



Air Pollution Control District Governing Board

Marcus Bush
Sean Elo-Rivera
Nathan Fletcher
Consuelo Martinez
Esther Sanchez

Jack Shu
Nora Vargas
Stephen Whitburn

DRAFT
STATEMENT OF PROCEEDINGS
AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD
FRIDAY, MARCH 19, 2021, AT 1:30 P.M.

A. REGULAR MEETING was called to order at 1:38 p.m.

Present: Board Members Nora Vargas, temporary Chair; Esther Sanchez, temporary Vice-Chair Esther Sanchez; Marcus Bush; Sean Elo-Rivera; Nathan Fletcher; Consuelo Martinez; Jack Shu; Stephen Whitburn; also, Robert Reider, Interim Air Pollution Control Officer; and Marvice Mazyck, Clerk of the Air Pollution Control District Governing Board.

B. PUBLIC COMMUNICATION

Written Public Comment was received from Don Wood regarding the Unified Port District's Shore Powering Program and read into the record by the Clerk.

Diane Takvorian provided comments to the Board on the establishment of the Air Pollution Control District Governing Board and California Assembly Bill 423.

Jack Monger spoke to the Board on the establishment of the Air Pollution Control District Governing Board and collaboration with the Industrial Environmental Association (IEA).

ACTION

Heard and referred to the Interim Air Pollution Control Officer.

C. INTERIM AIR POLLUTION CONTROL OFFICER REPORT

A report was provided to the Board by the Interim Air Pollution Control Officer

D. AGENDA ITEMS

1. **SELECTION OF TEMPORARY OFFICERS (CHAIR AND VICE CHAIR) OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD**

The Air Pollution Control District Governing Board (Board) is requested to elect a temporary Chair and Vice Chair. The temporary Chair will preside over the initial meetings of the Board; the temporary Vice Chair will preside over such meetings in the absence of the temporary Chair. The election of a Chair and Vice Chair to serve for the remainder of this calendar year will be considered following the appointment of the three public members and seating of the full eleven-member Board, which is scheduled for the next meeting on April 2, 2021.

Recommended by: Interim Air Pollution Control Officer

ACTION

ON MOTION of Member Fletcher, seconded by Member Whitburn, the Air Pollution Control District Governing Board took action to select Member Nora Vargas as temporary Chair and Member Esther Sanchez as temporary Vice Chair of the San Diego County Air Pollution Control District Governing Board.

AYES: Bush, Elo-Rivera, Fletcher, Martinez, Sanchez, Shu, Vargas, Whitburn

2. ADOPTION OF INTERIM BYLAWS FOR THE AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

The establishment of a new Air Pollution Control District Governing Board (Board) in accordance with AB 423 (Gloria, 2019) now necessitates the adoption of bylaws to govern how the Board will conduct its meetings and make decisions. In consultation with outside counsel, District staff developed the proposed Interim Bylaws to serve this purpose for the initial meetings of the Board. The Interim Bylaws establish meeting procedures and standards of decorum, encourage public participation, and facilitate compliance with the Ralph M. Brown Act, the Political Reform Act, and other state open meeting, conflict of interest, and ethical requirements. A set of similar, final bylaws will be presented for the Board's consideration at a subsequent meeting following the appointment of the three public members and seating of the full eleven-member Board, which is scheduled for the next meeting on April 2, 2021.

Recommended by: Interim Air Pollution Control Officer

ACTION

ON MOTION of Member Sanchez, seconded by Member Martinez, the Air Pollution Control District Governing Board took action as recommended to adopt the San Diego County Air Pollution Control District Governing Board interim bylaws.

AYES: Bush, Elo-Rivera, Fletcher, Martinez, Sanchez, Shu, Vargas, Whitburn

3. ADOPTION OF PROCEDURES FOR THE APPOINTMENT OF PUBLIC MEMBERS TO THE AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

In accordance with AB 423 (2019, Gloria, codified at California Health and Safety Code Section 40100.6(a)(4)), the Air Pollution Control District Governing Board (Board) will, at a future public hearing, appoint three public members to the Board – one physician or public health professional, one individual representing environmental justice interests, and one individual with a scientific or technical background in air pollution. These members are to be appointed based upon their demonstrated interest and proven ability in the field of air pollution control and their understanding of the needs of the general public in connection with the air pollution problems of the San Diego Air Basin. In consultation with outside counsel, District staff developed Attachment A of the Interim Bylaws, which contain proposed procedures for the Board's appointment of its public members, consistent with the

requirements of AB 423. District staff requests the Board's adoption of these procedures, in anticipation of the appointment of the public members at the next regularly scheduled meeting on April 2, 2021. The availability of the public member application form (Attachment 2) was publicly noticed by the District via its public website at www.sdapcd.org, email listserv with approximately 4,500 recipients, social media platforms, and other communications with a wide range of stakeholders. Applications are due to the Clerk of the Board by March 23, 2021, in accordance with the proposed procedures.
Recommended by: Interim Air Pollution Control Officer

ACTION

ON MOTION of Member Bush, seconded by Member Sanchez, the Air Pollution Control District Governing Board took action as recommended to adopt Attachment A to the interim bylaws entitled: "Procedures for Appointment of Governing Board Public Members".

AYES: Bush, Elo-Rivera, Fletcher, Martinez, Sanchez, Shu, Vargas, Whitburn

4. REQUEST FOR APPROVAL TO HOLD THE NEXT APCD GOVERNING BOARD MEETING ON APRIL 2, 2021 AT 1:30 P.M.

ACTION

ON MOTION of Member Sanchez, seconded by Member Shu, the Air Pollution Control District Governing Board set the next meeting of the Board on April 2, 2021 at 1:30 p.m.

AYES: Bush, Elo-Rivera, Fletcher, Martinez, Sanchez, Shu, Vargas, Whitburn

The Board adjourned the March 19, 2021 meeting at 2:09 p.m.

NOTE: This Statement of Proceedings sets forth all actions taken by the San Diego County Air Pollution Control District Governing Board on the matters stated.