

**COUNTY OF SAN DIEGO CITY SELECTION COMMITTEE
SPECIAL MEETING NOTICE**

TO ALL CITY MAYORS IN SAN DIEGO COUNTY

Notice is hereby given to you as a member of the City Selection Committee that the Chair has called a Special Meeting, pursuant to the Rules and Regulations of the Committee, as follows:

DATE OF SPECIAL MEETING: Monday, February 8, 2021
TIME: 11:00 a.m.
PLACE: Virtual/Remote Meeting

To join the meeting, click this link: <https://sdcountry-ca-gov.zoom.us/j/89612834470>
Meeting Passcode: sdcsc

To join the meeting by phone, dial: (888) 475 4499 or (877) 853-5257
Webinar ID: 896 1283 4470

If you have any questions, please contact Grace Andoh at (619) 531-4870 or email Grace.Andoh@sdcountry.ca.gov.

Respectfully,



ANDREW POTTER
Secretary of the City Selection Committee

**AGENDA CITY SELECTION COMMITTEE SPECIAL MEETING
MONDAY, FEBRUARY 8, 2021, 11:00 AM**

A. Call to Order

Attachment: City Selection Committee Roster

B. Approval of Statement of Proceedings/Minutes for the Meeting of August 12, 2019

Attachment: Draft Minutes

C. Proposed Changes to Rules and Regulations of the City Selection Committee

Attachment: Proposed Changes to CSC Rules and Regulations in strikeout and clean versions, CA Government Code Section 50270-50279.4

D. Appointment of City Council Members from Each of the Five Supervisorial District to the Air Pollution Control District Governing Board (Pursuant to AB 423)

Attachments: Briefing Document from San Diego County Air Pollution Control District

NOTE: No other subject matter will be discussed at this meeting.

cc: Local Agency Formation Commission; County Counsel (A-12); Office of Intergovernmental Affairs (A-6);
Communications Received

CITY SELECTION COMMITTEE

CITY	REPRESENTATIVE	TITLE	ADDRESS	PHONE NO	FAX NO
Carlsbad	Matt Hall	Mayor	1200 Carlsbad Village Dr. Carlsbad, CA 92008-1989 council@carlsbadca.gov	(760) 801-8055	(760) 720-9461
Chula Vista	Mary Casillas Salas	Mayor	276 Fourth Ave. Chula Vista, CA 91910-2631 msalas@chulavistaca.gov	(619) 691-5044	(619) 476-5379
Coronado	Mayor Richard Bailey	Mayor	1825 Strand Wy. Coronado, CA 92118-3099 rbailey@coronado.ca.us		(619) 522-2407
Del Mar	Terry Gaasterland	Mayor	1050 Camino Del Mar Del Mar, CA 92014-2604 tgaasterland@delmar.ca.us		
El Cajon	Bill Wells	Mayor	200 Civic Center Wy. El Cajon, CA 92020-3912 bwells@cityofelcajon.us	(619) 441-1788	(619) 441-1770

Updated on January 6, 2021

Chairwoman: Mayor Alejandra Sotelo-Solis

Vice Chairman: Mayor John Minto

CITY SELECTION COMMITTEE

CITY	REPRESENTATIVE	TITLE	ADDRESS	PHONE NO	FAX NO
Encinitas	Catherine Blakespear	Mayor	505 S. Vulcan Ave. Encinitas, CA 92024-3633 cblakespear@encinitasca.gov	(760) 633-2618	(760) 633-2627
Escondido	Paul “Mac” McNamara	Mayor	201 N. Broadway Escondido, CA 92025-2709 pmcnamara@escondido.org	(760) 839-4610	(760) 839-4578
Imperial Beach	Serge Dedina	Mayor	825 Imperial Beach Blvd. Imperial Beach, CA 91932-2702 serge.dedina@imperialbeachca.gov	(619) 423-8303	(619) 628-1395
La Mesa	Mark Arapostathis	Mayor	8130 Allison Ave. La Mesa, CA 91941-5002 marapostathis@ci.la-mesa.ca.us	(619) 667-1100	(619) 462-7528
Lemon Grove	Raquel Vasquez	Mayor	3232 Main St. Lemon Grove, CA 91945-1705 rvasquez@lemongrove.ca.gov	(619) 825-3819	(619) 825-3804

Updated on January 6, 2021

Chairwoman: Mayor Alejandra Sotelo-Solis

Vice Chairman: Mayor John Minto

CITY SELECTION COMMITTEE

CITY	REPRESENTATIVE	TITLE	ADDRESS	PHONE NO	FAX NO
National City	A. Sotelo-Solis	Mayor	1243 National City Blvd. National City, CA 91950-4397 asotelosolis@nationalcity.ca.gov	(619) 336-4283	(619) 336-4239
Oceanside	Esther C. Sanchez	Mayor	300 North Coast Hwy. Oceanside, CA 92054-2824	(760) 435-3057	(760) 435-6058
Poway	Steve Vaus	Mayor	13325 Civic Center Dr. Poway, CA 92064-5755 svaus@poway.org	(858) 668-4522	(858) 668-1205
San Diego	Todd Gloria	Mayor	202 C St., 11 th Floor San Diego, CA 92101 mayortoddgloria@sandiego.gov	(619) 236-6330	(619) 236-7228

Updated on January 6, 2021

Chairwoman: Mayor Alejandra Sotelo-Solis

Vice Chairman: Mayor John Minto

CITY SELECTION COMMITTEE

CITY	REPRESENTATIVE	TITLE	ADDRESS	PHONE NO	FAX NO
San Marcos	Rebecca Jones	Mayor	1 Civic Center Dr. San Marcos, CA 92069-2949 rjones@san-marcos.net	(760) 744-1050 Ext. 3150	(760) 744-9058
Santee	John Minto	Mayor	10601 Magnolia Ave. Santee, CA 92071-1266 jminto@cityofsanteeca.gov	(619) 258-4100 Ext. 295	(619) 562-0649
Solana Beach	Lesa Heebner	Mayor	635 S. Highway 101 Solana Beach, CA 92075-2215 lheebner@cosb.org	(858) 720-2495	(858) 792-6513
Vista	Judy Ritter	Mayor	200 Civic Center Dr. Vista, CA 92084-6240 jritter@cityofvista.com	(760) 639-6130	(760) 639-6132
Secretary of the Committee	Andrew Potter Attn: Grace Andoh	Secretary	County of San Diego Clerk of the Board of Supervisors 1600 Pacific Highway, Room 402 San Diego, CA 92101 Grace.Andoh@sdcounty.ca.gov	(619) 531-4780	(619) 531-6098

Updated on January 6, 2021

Chairwoman: Mayor Alejandra Sotelo-Solis

Vice Chairman: Mayor John Minto

**CITY SELECTION COMMITTEE
MINUTES
SPECIAL MEETING, AUGUST 12, 2019, 11:00 AM
FOUR POINTS SHERATON HOTEL
8110 AERO DRIVE, SAN DIEGO, CALIFORNIA**

The Special Meeting of the City Selection Committee was called to order at 11:24 a.m.

CITIES PRESENT:

Chula Vista	Mayor Mary Casillas Salas
El Cajon	Councilmember Phil Ortiz
Imperial Beach	Mayor Serge Dedina
La Mesa	Councilmember Bill Baber
National City	Mayor Alejandra Sotelo-Solis
Oceanside	Deputy Mayor Jack Feller
Poway	Councilmember Barry Leonard
San Marcos	Mayor Rebecca Jones
Solana Beach	Deputy Mayor Jewel Edson
Vista	Councilmember Amanda Rigby

CITIES

ABSENT:

Carlsbad	Mayor Matt Hall
Coronado	Mayor Richard Bailey
Del Mar	Mayor David Druker
Encinitas	Mayor Catherine Blakespear
Escondido	Mayor Paul McNamara
Lemon Grove	Mayor Racquel Vasquez
San Diego	Mayor Kevin Faulconer
Santee	Mayor John Minto

A. PUBLIC COMMUNICATION – No Speakers

**B. APPROVAL OF STATEMENT OF PROCEEDINGS/MINUTES FOR THE MEETING
OF FEBRUARY 11, 2019**

ACTION:

ON MOTION of Councilmember Bill Baber, seconded by Mayor Rebecca Jones, the City Selection Committee approved the Statement of Proceedings/Minutes for the meeting of February 11, 2019.

AYES:

Chula Vista	Mayor Mary Casillas Salas
El Cajon	Councilmember Phil Ortiz
Imperial Beach	Mayor Serge Dedina

La Mesa	Councilmember Bill Baber
National City	Mayor Alejandra Sotelo-Solis
Oceanside	Deputy Mayor Jack Feller
Poway	Councilmember Barry Leonard
San Marcos	Mayor Rebecca Jones
Solana Beach	Deputy Mayor Jewel Edson
Vista	Councilmember Amanda Rigby

CITIES**ABSENT:**

Carlsbad	Mayor Matt Hall
Coronado	Mayor Richard Bailey
Del Mar	Mayor David Druker
Encinitas	Mayor Catherine Blakespear
Escondido	Mayor Paul McNamara
Lemon Grove	Mayor Racquel Vasquez
San Diego	Mayor Kevin Faulconer
Santee	Mayor John Minto

C. APPOINTMENT TO FILL THE CITY'S ALTERNATE POSITION ON THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) BY A MEMBER FROM NORTH INLAND COUNTY SUB-REGION FOR A FOUR-YEAR TERM TO EXPIRE MAY 1, 2023

ACTION:

On MOTION of Councilmember Bill Baber, seconded by Deputy Mayor Jewel Edson, the City Selection Committee appointed Mayor Paul McNamara as the alternate member from North Inland County Sub-Region to the Local Agency Formation Commission (LAFCO) for a four-year term to expire May 1, 2023.

AYES:

Chula Vista	Mayor Mary Casillas Salas
El Cajon	Councilmember Phil Ortiz
Imperial Beach	Mayor Serge Dedina
La Mesa	Councilmember Bill Baber
National City	Mayor Alejandra Sotelo-Solis
Oceanside	Deputy Mayor Jack Feller
Poway	Councilmember Barry Leonard
San Marcos	Mayor Rebecca Jones
Solana Beach	Deputy Mayor Jewel Edson
Vista	Councilmember Amanda Rigby

CITIES**ABSENT:**


Carlsbad	Mayor Matt Hall
Coronado	Mayor Richard Bailey
Del Mar	Mayor David Druker

Encinitas	Mayor Catherine Blakespear
Escondido	Mayor Paul McNamara
Lemon Grove	Mayor Racquel Vasquez
San Diego	Mayor Kevin Faulconer
Santee	Mayor John Minto

The Committee adjourned the meeting at 11:27 a.m.

Respectfully submitted,

ANDREW POTTER
Secretary of the City Selection Committee

By 
Grace Andoh, Deputy

cc: Communications Received

RULES AND REGULATIONS OF THE CITY SELECTION COMMITTEE OF THE COUNTY OF SAN DIEGO

Section 1. Authority

Statutes 1973, Chapter 43 amending Sections 50270 et seq. of the Government Code relating to establishment and organization of City Selection Committees. At that time Section 50275 of the Government Code was amended to read as follows:

"In order to carry out the provisions and purposes of this article, a city selection committee shall formulate and adopt rules and regulations to govern the conduct of their meetings and the selection of city representatives. Such rules and regulations shall include, but not be limited to, the term of office of the chairman and vice chairman of the city selection committee, such term to be not less than one year nor more than four years, the time and place of the committee's regular meetings, a procedure for nominating and selecting city representatives, and the manner in which voting by the city selection committee shall be conducted."

These rules and regulations are adopted pursuant to Section 50275 of the Government Code.

Section 2. Term of Office of the Chairperson and Vice Chairperson

The term of office of the Chairperson and Vice Chairperson of the City Selection Committee shall be not less than one year nor more than four years. The Chairperson and Vice Chairperson shall hold office during the term for which they are elected and until their successors have been appointed and qualified. In case of a vacancy in the Chairpersonship or Vice Chairpersonship the same shall be filled at the next occurring regular or special meeting of the City Selection Committee. In case of a vacancy in the Chairpersonship of the City Selection Committee, the Vice Chairperson shall act as Chairperson and shall have all the powers of the Chairperson.

Section 3. Meetings

The City Selection Committee shall meet annually on the second Monday of October in each year. Said meeting will be held at 11:00 in the morning in the conference room of the Clerk of the Board of Supervisors of the County of San Diego, Room 402, 1600 Pacific Highway, San Diego, California or at a duly noticed location designated by the Chairperson. In addition to the regular meetings of the City Selection Committee, special meetings may be called at a time and place designated by the Chairperson pursuant to Section 50277 of the Government Code. Notice of regular and special meetings shall be given by the Secretary of the Committee pursuant to Section 50278 of the Government Code. All meetings including without limitation regular, adjourned regular and special meetings shall be called, noticed and held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with §54950 of the Government Code of the State of California).

Section 4. Nomination and Selection of City Representatives to Local Agency Formation Commission (LAFCO) City Offices

A. Purpose and Scope

Notwithstanding any other procedure for the appointment of a city representative to the office of an agency ("City Office"), appointment of a city representative to a City Office on the San Diego Local Agency Formation Commission ("LAFCO"), by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule. The purpose of this rule is to encourage the rotation on City representation of this very important Commission among the various sections of the County.

B. Definitions and References

LAFCO rules and regulations permit the City Selection Committee to designate a person from among the Mayors or Mayor's Designee of participating cities ("Representative") to fill three designated offices on the LAFCO Board ("LAFCO City Offices"), two (2) of which LAFCO City Offices shall be entitled to vote, if present, ("Regular LAFCO City Office") and one (1) of which shall be entitled to vote in the absence of the person assigned to a Regular LAFCO City Office ("Alternative LAFCO City Office").

The City Selection Committee desires that the two Regular LAFCO City Offices and the Alternate LAFCO City Office rotate between the cities of four Sub-regions of the County: North Coastal, North Inland, East and South--on a regular basis.

The North Coastal shall consist of the cities of Carlsbad, Del Mar, Encinitas, Oceanside and Solana Beach.

The North Inland shall consist of the cities of Escondido, Poway, San Marcos and Vista.

The East County shall consist of the cities of El Cajon, La Mesa, Lemon Grove and Santee.

The South County shall consist of the cities of Chula Vista, Coronado, National City and Imperial Beach.

C. Term of LAFCO City Office

Each of the three (3) LAFCO City Offices shall be for a term of four (4) years.

D. Rotation of Nomination Rights: Assignment to Subregions.**1. Rotation**

The City Selection Committee shall rotate two regular positions and one alternate position among the four sub-regions. After serving two years as an alternate, a sub-region then rotates into the two regular positions for a total of four years. After that time, the sub-region is removed from the rotation for two years and then rejoins the rotation again as an alternate.

Year	Regular	Regular	Alternate	Off
May 2003	East	South	North Inland	North Coastal
May 2004	East	South	North Inland	North Coastal
May 2005	South	North Inland	North Coastal	East
May 2006	South	North Inland	North Coastal	East
May 2007	North Inland	North Coastal	East	South
May 2008	North Inland	North Coastal	East	South
May 2009	North Coastal	East	South	North Inland
May 2010	North Coastal	East	South	North Inland
May 2011	East	South	North Inland	North Coastal
May 2012	East	South	North Inland	North Coastal
May 2013	South	North Inland	North Coastal	East
May 2014	South	North Inland	North Coastal	East
May 2015	North Inland	North Coastal	East	South
May 2016	North Inland	North Coastal	East	South
May 2017	North Coastal	East	South	North Inland
May 2018	North Coastal	East	South	North Inland
May 2019	East	South	North Inland	North Coastal
May 2020	East	South	North Inland	North Coastal

Year	Regular	Regular	Alternate	Off
May 2021	South	North Inland	North Coastal	East
May 2022	South	North Inland	North Coastal	East
May 2023	North Inland	North Coastal	East	South
May 2024	North Inland	North Coastal	East	South
May 2025	North Coastal	East	South	North Inland
May 2026	North Coastal	East	South	North Inland
May 2027	East	South	North Inland	North Coastal
May 2028	East	South	North Inland	North Coastal
May 2029	South	North Inland	North Coastal	East
May 2030	South	North Inland	North Coastal	East
May 2031	North Inland	North Coastal	East	South
May 2032	North Inland	North Coastal	East	South

2. Subregion Nomination Process Rules

Each Mayor from the respective sub-region can nominate an individual to the Committee. The respective Sub-region can submit one nomination to the Committee with the understanding that there had been some dialogue and consideration for the nomination.

3. Committee Ratification

All nominations by a Sub-region must be ratified by majority vote of the Committee of the Whole, and upon ratification shall be deemed to be the appointee of the City Selection Committee to the designated LAFCO City Office.

E. Filling Vacancy During Term

Upon occurrence of a vacancy in a City Office on the LAFCO Board ("LAFCO City Office") during the term of any LAFCO City Officer, regardless of cause (disqualification of existing incumbent due to loss of office, death or disability, etc.), the vacancy shall be filled for the unexpired remaining term.

1. Vacancy in First 3½ Years of Nominal Term

If the vacancy occurs within the first 3½ years of the Nominal Term, the vacant LAFCO City Office shall be filled by the nomination of a replacement LAFCO City Officer from the Sub-region which elected the original LAFCO City Officer. Said nomination shall be ratified by the majority vote of the Committee of the Whole. Upon ratification, said nominee shall serve for the unexpired portion of said Nominal Term.

2. Vacancy in 6 months of Normal Expiration

If the vacancy occurs within 6 months of the normal expiration of the Nominal Term, the Vacant LAFCO City Office shall be filled by the nomination of a replacement LAFCO City Officer from the next rotating sub-region. Said nomination shall be ratified by the Committee of the Whole. Upon ratification, said nominee shall serve for the remaining unexpired portion of that Nominal Term plus the next full Nominal Term.

Section 4.5. Nomination and Selection of Members of the San Diego County Air Pollution Control District Governing Board

A. Purpose and Scope

Notwithstanding any other procedure for the appointment of a city representative to the office of an agency ("City Office"), appointment of a city representative to the San Diego County Air Pollution Control District governing board ("APCD Board") by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule.

B. Definitions and References

1. California Health and Safety Code section 40100.6(a)(3)(A) provides that five members of the APCD Board shall be selected as follows, "One city council member from each of the five supervisorial districts. Those five members shall be selected by city selection committees representing the cities of that supervisorial district." California Health and Safety Code Section 40100.6(a)(3)(B) provides that, "A city shall not have more than two members."

2. The following subcommittees of the City Selection Committee shall

nominate and select members of the APCD Governing Board:

The Supervisorial District 1 city selection subcommittee shall consist of the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego.

The Supervisorial District 2 city selection subcommittee shall consist of the cities of El Cajon, La Mesa, Lemon Grove, Poway, San Diego, and Santee.

The Supervisorial District 3 city selection subcommittee shall consist of the cities of Del Mar, Encinitas, Escondido, San Diego, and Solana Beach.

The Supervisorial District 4 city selection subcommittee shall consist of the City of San Diego.

The Supervisorial District 5 city selection subcommittee shall consist of the cities of Carlsbad, Oceanside, San Marcos, and Vista.

C. Term of APCD Board Office

Each of the five APCD Board members shall serve for a term of four (4) years, and until that member's successor is appointed. Notwithstanding, if the APCD Board member ceases to be a city council member, the City Selection Committee shall meet to select a new member in accordance with the process specified in this section.

D. Criteria for Member Selection

1. California Health and Safety Code section 40100.6(b) provides that, "All members shall be appointed on the basis of 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."

2. California Health and Safety Code section 40100.6(c) provides that, "All members shall reside within the boundaries of the San Diego County Air Pollution

Control District.” The boundaries of the San Diego County Air Pollution Control District are contiguous with the boundaries of the County of San Diego.

E. Nomination and Selection of APCD Board Members

The process for nomination and selection of APCD Board members shall proceed according to sections 5 and 6 of these rules, except that only those members of the city selection subcommittees specified in Section 4.5(B) may nominate and vote upon the nominations for APCD Board members to be appointed from their respective supervisorial district.

Section 5. Nomination and Selection of City Representatives to Non-LAFCO City Offices Which Are Vacant at Time Selection is Made

A. Appointment of a City Representative to the office of an agency ("City Office"), other than the San Diego Local Agency Formation Commission ("LAFCO"), by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule if the City Office is vacant at the time the selection is made.

B. Except in the case of an appointment to a City Office on LAFCO (which is governed by Rule 4), any member of the City Selection Committee is entitled to nominate any eligible person for the vacant City Office position. Nominations need not be seconded. After allowing a reasonable time for nominations to be made, the Chairperson shall inquire if there are further nominations and if there is no response he shall declare the nominations closed without a motion to that effect. After nominations have been closed but before the election has been held, the nominations may be opened upon motion by a majority vote of the members present and voting.

C. When the nominations are completed the Chairperson shall call for the election for the vacant position to be filled by the City Selection Committee. The election shall take place by voice vote. A candidate who receives a majority of the votes cast shall be declared elected to the vacant position. If no candidate receives a majority vote for a vacant position the Chairperson shall immediately conduct a run-off election between the two candidates receiving the largest plurality of votes. The candidate in the run-off election who receives the majority of votes cast shall be declared elected. An election takes effect immediately if the candidate is present and does not decline or if he is absent and has consented to his candidacy and a notice of such consent has been filed in writing with the Chairperson prior to the election. If the candidate is absent and has not filed such a notice of consent, the election will take effect when he is notified of his election provided that he does not decline immediately. If the elected candidate declines to accept the position, the process of nomination and election shall be repeated at the earliest practical

time.

Section 6. Nomination and Selection of City Representatives to Non-LAFCO City Offices Which Are Not Vacant at Time Selection is Made

A. Except in the case of an appointment to a City Office on LAFCO (which is governed by Rule 4), appointment of City Representatives by the City Selection Committee shall be made pursuant to this rule rather than Rule 5 if the position to which the appointment is to be made is not vacant at the time that the City Representative is nominated and selected.

B. Nominations shall be made, closed and opened in the manner provided in Rule 5B hereof.

C. Election for the position shall be held and such election shall take effect in the manner provided in Rule 5C hereof, provided however that if the position for which the election is held is not vacant at the time of the election, the term of office of the City Representative-Elect shall not commence until the term of office of the incumbent City Representative has expired or the position is otherwise vacated.

Section 7. Voting

The City Selection Committee shall vote on matters before it by voice vote. As to each motion made and duly seconded each member may vote "Aye" or "No" or may abstain from voting. The Chair shall declare whether the motion is carried or lost. Any motion made and duly seconded in the City Selection Committee shall be carried by a majority vote. A majority vote is a majority of the votes cast ignoring abstentions.

Adopted 4/17/74 by Committee

Amended 4/14/75 by Committee

Amended 7/1/85 by Committee

Amended 12/9/91 by Committee

Amended 3/14/94 by Committee

Amended 1/9/95 by Committee

Amended 4/25/03 by Committee

Amended 4/28/17 by Committee

Amended (date of amendment) by Committee

RULES AND REGULATIONS OF THE CITY SELECTION COMMITTEE OF THE COUNTY OF SAN DIEGO

Section 1. Authority

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Section 4. Nomination and Selection of City Representatives to Local Agency Formation Commission (LAFCO) City Offices

A. Purpose and Scope

Notwithstanding any other procedure for the appointment of a city representative to the office of an agency ("City Office"), appointment of a city representative to a City Office on the San Diego Local Agency Formation Commission ("LAFCO"), by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule. The purpose of this rule is to encourage the rotation on City representation of this very important Commission among the various sections of the County.

B. Definitions and References

LAFCO rules and regulations permit the City Selection Committee to designate a person from among the Mayors or Mayor's Designee of participating cities ("Representative") to fill three designated offices on the LAFCO Board ("LAFCO City Offices"), two (2) of which LAFCO City Offices shall be entitled to vote, if present, ("Regular LAFCO City Office") and one (1) of which shall be entitled to vote in the absence of the person assigned to a Regular LAFCO City Office ("Alternative LAFCO City Office").

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The East County shall consist of the cities of El Cajon, La Mesa, Lemon Grove and Santee.

The South County shall consist of the cities of Chula Vista, Coronado, National City and Imperial Beach.

C. Term of LAFCO City Office

Each of the three (3) LAFCO City Offices shall be for a term of four (4) years.

D. Rotation of Nomination Rights: Assignment to Subregions.**1. Rotation**

The City Selection Committee shall rotate two regular positions and one alternate position among the four sub-regions. After serving two years as an alternate, a sub-region then rotates into the two regular positions for a total of four years. After that time, the sub-region is removed from the rotation for two years and then rejoins the rotation again as an alternate.

Year	Regular	Regular	Alternate	Off
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May 2008	North Inland	North Coastal	East	South
May 2009	North Coastal	East	South	North Inland
May 2010	North Coastal	East	South	North Inland
May 2011	East	South	North Inland	North Coastal
May 2012	East	South	North Inland	North Coastal
May 2013	South	North Inland	North Coastal	East
May 2014	South	North Inland	North Coastal	East
May 2015	North Inland	North Coastal	East	South
May 2016	North Inland	North Coastal	East	South
May 2017	North Coastal	East	South	North Inland
May 2018	North Coastal	East	South	North Inland
May 2019	East	South	North Inland	North Coastal
May 2020	East	South	North Inland	North Coastal

Year	Regular	Regular	Alternate	Off
May 2021	South	North Inland	North Coastal	East
May 2022	South	North Inland	North Coastal	East
May 2023	North Inland	North Coastal	East	South
May 2024	North Inland	North Coastal	East	South
May 2025	North Coastal	East	South	North Inland
May 2026	North Coastal	East	South	North Inland
May 2027	East	South	North Inland	North Coastal
May 2028	East	South	North Inland	North Coastal
May 2029	South	North Inland	North Coastal	East
May 2030	South	North Inland	North Coastal	East
May 2031	North Inland	North Coastal	East	South
May 2032	North Inland	North Coastal	East	South

2. Subregion Nomination Process Rules

Each Mayor from the respective sub-region can nominate an individual to the Committee. The respective Sub-region can submit one nomination to the Committee with the understanding that there had been some dialogue and consideration for the nomination.

3. Committee Ratification

All nominations by a Sub-region must be ratified by majority vote of the Committee of the Whole, and upon ratification shall be deemed to be the appointee of the City Selection Committee to the designated LAFCO City Office.

E. Filling Vacancy During Term

Upon occurrence of a vacancy in a City Office on the LAFCO Board ("LAFCO City Office") during the term of any LAFCO City Officer, regardless of cause (disqualification of existing incumbent due to loss of office, death or disability, etc.), the vacancy shall be filled for the unexpired remaining term.

1. Vacancy in First 3½ Years of Nominal Term

If the vacancy occurs within the first 3½ years of the Nominal Term, the vacant LAFCO City Office shall be filled by the nomination of a replacement LAFCO City Officer from the Sub-region which elected the original LAFCO City Officer. Said nomination shall be ratified by the majority vote of the Committee of the Whole. Upon ratification, said nominee shall serve for the unexpired portion of said Nominal Term.

2. Vacancy in 6 months of Normal Expiration

If the vacancy occurs within 6 months of the normal expiration of the Nominal Term, the Vacant LAFCO City Office shall be filled by the nomination of a replacement LAFCO City Officer from the next rotating sub-region. Said nomination shall be ratified by the Committee of the Whole. Upon ratification, said nominee shall serve for the remaining unexpired portion of that Nominal Term plus the next full Nominal Term.

Section 4.5. Nomination and Selection of Members of the San Diego County Air Pollution Control District Governing Board

A. Purpose and Scope

Notwithstanding any other procedure for the appointment of a city representative to the office of an agency ("City Office"), appointment of a city representative to the San Diego County Air Pollution Control District governing board ("APCD Board") by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule.

B. Definitions and References

1. California Health and Safety Code section 40100.6(a)(3)(A) provides that five members of the APCD Board shall be selected as follows, "One city council member from each of the five supervisorial districts. Those five members shall be selected by city selection committees representing the cities of that supervisorial district." California Health and Safety Code Section 40100.6(a)(3)(B) provides that, "A city shall not have more than two members."

2. The following subcommittees of the City Selection Committee shall nominate and select members of the APCD Governing Board:

The Supervisorial District 1 city selection subcommittee shall consist of the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego.

The Supervisorial District 2 city selection subcommittee shall consist of the cities of El Cajon, La Mesa, Lemon Grove, Poway, San Diego, and Santee.

The Supervisorial District 3 city selection subcommittee shall consist of the cities of Del Mar, Encinitas, Escondido, San Diego, and Solana Beach.

The Supervisorial District 4 city selection subcommittee shall consist of the City of San Diego.

The Supervisorial District 5 city selection subcommittee shall consist of the cities of Carlsbad, Oceanside, San Marcos, and Vista.

C. Term of APCD Board Office

Each of the five APCD Board members shall serve for a term of four (4) years, and until that member's successor is appointed. Notwithstanding, if the APCD Board member ceases to be a city council member, the City Selection Committee shall meet to select a new member in accordance with the process specified in this section.

D. Criteria for Member Selection

1. California Health and Safety Code section 40100.6(b) provides that, "All members shall be appointed on the basis of 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."

2. California Health and Safety Code section 40100.6(c) provides that, "All members shall reside within the boundaries of the San Diego County Air Pollution Control District." The boundaries of the San Diego County Air Pollution Control District are contiguous with the boundaries of the County of San Diego.

E. Nomination and Selection of APCD Board Members

The process for nomination and selection of APCD Board members shall proceed according to sections 5 and 6 of these rules, except that only those members of the city selection subcommittees specified in Section 4.5(B) may nominate and vote upon the nominations for APCD Board members to be appointed from their respective supervisorial district.

Section 5. Nomination and Selection of City Representatives to Non-LAFCO City Offices Which Are Vacant at Time Selection is Made

A. Appointment of a City Representative to the office of an agency ("City Office"), other than the San Diego Local Agency Formation Commission ("LAFCO"), by the City Selection Committee pursuant to any statutes authorizing the City Selection Committee to make such appointment shall be made pursuant to this rule if the City Office is vacant at the time the selection is made.

B. Except in the case of an appointment to a City Office on LAFCO (which is governed by Rule 4), any member of the City Selection Committee is entitled to nominate any eligible person for the vacant City Office position. Nominations need not be seconded. After allowing a reasonable time for nominations to be made, the Chairperson shall inquire if there are further nominations and if there is no response he shall declare the nominations closed without a motion to that effect. After nominations have been closed but before the election has been held, the nominations may be opened upon motion by a majority vote of the members present and voting.

C. When the nominations are completed the Chairperson shall call for the election for the vacant position to be filled by the City Selection Committee. The election shall take place by voice vote. A candidate who receives a majority of the votes cast shall be declared elected to the vacant position. If no candidate receives a majority vote for a vacant position the Chairperson shall immediately conduct a run-off election between the two candidates receiving the largest plurality of votes. The candidate in the run-off election who receives the majority of votes cast shall be declared elected. An election takes effect immediately if the candidate is present and does not decline or if he is absent and has consented to his candidacy and a notice of such consent has been filed in writing with the Chairperson prior to the election. If the candidate is absent and has not filed such a notice of consent, the election will take effect when he is notified of his election provided that he does not decline immediately. If the elected candidate declines to accept the position, the process of nomination and election shall be repeated at the earliest practical time.

Section 6. Nomination and Selection of City Representatives to Non-LAFCO City Offices Which Are Not Vacant at Time Selection is Made

A. Except in the case of an appointment to a City Office on LAFCO (which is governed by Rule 4), appointment of City Representatives by the City Selection Committee shall be made pursuant to this rule rather than Rule 5 if the position to which the appointment is to be made is not vacant at the time that the City Representative is nominated and selected.

B. Nominations shall be made, closed and opened in the manner provided in Rule 5B hereof.

C. Election for the position shall be held and such election shall take effect in the manner provided in Rule 5C hereof, provided however that if the position for which the election is held is not vacant at the time of the election, the term of office of the City Representative-Elect shall not commence until the term of office of the incumbent City Representative has expired or the position is otherwise vacated.

Section 7. Voting

The City Selection Committee shall vote on matters before it by voice vote. As to each

motion made and duly seconded each member may vote "Aye" or "No" or may abstain from voting. The Chair shall declare whether the motion is carried or lost. Any motion made and duly seconded in the City Selection Committee shall be carried by a majority vote. A majority vote is a majority of the votes cast ignoring abstentions.

Adopted 4/17/74 by Committee
Amended 4/14/75 by Committee
Amended 7/1/85 by Committee
Amended 12/9/91 by Committee
Amended 3/14/94 by Committee
Amended 1/9/95 by Committee
Amended 4/25/03 by Committee
Amended 4/28/17 by Committee
Amended (*date of amendment*) by Committee

GOVERNMENT CODE
SECTION 50270-50279.4

50270. In any county in which two or more cities are incorporated there is hereby created a city selection committee the purpose of which shall be to appoint city representatives to boards, commissions, and agencies as required by law. The membership of each such city selection committee shall consist of the mayor or each city within the county.

50270.5. As used in this article, "clerk" means the clerk of a county or the legislative body thereof. Where the office of county clerk is separate from the office of clerk of the board of supervisors, "clerk" means the clerk of the board of supervisors.

50271. When the mayor is unable to attend a meeting of a city selection committee, he shall designate another member of the city's legislative body to attend and vote at the meeting in his place and as his representative.

50272. Representatives of a majority of the number of cities within a county entitled to representation on the city selection committee shall constitute a quorum of the committee; provided, however, that a majority vote of the representatives of the number of cities within a county entitled to representation on the committee is necessary to appoint representatives to boards, commissions, or agencies. Whenever a quorum is not present at a meeting of any city selection committee, the meeting shall be postponed or adjourned to a subsequent time and place, as determined by the chairman.

50273. In order to provide for initial organization of a city selection committee pursuant to this article, an organizational meeting of each committee shall be held within 60 days after the effective date of this article. The clerk of each county shall act as temporary chairman of the city selection committee. As temporary chairman of the city selection committee, the clerk shall fix a time and place for the organizational meeting of the committee and shall give notice of such date and time to the mayor of each city incorporated within the county. Each selection committee shall meet on the date and at the time designated by the clerk. After the organizational meeting, a selection committee shall meet on such dates and at such times as it may determine or as are required by law.

50274. (a) At the first organizational meeting of a city selection committee held pursuant to Section 50273, it shall select from among its members a permanent chairman and vice chairman, and such other officers as it deems necessary. The term of office of the chairman and vice chairman shall be not less than one year nor more than four years as determined in the rules and regulations adopted by a city selection committee pursuant to Section 50275. At least 60 days prior to the expiration of the term of office of the chairman and vice chairman, or as otherwise provided in the rules and regulations

GOVERNMENT CODE
SECTION 50270-50279.4

adopted by a city selection committee pursuant to Section 50275, the city selection committee shall meet and select a successor to the chairman and to the vice chairman.

(b) The officers of the County of San Mateo's City Selection Committee may be the same as San Mateo County's Council of Cities. Any person elected to serve as chairman, vice chairman, or officer may serve his or her entire term of office on San Mateo County's City Selection Committee, provided that the person continues to serve on a city council. If a city selection committee officer is not a mayor, that person may preside, but not vote on any matters before San Mateo County's City Selection Committee unless authorized pursuant to Section 50271.

50275. In order to carry out the provisions and purposes of this article, a city selection committee shall formulate and adopt rules and regulations to govern the conduct of their meetings and the selection of city representatives. Such rules and regulations shall include, but not be limited to, the term of office of the chairman and vice chairman of the city selection committee, such term to be not less than one year nor more than four years, the time and place of the committee's regular meetings, a procedure for nominating and selecting city representatives, and the manner in which voting by the city selection committee shall be conducted.

50276. The clerk of each county shall act as the permanent secretary and recording officer of the city selection committee organized within such county. All meetings of a city selection committee shall be conducted in the presence of the clerk of the county in which the committee is organized or his deputy. All votes and action taken by a city selection committee shall be recorded in writing by the secretary of the committee. The written record of any vote or action taken by the selection committee shall include the name of each member voting and how he voted. Written records and minutes of a selection committee's secretary are public records.

50277. A city selection committee shall conduct regular meetings at the times specified by it in its rules and regulations, and shall also meet upon the call of its chairman. The chairman of a selection committee may call a special meeting of the committee at any time, and the chairman shall call a special meeting of the selection committee upon the written request of 50 percent of the members of the city selection committee. When a chairman is required to call a special meeting of a city selection committee pursuant to this section, such a meeting shall be called and held within 60 days after receipt of such written request. Within three weeks prior to the date fixed for a special meeting of the committee, the chairman of the committee shall notify the committee secretary of the date, time, and place of the special meeting.

GOVERNMENT CODE
SECTION 50270-50279.4

50278. At least two weeks prior to the date of any meeting of a city selection committee, the secretary of the committee shall give notice of the meeting to each member of the committee. The secretary shall also give reasonable notice to each member of a selection committee of the time, date, and place to which a meeting of the committee is continued.

50279. Members of a city selection committee shall serve without compensation.

50279.2. Notwithstanding any other provision of this article, in any county in which there is only one incorporated city, the legislative body of such city is hereby created and shall serve as the city selection committee in the county for the purpose of appointing city representatives to boards, commissions and agencies as required by law.

A majority of the members of the legislative body of a city which is created as a city selection committee pursuant to this section shall constitute a quorum of the committee. In order for the city selection committee to make appointments, or in any other manner conduct business of the committee, a quorum shall be required.

The presiding officer of the legislative body of a city which is created as a city selection committee pursuant to this section, shall serve as chairman of the committee. The clerk of the legislative body shall act as permanent secretary and recording officer of the city selection committee and, as permanent secretary and recording officer, shall perform all the duties specified in Section 50276.

50279.4. Notwithstanding any other provision of this article, in any county in which city representatives are required to be appointed by a city selection committee to a regional coastal zone conservation commission pursuant to Division 18 (commencing with Section 27000) of the Public Resources Code, the city selection committee created in such county pursuant to this article shall make such appointments. Each such city selection committee shall hold an organizational meeting for such purposes prior to December 31, 1972.

A Resource for City Selection Committee Members

Information on the San Diego County APCD & AB 423



January 2021

Table of Contents

- **Letter to the City Selection Committee from the APCD Interim Director**
- **Map of Municipal Boundaries & Cities in Each City Selection Committee**
- **Overview of the APCD**
- **Overview of the Health Effects of Common Air Pollutants**
- **Overview of AB 423 Requirements**



January 2021

Dear City Selection Committee members:

California Assembly Bill 423 (Gloria, 2019 Statutes) requires the governing board of the San Diego County Air Pollution Control District (APCD) to be broadened to include County, City, and public members as of March 1, 2021. Five of these members are to be city council members selected by city selection committees representing the cities of each of the five county supervisorial districts.

Enclosed are briefing documents that the APCD has prepared for Committee members to help inform the selection of APCD board members. These documents include:

- A map identifying the cities represented in each supervisorial district and corresponding city selection committee;
- An overview of the APCD and its programs and services;
- A summary of the health effects of common air pollutants; and
- An outline of the requirements of AB 423.

Thank you for your leadership and your important contributions to the formation of a new APCD governing board and the cause of clean air. Should you have any questions, please feel free to contact me at (858) 586-2705 or Robert.Reider@sdcounty.ca.gov.

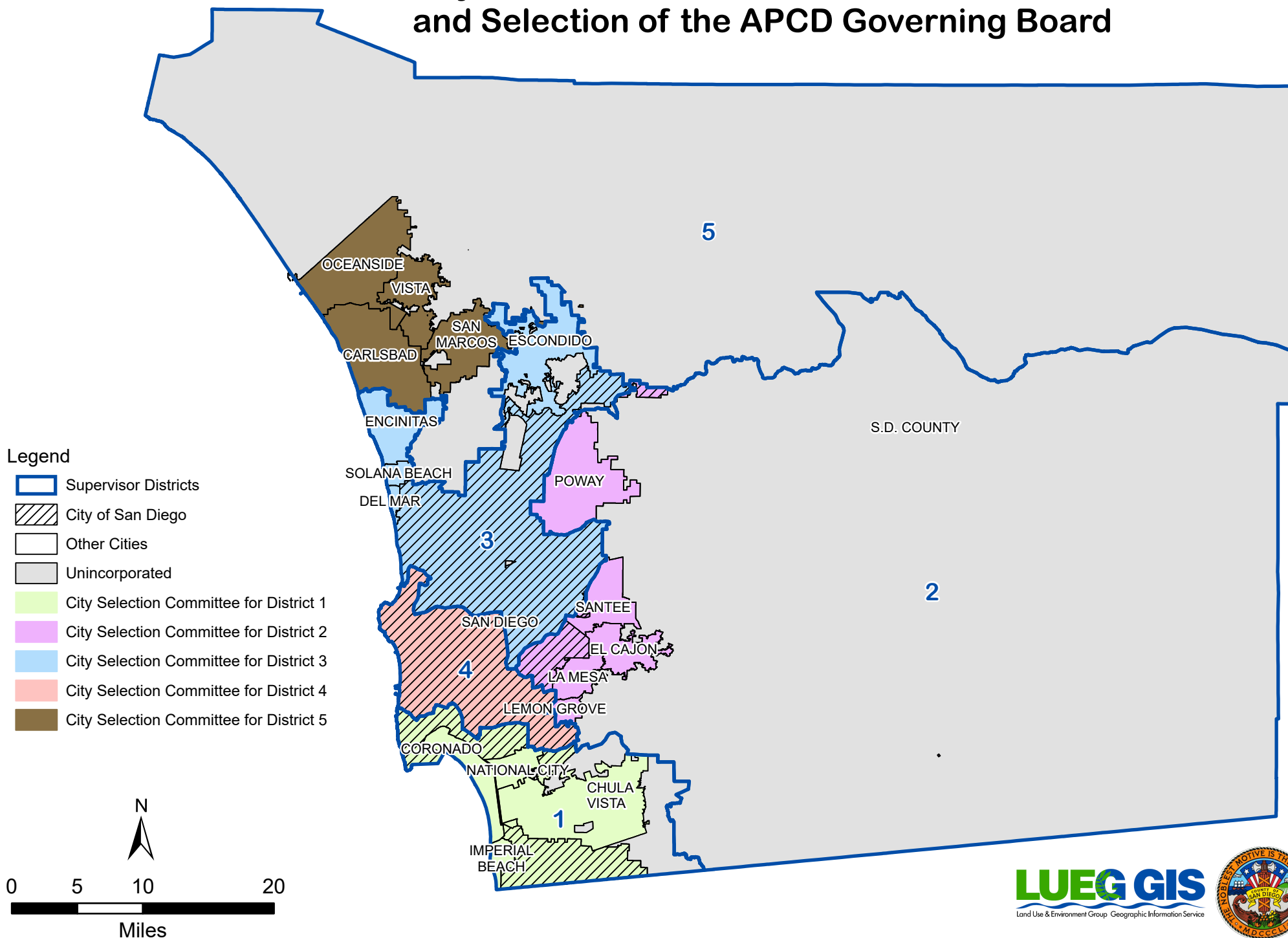
Sincerely,

A handwritten signature in black ink, appearing to read "R. C. Reider".

ROBERT C. REIDER
Interim Air Pollution Control Officer

Enclosures

City Selection Committees for the Nomination and Selection of the APCD Governing Board



San Diego County Air Pollution Control District General Overview

The mission of the San Diego County Air Pollution Control District (APCD) is to improve air quality to protect public health and the environment. Accordingly, the APCD monitors and reports air quality conditions using a network of monitoring equipment stationed throughout the San Diego region. The monitoring network needs to be large enough to cover the diverse range of topography, meteorology, emissions, and air quality in San Diego, while adequately representing the large population centers. This monitoring network plays a critical role in determining air pollutant exposures and assessing clean air progress throughout the region to help inform future air pollution control strategies.

The APCD also develops rules and regulations that limit emissions and operates an air quality permit program for stationary sources of air pollution pursuant to federal and State law. Stationary sources include large industrial facilities such as factories and power plants, smaller commercial establishments such as gas stations and dry cleaners, and a wide range of government and other facilities operating boilers or emergency back-up engines. A facility's air quality permit outlines the actions it must take to comply with air pollution control requirements. Mobile sources include motor vehicles, trains and boats and are regulated by the California Air Resources Board (CARB) and the U.S. EPA; however, since mobile sources emit most air pollution in the region, the APCD assists CARB in enforcing certain regulations for heavy-duty trucks and off-road construction vehicles and equipment. The APCD also conducts inspections to verify compliance and to respond to public complaints about air pollution.

Lastly, the agency provides millions of dollars in incentive grants to help ensure cleaner cars, trucks, equipment, and facilities are operating in our region. The grants come from State and federal sources and include funding earmarked to address air pollution threats in the most impacted communities.

To provide these critical services, the APCD has a budget of \$80.1 million and 164 full-time personnel in Fiscal Year 2020-21. This includes \$30.9 million in pass-through incentive grants for projects that put advanced technologies to work for cleaner air.

Governing Board's Key Duties

- Appoints the Air Pollution Control Officer and members of the Hearing Board (see below).
- Adopts the APCD's annual budget.
- Adopts a schedule of permit fees and other fees to recover the costs of unfunded services.
- Receives financial and operational audits.
- Adopts air quality attainment plans and air pollution control rules and regulations.

Air Pollution Control Officer's Key Duties

- Serves as the agency's director and appoints all staff necessary to perform its duties.
- Enforces all rules adopted by the Board, all permit conditions imposed by the APCD pursuant to the agency's permitting program, all variances and standards adopted by the Hearing Board, and all air quality laws within the APCD's jurisdiction.
- Issues fines and penalties when violations are documented.
- May issue an interim abatement order, pending a decision of the Hearing Board, for a violation of any air quality order, rule or regulation, requiring a regulated source operating out of compliance to take specific actions or to shut down its operation. (This is a severe remedy reserved for the most serious violations.)

Hearing Board's Key Duties

- Considers requests from permit holders for variances from local requirements.
- Considers abatement orders on its own motion or upon request of the Board or the APCO.
- Considers appeals of APCD decisions to grant or deny permits.
- Consists of five members: an attorney, a professional engineer, a medical professional, and two members of the public.

APCD Programs and Divisions

Monitoring & Technical Services Division

- Operates a regional network of outdoor air monitoring stations pursuant to State and federal requirements.
- Operates neighborhood-scale (local or street level) air monitoring instruments in disadvantaged communities selected by the State for additional targeted action to improve air quality.
- Issues daily air quality forecasts and reports and, if necessary, air pollution health advisories and alerts.
- Performs air pollutant modeling for permit applications to determine air quality compliance.
- Measures air pollutant emissions from permitted facilities to verify compliance, known as "source testing."

Environmental Justice Program

- Develops strategies to engage environmental justice stakeholders and disadvantaged communities in APCD policy, budget development and priority-setting.
- Supports development and implementation of the Community Emissions Reduction Program to improve air quality in communities that experience disproportionate burdens from exposure to air pollution.

Air Quality Planning, Rule Development & Incentives Programs

- Allocates grant funding to assist businesses, public agencies, and residents to replace their higher polluting vehicles and equipment with new low or zero-polluting versions. Projects are solicited, evaluated, and funded by APCD pursuant to State guidelines.
- Prepares plans to attain and maintain clean air standards throughout the region.
- Develops rules to implement those plans and reduce emissions from stationary sources.

Engineering Division

- Issues permits to businesses and facilities that emit air pollutants. Permits are facility-specific, limit emissions, and provide for compliance with air quality regulations.
- Creates inventories of air pollutant emissions from permitted sources.
- Implements a State-mandated "Air Toxics Hot Spots" program to reduce toxic emissions from facilities and associated public health risks in communities.

Compliance Division

- Ensures compliance with federal, State, and local air pollution control requirements via inspections of regulated facilities and diesel-powered heavy-duty trucks and equipment.
- Conducts inspections of building renovation and demolition operations where asbestos may be involved.
- Issues enforcement documents and fines and penalties when violations are documented.
- Responds to constituent's complaints about air pollution, public nuisances, and air quality violations.
- Provides education and outreach on measures to comply with air quality requirements.

Stakeholders

- | | |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| • Members of the public | • Public health organizations |
| • Permitted facilities & other sources | • APCD Advisory Committee |
| • Industrial organizations including the Industrial Environmental Association | • Community groups including the Portside Steering Committee |
| • Environmental organizations including the Environmental Health Coalition, Casa Familiar, & American Lung Association | • Local, State, & Federal agencies |

Budget (FY 20-21)

Personnel: 164 full-time positions

Budget: \$80.1 million

Revenue Sources:

- Pass-through State (CARB) funds for projects encouraging clean technologies - \$30.9M
- Transfer from other APCD Funds (\$15.7M primarily from Incentive Funds) & Other Sources (\$0.2M interest) - \$15.9M
- Vehicle Registration Fee proceeds received through the DMV - \$11.3M
- Permit fees & other fees - \$9.7M
- Use of Fund Balance (\$1.2M for HVAC, \$1.5M for AB 423 transition, \$3.7M from Incentive Funds for projects that encourage clean technologies) - \$6.4M
- Federal & State subvention funding to support air quality program operations - \$4.9M
- Fines & Penalties - \$1.0M

Organizational Chart

<u>APCD Executive Office</u>			
Interim Director: Robert Reider			
Deputy Director, Environmental Justice & Air Monitoring: Domingo Vigil			
Acting Deputy Director, Engineering & Compliance: Mahiany Luther			
Deputy Director, Support Services: Israel Garza			


Monitoring & Technical Services David Sodeman Chief	Engineering Chief (Vacant)	Compliance William Jacques Acting Chief	Support Services John Jayasinghe Chief
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Contact Information

- San Diego County APCD, 10124 Old Grove Road, San Diego, CA 92131 [Scripps Ranch]
- Website: www.sdapcd.org
- Twitter: @sdapcd

Health Effects of Common Air Pollutants

RESPIRATORY EFFECTS



Symptoms:

- Cough
- Wheezing
- Phlegm
- Shortness of breath
- Chest tightness


Increased sickness and premature death from:

- Asthma
- Bronchitis (acute or chronic)
- Emphysema
- Pneumonia

Development of new disease

- Chronic bronchitis
- Premature aging of the lungs

CARDIOVASCULAR EFFECTS

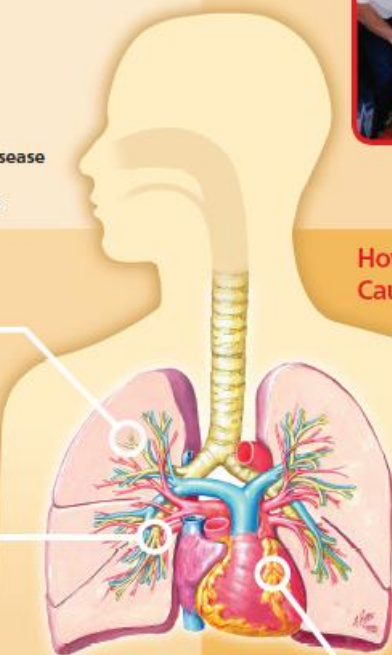


Symptoms:

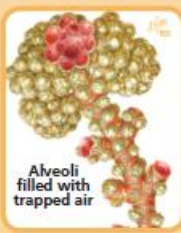
- Chest tightness
- Chest pain (angina)
- Palpitations
- Shortness of breath
- Unusual fatigue

Increased sickness and premature death from:

- Coronary artery disease
- Abnormal heart rhythms
- Congestive heart failure
- Stroke



How Pollutants Cause Symptoms



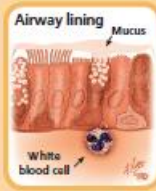
Alveoli filled with trapped air

Effects on Lung Function



- Narrowing of airways (bronchoconstriction)
- Decreased air flow

Airway Inflammation

- Influx of white blood cells
- Abnormal mucus production
- Fluid accumulation and swelling (edema)
- Death and shedding of cells that line airways




Increased Susceptibility to Respiratory Infection

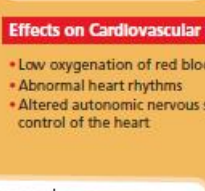



Normal Lung with respiratory infection

How Pollutants Cause Symptoms



Normal heart rhythm



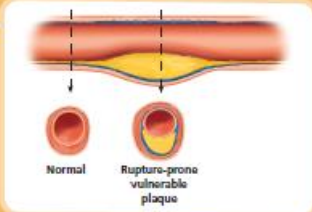
Abnormal heart rhythm

Effects on Cardiovascular Function

- Low oxygenation of red blood cells
- Abnormal heart rhythms
- Altered autonomic nervous system control of the heart

Vascular Inflammation

- Increased risk of blood clot formation
- Narrowing of vessels (vasoconstriction)
- Increased risk of atherosclerotic plaque rupture



Normal Rupture-prone vulnerable plaque

Source: U.S. Environmental Protection Agency
<https://www3.epa.gov/airnow/health-prof/common-air-pollutants-2011-lo.pdf>

Assembly Bill 423 (Gloria, 2019)

Air Pollution Control District Governing Board & Duties

California Assembly Bill 423 (Gloria, 2019) amended State law to restructure and expand the governing board of the San Diego County Air Pollution Control District (APCD). AB 423 also adds specified duties to the APCD and requires the California Air Resources Board (CARB) to conduct a program audit of the APCD. The APCD's goal is to comply with AB 423 while aligning services to available resources to maintain fiscal stability. More information on the new State requirements is provided below.

Transitions APCD to a New Governing Board

Since 1955, the 5-member County of San Diego Board of Supervisors has served as the APCD's governing board, known as the Air Pollution Control Board. As of March 1, 2021, AB 423 requires the appointment of a new 11-member governing board consisting of:

- Two County supervisors, as appointed by a majority of the Board of Supervisors, including the supervisor who serves as the APCD's member on CARB's Board.
- The mayor or a city council member at large from the City of San Diego.
- One city council member from each supervisorial district, as selected by the City Selection Committee representing the cities of that supervisorial district. A city may not have more than two members on the APCD's governing board.
- Three public members appointed by a majority of the other board members at a public hearing, as follows:
 - One physician or public health professional who actively practices in the San Diego region and who specializes in the health effects of air pollution on vulnerable populations.
 - One environmental justice representative who works directly with a disadvantaged community in the region and who may live in that community and have a demonstrated record of community leadership.
 - One public member with a scientific or technical background in air pollution such as an environmental engineer, chemist, meteorologist, or air pollution specialist.
- The governing board will designate one of its two members representing the Board of Supervisors to serve as the board's liaison to the military on air quality permitting, regulatory and planning issues that have the potential to impact the military's mission.

Adds Duties to the APCD

- By July 1, 2020, post on the APCD website all permit applications received and accept and consider all public comments received before taking final action on the applications. This has been completed.

- By July 1, 2021, prepare a report for the governing board's consideration that summarizes all APCD actions taken on permit applications in 2020. Based upon this report, consider possible amendments to APCD's rules to ensure adequate opportunity for public comment on permit applications.
- By December 31, 2021, create and maintain an APCD website separate from the County website, migrate all existing information to the new website and post the following additional information:
 - Agendas and minutes of the governing board.
 - Air quality monitoring data.
 - Current facility permits in a searchable format.
 - Air pollution complaints from the public and their resolution.
 - All settled enforcement actions and the cover sheets of notices of violation, in a searchable format.
 - Documents related to the State-mandated "Air Toxics Hot Spots" Program including facility emissions inventories, health risk assessments, public notices, and health risk reduction plans.
 - The APCD budget, including revenue and expense projections and actuals.
- By December 31, 2021, evaluate the current process for receiving and responding to air pollution complaints and prepare a recommended plan for updating the process including these components:
 - 24-hour hotline.
 - Response to complaints within 48 hours or less.
 - Whistle-blower and public complainant protections.
 - Posting of complaints and their resolution on APCD's website.
- By December 2021, develop a plan for a comprehensive air monitoring program that includes an evaluation of monitor locations in the most impacted communities and the monitoring of other air pollutants.
- Publish an annual air quality report that identifies air pollution levels, enforcement actions taken, revenues secured, program outcomes and emissions reduction progress.
- Apply for statewide grant and incentive programs, including incentive programs administered by CARB and EPA.
- Consider adopting an indirect source rule to address pollution from mobile sources that is associated with stationary sources, such as ports, warehouses, and distribution centers.

Requires an Audit of the APCD

- CARB must complete a program audit of the APCD by June 1, 2021. CARB's audit workplan is available on their website at <https://ww2.arb.ca.gov/our-work/programs/san-diego-program-review/san-diego-program-review-project-files>.
- Although not required by AB 423, the California State Auditor was directed by the Joint Legislative Audit Committee to audit the APCD's finances and public outreach activities. The CSA completed its audit and issued a report in July 2020; the APCD accepted all recommendations. The report is available at <https://www.auditor.ca.gov/reports/2019-127/summary.html>.

Budget & Staffing

- AB 423 does not identify State funding to support AB 423 implementation.
- Implementation is provided for in the APCD's FY 2020-21 Operational Plan as follows:
 - One-time start-up costs to create a new website, update the air pollution complaint and response process, and modify accounting and budgeting processes, are funded with the use of fund balance from APCD's Operational Fund.
 - Implementation costs for board clerk, public outreach and other services no longer provided by the County are funded through FY 2020-21 by vehicle registration fees. Future year implementation costs and resources will be addressed in future Operational Plans.

Funding Source	Budgeted (FY 20-21)	Services & Staffing Provided
Operational Fund Balance	\$1,500,000	One-time expenditures: <ul style="list-style-type: none"> - Website design & development - Open data (online data warehouse/library) - Implement BPR on complaint process - Oracle transition costs - Legal (external counsel) - Consulting (ERP review/procurement, cost recovery analysis & recommendations for best practices)
Vehicle Registration Fees	\$850,000	Staffing (5 new positions): <ul style="list-style-type: none"> - Program Coordinator (board clerk) - Program Coordinator (public outreach) - IT Analyst (new website & data reporting) - Principal Accountant (accounting, auditing) - Deputy Director (executive-level support) Board member stipends Space for Board hearings Contractor for annual auditing services
Total Budget (FY 20-21)	\$2,350,000	