



**RON ROBERTS**  
SUPERVISOR, FOURTH DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

**AGENDA ITEM**

**DATE:** March 23, 2010  
**TO:** Board of Supervisors  
**SUBJECT:** OPPOSITION TO ASSEMBLY BILL 1672 (DISTRICTS: ALL)  
**SUMMARY:**

**Overview**

The California Air Resources Board (CARB) is a part of the California Environmental Protection Agency, an organization which reports directly to the Governor's Office in the Executive Branch of California State Government. Its mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy of the state.

The CARB consists of 11 members appointed by the Governor with the consent of the State Senate. The Board members serve part time, except the Chairperson, who serves full time. Members must meet qualifications specified in the law.

Assembly Bill 1672 (AB 1672), as introduced on January 20, 2010, proposes to change the process, as well as eliminating the expertise requirements, under which CARB members are selected so that the positions become elected by district voters rather than appointed by the Governor.

Today's action will direct the Chief Administrative Officer to draft a letter in opposition to AB 1672 and authorize the County's Sacramento representatives to convey this message to the appropriate members of the Legislature and the Administration.

**Recommendation(s)**

**SUPERVISOR ROBERTS**

1. Direct the Chief Administrative Officer (CAO) to draft a letter for the Chairwoman's signature to Assembly Member Jeffries in opposition to Assembly Bill 1672.
2. Authorize the County's Sacramento representative to convey the County's

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ALL)

opposition to Assembly Bill 1672 to the appropriate members of the Legislature and the Administration.

**Fiscal Impact**

This action will result in no current year or subsequent year costs, and will not require additional staff years.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**BACKGROUND:**

The California Air Resources Board (CARB) is a part of the California Environmental Protection Agency, an organization which reports directly to the Governor's Office in the Executive Branch of California State Government. Its mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the affects on the economy of the state.

The CARB consists of 11 members appointed by the Governor with the consent of the State Senate. The Board members serve part time, except the Chairperson, who serves full time. Members must meet qualifications specified in the law.

Five members must be chosen from the boards of local air quality management districts: San Diego Air Pollution Control District, San Francisco Bay Area Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District, South Coast Air Quality Management District (Greater Los Angeles Region) and one member from any other District.

Three other Board members must fill specific categories:

- expertise in automotive engineering or a closely related field,
- expertise in science, agriculture, or law,
- be a physician and surgeon, or health effects expert.

One of the three remaining Board members must have expertise in air pollution control, or must meet the qualifications of one of the three categories mentioned above. The remaining two Board members are public members.

Assembly Bill 1672 (AB 1672), as introduced on January 20, 2010, proposes to change the process, as well as some of the requirements, under which CARB members are selected so that the positions become elected by district voters rather than appointed by the Governor. Commencing with the 2012 statewide general election, AB 1672 would require Board members to be elected by a vote of the public and would require candidates to be a resident of the district from which they are elected. This bill provides the 11 members elected to the CARB shall take office on December 4, 2012 with six of the members serving a four-year term and five of the members, selected by lot, to serve an initial two-year term. AB 1672 also requires the

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CARB, on or before January 1, 2012, to divide the state into eleven districts with substantially equal populations.

There are many negative impacts that could result from a change to the CARB. For example, the County of San Diego Board of Supervisors serves as the San Diego Air Pollution Control Board and, thus, losing our seat would be a loss of local authority. Also, potential changes to CARB every two years may negatively impact long term planning, policies and regulations and air quality attainment goals. Lastly, deleting the requirement of some CARB members to possess technical expertise is of grave concern.

In addition, AB 1672 presents some logistical challenges in creating new district boundaries. It is unclear how these new districts would be formed, and it is possible that any one air basin would not entirely correspond to one district.

It is for the above reasons that I am recommending the County of San Diego actively oppose AB 1672.

I strongly urge your support.

Respectfully submitted,

RON ROBERTS  
Supervisor, Fourth District

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**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

<b>COUNTY COUNSEL REVIEW</b>	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>GROUP/AGENCY FINANCE DIRECTOR</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>CHIEF FINANCIAL OFFICER</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>COUNTY TECHNOLOGY OFFICE</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A
<b>DEPARTMENT OF HUMAN RESOURCES</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A

**Other Concurrence(s):** N/A

**ORIGINATING DEPARTMENT:** Ron Roberts, Supervisor, Fourth District

**CONTACT PERSON(S):**

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**AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_