



Monterey Bay Air Resources District
BOARD OF DIRECTORS MEETING AGENDA

ZACH FRIEND, CHAIR

WEDNESDAY, JUNE 21, 2023 - 1:30 P.M.

24580 Silver Cloud Court, 3rd Floor, Monterey, CA 93940

REMOTE LOCATION VIA TELECONFERENCE

Any interested parties or community members may attend and participate in the meeting at the following address where Director LeBarre will join the meeting from:
City Hall Council Chambers
212 S. Vanderhurst Ave., King City, CA 93930

BOARD MEMBERS ATTENDING REMOTELY

Director LeBarre will attend the meeting remotely from City Hall Council Chambers, 212 S. Vanderhurst Ave., King City, CA 93930

ZOOM MEETING OPTION FOR PUBLIC

Link to meeting: <https://us02web.zoom.us/j/88402124258>

Webinar ID: 884 0212 4258

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

Members of the public that wish to participate in the meeting may do so by joining the Zoom Webinar ID, attending in-person at 24580 Silver Cloud Ct. Monterey, or attending in-person at remote teleconference locations when listed above. 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 live meeting verbal public comments may be made by members of the public joining the meeting via Zoom. 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 meeting 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.

To Submit 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, June 19, 2023. 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 Friend at 1:32 p.m.**
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL - **Present:** Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Chris Lopez, Dolores Morales, Felipe Hernandez, Dom Zanger (Alternate for Kollin Kosmicki). **Absent:** Kollin Kosmicki, Mike LeBarre, Orlando Osornio. **Arrived late:** Glenn Church (1:36 pm), Dom Zanger (1:36 pm), and Felipe Hernandez (1:47 pm).
4. RECOGNITION OF OUTGOING MEMBERS OF THE BOARD OF DIRECTORS
 - Steve McShane
5. PUBLIC COMMENT –
Comments from the public were received by the Board.
 - **Nina Beety** – Submitted comments in writing and spoke against burns at former Ft. Ord.
6. REPORTS BY COMMITTEE CHAIRS ON COMMITTEE MEETINGS
 - a. Budget, Personnel, and Nominating Committee
 - b. Advisory Committee
7. COMMENTS AND REFERRALS FROM CHAIR AND BOARD MEMBERS – **None.**
8. REPORT FROM AIR POLLUTION CONTROL OFFICER
Richard Stedman, APCO, reported on the following:

Advisory Committee
 - The Advisory Committee did not meet this month.
 - **Happy First Day of Summer!**
District Business
 - Held our staff training retreat on June 9th at the Marina library. The theme was communication. The retreat was very productive and informative, a great success.
 - The roof project is essentially completed. There remain a few minor items to finish up, but the contractor is waiting for better weather.
 - New employee in Administration:
 - Pornmanus (PON-MA-NUSS) Saetae (Saa-Taa) or Ice!

- Senior Fiscal Assistant – She graduated from Sacramento State University with a degree in Journalism and has just completed her associate degree in accounting. She just moved back to the Monterey Peninsula from Sacramento.
- She worked for Softcom Internet Communications for the past 6 years as customer service/sales representative, executive assistant, and accountant.

Engineering

- I'm pleased to announce that we filled our last open inspector position. Tyler Patel joined MBARD's Compliance team as an Air Quality Compliance Inspector I on May 1st. Tyler has a B.S. in Environmental Engineering from the University of California, Merced. He has over eight years of experience in academic research, remediation, and environmental consulting firms. Tyler is assigned as the primary inspector for the South Monterey County geographic area.
- The 30-day public comment period recently ended for the Calpine King City Title V Permit Renewal so we can move forward with issuing the permit. A Title V permit is a federal permit for the largest emitting sources which renews on a five-year basis. The Calpine King City facility consists of two power plants on adjacent properties, a 120-MegaWatt Cogeneration plant located at 750 Metz Road and a 50 MegaWatt Peaker plant located at 51 Don Bates Way.
- On June 13, 2023, the Hearing Board met to review a variance request from the University of California, Santa Cruz (UCSC). UCSC requested the ability to operate seven of their emergency natural gas generators for a planned power outage to repair and replace two switches. The Hearing Board approved the variance request. Don't forget, we still have two open positions on the Board, a registered engineer, and a medical professional. If you have someone in mind, the application can be found on our [website](#).
- MBARD received 2 complaints in May regarding odors from the Marina landfill and other sources. We understand that an odor study is being conducted by Marina, but we've been kept out of the loop.
 - Is it the pleasure of the board that we continue reporting on this item? I was planning on having the City present its findings to the board once the study is completed.

Planning and Air Monitoring

- Planning Staff will hold a workshop in Salinas on July 18 and another on-line on July 19 to generate comments on potential projects for the Community Air Protection Program. The majority of CAPP funds are required to be distributed to projects in disadvantaged communities and low-income areas. Past projects include tractor replacements and a diesel to electric school bus replacement.
- 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, and the Monterey Bay Electric Bicycle Incentive Program, which provides low-income residents with an incentive to purchase Type 1, 2, and 3 eBikes will begin on July 1. \$350,000 is available for the electric vehicle program and \$50,000 for the electric bicycle program.

- Camp Roberts conducted their annual burn of the interior gunnery ranges on June 1. The purpose of the prescribed burn is to prevent wildfires that can be ignited during live artillery training. About 9,000 acres of grassland were expected to burn at the Monterey County/San Luis Obispo County border. District staff coordinates with SLO County APCD to avoid authorizing burns that could cause smoke impacts in San Miguel and Paso Robles.
- At the end of the month, we're saying farewell to our friend and colleague, Bill Chevalier, who is retiring. Bill has been at MBARD for the past 17 years and has served as the Air Monitoring Supervisor for the past 13 years. Bill will be enjoying his retirement lifestyle on the east coast. Congratulations to Bill.
- Bill will be replaced by Shawn Boyle as the newly hired Planning and Air Monitoring Supervisor. Shawn has worked for MBARD for the past 14 years as an AQ Compliance Inspector, leading the asbestos program for the past 5 years. Prior to his employment at MBARD, he worked for an environmental consulting firm conducting asbestos surveys and consulting on abatement projects. Welcome to Shawn as he begins his new journey into Planning and Air Monitoring.

Reminders for Board:

1. Send a copy of your AB1234 Ethics Training Certificate.
2. Send a copy of your SB134 Anti-Harassment Training Certificate.
3. Send a copy of your Form 700 for 2022.
4. Consider appointing members to the [Advisory Committee](#) and [Hearing Board](#).

CONSENT AGENDA

Motion: Approve items on the Consent Agenda. **Action:** Approve. **Moved by** Chris Lopez, **Seconded by** Sandy Brown. **Vote:** Motion carried unanimously (**summary: Yes = 9**). **Yes:** Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Chris Lopez, Dolores Morales, Felipe Hernandez, Dom Zanger (Alternate for Kollin Kosmicki). **Absent:** Kollin Kosmicki, Mike LeBarre, Orlando Osornio.

9. **Accepted** and **Filed** Summary of Actions for the April 19, 2023, Board of Directors Meeting
10. **Received** and **Filed** Budget to Actual Report for the Ten Months Ended April 30, 2023
11. **Received** and **Filed** Budget to Actual Report for the Eleven Months Ended May 31, 2023
12. **Accepted** and **Filed** Report of Summary of Mutual Settlement Program Actions for April 2023 and May 2023
13. **Accepted** and **Filed** AB617 Grant Agreement G22-CAPP-19

14. **Approved** Minor Changes to Record Retention Schedule
15. **Resolution No. 23-007: Adopted** Resolution Authorizing the Air Pollution Control Officer to enter into a Woodsmoke Reduction Program (WSRP) grant agreement with the California Air Resources Board (CARB) for \$291,684.00 and accept the project funds.
16. **Resolution No. 23-008: Adopted** Resolution Authorizing the Administrative Services Manager to Declare a 2009 Honda Civic Located at the District Office as Surplus and Authorizing the Disposition, Sale or Donation of District Vehicle.

REGULAR AGENDA

17. **Resolution No. 23-009: Held** Second Public Hearing and **Adopted** Resolution Approving Proposed Revisions to Fee Rules 300 (Fees) and 301 (Fee Schedules)
Motion: Adopt the resolution. Action: Approve. Moved by Sandy Brown, Seconded by Felipe Hernandez. Vote: Motion carried unanimously (summary: Yes = 9). Yes: Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Felipe Hernandez, Chris Lopez, Dolores Morales, Dom Zanger (Alternate for Kollin Kosmicki). Absent: Kollin Kosmicki, Mike LeBarre, Orlando Osornio.
18. **Resolution No. 23-010: Held** Second Public Hearing and **Adopted** Resolution Approving the Fiscal Year 2023-24 Budget in the Amount of \$20,334,862; Approving the FY 2023-24 Per Capita Assessments; Approving Permit Fee Schedule Changes Effective July 1, 2023; Authorizing the Purchase of Specified Fixed Assets; and Approving Direction to Staff for Development of Future District Budgets
Motion: Adopt the resolution. Action: Approve. Moved by Mary Ann Carbone, Seconded by Wendy Askew. Vote: Motion carried unanimously (summary: Yes = 9). Yes: Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Felipe Hernandez, Chris Lopez, Dolores Morales, Dom Zanger (Alternate for Kollin Kosmicki). Absent: Kollin Kosmicki, Mike LeBarre, Orlando Osornio.
Motion: Reopen Public Hearing and Public Comments. Action: Approve. Moved by Chris Lopez, Seconded by Wendy Askew. Vote: Motion carried unanimously (summary: Yes = 9). Yes: Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Felipe Hernandez, Chris Lopez, Dolores Morales, Dom Zanger (Alternate for Kollin Kosmicki). Absent: Kollin Kosmicki, Mike LeBarre, Orlando Osornio.
Motion: Adopt the resolution. Action: Approve. Moved by Wendy Askew, Seconded by Mary Ann Carbone. Vote: Motion carried unanimously (summary: Yes = 9). Yes: Wendy Askew, Sandy Brown, Mary Ann Carbone, Glenn Church, Zach Friend, Felipe Hernandez, Chris

Agenda Item No. 8

MBARD Board of Directors Meeting
Wednesday, June 21, 2023

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*Lopez, Dolores Morales, Dom Zanger (Alternate for Kollin Kosmicki). **Absent:** Kollin Kosmicki, Mike LeBarre, Orlando Osornio.*

19. Adjournment – **The meeting adjourned at 2:09 p.m.**

Sirie Thongchua
Executive Assistant

From: [Nina Beety](#)
To: [Sirie Thongchua](#)
Cc: [REDACTED]
Subject: Public comment today
Date: Wednesday, June 21, 2023 1:56:23 PM

Dear Ms. Thongchua,

I called in before 1:30 for the meeting but the zoom link and webinar ID number are not working. When I click on the zoom link to access via computer, the MBARD webpage says the webinar link has expired.

Here are my comments I wanted to give to the Board today. Would you please either call me in to the meeting so that I can give them myself, or read them to the Board? Thank you.

Nina Beety

To MBARD, 6-21-23

The Army may carry out more burns this year at the former Ft. Ord. I request that you halt this and all future burns due to the dangers they pose to the public.

For years, Ft. Ord Community Advisory Group, Ft. Ord Environmental Justice Network, and other experts have documented and urged investigation of the toxic chemicals and agents used at Ft. Ord, including Site 39. These substances include chemical weapons, depleted uranium, white phosphorus, Agent Orange, herbicides and pesticides including DDT and malathion, PFAS compounds. Many have no known safe exposure level. Ft. Ord is documented as a chemical weapons site during WWII which likely continued until base closure, along with Camp Roberts and Ft. Hunter Liggett. The Herald even reported detectable levels of a WWI chemical weapon during one burn. The AP article which ran nationally last year again exposed this serious problem.

Fires burn the chemicals in the ground and the plants that uptake these agents, releasing them into the air and wind. Turning the ground into a moonscape, stripping the ground, further exposes the chemicals in the ground to air and wind transport off-site.

These very hazardous substances land everywhere – on lawns, decks, swimming pools, playgrounds. They create health risks for everyone in the region through inhalation and ingestion. Local crops absorb them.

Burns also destroy wildlife and established plants. This is not a lightning area. These plants are not fire reliant. Chaparral can take decades to be established and is less fire prone than grasses.

For the health of the air and the safety of our community, halt these burns. Tell military officials to find safe ways to remove remaining ordinance. Call for an in-depth independent investigation and sampling of Ft. Ord soil and full disclosure to all residents and business owners on former Ft. Ord property.

This is your community. We rely on you to do the right thing, the moral thing for the health of everyone in this community.

Nina Beety

Agenda Item No. 8

Second Public Hearing and Adoption Proposed Fee Rule Changes for Fiscal Year 2023-2024 Budget

AMY CLYMO
JUNE 21, 2023



1

Outline

- Proposed fee rule revisions
- 300 District Fees
- 301 Fee Schedules



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Major Fee Rule Revisions

- Potential fee increase of 3% (additional revenue of approximately \$80,000)
- Rule 300 - clarify timely payments made by credit card or e-check



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Monterey Bay Air Resources District Stationary Source Programs FY 2023-24 Budget

	Program		
	Permitting	Title V	Asbestos
Estimated Revenues:			
Permitting Fees	3,267,540	320,872	313,091
Cost Recoveries	\$ 7,500	\$ -	\$ 7,500
Total Estimated Revenues	\$ 3,275,040	\$ 320,872	\$ 320,591

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Examples of Permit Fee Changes

Current Fee (FY 22-23)	Fee Increase (3%)	Proposed Fee (FY 23-24)
Filing Fee \$230	\$7	Filing Fee \$237
General Permit Fee \$1,028	\$31	General Permit Fee \$1,059
Annual Renewal Fee - Billable Tons < 0.1 \$229	\$7	Annual Renewal Fee - Billable Tons < 0.1 \$236
Emergency Diesel Engine \$396	\$12	Emergency Diesel Engine \$408
Hourly Staff Rate \$164	\$5	Hourly Staff Rate \$169



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Examples of Asbestos NESHAP Fee Changes

Current Fee (FY 22-23)	Fee Increase (3%)	Proposed Fee (FY 23-24)
Demolition Fee \$483	\$14	Demolition Fee \$497
Renovation RACM (160-999sq ft) \$840	\$25	Renovation RACM (160-999sq ft) \$865



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Language
(Rule 300)

PART 5 DELINQUENCY PENALTIES

5.1. Particular Fee and Annual Renewal Fee Delinquency Penalties

If any fee payment required pursuant to Part 3 or Part 4 of this Rule is not submitted within 45 days of theittance date of the District's billing statement, it shall be considered delinquent, and penalties for the delinquency shall be imposed as set forth below:

5.1.1 For payments of this Part any the payments shall be considered to be timely if it is submitted on or before the 45th day following the attachment date. If the 45th day falls on a Saturday, Sunday, or holiday, the fee payment may be submitted on the next business day with the same effect as if it had been submitted on the 45th day. If a check is submitted in payment of the delinquent amount on or before the 45th day to be treated the delinquent amount due. If the 45th day falls on a Saturday, Sunday, or holiday, the payment on the next business day shall be on the next business day with the same effect as if it had been paid on the 45th day.

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Public Input

Meeting	Date/Location
Public Workshops	April 10, 2023, Hollister
	April 10, 2023, Monterey
	April 11, 2023, Watsonville
First Public Hearing	April 19, 2023, Board of Directors meeting
Board Adoption Public Hearing	June 21, 2023, Board of Directors meeting

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Questions or Comments?

Amy Clymo
achymo@bard.org




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Agenda Item No. 8

Monterey Bay Air Resources District
Final Budget Presentation
FY 2023-24


2ND PUBLIC HEARING
JUNE 21, 2023



1


BUDGET REVISIONS OVERVIEW

- Updated Personnel Schedule
- Budget Revisions since 1st Public Hearing
- Revised Budget In Brief
- Revenues
- Expenses
- Updated Budget Schedules





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Personnel Schedule



	Additions /		
	FY 2022-23	Deletions	FY 2023-24
Admin	6.00	0.00	6.00
Compliance	11.00	-0.50	10.50
Engineering	6.50	0.50	7.00
Planning	6.00	-0.50	5.50
Air Monitoring	3.50	-0.50	3.00
Total Positions	33.00	-1.00	32.00



3

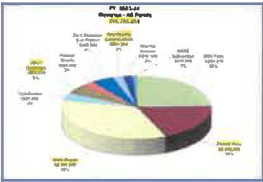
Budget Revisions Made Since 1st Public Hearing

- Woodstove Smoke Reduction Grant - increase revenues from \$250,000 to \$291,684, and increased corresponding expense accounts
- CA Air Resources Board - Prescribed Fire Grant increased from \$0 to \$61,400
- AB 197 Emission Inventory Grant - increase from \$0 to \$12,583
- City and County Per Capita Fees - decrease from \$398,195 to \$394,205 based on CA Department of Finance final May report.
- Permit Fees - decrease \$3990 based on recent source cancellation
- Fixed Assets - increase from \$378,000 to \$451,958

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REVENUES GRAPH

UPDATED REVENUES: \$16,756,484



PRIOR \$16,612,887

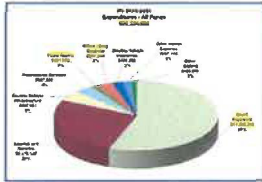
- State Grants - \$61,400
- Other Revenues - \$89,267
- City/County Contributions (\$3,990)
- Permit Fees (\$3,080)



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EXPENSES GRAPH

UPDATED EXPENSES: \$20,334,862



PRIOR \$20,210,104

- Fixed Assets - \$73,958
- Office / Bldg Expense - \$200
- Grant Payments - \$51,000



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Operating Budget Changes

	<u>Original</u>	<u>Updated</u>	<u>Change</u>
Operating Revenues	\$7,345,508	\$7,416,318	\$70,810
Expenditures by Division	\$7,482,704	\$7,538,462	\$73,758
Net Surplus (Deficit)	(\$117,196)	(\$120,144)	\$2,948



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Non-Operating Budget Changes

	<u>Original</u>	<u>Updated</u>	<u>Change</u>
Non-Operating Revenues	\$9,267,379	\$9,340,166	\$72,787
Expenditures by Division	\$12,797,400	\$12,798,400	\$51,000
Net Surplus (Deficit)	(\$3,480,021)	(\$3,458,234)	\$21,787



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General Fund Budget Changes

	<u>Original</u>	<u>Updated</u>	<u>Change</u>
General Fund Revenues	\$5,962,508	\$6,106,105	\$143,597
Expenditures by Division	\$6,393,730	\$6,493,699	\$99,969
Net Surplus (Deficit)	(\$431,222)	(\$387,594)	(\$43,628)



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AB2766 Fund Budget Changes

	<u>Original</u>	<u>Updated</u>	<u>Change</u>
AB2766 Fund Revenues	\$2,808,000	\$2,808,000	\$0
Expenditures by Division	\$4,201,048	\$4,225,837	\$24,789
Net Surplus (Deficit)	(\$1,393,048)	(\$1,417,837)	(\$24,789)



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General Fund Balance

Estimated Beginning Balance 7/1/23	\$8,338,778
Revenues	6,106,105
Less Expenditures	<u>(6,493,899)</u>
Estimated Ending Fund Balance 6/30/24	\$7,951,184
Reserved Fund Balance	\$2,495,676
Unreserved Fund Balance	\$5,455,506



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Questions



Rosa Rosales
Administrative Services Manager
rrosales@lombard.org

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