

January 27, 2021

STATEMENT OF PROCEEDINGS

The Minutes of the

***AIR POLLUTION CONTROL BOARD
REGULAR MEETING***

**COUNTY OF SAN DIEGO
AIR POLLUTION CONTROL DISTRICT**

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO AIR POLLUTION CONTROL BOARD
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JANUARY 27, 2021, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

A. REGULAR SESSION: Meeting was called to order at 9:00 a.m.

PRESENT: Members Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson, Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Air Pollution Control Board attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

B. Non-Agenda Public Communication: No Speakers

C. Approval of the Statement of Proceedings/Minutes for the meeting of December 9, 2020.

ACTION:

ON MOTION of Member Anderson, seconded by Member Lawson-Remer, the Air Pollution Control Board of the San Diego County Air Pollution Control District approved the Statement of Proceedings/Minutes for the meeting of December 09, 2020, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

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

Agenda Items

Agenda #	Subject
1.	AIR POLLUTION CONTROL DISTRICT FUNDS CONVERSION AND TRANSFER OF APPROPRIATIONS (4 VOTES)

1. SUBJECT: AIR POLLUTION CONTROL DISTRICT FUNDS CONVERSION AND TRANSFER OF APPROPRIATIONS (DISTRICTS: ALL)

OVERVIEW

The San Diego County Air Pollution Control District (APCD) is an independent local air pollution control district pursuant to the California Health and Safety Code. The APCD is a separate legal entity but has functioned operationally within the organizational and fiscal structure of the County and has received services from County officers and employees. California Assembly Bill 423 (Gloria, 2019) amended the California Health and Safety Code to require the composition of the APCD Board to include County, City, and public members as of March 1, 2021. Because of the change in the composition of the APCD Board, on March 1, 2021, the APCD will cease to be part of the County organizational and fiscal structure. On August 5, 2020 (AP01) the Board of Supervisors and the APCD Board approved a services agreement between the County and the APCD that memorializes the performance and payment of services provided by the County currently and those that will be provided for the APCD as of March 1, 2021.

Today's proposed action would authorize the Auditor and Controller and the Air Pollution Control Officer to take necessary actions to effectuate the fiscal structural separation of the APCD from the County. This includes the transition of special revenue accounts currently managed by the County to new fiduciary accounts that will be managed by the APCD. Additionally, the proposed action would authorize Air Pollution Control Officer to transfer 164 positions (164 staff years) from Air Pollution Control Department Business Unit (A9110) to Air Pollution Control Department AB 423 Business Unit (A9120). Per AB 423, the current County employees will remain County of San Diego employees.

RECOMMENDATION(S)

AIR POLLUTION CONTROL OFFICER

1. Authorize the Auditor and Controller to close and deactivate the special revenue Air Pollution Control District Operations Fund (12050) and open and activate the fiduciary Air Pollution Control District Operations AB 423 Fund (49050) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
2. Authorize the Auditor and Controller to close and deactivate the special revenue Air Pollution Control Air Quality Improvement Trust Fund (12100) and opened and activate the fiduciary Air Pollution Control Air Quality Improvement AB 423 Trust Fund (49000) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
3. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality State Moyer Program Fund (12101) and open and activate the fiduciary Air Quality State Moyer Program AB 423 Fund (49010) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.

4. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality Proposition 1B GMERP Fund (12104) and open and activate the fiduciary Air Quality Proposition 1B GMERP AB 423 Fund (49040) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
5. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality FARMER Program Fund (12109) and open and activate the fiduciary Air Quality FARMER Program AB 423 Fund (49090) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
6. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality Community AB 617 Fund (12110) and open and activate the fiduciary Air Quality Community AB 617 AB 423 Fund (49030) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
7. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality Clean Cars 4 All Fund (12111) and open and activate the fiduciary Air Quality Clean Cars 4 All AB 423 Fund (49015) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
8. Authorize the Auditor and Controller to close and deactivate the special revenue Air Pollution Control Fund (61012) and open and activate the fiduciary Air Pollution Control AB 423 Fund (49060) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
9. Authorize the Auditor and Controller to close and deactivate the special revenue Air Quality T&M Application Fees Fund (61013) and open and activate the fiduciary Air Quality T&M Application Fees AB 423 Fund (49070) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.
10. Authorize the Auditor and Controller to close and deactivate the special revenue Air Pollution Control District Suspense Fund (61014) and open and activate the fiduciary Air Pollution Control District Suspense AB 423 Fund (49080) with interest earnings allocated and distributed to the fund and authorize the Air Pollution Control Officer to perform necessary transactions in order to operate in the opened and activated fund, effective March 1, 2021.

11. Authorize the Air Pollution Control Officer to cancel and re-establish remaining appropriations and related revenues of up to \$80.1 million, and transfer all assets and liabilities, and take necessary actions as of March 1, 2021 from the closed and inactivated funds to the opened and activated funds. **(4 VOTES)**
12. Authorize the Air Pollution Control Officer to perform necessary transactions in order to transfer functions and staff (up to 164 positions and 164 staff years) from Air Pollution Control Department Business Unit (A9110) to Air Pollution Control Department AB 423 Business Unit (A9120).

FISCAL IMPACT

If approved, this request will result in the cancellation and re-establishment of up to \$80.1 million in appropriations and related revenue in Fiscal Year 2020-21 in the Air Pollution Control District to the new fiduciary accounts that will be managed by the APCD. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Member Anderson, seconded by Member Lawson-Remer, the Air Pollution Control Board of the San Diego County Air Pollution Control District took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

There being no further business, the Air Pollution Control Board of the San Diego County Air Pollution Control District adjourned at 2:25 p.m.

ANDREW POTTER
Air Pollution Control Board
San Diego County Air Pollution Control District

Notes: Rodriguez

NOTE: This Statement of Proceedings sets forth all actions taken by the San Diego County Air Pollution Control Board on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Members of the Board, on Wednesday, February 10, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board