

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD

Central Region Office, Governing Board Room
1990 E. Gettysburg Avenue, Fresno, CA

Thursday, February 16, 2012

9:00 a.m.

Meeting held via teleconferencing with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield).

This meeting was webcast.

1. CALL MEETING TO ORDER – The Chair, Supervisor O'Brien called the meeting to order at 9:05 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

Tony Barba, Supervisor	Kings County
Oliver L. Baines III, Councilmember	City of Fresno
Skip Barwick, Councilmember, Vice Chair	City of Tulare
Sally Bompreszi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Dr. Henry Jay Forman, Ph.D.***	Appointed by Governor
Harold Hanson, Councilmember**	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
Raymond Watson, Supervisor**	Kern County
Dr. Alexander Sherriffs	Appointed by Governor
Hub Walsh, Supervisor	Merced County
J. Steven Worthley, Supervisor	Tulare County

* Attended meeting in Northern Region Office and arrived at 9:50 a.m.

**Attended meeting in Southern Region Office

***Arrived at 9:21 a.m.

Absent:

Chris Vierra, Mayor	City of Ceres
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3. APPROVAL OF CONSENT CALENDAR – (Item Numbers 15 - 21) *These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public is given the opportunity to comment on any consent item.*

15. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, JANUARY 19, 2012

16. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2012
17. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR JANUARY 2012
18. RECEIVE AND FILE BUDGET STATUS REPORT AS OF JANUARY 31, 2012
19. APPROVE RECLASSIFICATION OF FOUR POSITIONS AND AMEND THE DISTRICT 2011-12 ADOPTED BUDGET BY \$9,062 TO INCORPORATE RECLASSIFICATIONS
20. INCREASE THE SIGNATURE AUTHORITY OF EXECUTIVE DIRECTOR/APCO
21. RECEIVE AND FILE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND SIGNLE AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2011

The Chair, Supervisor O'Brien, stated staff requested Item #20, INCREASE THE SIGNATURE AUTHORITY OF EXECUTIVE DIRECTOR/APCO, be pulled for separate consideration.

Public Comment: None

Moved: Dominici
Seconded: Case
Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Worthley, Sherriffs, Walsh, Hanson, Watson, O'Brien
Nays: None

Motion unanimously carried to approve Consent Calendar Items 15-19, and 21.

20. INCREASE THE SIGNATURE AUTHORITY OF EXECUTIVE DIRECTOR/APCO
Mr. Sadredin asked that this item be removed from the consent calendar for further discussion by the Board. He recommended that the Board not approve any increase in the signature authority of the Executive Director/APCO. He stated that although the increase in signature authority will result in some increase in efficiency, the questions that may be raised in relation to the loss of transparency should be weighed carefully. He added that if the Board wished to increase the signature authority that additional reporting requirements be added in the interest of transparency.

Board members while expressing their confidence in Mr. Sadredin also were unanimous in wanting to ensure transparency and public participation. In seeking an appropriate balance, it was pointed out by a number of Board members that the guidelines for grant contracts are prescribed by the Governing Board and the applicable state and federal laws. After much discussion a motion was made to increase the signature authority of the Executive Director/APCO to \$100 thousand

for grant contracts and keep the Executive Director/APCO's signature authority at \$20 thousand for non-grant contracts. Supervisor Case requested audit reports to be sent to the Governing Board which would outline contracts which have been signed by the Executive Director/APCO. Mr. Sadredin noted any grant contracts without established criteria or guidelines would be brought before the Governing Board for their consideration and approval.

Dr. Forman arrived at 9:21 a.m.

Public Comment: *The following persons provided testimony on this item:*

- Kevin Hall, Central Valley Air Quality Coalition (CVAQ)

Moved: Worthley

Seconded: Barwick

Ayes: Baines, Barba, Barwick, Bompreszi, Case, Dominici,
Forman, Worthley, Sherriffs, Hanson, Watson, O'Brien

Nays: Walsh

Motion carried 12-1 to increase the signature authority of the Executive Director/APCO to \$100 thousand for grant contracts, and keep the Executive Director/APCO's authority at \$20 thousand for non-grant contracts.

4. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*

- Andy Christensen, SEIU Local 521
- Valerie Garaspi, Delano Resident
- Tom Frantz, Association of Irrigated Residents/CVAQ
- Anna Martinez, Green Action for Health/Environmental Justice
- Mary-Michal Rawling, Golden Valley Health Centers
- Kevin Hall, CVAQ

Supervisor Ornellas arrived at 9:50 a.m.

5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – *This item was tabled as the CAC Chair was not present to give the report.*

6. ACTION PLAN FOR DEVELOPMENT OF UPCOMING ATTAINMENT PLANS FOR NEW OZONE AND PARTICULATE STANDARDS – Samir Sheikh, Strategies and Incentives Director, gave the presentation along with Jessi Fierro, Strategies and Incentives Supervisor, on this item regarding the proposed action plan for the development of upcoming federal attainment plans including core plan components such as: analysis of Valley PM 2.5 concentrations; emissions inventories; photochemical modeling; "weight of evidence" analyses; control measures; transportation conformity budgets; reasonable further progress (RFP) analysis; and contingency measures.

Mr. Sheikh reported the proposed guiding principles include:

1. With public health as our number one priority, meet the federal ambient air quality

- standards as expeditiously as practicable.
2. Use sound science as the plan's foundation. This includes efforts to assess public health impacts, predict future air quality, determine the extent of emissions reductions needed, and evaluate the availability, effectiveness, and feasibility of emissions control measures.
 3. Consider the Valley's unique challenges and develop cost-effective strategies that provide adequate operational flexibility and minimize costs to Valley businesses.
 4. Consider all opportunities for timely, innovative, and cost-effective emission reductions. Consider traditional regulations, but look beyond traditional regulations to incorporate monetary incentives, policy initiatives, guidance documents, and outreach.
 5. Given that 80% of the Valley's emissions originate from mobile sources, provide a balanced approach to reducing mobile and stationary source emissions.
 6. Devise and implement reasonable strategies that involve the public in reducing emissions.
 7. Prioritize strategies that contribute to the District's Risk-Based Approach by achieving the greatest public health benefits.
 8. Prioritize strategies that contribute to attainment of multiple air quality standards.
 9. Recognize that there is no "silver bullet" for attainment. In this plan and upcoming attainment plans, every sector – from the public through all levels of government, business, and industry – must continue to reduce emissions.
 10. Compel State and Federal agencies to provide adequate resources and regulatory assistance to reduce emissions from sources under their jurisdiction.
 11. Provide ample opportunity for public participation and feedback in the design and implementation of these plans. Utilize the planning process to also inform participants of the Valley's air quality challenges and successes as well as actions that can be taken to improve Valley air quality.
 12. Build off of the successes of the District's Technology Advancement Program by identifying further opportunities to continue fostering technology advancement, paving the way for new emissions control devices to be increasingly used in the San Joaquin Valley.

Mr. Sheikh and Ms. Fierro also presented a timeline for plan development and the public process. They reported the District's next attainment plan is the 2012 PM2.5 Plan, which is due to EPA by December 14, 2012.

Supervisor Worthley suggested adding another guiding principle which states the District will look to sister agencies, who are contributing to the Valley's air quality problems, to help provide the means to mitigate. Mr. Sadredin responded this issue goes beyond transport by the District's neighboring counties, including recent studies that show trans-boundary ozone from China is affecting the Valley's air quality. Supervisor Watson requested the Board be notified of specific public outreach events as they occur. Mr. Sadredin responded affirmatively.

Councilmember Baines suggested adding a guiding principle asking Valley cities and counties to incorporate these principles in their planning processes. Mr. Sadredin suggested perhaps guiding principle number 4 could be expanded to specifically include asking cities and counties to incorporate in their land use and general plans.

Councilmember Baines stated he would be happy to help facilitate that with the City of Fresno. Mr. Sadredin clarified the District has no regulatory authority towards land use but can make suggestions. Councilmember Baines applauded the balanced approach between regulations and incentives. Mr. Sadredin stated prioritizing measures in communities who are at a greater risk is part of the District's Health Risk-Based Strategy. Supervisor O'Brien recommended staff bring the item back before the Board for consideration in September if it is ready. Supervisor Case suggested staff send a list of community meetings at which the Draft Plan will be discussed so that Board members have the opportunity to attend and hear the public's impression.

Supervisor Walsh left at 11:46 a.m.

Public Comment: *The following persons provided testimony on this item:*

- Sarah Sharpe, Fresno Metro Ministry
- Brent Newell, Center for Race, Poverty and the Environment
- Kevin Hall, CVAQ
- Elizabeth Jonasson, Coalition for Clean Air
- Phil Newell, Guardian Industries
- Maricela Mares-Alatorre, People for Clean Air and Water in Kettleman City
- Tom Frantz, AIR/CVAQ

Moved: Worthley

Seconded: Case

Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Forman,
Worthley, Sherriffs, Ornellas, Hanson, Watson, O'Brien

Nays: None

Motion unanimously carried to approve the Action Plan for Development of Upcoming Attainment Plans, including the addition of two concepts in the guiding principles: how to address transport issues with other agencies; and, to expand the item on engaging through policy initiatives and guidance to make the general plan concept part of the approach

7. APPROVE CONTRACT WITH AGILAIRE LLC FOR IMPLEMENTATION OF A NEW AIR QUALITY MANAGEMENT SYSTEM, DATA ACQUISITION SYSTEM, REMOTE CONTROLS SYSTEM, AND AUTOMATION SYSTEM – Mr. Sadredin reported funding has already been appropriated in this year's budget to automate and modernize the air monitoring network, which will reduce labor costs. He introduced Morgan Lambert, Director of Compliance, who explained that this proposal is for the implementation and evaluation of a pilot automated monitoring system, testing of reliability and functionality, and verifying data quality and accuracy which will develop a model to be replicated throughout the Valley. He noted there was a solicitation process involving reviewing proposals for total system costs, responsiveness to the solicitation and adherence to the overall goals of automating the air quality management system. Mr. Lambert explained today's recommendations are to approve and authorize Chair to execute a contract for the implementation of the pilot laboratory, authorize the Chair to approve minor administrative changes to the contract prior to execution if necessary and authorize the Executive Director to execute contract with Agilaire LLC for the implementation of system

across the District's entire air monitoring network provided the pilot laboratory meets objectives.

Supervisor Worthley requested a timeline for implementation of the pilot. Mr. Lambert explained the implementation of the pilot project will take 90 days and the evaluation phase could be up to six months. Mr. Sadredin responded the proposals submitted by the vendors were for both the pilot project and the entire network, however, should the pilot project not meet District standards, the recommendation would authorize the District to halt the project without contracting for the remainder work.

Public Comment: *The following persons provided testimony on this item*

- Mary-Michal Rawling – Environmental Interest Group, Merced

Moved: Worthley

Seconded: Barwick

Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici,
Forman, Worthley, Sherriffs, Ornellas, Hanson, Watson, O'Brien

Nays: None

Motion unanimously carried to approve contract with Agilaire, LLC for implementation of a new air quality management system, data acquisition system, remote control system, and automation system.

Supervisor Walsh left at 11:46 a.m.

8. APPROVE AND AUTHORIZE CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE LOCAL GOVERNMENT COMMISSION FOR THE EXECUTION OF EDUCATIONAL LOCAL LEADERSHIP FORUMS – Mr. Sadredin reported the District received a proposal from the Local Government Commission (LGC). He explained LGC proposed to organize three educational forums where local elected officials learn about and discuss land use and transportation strategies that reduce emissions, improve air quality, create jobs, improve health statistics and foster civic engagement and social cohesion.

Public Comment: None

Moved: Sherriffs

Seconded: Forman

Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Forman,
Worthley, Sherriffs, Ornellas, Hanson, Watson, O'Brien

Nays: None

Motion unanimously carried to approve and authorize chair to sign memorandum of understanding with the Local Government Commission for the Execution of Educational Local Leadership Forums.

9. APPROPRIATE \$359,689 IN UNANTICIPATED REVENUE FOR THE CARL MOYER MEMORIAL AIR QUALITY STANDARDS ATTAINMENT PROGRAM FROM THE

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT – Mr. Sadredin reported the Mojave Desert Air Quality Management District (MDAQMD) allocated their unused prior year Carl Moyer Program funds to the District to be used in conjunction with other Carl Moyer Program funds for qualifying emission reduction funds within the Valley which would benefit both the Valley and the MDAQMD. He explained the recommendations are to accept these funds, approve the Budget Resolution to appropriate these funds for the Carl Moyer Program and authorize the Chair to sign letter on behalf of the Governing Board recognizing the MDAQMD for their ongoing regional partnership with the District in administering the Carl Moyer Program. Mr. Sadredin asked Dr. Sherriffs to express the District's gratitude to Ms. Reardon, ARB member from the MDAQMD.

Public Comment: None

Moved: Sherriffs
Seconded: Barba
Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici, Forman,
Worthley, Sherriffs, Ornellas, Hanson, Watson, O'Brien
Nays: None

Motion unanimously carried to appropriate \$359,689 in unanticipated revenue for the Carl Moyer Memorial Air Quality Standards Attainment Program from the Mojave Desert Air Quality Management District.

10. VERBAL REPORT BY ALEXANDER SHERRIFFS, M.D. ON AIR RESOURCES BOARD (ARB) ACTIVITIES – Dr. Sherriffs reported the Board approved a series of amendments to low emissions vehicle regulations targeted at car manufacturers to produce more zero-emissions and plug-in hybrid vehicles in future model years.
11. APPOINT AD HOC BUDGET SUBCOMMITTEE – Mr. Sadredin explained the normal process of preparing the District's annual budget consists of creating an Ad Hoc Budget Subcommittee normally consisting of five or six Board members, the Chair, Vice Chair and three volunteers. Councilmember Bomprezzi, Councilmember Hanson, Councilmember Baines and Supervisor Worthley volunteered to be part of the Ad Hoc Budget Subcommittee.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported the Governing Board's Study Session is scheduled for May 2 and 3, 2012. He requested feedback on potential topics for discussion at the Study Session. Mr. Sadredin reported the annual trip to Washington D.C. is scheduled for March 26 through March 29, 2012. Mr. Sadredin asked if the Board was interested in the staff conducting more detailed orientation sessions for new Members. All new Board members expressed interest.

ADJOURN

Meeting adjourned at 1:39 p.m.

Next scheduled meeting of the Governing Board: Thursday, March 15, 2012. Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, and 1990 E. Gettysburg Avenue, Fresno. The meeting will be held via video teleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.