



Monterey Bay Air Resources District
BOARD OF DIRECTORS MEETING

STEVE MCSHANE, CHAIR

WEDNESDAY, March 16, 2022 - 1:30 P.M.

REMOTE MEETING ONLY

Link to meeting: <https://us02web.zoom.us/j/83536099835>

Webinar ID: 835 3609 9835

By Phone (audio only, Webinar ID required): 1-669-900-6833

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. The Monterey County Health Officer has issued a recommendation for social distancing in legislative body meetings, so the first meeting after September 30, 2021, may be held without making findings. If the Board of Directors desires to continue to meet remotely via teleconference after that first meeting, the Board is required to make certain findings under AB 361 no later than 30 days after the first teleconference meeting held pursuant to AB 361, and every 30 days thereafter. Members of the public that wish to participate in a meeting may do so by joining the Zoom Webinar ID. Should you have any questions, please contact Sirie Thongchua, Executive Assistant, at 831-718-8028 or by email at sirie@mbard.org.

To Provide Public Comment via Zoom teleconference/video conference: During the meeting live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the "raise hand" feature (for those joining by phone, press *9 to "raise hand") during the public comment period for the agenda item you wish to address. Members of the public participating via Zoom will be muted during the proceedings and may be unmuted to speak during public comment after requesting and receiving recognition by the Chair. Please clearly state your full name for the record at the start of your public comment.

Before the Meeting: Persons who wish to address the Board for public comment of an item not on the agenda are encouraged to submit comments in writing to Sirie Thongchua, Executive Assistant, at sirie@mbard.org by 5:00 p.m. on Monday, March 14, 2022. Comments received will be distributed to the Board prior to the meeting.

Summary of Actions

1. CALL TO ORDER – **The meeting was called to order by Chair McShane at 1:30 p.m.**
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL - **Present:** Wendy Root Askew, Sandy Brown, Mary Ann Carbone, Ryan Coonerty, Zach Friend, Kollin Kosmicki, Mike LeBarre, Chris Lopez, Steve McShane, Sam Storey. John Phillips arrived at 1:32 p.m.
4. PUBLIC COMMENT – **None.**
5. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS
 - a. Budget, Personnel, and Nominating Committee
 - b. Advisory Committee
6. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS
Chair McShane – He and Director Phillips toured Vistra Moss Landing Energy Storage Facility.
7. REPORT FROM AIR POLLUTION CONTROL OFFICER
Richard Stedman, APCO, reported on the following:

Advisory Committee

- The Advisory Committee met on March 3, 2022. They received a presentation on the District's AB 2766 program and provided comments.

District Business

Engineering

- Our Engineering team began reviewing the final rule on our Best Available Retrofit Control Technology (BARCT) implementation schedule. The potential rule under review would apply to lime kilns which operate at the Lhoist Natividad plant. We are collecting and reviewing information about control technologies for lime kilns.
- The California Air Resources Board finalized the Gasoline Service Station Industrywide Risk Assessment Technical Guidance on March 11. This document provides the methodology for our risk review of toxic air contaminants released from gas stations. This review supports the AB2588 Air Toxics Hot Spots program.

Compliance

- We received three applications for our open Inspector I/II position which closed on March 9. Our next step will be to conduct interviews.

- We received six odor complaints from Marina residents since the last Board meeting. We anticipate the number of complaints may begin to decrease as the meteorological conditions change. Typically, we receive complaints in the months of October to March when the wind direction can have a northerly component. In the months of April to September, the wind direction is more predominantly from the west, and we receive fewer complaints.

Planning and Air Monitoring

- The Monterey Bay Electric Vehicle Incentive Program, which provides residents with an incentive to purchase new and used all-electric or plug-in electric vehicles is continuing with 177 approved applications, nine of which are low-income. \$247,000 has been obligated, and \$203,000 is remaining.
- The Monterey Bay Electric Bicycle Incentive Program, which provides residents with an incentive to purchase Type 1, 2, and 3 eBikes is continuing with 9 approved applications. \$9,000 has been obligated, and \$41,000 is remaining.

Personnel

- Tyrone Bell's Biography:
 - promoted to Air Quality Planner I
 - with the District for 2-1/2 years as Air Quality Technician
 - went to college at North Carolina State University
 - graduated from Defense Language Institute where he studied Farsi
 - prior work: US Army Veterinary Corps. as a Veterinary Food Inspection Specialist
- Irene Miranda's Biography:
 - recently hired as Planner I
 - B.S. in Biology from UCLA
 - Ph.D. in Environmental Health Science from UCLA
 - developed Marine Protected Areas while working with Dept. of Fish and Wildlife
 - prior work: Air Pollution Control Specialist at Siskyou County APCD
- Celebrated Employee Appreciation Day with a lunch for all employees on March 4th
- The Monterey Bay Air Resources District received the District Transparency Certificate of Excellence by the Special District Leadership Foundation (SDLF) in recognition of its outstanding efforts to promote transparency and good governance.
- Electronic Newsletter published on April 1st
- Office Clean-up Day is on March 31st
- California Waiver
- Potential Legislation strengthening CARB's oversight of local air districts AB 2550 (Arambula)

CONSENT AGENDA

Motion: Approve items on the Consent Agenda. ***Action:*** Approve. ***Moved by*** Sandy Brown, ***Seconded by*** Chris Lopez.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 11).

Yes: Wendy Root Askew, Sandy Brown, Mary Ann Carbone, Ryan Coonerty, Zach Friend, Kollin Kosmicki, Mike LeBarre, Chris Lopez, Steve McShane, John Phillips, Sam Storey.

8. **Accepted and Filed** Summary of Actions for the February 16, 2022, Board of Directors Meeting
9. **Received and Filed** Budget to Actual Report for the Eight Months Ended February 28, 2022
10. **Accepted and Filed** Report of Summary of Mutual Settlement Program Actions for February 2022
11. **Approved** Chair McShane's Appointment of Eric Andresen to the District's Advisory Committee
12. **Resolution No. 22-004: Adopted** a Resolution Approving Destruction of Records in Accordance with the Records Retention Schedule and Records Destruction Policies D.9 and D.10 in the Administrative Policies and Procedures Manual

REGULAR AGENDA

13. **Resolution No. 22-005: Adopted** a Resolution Authorizing the Air Pollution Control Officer (APCO) to Apply a Portion of the AB2766 Annual Revenues Towards Funding and Implementing a Program for Motor Vehicle Emission-Reducing Grants Consistent with the Updated Criteria and Procedures Contained in the District's FY22-23 AB2766 Motor Vehicle Emission Reduction Grant Application Packet

Motion: Adopt the Resolution. **Action:** Approve. **Moved by** Kollin Kosmicki, **Seconded** Sam Storey.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 11).

Yes: Wendy Root Askew, Sandy Brown, Mary Ann Carbone, Ryan Coonerty, Zach Friend, Kollin Kosmicki, Mike LeBarre, Chris Lopez, Steve McShane, John Phillips, Sam Storey.

14. **Approved** Monterey Bay Air Resources District's (MBARD) Racial Equity Statement
- Motion:** Approve the statement. **Action:** Approve. **Moved by** Mike LeBarre, **Seconded** Mary Ann Carbone.
- Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 11).
- Yes:** Wendy Root Askew, Sandy Brown, Mary Ann Carbone, Ryan Coonerty, Zach Friend, Kollin Kosmicki, Mike LeBarre, Chris Lopez, Steve McShane, John Phillips, Sam Storey.

CLOSED SESSION

15. The Board met in Closed Session pursuant to Government Code section 54950, relating to the following:

- a. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Air Pollution Control Officer. **No reportable action.**
- b. Pursuant to Government Code section 54957.6, the Board will meet in closed session with its labor negotiators:

Agency representative: Steve McShane, Board Chair; Leslie J. Girard, Agency Counsel
Unrepresented employee: Air Pollution Control Officer. **No reportable action.**

16. **Close of Open Meeting at 2:20 p.m. – The Board adjourned out of Closed Session.**

Sirie Thongchua
Executive Assistant