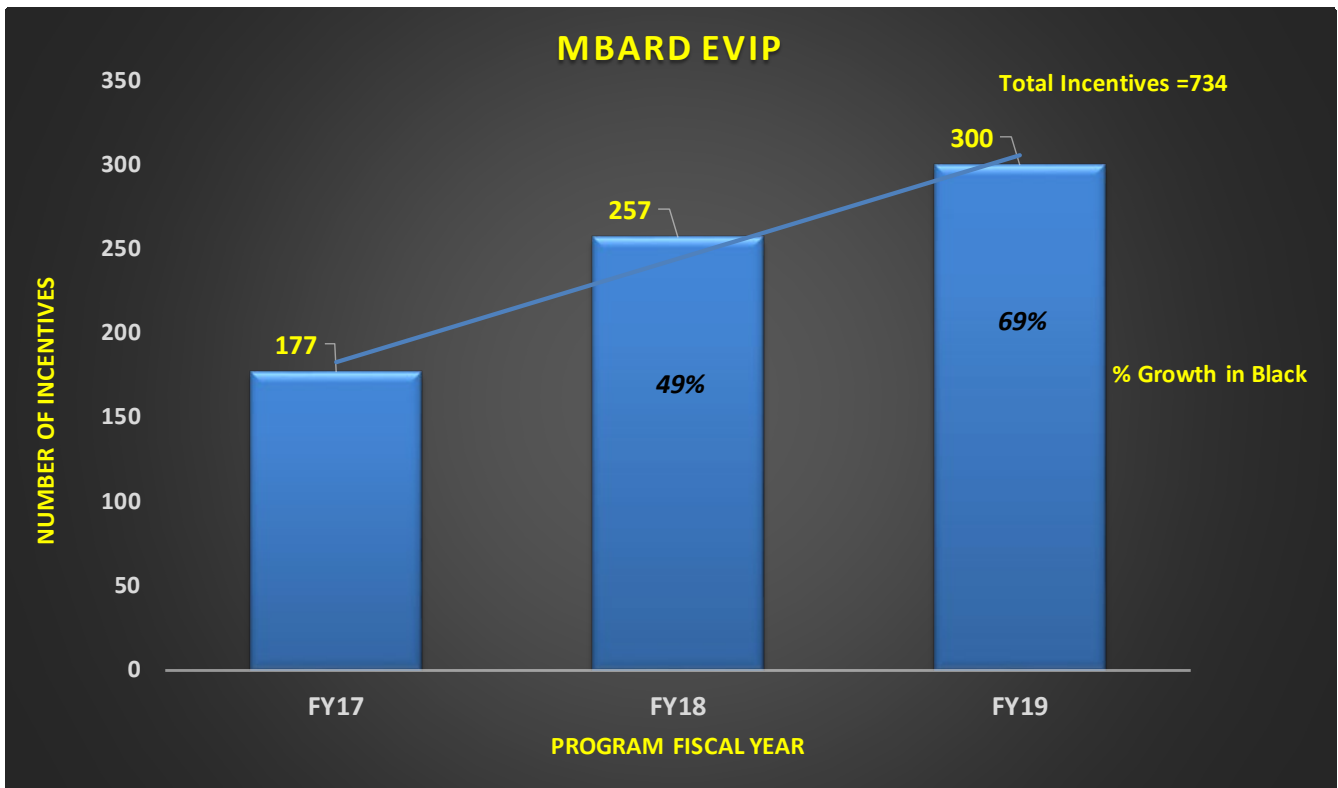
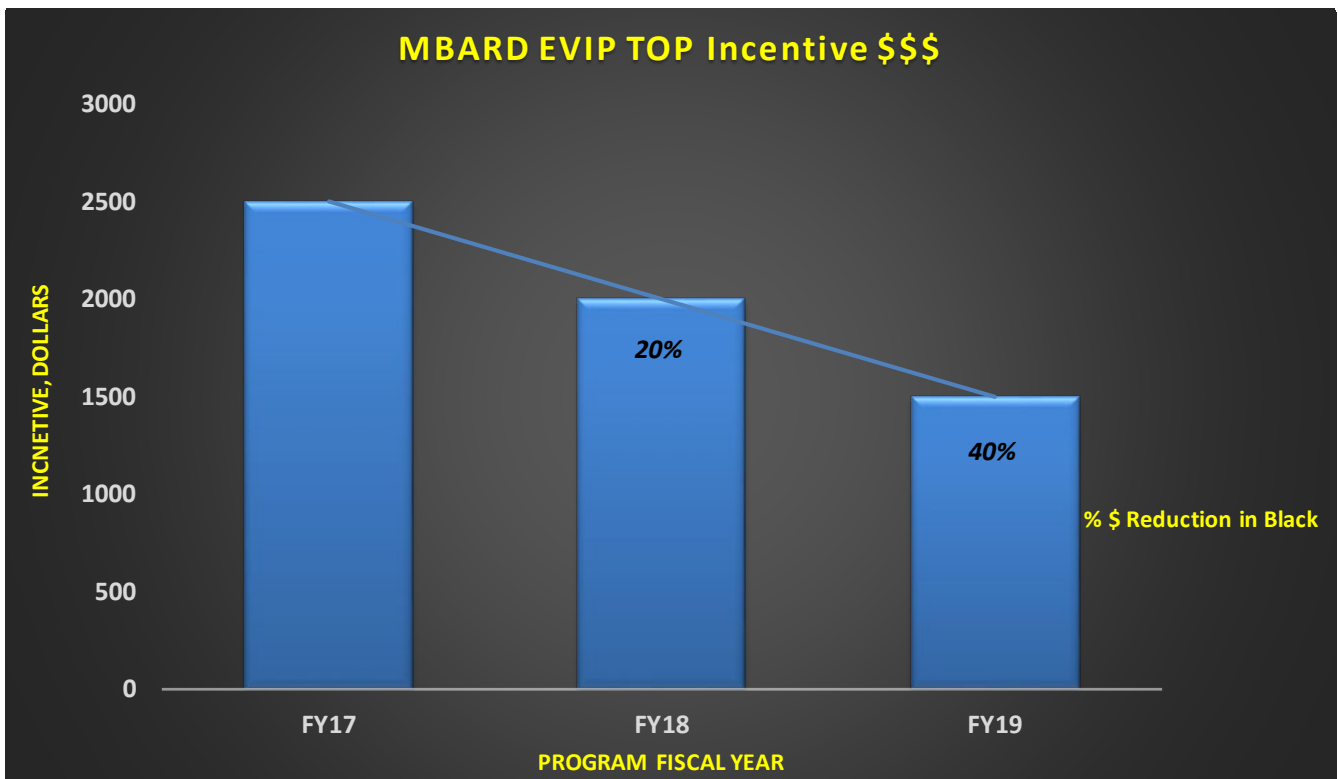


Figure 2



Figures 1 and 2 illustrate the relationship of an annual increase in incentive awards to a corresponding decrease in the annual maximum award available per applicant. Thus, EV demand significantly increased over time despite a reduction in the incentive amounts.

Figure 3

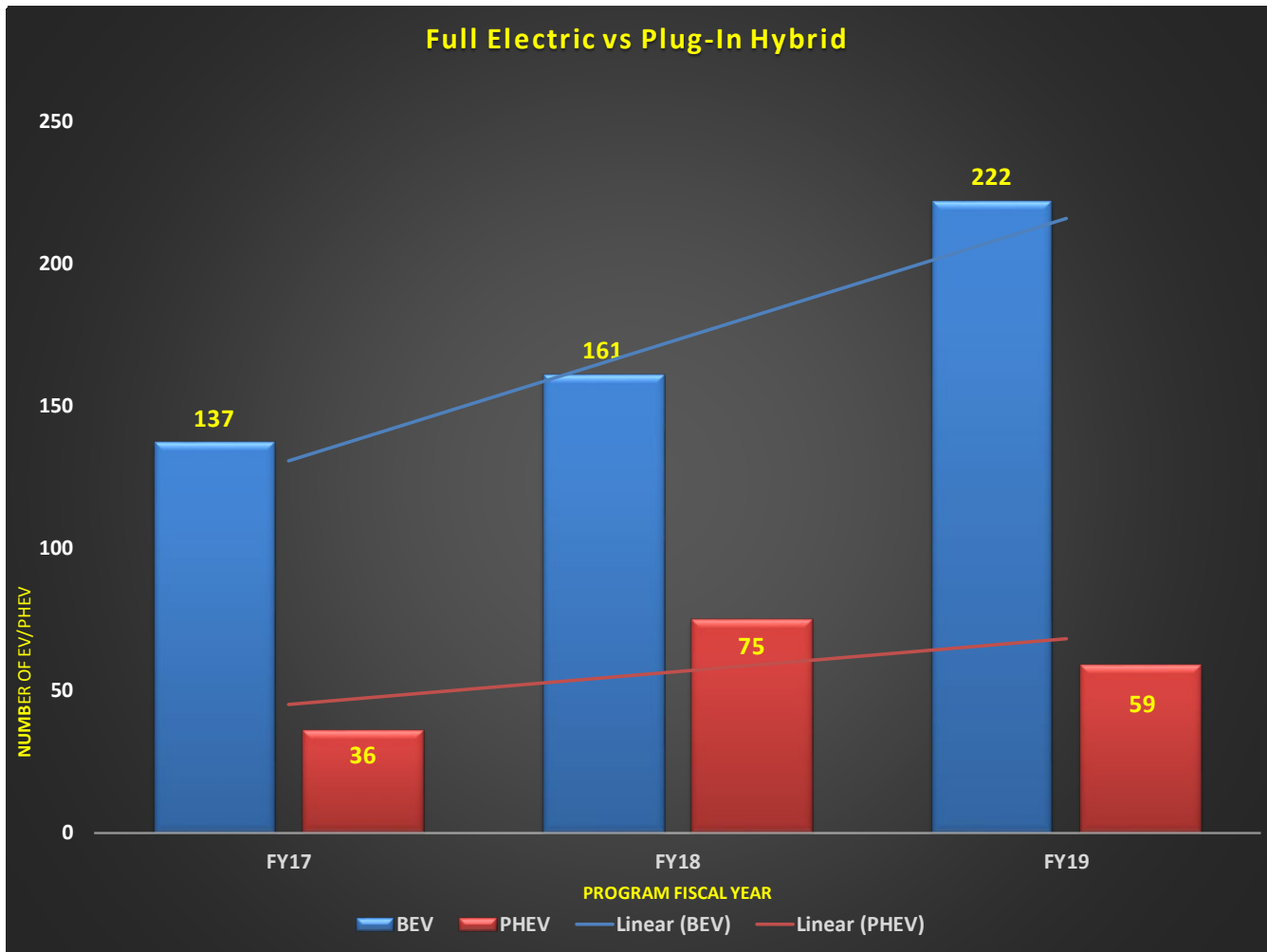


Figure 3 illustrates the demand for full battery electric vehicles (BEVs) versus the plug-in hybrid (PHEVs). These two classes of EVs represent the largest consumer demand during the EVIP period. Other EV classes included both used BEVs and PHEVs, electric motorcycles and fuel-cell vehicles. With the enhancement of electric driving range, the advancement in EV battery technology and the increase in EV availability, EV consumer confidence and demand continued to trend upward significantly toward the purchase of BEVs. Conversely, the demand for the much shorter electric driving range PHEVs remained relatively flat with no significant growth during the EVIP period.

The newly formed local community choice aggregate, Monterey Bay Community Power (MBCP), in consultation with MBARD staff has elected to also offer an EV incentive program for local residents within Santa Cruz, San Benito and Monterey counties starting in FY19. Although utilizing a different EV incentive model, MBCP anticipates operating their EV incentive program from April through July 2019.

In an effort to avoid any EVIP overlap and EV consumer confusion, MBARD staff has proposed several options for the overall AB2766 Motor Vehicle Emission Reduction Program with respect to the MBARD EVIP:

- Option 1: Continue the current program criteria and procedures with funding for the Clean Air Management and Clean Vehicle Programs. The FY20 EVIP eligibility date would be July 1, 2019 with an allocation of \$400K for the program.
- Option 2: Discontinue the MBARD EVIP and thereby increase the total amount of funding for the Clean Air Management Program and EV Voucher Replacement Incentives for public agency fleets. Funding formula would be the current allocations based on county population percentages.
- Option 3: Convert the MBARD EVIP to a vehicle trade-in program wherein older gasoline or diesel powered light-duty vehicles are traded in (up to \$1000 trade-in value) for new or used all electric vehicles. The replaced internal combustion engine (ICE) vehicles will be destroyed.
- Option 4: Develop a newly branded component of the Clean Vehicle Program as the Advanced Clean Technology Program (ACTP) for the electrification of the medium to heavy-duty public and private truck fleets operating within MBARD jurisdiction.
 - The ACTP would be used to fund full battery electric medium to heavy-duty (MD-HD) vehicles and the required EV charging infrastructure.
 - The CA Air Resources Board (ARB) Hybrid and Zero-Emission Truck and Bus Voucher Program (HVIP) would be used to leverage funding for offsetting the total incremental electrification project cost. Up to \$250,00 per vehicle is available through the HVIP.

CONCLUSION

Over a million EVs are currently on the road across the United States with half of those within CA. Local, state and federal incentives have been the cornerstone of incentivizing the purchase or lease of EVs. The majority of the available EV incentives have been focused on the light-duty fleets (passenger cars) over the past decade. That focus has now shifted toward the MD-HD truck and bus fleets as more EVs and battery technology have become available. NO_x, ROG and PM 2.5_μ diesel exhaust from the MD-HD fleets continues to be significant, therefore, the need to reduce these emissions becomes critical in meeting both federal and state ambient air quality standards.

Current funding opportunities for on-road MD-HD fleet improvements at the local level have been slow or even non-existent due to limited availability of grant funding. By leveraging local and state funds to demonstrate the feasibility of fleet electrification, more projects can be implemented to electrify the local fleet operations, thereby achieving significant motor vehicle emission reductions.

Staff is seeking guidance from the Board and recommends Option 4 for the FY20 AB2766 Clean Vehicle Program with an initial allocation of \$400K for the ACTP.



MONTEREY BAY AIR RESOURCES DISTRICT

24580 Silver Cloud Court, Monterey, CA 93940

MEETING DATE:	February 20, 2019	REGULAR AGENDA
TO:	Board of Directors	
FROM:	Amy Clymo, Compliance and Engineering Manager	
SUBJECT:	Receive Report on Calendar Year 2018 Engineering and Compliance Activities	

RECOMMENDATION

Receive Report on Calendar Year 2018 Engineering and Compliance Activities.

DISCUSSION

At the October 17, 2018 Board meeting, the Board approved adjusting the frequency for the monthly Division reports to the Board. The reports were previously provided every month as consent agenda items. This is the first report summarizing calendar year activity data for Engineering and Compliance. The following presents the October 2018 Board approved schedule for the Division reports:

Board Report Division	Proposed Frequency	Months Report Received
Engineering	Twice per year, as regular agenda item	February (summary of prior calendar year) August (summary of current calendar year first 6 months)
Compliance	Twice per year, as regular agenda item	February (summary of prior calendar year) August (summary of current calendar year first 6 months)
Air Monitoring*	Quarterly, as consent agenda item Annual, as regular agenda item	March (consent) June (consent) September (consent) December (regular, annual summary)
Mutual Settlement	Maintain monthly reporting	

*Staff will provide more frequent reporting based upon the data.

Engineering and Compliance

The Engineering Division's major functions are to evaluate equipment and process emissions in accordance with all applicable District, state and federal statutes, issue permits with appropriate operating conditions, develop rules & regulations, and observe start-up emission performance tests to verify compliance with established standards. The Compliance Division's major functions are to perform inspections of permitted sources, ensure compliance with permit conditions, take enforcement action for violations, enforce the federal asbestos regulation, and respond to public complaints. The tables below provide a summary of Engineering and Compliance activity in calendar year 2018.

Some of the activity data is presented in a multi-year trend chart to provide context for the activity data and understanding of workload. Currently, there are 3,080 air permits issued within Monterey, San Benito, and Santa Cruz counties. This number has slightly increased over the past six years from a value of 2,950 in 2013. The District continues to receive a steady stream of permit applications and met our regulatory requirement in 2018 to issue permits within 6 months. There is no backlog of permit applications. For Compliance, approximately half of the permits are inspected each year meaning each inspector is conducting approximately 300 inspections per year. In the year 2017, the number of compliance inspections decreased due to the turnover of three inspector positions. The activity trends continue to demonstrate that the District has a consistent level of activity over the past six years.

FINANCIAL IMPACT

None

ATTACHMENTS

Calendar Year 2018 Activity Summaries
Multi-Year Trend Chart

ENGINEERING DIVISION ACTIVITY REPORT

Activities	Calendar Year 2018
Permit Applications Received	313
Equipment Inspections	152
Permits to Operate Issued	223
Authorities to Construct Issued	164
Agricultural Diesel Engine Registrations	4
Title V Permits Issued	8
Emission Reduction Credits	1

COMPLIANCE DIVISION ACTIVITY REPORT

Activities	Calendar Year 2018
Compliance Inspections	1564
Notices to Comply Issued	256
Asbestos Inspections	189
Asbestos Notifications	276
Complaints Received	278
Breakdowns Received	16
Variance Orders Issued	2
Source Tests Observed	45

Multi-Year Activity Trends

