

December 9, 2020

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, DECEMBER 9, 2020, 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 Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; 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 November 18, 2020.

ACTION:

ON MOTION of Member Jacob, seconded by Member Gaspar, the Air Pollution Control Board of the San Diego County Air Pollution Control District approved the Statement of Proceedings/Minutes for the meeting of November 18, 2020.

AYES: Cox, Jacob, Gaspar, 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.	NOTICED PUBLIC HEARING: ADOPT AMENDMENTS TO RULE 40 (PERMIT AND OTHER FEES) TO IMPLEMENT THE DEFERRAL OF PERMIT RENEWAL FEES AS DIRECTED ON OCTOBER 27, 2020

**1. SUBJECT: NOTICED PUBLIC HEARING:
ADOPT AMENDMENTS TO RULE 40 (PERMIT AND OTHER FEES)
TO IMPLEMENT THE DEFERRAL OF PERMIT RENEWAL FEES AS
DIRECTED ON OCTOBER 27, 2020 (DISTRICTS: ALL)**

OVERVIEW

On May 5, 2020 (AP1), the Air Pollution Control Board (Board) took unanimous action to defer payment of Air Pollution Control District permit renewal fees normally due between July 1, 2020 and December 31, 2020 until December 31, 2020. On October 27, 2020 (AP1), the Board directed the Air Pollution Control Officer to take the necessary steps to implement a deferral of the Air Pollution Control District's permit renewal fees for an additional period of three months. This action was taken to provide businesses extra time to recover from the economic impacts of the COVID-19 pandemic and to facilitate the swift reopening of closed businesses once the health order is lifted.

Today's requested action is to adopt the proposed amendments to Rule 40 (Permit and Other Fees) in order to implement the Board's directive. Permit renewal fees that are normally due to be paid between July 1, 2020 and March 31, 2021, will be due instead by April 1, 2021.

RECOMMENDATION(S)

AIR POLLUTION CONTROL OFFICER

1. Find that the amendment of Rule 40 is exempt from the California Environmental Quality Act (CEQA) as specified under section 15273 of the CEQA Guidelines as CEQA does not apply to the establishment, modification, structuring, restructuring or approval of fares and other charges by public agencies which are for the purpose of meeting operating expenses.
2. Adopt the Resolution entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 40 - PERMITS AND OTHER FEES, OF REGULATION III OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT, TO IMPLEMENT THE DEFERRAL OF PERMIT RENEWAL FEES AS DIRECTED ON OCTOBER 27, 2020.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2020-21 Operational Plan for the Air Pollution Control District. If approved, the additional three-month deferral of permit renewal fees equates to delayed cash flow totaling an estimated \$3.75 million in Fiscal Year 2020-21, which will be mitigated by available prior year fund balance of the Air Pollution Control District Fund. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

This action will have a direct positive impact to businesses by deferring fees.

ACTION:

ON MOTION of Member Jacob, seconded by Member Gaspar, the Air Pollution Control Board of the San Diego County Air Pollution Control District took action as recommended, on Consent, adopting Resolution No. 20-191 entitled: RESOLUTION ADOPTING AMENDMENTS TO RULE 40 - PERMITS AND OTHER FEES, OF REGULATION III OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT, TO IMPLEMENT THE DEFERRAL OF PERMIT RENEWAL FEES AS DIRECTED ON OCTOBER 27, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

There being no further business, the Air Pollution Control Board of the San Diego County Air Pollution Control District adjourned at 2:12 p.m.

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

Notes: Santiago

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, January 27, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board