

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, August 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 9:03 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

Oliver L. Baines III, Councilmember	City of Fresno
Tony Barba, Supervisor	Kings County
Skip Barwick, Councilmember, Vice Chair	City of Tulare
Sally Bomprezzi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
Dr. Henry Jay Forman, Ph.D.	Appointed by Governor
Harold Hanson, Councilmember**	City of Bakersfield*
William O’Brien, Chair *	Stanislaus County
Hub Walsh, Supervisor*	Merced County
J. Steven Worthley, Supervisor	Tulare County
Chris Vierra, Mayor*	City of Ceres
Raymond Watson, Supervisor**	Kern County

* Attended meeting in Northern Region Office

**Attended meeting in the Southern Region Office

Absent:

Ronn Dominici, Supervisor	Madera County
Leroy Ornellas, Supervisor	San Joaquin County
Dr. Alexander Sherriffs	Appointed by Governor

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, JUNE 21, 2012
16. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2012
17. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR JUNE AND JULY 2012
18. RECEIVE AND FILE BUDGET STATUS REPORT AS OF JULY 31, 2012
19. APPROVE AND AUTHORIZE CHAIR TO EXECUTE AMENDMENT NO. 2 TO AGREEMENT WITH PRICE PAIGE & COMPANY TO EXTEND THE CONTRACT FOR ANNUAL AUDIT SERVICES FOR TWO ADDITIONAL YEARS
20. APPROVE AGREEMENT WITH CJ LAKE, LLC FOR FEDERAL LEGISLATIVE ADVOCACY FOR AN AMOUNT NOT TO EXCEED \$89,244
21. REAPPOINT HEARING BOARD PRIMARY AND ALTERNATE PUBLIC MEMBERS TO SERVE A TERM OF THREE YEARS

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

- Tom Frantz, Association of Irrigated Residents/CVAQ

Supervisor Case expressed her understanding of the concern regarding the monitor in Arvin and explained the monitor was on private property so ARB was required to move the monitor. Mr. Sadredin explained the new location ARB chose for the monitor is at a school which is more representative of what the residents in Arvin are exposed to. He added the Board approved research project in Arvin for an Ozone Cluster Study to determine Ozone patterns.

Moved: Case
Seconded: Worthley
Ayes: Baines, Barba, Barwick, Bompreszi, Case, Forman,
Hanson, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to approve Consent Calendar Items 15 – 21.

4. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*
 - Jackie Grazier, Jeffrey Scott Agency
 - Roger Isom, California Cotton Ginners and Growers Association

- Tom Frantz, Association of Irrigated Residents/CVAQ

5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Amarpreet Dhaliwal, Chair of the Citizens Advisory Committee (CAC), gave the report on highlights from the CAC meeting of August 7, 2012. He reported CAC received an update from District staff on the development of the 2012 PM 2.5 plan, which is being developed in an extensive public process to meet the 2006 federal 24-hour PM 2.5 standard. He also reported CAC received a presentation on the District's request that EPA Region 9 deem the District's comprehensive permitting program as equivalent to federal Title V requirements.

Mr. Dhaliwal noted that while there was not a quorum present to take action on items on the CAC Agenda, there was a general consensus to support the District's position on Title V equivalency. He noted there was a concern brought up by a CAC member regarding ongoing quorum issues due to lack of attendance by members of the various interest groups. He asked Supervisor Worthley to please look into expediting the appointment of a new Primary City Interest Representative for Tulare County by the City Selection Committee.

Public Comment: None

6. S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect) – Marissa Gonzales, Personnel Director presented this item, which formally recognized the employees who reached a service milestone during the second quarter of 2012.

Five Years of Service

Michelle Franco, Deputy Clerk to the Board
Tina Frederick, Air Quality Inspector II
Janet Goode, Air Quality Field Assistant
Yousif Zardo, Air Quality Inspector II

Ten Years of Service

James Harader, Senior Air Quality Engineer

Ms. Gonzales also presented a special recognition for the following individuals who are the first to reach a twenty years milestone with the District:

Twenty Years of Service

David Baldwin, Supervising Air Quality Inspector
John Cadrett, Air Quality Compliance Manager
Michael Carrera, Air Quality Compliance Manager
Kai Chan, Air Quality Engineer II
Frederick Cruz, Air Quality Engineer II
John Gallup, Air Quality Specialist II

Twenty Years of Service (continued)

Rupinder Gill, Permit Services Manager
Charles Hemphill, Accounting Manager
Richard Karrs, Supervising Air Quality Engineer
Martin Keast, Supervising Air Quality Engineer
Greg LaFore, Senior Air Quality Inspector
Stephen Leonard, Senior Air Quality Engineer
Kari Liljebblad, Senior Air Quality Inspector
Rhonda Mansur, Air Quality Inspector II
Richard McVaigh, Deputy APCO
Craig Mitchell, Senior Air Quality Inspector
Karen Morris, Offices Services Manager II
Allan Phillips, Supervising Air Quality Engineer
Jovencio Refuerzo, Supervising Air Quality Engineer
Seyed Sadredin, Executive Director/APCO
Leonard Scandura, Permit Services Manager
Mark Schonhoff, Senior Air Quality Engineer
Stephen Shaw, Supervising Air Quality Specialist
James Sweet, Senior Air Quality Specialist (*Retired August 11, 2012*)
Suzanne Tange, Air Quality Inspector II
David Warner, Director of Permit Services

Supervisor O'Brien stated the District has greatest challenge of any air district in the country and a top-notch staff. He congratulated the employees on their service milestones, along with the rest of the District staff and thanked them for a job well done.

7. **APPROVE SCORING AND FUNDING CRITERIA FOR COMPETITIVE RFP-BASED PROJECTS SUBMITTED UNDER THE DISTRICT'S PUBLIC BENEFIT GRANTS PROGRAM** – Mr. Sadredin gave the presentation on this item. He stated the Public Benefit Grants program was instituted by the Board in 2011. He noted this item generated significant discussion at the June 21, 2012 Governing Board meeting. He stated the Board directed staff to return with a scoring and funding criteria that adhered to the following guiding principles:

- Funding should only be provided for cost-effective projects.
- Public Benefit Project dollars spent by the District, per ton of reductions in emissions, must be competitive with other private sector projects that the District may have the opportunity to fund.
- Public Benefit Projects funded by the District must produce measurable reductions in emissions that best serve to bring the Valley into attainment of the federal ambient air quality standards and improve public health.

- Provide for population-based regional distribution of the funds to the extent that cost effective project proposals are submitted by the region.

Mr. Sadredin stated that the scoring and funding criteria presented today adhered to the guiding principles provided by the Governing Board and provided details on the proposed methodology.

Supervisor Worthley stated he agreed with allowing applicants with a submitted proposal to amend or supplement their proposals to address the scoring and funding criteria adopted today. Supervisor O'Brien concurred that while it is acceptable to allow applicants to provide additional information on a project, it would not be fair to allow the applicants to change the project. He also asked what would happen to any monies left over, as the proposed criteria seems to limit the amount of money to be awarded. Mr. Sadredin noted all projects previously submitted are public record, therefore at the Board's direction staff will limit the extent to which they can change their application. He also noted that remaining funds will be rolled over to the next request for proposals. Supervisor O'Brien reflected on the fact that pollution is created in every portion of the Valley, causing fees to be paid by residents and that is where the funds should be spent.

Vice Mayor Barwick stated he agreed with the first option with regard to proposals already received. He also suggested looking at the infrastructure with regards to dirt roads and the dust and air pollution generated by using them. Supervisor Watson suggested scoring all projects submitted, including those that were not recommended previously. He voiced support for re-scoring every project previously submitted, as well as any new submittals which may be encouraged by the new criteria.

Supervisor Case commented in terms of infrastructure projects, staff should look at projects which have the most benefit per cost. Mr. Sadredin commented that while transportation infrastructure projects are beneficial for long term reductions in emissions, their dollar per ton cost is high. He suggested future action by the Board to establish separate funding criteria for infrastructure projects if current methodology is found to be inadequate.

Mr. Sadredin noted that \$20 million total is budgeted for the program, and this RFP accounts for \$5 million. He said the District will open another RFP in the next couple of months. Supervisor O'Brien remarked staff has done a really good job incorporating a lot of diverse ideas and have come up with the fairest solution they could, which is cost-effective and reduces pollution. He voiced support for the staff recommendation.

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

- Tom Frantz, Association of Irrigated Residents/CVAQ
- Ken Hamm, City of Fresno

Moved: Barba
Seconded: Worthley
Ayes: Baines, Barba, Barwick, Bompreszi, Case, Forman,
Hanson, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to approve scoring and funding criteria for competitive RFP-based projects submitted under the District's Public Benefit Grants Program, and to go forward with existing proposals, allowing applicants to supplement applications to address the new criteria, but not change their proposals.

8. VERBAL UPDATE ON DEVELOPMENT OF 2012 PM2.5 PLAN – Errol Villegas, Strategies and Incentives Manager, and Jessi Fierro, Strategies and Incentives Supervisor, gave the presentation on this item which provided an update on the development of the District's 2012 PM2.5 Plan. Ms. Fierro noted there are several building blocks to the development of the District's plan including the federal requirements related to EPA's 2006 PM2.5 Standard which mandates that the District submit a plan by the end of this year. She reported another building block is the strong foundation laid by the District's 2007 Ozone Plan and 2008 PM2.5 Plan and all the rules and regulations adopted under those plans over the past few years. Lastly, she reported the Guiding Principles adopted by the Board in February, 2012 have provided another building block for development of the Plan.

Ms. Fierro reported the District's goal is to prepare a strong plan to attain the federal standard as expeditiously as possible. She noted strong efforts by staff in the area of public involvement, including: providing regular updates to the Governing Board, CAC, EJAG and CAGI; holding Public Workshops in April and June, with a tentative date in October; holding a Technical Symposium on the modeling in April; and meetings with various interested stakeholder groups who have requested to speak to staff about various issues regarding the plan. Lastly, she noted staff is available by phone, email and in person, to discuss any questions or comments that members of the public and/or stakeholders may have had. Mr. Villegas reported on PM2.5 control measures and how staff is working to identify all the reductions necessary to attain the federal standard as expeditiously as possible. Lastly, Mr. Sadredin reported on the District's efforts to work with MPOs and COGs given their modest transportation conformity budgets. He asked Board members to encourage their technical staff on the COGs to work with the District and ARB to come up with an accurate, reasonable estimate for future transportation plans.

Councilmember Hanson commented that Kern COG would make an effort to work with the District and ARB. Vice Mayor Barwick noted 56% of the truck traffic in the Valley is to provide freight services to northern and southern California. He suggested giving attention to that area and encouraged more

public participation at upcoming workshops. Mr. Sadredin noted the environmental groups in the Valley have yet to submit any recommendations or proposals for the Plan.

Dr. Forman suggested there should be more argument on the health risk-based standards, and not on measuring mass. Supervisor Watson commented that achieving the standards in the Valley has become a political issue, as it would be impossible for the Valley to meet them given the large amount of truck traffic from other California regions. Mr. Sadredin noted as hard as it is to try to meet the PM 2.5 standard, that staff is currently working on, it will be even harder to try and meet the Ozone standard that EPA is currently establishing. He commented the only way to meet that standard may be to ban all fossil fuel combustion. Councilmember Baines stated the Board should explore more aggressive options to raise public awareness of the impact of diesel truck emissions on Valley air quality. Supervisor Walsh suggested Board members should work with their local COGs on these issues.

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

- Ahron Hakimi, Kern Council of Governments
- Tom Frantz, Association of Irrigated Residents/CVAQ
- Kenneth Bork, Plains Exploration & Production Company
- Elizabeth Jonasson, Coalition for Clean Air
- Manuel Cunha, Nisei Farmers League

9. ADOPT A POSITION IN OPPOSITION TO SB 1468 (CALDERON) – FIREWORKS – Mr. Sadredin gave the presentation on this item which addresses the pending legislation SB 1468 (Calderon) which authorizes, pending the adoption of an ordinance by local jurisdictions, the additional retail sale of safe and sane fireworks during the period of December 26th to January 2nd for two years (2014 and 2015) and authorizes a Fireworks Data Collection Program by the State Fire Marshal to assess the fire, injury, and disposal issues related to the fireworks usage. Mr. Sadredin explained that allowing fireworks during the winter season could significantly impact the District's efforts to attain health-based air quality standards. Mr. Sadredin expressed disappointment that no health or environmental organizations had yet come forward in opposition to this bill.

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

- Manuel Cunha, Nisei Farmers League
- Elizabeth Jonasson, Coalition for Clean Air

Moved: Case
Seconded: Barwick
Ayes: Baines, Barba, Barwick, Bompreszi, Dominici, Forman,
Hanson, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to adopt a position in opposition to SB 1468 (Calderon) – Fireworks

10. APPROVE AND AUTHORIZE CHAIR TO SIGN AGREEMENTS RELATED TO SCHOOL-AND CHILDREN-FOCUSED AIR QUALITY OUTREACH – Jaime Holt, Chief Communications Officer, gave the presentation on this item which proposed an agreement and memorandum of understanding regarding school- and children-focused outreach including: an Agreement with the Central California Asthma Collaborative for further development and adoption of the Real Time Air Advisory Network and the School AQI Flag Program in the amount of \$96,000 to inform area students, parents and teachers about both daily and real-time air quality status; and a Memorandum of Understanding with Valley PBS to continue a partnership to sponsor youth-focused air-quality awareness content.

Supervisor O'Brien requested the Board action today require the PBS portion of the agreement to force the inclusion of the Sacramento-area station, KVIE, so that San Joaquin and Stanislaus Counties will gain exposure to the programming. Mr. Sadredin clarified there is a good chance of KVIE adopting this programming. Supervisor Worthley suggested creating a digital flag program, utilizing existing electronic signs located at various schools in the Valley. Supervisor Walsh made a motion to approve staff recommendations with the added request that if KVIE were unsuccessful in adopting this programming, they would report back to the Board with recommendations on how to get it there.

Councilmember Baines left at 11:58 a.m.

Public Comment: None

Moved: Walsh
Seconded: O'Brien
Ayes: Barba, Barwick, Bompreszi, Case, Forman,
Hanson, Walsh, Worthley, Vierra, Watson, O'Brien
Nays: None

Motion unanimously carried to approve and authorize chair to sign agreement related to school-and children-focused air quality outreach with the added request to include the Sacramento-area station, KVIE. In the case of an unsuccessful adoption of the programming by KVIE, the Board requests a report back with recommendations on how to achieve this goal.

11. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES - This item was tabled as Dr. Sherriffs was not in attendance.
12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported the 2nd session of the Governing Board orientation series for new members, on the regulatory maze in California, is scheduled for August 21st. He thanked Vice Chair Barwick for accepting a prestigious award on behalf of the District, the Pat Brown Annual Award by the California Council for Environmental and Economic Balance (CCEEB). He also reported the District has finished installation of two electric vehicle charging units at the Central Region office that are open to the public with funding by a grant from the California Energy Commission. He stated the District will hold a press conference on Friday to announce the beginning of the Air Alert season, as schools will go back in session throughout the Valley. Lastly, Mr. Sadredin asked for feedback from Board members on the Employee Association suggestion to hold a social event, such as a potluck or ice cream social with the District employees after an upcoming Board meeting.
13. GOVERNING BOARD MEMBER COMMENTS – Supervisor Walsh thanked the Board for their patience, as he has had to miss the last couple of Board meetings due to scheduling conflicts. Vice Mayor Barwick stated he was impressed to learn about CCEEB and what they do. He stated the District received the award for the Tune In Tune Up program and commented that Mr. Sadredin and staff should be very proud to receive such a prestigious award. Mr. Barwick also noted he had a good conversation with Senator Rubio during the event. Councilmember Hanson commented that he attended the Tune In Tune Up event in Kern County and congratulated staff for a well-attended and well-organized event. Supervisor O'Brien commented it was a great idea for the Board to get together with employees.
14. CLOSED SESSION: District Counsel, Catherine Redmond announced the Board would adjourn to Closed Session to discuss the following item, followed by adjournment:
 - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Initiation of litigation pursuant to Government Code section 54956.9 (1 potential case)

ADJOURN

Meeting adjourned at 12:28 p.m.

The next scheduled meeting of the Governing Board is: Thursday, September 20, 2012. Meeting starts at 9:00 a.m., in the Central Region Office, Governing Board Room, 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.