



Legislation Details (With Text)

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On agenda: 2/6/2024 **Final action:**

Title: (Sitting as the Lake County Air Quality Management District Board of Directors) Consideration of Amendment to the Memorandum of Understanding (MOU) By and Between County of Mendocino and the Lake County Air Quality Management District for Air Pollution Control Officer (APCO) Duties, and a Request for Direction Regarding Updates to the Board on the MOU.

Sponsors: Air Quality Management District

Indexes:

Code sections:

Attachments: 1. AQMD_Amendment 1_02062024

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------|--------|--------|
| 2/6/2024 | 1 | BOARD OF SUPERVISORS | | |

Memorandum

Date: February 6, 2024

To: The Honorable Lake County Air Quality Management District Board of Directors

From: Douglas Gearhart, Air Pollution Control Officer

Subject: (Sitting as the Lake County Air Quality Management District Board of Directors) - Consideration of this Amendment to the Memorandum of Understanding (MOU) By and Between County of Mendocino and the Lake County Air Quality Management District for Air Pollution Control Officer (APCO) Duties, and a Request for Direction Regarding Updates to the Board on the MOU.

Executive Summary:

As your Board is aware, the Lake County APCO has been providing APCO services to Mendocino County while updating their job descriptions and recruiting a replacement for the retired APCO. These services have been ongoing since February, 2022. The majority of this work is performed remotely and via teleconference. After four recruitments and hiring an executive recruiter, Mendocino County was able to hire a Deputy Air Pollution Control Officer. They were hired as Deputy, as they did not have Air District specific experience, but they have good knowledge of air quality issues and management. Mendocino County Administration and Board have requested an extension of the MOU to assist in training the Deputy, in hopes they will transition to the Air Pollution Control Officer once they have the knowledge and experience needed to run a regulatory agency.

As APCO, I continue to be willing to assist Mendocino County, on a limited basis as defined in the MOU. As a Deputy has been hired and has been working for several months with good success, the MOU is amended to extend the termination date from January 31, 2024 to June 30, 2025. The day to day operations will primarily be performed by the Deputy, and I will be available to assist them as needed. The duties of the APCO will transition to training, some oversight, and signature authority to comply with regulatory requirements. I anticipate providing this Board with regular updates so you remain aware of the workload and any anticipated changes that should be discussed. This can be done via periodic memorandum to the Board Chair, or I can provide updates during a specifically scheduled Board item, or during budget or other Board Agenda items that cover general District issues. Please let me know what the preference of the Board is.

The assistance provided to Mendocino County ensures that Lake County is not adversely impacted by air pollution from Mendocino County activities that are not adequately regulated due to lack of oversight. Lake County is downwind of Mendocino County, so providing these services helps prevent impacts in Lake County.

Pursuant to the attached MOU, with the approval of your Board, the LCAQMD will extend the services of the APCO, Douglas Gearhart through June 30, 2025 with a 30 day termination option. In exchange for these services, Mendocino County will pay the Lake County Air Quality Management District the hourly rate listed in the MOU for up to a maximum of 10 hours per week. Additionally, in the case of a special project with concurrence of the APCO, Mendocino County may request an additional 10 hours in a week (total of 20 hours for one week). This Board will be notified and approval requested at the next available Board meeting.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Purchasing Considerations (check all that apply):

☐ Not applicable

☐ Fully Article X. <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI>- and/or Consultant Selection Policy <http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4_2021v2.pdf>-Compliant (describe process undertaken in "Executive Summary")

☐ Section 2-38 <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI> Exemption from Competitive Bidding (rationale in "Executive Summary," attach documentation, as needed)

☐ For Technology Purchases: Vetted and Supported by the Technology Governance Committee <<http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)

☐ Other (Please describe in Executive Summary)

Consistency with Vision 2028 <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

☐ Not applicable

☒ Well-being of Residents

☐ Public Safety

☐ Disaster Prevention, Preparedness, Recovery

☐ Economic Development

☐ Infrastructure

☐ County Workforce

☐ Community Collaboration

☐ Business Process Efficiency

☐ Clear Lake

Recommended Action:

Approve the Memorandum of Understanding (MOU) Extension By and Between County of Mendocino and the Lake County Air Quality Management District for Air Pollution Control Officer (APCO) Duties through June 30, 2025.

The Board of Directors Direct District Staff to Provide Updates on the MOU at Regular Intervals (approximately every 6 months).

