

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, April 19, 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 Bompreszi, Councilmember	City of Madera
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
William O'Brien, Chair	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
Dr. Alexander Sherriffs	Appointed by Governor
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

***Arrived at 9:11 a.m. in the Northern Region Office

Absent:

Dr. Henry Jay Forman, Ph.D.	Appointed by Governor
Harold Hanson, Councilmember	City of Bakersfield

3. APPROVAL OF CONSENT CALENDAR – (Item Numbers 18 - 23) *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.*

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

19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2012
20. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR MARCH 2012
21. RECEIVE AND FILE BUDGET STATUS REPORT AS OF MARCH 31, 2012
22. AMEND CONFLICT OF INTEREST CODE
23. APPROVE AND AUTHORIZE THE CHAIR TO SIGN CONTRACT AMENDMENT WITH CALIFORNIA MANUFACTURING TECHNOLOGY CONSULTING TO EXTEND THE EXPIRATION OF THE CONTRACT TO JUNE 30, 2012

Public Comment: None

Moved: Case

Seconded: Barwick

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

Nays: None

Motion unanimously carried to approve Consent Calendar Items 18 – 23.

4. PUBLIC COMMENT – *The following persons provided testimony during the public comments portion of the meeting:*
 - Tom Frantz, Association of Irrigated Residents/CVAQ
 - Andy Christensen, SEIU Local 521
5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Chair of the Industry Ag Interest Group, gave the report on the Citizens Advisory Committee (CAC) meeting on April 3, 2012. He reported Mr. Sadredin provided an update on meetings with representatives of EPA and members of Congress in Washington D.C., where the need for federal funding for additional air quality monitoring was discussed. Mr. Cunha reported Dr. Lighthall presented an update on the Lawn Care Conference which was well attended by professionals from various sectors of the lawn care industry. He stated Mr. Williams provided an update on recent EJAG activities including approving additional recommendations for emission reduction incentive projects.
6. S.T.A.R. RECOGNITION – Marissa Gonzales, Personnel Director, gave the presentation on this item which formally recognized the employees who have reached a milestone during the first quarter of 2012.

Five Years of Service

Eric Esposito, Air Quality Inspector II

Dolores Gough, Air Quality Engineer II

Anna Myers, Senior Air Quality Specialist

Koshoua Thao, Senior Air Quality Specialist

Ten Years of Service

Jonah Aiyabei, Air Quality Engineer II
Charlene Cano, Air Quality Specialist II
Karen Hatfield, Air Quality Specialist II
Lynn Sargenti, Senior Office Assistant

7. END OF SEASON REPORT ON THE 2011-12 WOOD-BURNING SEASON – Errol Villegas, Strategies and Incentives Program Manager, gave the presentation on this item which described the effectiveness of Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters). He discussed the La Niña weather pattern the Valley experienced throughout the wood-burning season which included prolonged stagnation periods, extremely cold overnight temperatures and strong surface-based temperature inversions. Mr. Villegas described how the unusually strong temperature inversions trapped particulate pollution resulting in more wood-burning curtailments. The report also indicated that despite challenging meteorological conditions, the Valley experienced more days with good air quality than two years ago.

Jaime Holt, Chief Communications Officer, continued the presentation, explaining the expanded District outreach for this program comprised of multi-media advertising campaign and Check-Before-You-Burn messaging utilizing Facebook and Twitter to promote cleaner wood-burning options. Ms. Holt also reviewed the Burn Cleaner Community Incentive Grant program.

Supervisor Worthley asked if the budgeted amount of money for the Burn Cleaner incentive grants was exhausted. Mr. Sadredin responded the District came close to exhausting funding but has not denied any requests. Supervisor Worthley suggested considering increasing the funding to residents who do not have natural gas available to purchase a cleaner-burning device. Mr. Sadredin stated staff would investigate that option with District vendors. Supervisor Watson congratulated Ms. Holt and her staff on the campaign and the results it achieved. He suggested thanking and providing feedback to the public on what they accomplished during the season. Supervisor O'Brien expressed concern regarding feedback received from a woodstove dealer citing difficulties as a dealer to participate in the incentive program. Dr. Sherriffs asked when the threshold would need to be lowered again. Mr. Sadredin responded that staff may consider that option as a part of the new PM2.5 Plan coming to the Board later this year.

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

- Kevin Hall, CVAQ
- Tom Frantz, Association of Irrigated Residents/CVAQ

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

Motion unanimously carried to receive the End of Season Report on the 2011-12 Wood-Burning Season.

8. APPROVE CONTRACT WITH JEFFREY SCOTT ADVERTISING (JSA) FOR ADVERTISING AND MARKETING AGENCY REPRESENTATION: COMPREHENSIVE, MULTILINGUAL PUBLIC OUTREACH CAMPAIGNS – Ms. Holt made the presentation for this item which proposed approving a contract with Jeffrey Scott Advertising (JSA) including \$185,000 to promote Healthy Air Living, Air Alert and wood-burning curtailments as well as up to \$75,000 to promote District grants and incentive programs. She noted achieving clean air and public health goals requires all sectors to do their fair share, and public education and outreach is essential to advance public participation and support for clean air measures. Ms. Holt explained public outreach strategies are greatly monitored by market research surveys to ensure their effectiveness. Ms. Holt noted JSA has demonstrated exemplary performance, air quality expertise, fiscal accountability and budget leverage. She noted the contract language states that at any time, with 30 days' notice, the APCO has authority to exit the contract if JSA's performance and dedication does not meet the District's objectives.

Councilmember Baines acknowledged the outreach efforts and asked what strategies are used for low income communities. Ms. Holt responded approaches towards low income communities include small billboards and posters placed in local convenience stores, photo novelas at doctor's offices, and elementary school curricula. Supervisor Watson expressed support for the proposed contract and acknowledged Ms. Holt for her efforts. Supervisor Case voiced her support for approval of the contract with JSA.

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

- Kevin Hall, CVAQ

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

Motion unanimously carried to approve contract with Jeffrey Scott Advertising for advertising and marketing representation.

9. DISTRICT'S ANNUAL AIR TOXICS REPORT FOR THE YEAR 2011 – Dave Warner, Permits Services Director, gave the presentation on this item which provides the District an opportunity to share its progress in implementing AB2588, the Air Toxics Hot Spots Information and Assessment Act of 1987. He explained that this year, the analysis

demonstrates there are no industrial sources of toxic air contaminants in the Valley that create a significant health risk. He added risk reduction efforts are also being made through Air Toxic Control Measures (ATCMs), stationary engine replacement, District's emission reduction incentive program and District Toxic Best Available Control Technology (T-BACT) permitting requirements. Mr. Warner noted the District is preventing health risk from new operations by evaluating the health risk before permit issuance for every proposal to increase toxic emissions.

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

- Kevin Hall, CVAQ

Moved: Case

Seconded: Dominici

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

Nays: None

Motion unanimously carried to receive District's Air Toxics Report for 2011

10. APPROVE NEW INCENTIVE PROGRAM FOR ALTERNATIVES TO PROFESSIONALLY-MANAGED PYROTECHNIC FIREWORKS DISPLAY – Mr. Sadredin stated at the March Governing Board meeting, Supervisor Barba requested staff research options for alternatives to professionally-managed pyrotechnic fireworks displays based on interest in his community. Todd DeYoung, Strategies and Incentives Manager, gave the presentation on this item which proposed creation of a new incentive program to assist with low-emission alternatives to traditional fireworks shows.

Supervisor Dominici asked if this program would be available in mountain communities such as Bass Lake. Mr. Sadredin responded it would, as Bass Lake is located within District boundaries. Supervisor Worthley asked if there would be a requirement that these alternative fireworks displays take place on July 4th to help with air quality issues. Mr. DeYoung responded July 4th is typically when the spike in air quality occurs. Supervisor Case suggested lowering the amount of the incentive awarded per event to \$15 thousand to be able to provide more than 8 incentive awards. She also suggested looking at charcoal BBQs and their impact on air quality.

Supervisor Walsh suggested adding a message, on the negative impacts of July 4th fireworks on air quality, to the District's outreach program. Supervisor O'Brien stated this program would be a great opportunity for media attention.

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

- Mike Bertaina, Hanford Chamber of Commerce

Councilmember Baines suggested targeting funds at an existing program and monitoring health impact results for future incentives. Supervisor Case recommended lowering the incentive awards to \$10 thousand each and limiting the total amount awarded to \$100

thousand dollars total. Supervisor Dominici vocalized support for the Hanford event to be used as a pilot program for future alternative pyrotechnic displays in the Valley. Supervisor O'Brien suggested awarding funds for 3 alternative pyrotechnics displays, one in each Region, up to \$10 thousand each. Supervisor Watson suggested anyone who is interested in organizing one of these types of events should be supported with an incentive award. He stated this would call attention to the negative impacts of traditional fireworks on air quality.

Supervisor Dominici made a motion to approve the recommendation as presented by staff. Supervisor Case seconded the motion with the condition that the awards be capped at 50 % of the total costs, up to \$10 thousand. Supervisor Dominici agreed to amend his motion. Supervisor O'Brien expressed concern at allocating \$250 thousand for this pilot program. Councilmember Baines agreed with Supervisor O'Brien. Supervisor Case asked the maker of the motion to consider lowering the total program dollars allocated. Supervisor Dominici stood by his original motion to approve as presented by staff with an award cap at 50%, up to \$10 thousand dollars per award

Moved: Dominici

Seconded: Case

Ayes: Barba, Bomprezzi, Case, Dominici, Worthley, Watson

Nays: Baines, Barwick, Ornellas, Sherriffs, Walsh, Vierra, O'Brien

Motion failed 6-7 to approve the incentive program as recommended by staff with an award cap at 50%, up to \$10 thousand dollars per award, for a total of \$250 thousand.

Supervisor O'Brien made a motion to approve sponsorship of three different events, one in each Region, up to \$10 thousand per show for a total of \$30 thousand.

Moved: O'Brien

Seconded: Dominici

Ayes: Baines, Barba, Barwick, Bomprezzi, Case, Dominici,

Ornellas, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien

Nays: None

Motion unanimously carried to approve an award for 3 alternative pyrotechnics displays, one in each Region of the Valley, up to \$10 thousand each for a total of \$30 thousand.

11. VERBAL REPORT ON THE DISTRICT'S RECENT LAWN CARE CONFERENCE – David Lighthall, Health Science Advisor reported the 2012 Landscape, Lawn Care and Air Quality Conference drew more than 100 attendees in the landscaping industry to hear about the health effects of emissions generated by lawn care maintenance, how to reduce those emissions, and potential alternatives. He noted District grant funds are available to assist landscape and lawn care operations to make low-emission choices.

Supervisor O'Brien complemented staff and businesses that attended the conference. Dr. Sherriffs asked how far the emissions spread to pose a risk to the public. Dr.

Lighthall explained it is a neighborhood exposure risk; the risk is worse the closer to the equipment dependent upon wind direction and speed.

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

- Manuel Cunha, Nisei Farmers League

12. APPROVE AND AUTHORIZE THE CHAIR TO SIGN MEMORANDUM OF UNDERSTANDING WITH KERN GREEN TO RECRUIT AND RETAIN BUSINESSES IN THE HEALTHY AIR LIVING PARTNER PROGRAM – Ms. Holt gave the presentation for this item proposing approval of a memorandum of Understanding (MOU) between Kern Green in the amount of \$11,500 to recruit and retain businesses in the Health Air Living Partner. She explained Kern Green will work to integrate the Partner program into its Green Business Certification Program and advance the District's clean-air goals by increasing the number of participating businesses.

Dr. Sherriffs commented possibly coordinating this outreach with the other outreach contract and possibly obtaining partners from other areas besides Kern County.

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

- Sasha Windes, Kern Green

Moved: Watson

Seconded: Dominici

Ayes: Baines, Barba, Barwick, Bompreszi, Case, Dominici, Ornellas, Sherriffs, Walsh, Worthley, Vierra, Watson, O'Brien

Nays: None

Motion unanimously carried to approve and authorize the Chair to sign Memorandum of Understanding with Kern Green to recruit and retain businesses in the Healthy Air Living Partner Program.

13. VERBAL UPDATE ON DEVELOPMENT OF 2012 PM2.5 PLAN – Samir Sheikh, Strategies and Incentives Director, provided the presentation on the development of the 2012 PM2.5 Plan. He explained the District is using the Guiding Principles adopted by the Board in February 2012 to develop the Plan. Mr. Sheikh added that the District has been collaborating with ARB on modeling efforts to predict future PM2.5 air quality and the magnitude of emissions reductions that will be needed for attainment. He described extensive public outreach on plan development including regular presentations at CAC and EJAG meetings, upcoming group meetings, a District/ARB technical symposium and a draft plan workshop scheduled for April 30, 2012.

Mr. Worthley asked if wildfires are included in the inventory. Mr. Sheikh responded positively.

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

- Kevin Hall, CVAQ

14. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES – Dr. Sherriffs gave the report on the California Air Resources Board meeting on March 22, 2012. He reported the Board received an update from staff on efforts to develop sustainable Community Strategies for Southern California and the Sacramento area under SB 375. He added the Board approved funding for eight new academic research proposals related to air pollution. He noted there are two studies of special interest for the Valley are a U.S. Davis study of mitigation strategies for emissions from dairy silage and a U.C. Berkeley study analyzing the economic impacts of growth in California. Dr. Sherriffs reported the Board also approved an environmental assessment and final regulations for a series of amendments to State low emissions vehicle regulations. Dr. Sherriffs stated Barbara Riordan, Mojave Air Quality Management District, thanked Supervisor O'Brien for a letter regarding the exchanging of funds.
15. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin noted additional directions and instructions would be sent to Governing Board members next week regarding the upcoming Study Session on May 2nd and 3rd in Bass Lake. He stated the Agenda for the Study Session was approved by the Board a couple of months ago.

Mr. Sadredin also reported on the recent Washington, D.C. trip, which has already paid off in the form of funding for air monitors. He stated they held a productive meeting with EPA and legislators on both sides. He stated EPA will now give the District \$400 thousand towards the cost of two monitors. He also noted that the District advocated for more funding for diesel emission reduction programs and got good feedback on that point. He reported that Senator Boxer and a number of congressional representatives are going to introduce the Air Quality Empowerment Zone bill again, and stated he hoped to get additional assistance from Representative McCarthy to ensure a bi-partisan approach. As for the Risk-Based Strategy, he noted they did take opportunity to educate EPA and legislators about what benefits Risk-Based Strategy would bring. Finally, he thanked all of the new Governing Board members who attended the first session of the New Governing Board Member Orientation, and stated he received feedback that it was a very informative and productive session attended by all five new Governing Board members. He noted two more sessions will follow.

16. GOVERNING BOARD MEMBER COMMENTS – Councilmember Baines echoed Mr. Sadredin's comments on the New Governing Board Member Orientation, stating staff did an outstanding job. He stated the information was well-received by everyone present.

17. **CLOSED SESSION** – District Counsel Catherine Redmond announced the following items would be discussed at Closed Session followed by adjournment.
- CONFERENCE WITH LABOR NEGOTIATOR - Marissa Gonzales; Pursuant to Government Code section 54956.6. Employee Organization SEIU Local 521
 - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION; Initiation of litigation pursuant to Government Code section 54956.9(c) (1 potential case)

ADJOURN

Meeting adjourned at 12:24 p.m.

Next scheduled meeting of the Governing Board: Thursday, May 17, 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.