

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD MEETING

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

Thursday, August 16, 2018

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 Mendes, called the meeting to order at 9:01 a.m.
2. ROLL CALL – was taken and a quorum was present.

Present:

David Ayers, Mayor	City of Hanford
Drew M. Bessinger, Councilmember	City of Clovis
John Capitman, Ph.D	Appointed by Governor
David Couch, Supervisor	Kern County
Bob Elliott, Supervisor**	San Joaquin County
Christina Fugazi, Councilmember**	City of Stockton
Buddy Mendes, Supervisor, Chair	Fresno County
Lloyd Pareira, Supervisor**	Merced County
Craig Pedersen, Supervisor	Kings County
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor	City of Ceres
Tom Wheeler, Supervisor	Madera County
J. Steven Worthley, Supervisor, Vice Chair	Tulare County

Absent:

Kristin Olsen, Supervisor	Stanislaus County
Monte Reyes, Councilmember	City of Porterville

**attended in Southern Region Office*

***attended in Northern Region Office*

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF CONSENT CALENDAR – Item Numbers (18 – 23): *These matters are routine in nature and are usually approved by a single vote. Prior to any action by the board, the public was 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, JUNE 21, 2018

19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2018

20. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARIES FOR JUNE AND JULY 2018

21. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF JULY 31, 2018

22. APPROVE AGREEMENT WITH CJ LAKE, LLC FOR FEDERAL LEGISLATIVE ADVOCACY FOR AN AMOUNT NOT TO EXCEED \$93,708

23. RECEIVE AND FILE DRAFT 2018 ANNUAL DEMONSTRATION REPORT FOR DISTRICT RULE 9610

Public Comment: None

Moved: Worthley

Seconded: Pedersen

Ayes: Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Pareira, Pedersen, Sherriffs, Vierra, Wheeler, Worthley, Mendes

Nays: None

Motion unanimously carried to approve Consent Calendar Item Numbers 18 – 23

5. PUBLIC COMMENT – *The following persons provided comment during this item:*

- Connie Young, Citizens' Climate Lobby
- Thomas Menz, Resident

6. STAR RECOGNITION (SERVICE, TEAMWORK, ATTITUDE, RESPECT) – Chenecua Dixon, Personnel Director, formally recognized District employees who reached a service milestone during the second quarter of 2018:

Five Years of Service

Daniel Buschman, Air Quality Instrument Technician
Ann Marie Collins, Office Services Manager
Soua Vue, Accountant
Ashley Sickler, Air Quality Assistant
Fahryn Peterson, Supervising Accountant
Erin Scott, Air Quality Inspector

Ten Years of Service

Allan Abrea, Air Quality Field Assistant
Mark Montelongo, Senior Air Quality Specialist
Jeannine Tackett, Senior Air Quality Specialist
Greg Brown, Air Quality Specialist

Fifteen Years of Service

Vanesa Gonzalez, Air Quality Engineer
Derek Fukuda, Senior Air Quality Engineer
Ramon Norman, Air Quality Engineer

Twenty Years of Service

David Torii, Air Quality Engineer
David Nunes, Air Quality Specialist

Twenty Five Years of Service

Bryan Wong, Supervising Accountant

7. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Manuel Cunha, Industry/Agriculture Primary member from Fresno County, reported on the highlights from the CAC meeting held on August 7, 2018.
8. ACCEPT AND APPROPRIATE \$1,039,254 IN ADDITIONAL FUNDING FROM THE CALIFORNIA AIR RESOURCES BOARD TO MITIGATE INCREASES IN NOX EMISSIONS RESULTING FROM USE OF BIODIESEL FUEL IN THE SAN JOAQUIN VALLEY – Samir Sheikh, Executive Director/APCO, presented this item which asked the Board to accept \$1,039,254 in additional funding from the California Air Resources Board (ARB) to mitigate increases in oxides of nitrogen (NOx) in the San Joaquin Valley caused by the state's Low Carbon Fuel Standard and authorize the Executive Director/APCO to negotiate and enter into

any agreements with ARB on behalf of the Board to accept and administer this funding.

Public Comment: None

Moved: Wheeler

Seconded: Bessinger

Ayes: Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Pareira,
Pedersen, Sherriffs, Vierra, Wheeler, Worthley, Mendes

Nays: None

Motion unanimously carried to accept and appropriate \$1,039,254 in Additional funding from the California Air Resources Board to mitigate increases in NOx emissions resulting from use of biodiesel fuel in the San Joaquin Valley

9. ACCEPT AND APPROPRIATE UP TO \$5,400,000 IN ADDITIONAL REVENUE FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO FUND THE REPLACEMENT OF HEAVY-DUTY TRUCKS AND AGRICULTURAL EQUIPMENT – Todd DeYoung, Program Manager, reported the District submitted three proposals to the federal Environmental Protection Agency (EPA) in response to the highly competitive Diesel Emission Reduction Act (DERA) fiscal year 2018 National Clean Diesel Funding Assistance Program. The three applications proposed to replace on-road heavy duty class 5 to 8 trucks that have 2006 or older engines with trucks that have 2018 or newer engines; replace agricultural tractors/equipment that have uncontrolled, Tier 1 or Tier 2 engines with new agricultural tractors/equipment that have Tier 4 engines; and repower off-road mobile equipment that have uncontrolled, Tier 1 or Tier 2 engines with new engines that have Tier 4 engines. He said on July 11, 2018, EPA informed the District that the heavy-duty truck and agricultural equipment replacement proposals were both selected for funding for an amount up to \$5,400,000.

Supervisor Pedersen asked if there was enough funding available to meet the demand. Mr. Sheikh said the District is always oversubscribed in their programs and is currently well over \$100,000,000 oversubscribed in incentive programs. He added as the District releases its new truck replacement program and begins funding agricultural equipment with the FARMER funding, the pace of these incentive programs will pick up significantly from where it was last year. Mr. Sheikh said staff recognized there is also a big cost share on the part of the businesses that participate in this program and the District is successful in these efforts because businesses are willing to come to the table. He also thanked the stakeholder groups that help get the word out about the programs, saying all of these partners are what makes these programs successful.

Supervisor Worthley added that there are plenty of trucks out there waiting to be replaced. He complimented staff on the number of dollars in incentive funding that the District has been able to bring in over recent years. He said that funding does not come automatically and he commended staff on the work they do to bring in this funding, as well as the advocacy on behalf of the District at state and federal levels to be able to access these funds. He said it was remarkable and was making a huge difference in the Valley's air quality.

Dr. Sherriffs noted the huge effect on directly-emitted PM2.5 emissions and said the focus on agricultural tractors makes a huge contribution toward reducing emissions. He commented on the large number of trucks waiting to be replaced versus the amount of available funding and wondered if there was an opportunity to prioritize based on the need in disadvantaged communities instead of on a first-come, first-served basis. Mr. Sheikh responded the District has run its programs in a variety of ways, by competitive ranking and also first-come, first served basis. He added the Board has established strict criteria on cost-effectiveness and minimum usage for these programs, which is important to consider to ensure the District funds the types of projects that will bring the most benefit to the Valley. He said it was very important to make these programs responsive to the needs of the businesses that are moving forward with these projects and there are always opportunities for enhancing these programs. Staff strives to incorporate input received from communities, including to focus on trucks that travel through goods movement corridors as well as off road equipment including agricultural and other fleets. He said ultimately, the Board's spending plan and priorities are right in line with input received from communities. Supervisor Mendes added that staff has done a great job of looking at numerous factors and tweaking the programs to best serve the needs of Valley residents.

Supervisor Elliott commented these are excellent programs that do a great job of cleaning the Valley's air. He asked how likely it was that the District would receive the full funding amount requested for these programs. Mr. Sheikh responded very likely as EPA has committed to providing funding up to the full amount to the District. He added that having the larger allocation in the budget will eliminate the need to return to the Board for additional allocations throughout the year.

Public Comments: *The following persons commented on this item:*

- Roger Isom, California Cotton Ginners and Growers Association; Western Agricultural Processors Association
- Genevieve Gale, Central Valley Air Quality Coalition
- Manuel Cunha, Nisei Farmers League
- Colby Morrow, SoCal Gas

Moved: Worthley
Seconded: Wheeler
Ayes: Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Pareira,
Pedersen, Sherriffs, Vierra, Wheeler, Worthley, Mendes
Nays: None

Motion unanimously carried to accept and appropriate up to \$5,400,000 in additional revenue from the United States Environmental Protection Agency to fund the replacement of heavy-duty trucks and agricultural equipment under the Diesel Emission Reduction Act fiscal year 2018 National Clean Diesel Funding Assistance Program.

10. RECEIVE THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING – Mr. Sheikh announced that once again, the Government Finance Officers' Association of the United States and Canada (GFOA) has awarded the District the "Certificate of Achievement for Excellence in Financial Reporting", its highest form of recognition in governmental accounting and financial reporting for the latest Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2017. He said receiving this award represents a significant recognition by an expert independent authority of the Board's commitment to meeting the highest principles of governmental reporting and transparency to the public, and excellence in exercising fiduciary responsibilities. Mr. Sheikh also thanked Mehri Barati, Administrative Service Director, and her Finance team who worked very hard on the CAFR.

Supervisor Wheeler congratulated the Finance team on their accomplishment. Supervisor Pedersen also thanked staff for their hard work.

11. VERBAL REPORT ON 2018 WILDFIRES TO DATE – Jon Klassen, Program Manager and Jaime Holt, Chief Communications Officer, provided Board members with details on the wildfires that have impacted the Valley this summer to date, and the extensive outreach efforts the District has undertaken to notify the public of the air quality and health impacts due to the wildfires.

Mr. Sheikh said the Board has advocated for a long time to try to bring the issue of state forest management to the forefront, as Supervisor Worthley has been working to bring this issue to light during his many years on the Board, and it has been a part of the District's Legislative Platform for many years. He said no one can say that what is happening today is a total surprise, as the buildup in the forests have very predictable consequences and provide much bigger fuel for wildfires. Unfortunately, the District plays a relatively small role overall in the way that land managers handle the forests. He said staff has been working hard to get the message out about the consequences of these fires as a means of elevating, at the state and federal level, the importance of managing the forests. With the new administration at the federal level, he said there has been some movement on the resource side and at the state level there has been increased

responsiveness to addressing forest issues. He said it was important to highlight the need to push for new techniques, aggressive forest management and fuel reduction efforts. Mr. Sheikh said the Forest Service is currently in the process of updating forest management plans in Region 5, incorporating new direction and tools to manage and treat acreages in the forests. He added that staff is in the process of organizing a forum on forest management with the Region 5 Director to put together a plan that is regionally tailored to address the magnitude of the fuel buildup and public health impacts associated with wildfires.

Supervisor Mendes said this is a good time to begin interjecting at the federal level, given the current timing with appropriations and added that something must be done. He said there is no one party to blame, but rather this is the result of 50 years of mismanaged forests.

Councilmember Fugazi commented that she loves the District's Real-Time Air Quality Advisory Network (RAAN) application and its notifications, which are sent out by her school's nurse to staff every morning so they know if children should be taken outside for recess or kept indoors based on current air quality conditions. She said it is a great tool and that she hoped that more people would use it.

Councilmember Bessinger complimented Mr. Sheikh and staff on the compelling and informative presentation and thanked staff for their hard work on this issue.

Supervisor Worthley said that current issues are not a result of climate change, but are a result of the passive lack of management on our forests. History has shown that overgrowth of forest, combined with a dry season and bark beetles leads to a massive die off of trees. He said various state and federal agencies have seen this situation building and have done nothing about it. He said we need to do everything we can to enable active management of our forests, and the state and federal government need to get together and move forward immediately. He added wildfires create so much greenhouse gas and the amount of emissions impacted by District measures make up a fraction of it. When trees die, we are no longer sequestering carbon, but the decaying trees are releasing it. He said the District needs to work with other air districts to educate the public and our politicians on the huge health impacts of wildfires. Supervisor Mendes voiced support for Supervisor Worthley's comments.

Supervisor Wheeler said we have the most renewable resource in the entire world and it is burning down as a result of mismanagement. He said he was holding a Town Hall meeting in Bass Lake on August 30th and asked District staff to present a report on wildfires. He said his Chief of Staff, Brittany Dyer, has been appointed as co-chair of the Governor's Forest Management Task Force group on tree mortality and she would like to help the District with this issue. He said the Congress is in control of the Forest Service and ultimately the responsibility lies with them.

Dr. Sherriffs added there are health protective measures that can be taken during a wildfire. Number one is to stay indoors if possible as air filters can be a very effective tool. He said the ARB Board received a presentation in June that said air filters with a Minimum Efficiency Reporting Value (MERV) of 13 or higher will remove over 90% of particulate matter, but it should also be noted that some HVAC systems may not be able to handle a high efficiency air filter. He said it is important for the District to help the public to navigate this information as there are 3 different rating systems, and said it is astonishing how effective these readily available filters can be. Ms. Holt responded that the District sends a variety of messages during wildfire season and changing air filters is one of the many suggestions. Dr. Sherriffs said forest management is an extremely important effort that the Board has been behind and must continue pushing forward. Fire is a triangle of fuel, heat and oxygen and he noted this is a global issue. He added the models in terms of climate change and climate disruption absolutely predict what we are seeing with this and must be addressed when dealing with this issue.

Supervisor Pedersen reflected on the recent legislative trip to Washington, D.C. and the extremely valuable, high-level meetings. He voiced support for Supervisor Worthley's comments, saying there is no money being put forth to manage forests. He said it is a common theme that there is no management on our nationwide forests. He agreed the Board must continue to push forward on this issue.

Supervisor Elliott congratulated staff for putting together such an excellent report and laying out the facts as to what is actually going on with the wildfires and where the causes originate. He reflected on the advocacy trip to Washington, D.C., saying that Forest Service staff recognized the importance of managing the forests to prevent these types of disasters or at least keep them at a more manageable level. He said climate change is not the sole cause of forest fires. He applauded staff efforts to keep this issue on the table. He also voiced support for Supervisor Worthley's comments.

Mr. Sheikh said with the Board's foresight of pushing forward on the issue of forest management, he has seen much more urgency from federal and state agencies especially during the recent legislative advocacy trip. He thanked the Board for their comments, saying there were great ideas brought forth including Supervisor Mendes' suggestion on appropriations for which the District and maybe even South Coast Air Quality Management District could get involved. He added that bringing in the weight of other areas as part of the legislative process would be more influential. He said it would be important to bring in legislators as well, and said staff would have an agenda item on this topic at the upcoming Governing Board Study Session. He thanked Board members for their comments, saying it was very helpful to get their direction on this issue. Supervisor Mendes complimented Mr. Sheikh on his recent article in the Fresno Bee, and said he did an excellent job.

Mayor Vierra left at 10:53 a.m.

Public Comment: *The following persons commented on this item:*

- Janet Dietz Kamei, Fresno Resident
- Genevieve Gale, CVAQ
- Connie Young, Citizens' Climate Lobby
- Kevin Hamilton, Central Valley Asthma Collaborative
- Thomas Menz, Fresno Resident
- Cynthia Pinto, Madera Resident

12. UPDATE ON PM2.5 ATTAINMENT STRATEGY – Mr. Sheikh said for several years the District has been very active in putting together the 2018 PM2.5 Plan through a very robust public engagement process. He said the Valley faces some very significant challenges in meeting the latest PM2.5 standards. He said there is an attainment strategy that has been going through a very lengthy and extensive process of working with residents and businesses in the Valley to really understand what strategies might work and helping to put together a plan that will address these multiple PM2.5 standards. He said there is also a new Ozone standard, for which staff will have to put together a new plan and coming up with an integrative strategy that really looks for those opportunities to address multiple pollutants, including ozone and PM2.5 and a focus on NOx reductions to ensure PM2.5 and ozone are addressed while also seeking to look for additional direct PM2.5 emissions as a part of this process. He said staff has been working on a draft plan that includes a comprehensive suite of regulatory and incentive-based measures that hits on a number of different sources to achieve the very large amount of emission reductions needed to meet these standards. Mr. Sheikh said there is now ARB modeling that demonstrates attainment using the emission reductions from the comprehensive strategy. He added the basis of this plan relies on significant reductions that have to be achieved in upcoming years and billions of dollars of investments to turn over fleets and put clean air equipment and technologies into place. He said under the Clean Air Act, staff have to be very specific in how they identify the measures and reductions in this plan. He said it is very important to hold ARB accountable for the billions of dollars of funding needed to achieve reductions on the mobile source side of things. The only way to attain these standards is to have a significant increase even beyond the levels seen in the past year or two to secure the reductions needed for attainment.

Mr. Sheikh introduced Sheraz Gill, and announced his recent promotion to Deputy Air Pollution Control Officer. Mr. Gill said that despite progress, the Valley still faces significant challenges in meeting the latest health-based PM2.5 standards under the federal Clean Air Act. He gave a detailed update on the District's proposed attainment strategy which builds on existing measures that achieve significant emissions reductions in coming years. He provided an overview of new District stationary source measures that would apply Valley-wide, along with new District "hot-spot" measures focused on reducing emissions

in regions with most difficult attainment challenge, new CARB mobile source measures, and regulatory and incentive-based measures.

Mr. Sheikh presented the next steps in the plan adoption process, including finalizing the draft plan with regulatory and incentive-based measures for public review, continuing the public engagement process, addressing other Clean Air Act requirements, and presenting an EPA-approvable plan to the Board as soon as possible.

Supervisor Couch left at 11:43 a.m.

Supervisor Mendes asked about upcoming opportunities to engage the public in the plan process. Mr. Sheikh responded that there has been three years of public engagement on the plan and the number of future workshops needed, if any, would depend on how close the plan is to completion. He added right now, he feels the plan is closer than ever with the measures and modeling in place as well as staff working closely with stakeholders to address their concerns. He said dependent on the outcome of the planned ARB meeting in Fresno on August 28th where staff would present the draft plan, the process could advance or staff may need more time to address concerns. He said he was awaiting the agenda from ARB staff and hoped it would be an inclusive meeting which allows for robust public engagement. Mr. Sheikh invited Board members to attend the meeting as well.

Supervisor Worthley said he has been a long-time advocate for “hot-spot” measures. He voiced concern for the idea of more constraints, such as lowering the wood burning threshold, which may dissuade residents from making any effort at all. He said the goal is to get residents to move to natural gas preferably, or at the very least to clean burning wood devices. He suggested magnifying the efforts to get residents to replace their dirty wood burning devices voluntarily by utilizing the District’s incentive programs, and acknowledged the difficulty of informing residents about available incentives via newspapers and social media.

Supervisor Pedersen said ultimate approval of the plan lies with EPA and voiced concern about the approval prospects. Mr. Sheikh responded that EPA Region IX has been a part of the entire planning process and all workshops. He said during conversations with EPA staff, they have advised him to make sure there is good documentation when the strategy is laid out. He added his general feeling has been that EPA staff are very receptive to the strategy outlined today, which they feel is very innovative and not something that is typically done. Supervisor Pedersen said based on the District’s last experience with plan adoption, it would be helpful to make sure the information shared with EPA was spread throughout the organization.

Supervisor Elliott asked if the District’s modeling agrees with ARB’s modeling that has shown attainment. Mr. Sheikh responded affirmatively. Supervisor

Elliott said it was important to have ARB committed to provide the billions of dollars in incentive funds that will be needed to make these reductions possible.

Public Comment: *The following persons commented on this item:*

- Kevin Hamilton, Central CA Asthma Collaborative
- Dolores Barajas Weller, CVAQ
- Thomas Menz, Fresno Resident
- Janet Dietz Kamei, Fresno Resident

13. RECEIVE AN UPDATE ON THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL JUSTICE TASK FORCE – STOCKTON INITIATIVE – Morgan Lambert, Deputy APCO, advised the Board that the District was recently informed by CalEPA that they have selected southern Stockton for a focused multi-media environmental compliance and enforcement initiative and asked for the Board's direction on the level of District participation in CalEPA's 2018-2019 Environmental Justice Task Force – Stockton Initiative. He said similar to a previous initiative in Fresno, staff does not believe that this initiative will identify any significant stationary source air pollution related issues as Valley sources are already continually evaluated through the District's Air Toxics Program as well as our permitting program and are routinely inspected through our enforcement processes. He added that staff feels this is another opportunity to validate the District's programs which have a history of exceptional performance as validated by many third-party audits of District operations.

Councilmember Fugazi said she was very excited about this initiative and said Stockton also received a Transformative Climate Communities (TCC) grant and she said she was surprised they did not reach out to the District. She added the federal government has identified all of south Stockton as an opportunity zone which will add incentives for businesses and development in that area. She said with that comes a high level of responsibility, including air pollution concerns such as numerous outdoor barbecues at small markets in the area that blanket the neighborhood with smoke. She said there is a lot of education needed in those areas and the District is the perfect entity to facilitate that in Stockton. She offered to help in any way possible.

Supervisor Elliott said he agreed with Councilmember Fugazi's comments and said he totally supports the involvement of the District in the entire process. He said it is important for the District to be involved in observing the process as any oversight will ultimately be our responsibility. He added it is a very positive approach for the District to be involved in this from the start.

Dr. Sherriffs said it was great to hear Councilmember Fugazi and Supervisor Elliott embracing the opportunity to help their communities.

Dr. Capitan left at 12:11 p.m.

14. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES - Dr. Sherriffs reported on highlights from the Air Resources Board meetings of June 28, 2018 and July 26, 2018, including:
- The Board approved amendments to the California warranty and maintenance provisions for on-road heavy-duty (HD) diesel vehicles, and the engines used in such vehicles.
 - The Board heard an update on efforts to implement the mandates of AB 617. CARB's Community Air Protection Program is intended to implement a new community focused planning framework to identify impacted communities, and establish criteria for air monitoring and local emissions reduction programs.
 - The Board heard an informational update on research studies funded by CARB that examined the use of high efficiency filtration in homes. These studies demonstrated that the use of high-efficiency filtration significantly reduces indoor exposure to particulate matter and can lower negative health impacts related to indoor air pollution.
 - The Board adopted guidelines for the Clean Cars 4 All Program and changes to the existing guidelines for the Enhanced Fleet Modernization Program (EFMP).
 - The Board approved updates to the "Funding Guidelines for Agencies Administering California Climate Investments".
 - Assembly Bill 197 established six-year terms for the 14 voting members of the Air Resources Board with the exception of "initial staggered terms", which the statute directed the Board to establish. The Board approved initial terms that expire in three staggered tiers: On December 31, 2018, two legislative appointees and one Governor appointee; on December 31, 2020, five Governor appointees; and on December 31, 2022, six Governor appointees.
15. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh reminded Board members about the upcoming Governing Board Study Session in Bass Lake, CA on September 19 and 20th. He also announced there is a very exciting web portal available for residents to apply for the District's Drive Clean in the San Joaquin vehicle replacement program. He said staff is beginning a soft launch this week and planning extensive media outreach and a much larger launch during the next several weeks.
16. GOVERNING BOARD MEMBER COMMENTS – Councilmember Fugazi thanked District staff for another very successful Tune In Tune Up event in Stockton recently. She said there was wonderful media outreach and a lot of interest from the public, especially on social media. She also mentioned the Port of Stockton, in conjunction with the Port of Oakland and the Port of Long Beach are joining forces to apply for a Sustainable Terminals Accelerating Regional Transformation (START) Project grant which will change out 48 of their cargo-handling equipment including forklifts and rail car movers with high emissions to zero or

near zero-emissions equipment. She voiced appreciation to District staff for volunteering to help with the application. Dr. Sherriffs encouraged everyone to go home and replace their air filters with a more effective version.

17. **CLOSED SESSION** – District Counsel, Annette Ballatore-Williamson, announced that the Board would consider the following items in Closed Session and asked for public comment:

- **CONFERENCE WITH LEGAL COUNSEL** – Pending Litigation pursuant to Government Code Section 54956.9 (d) (1) in Flierl v. SJVAPCD, U.S. Dist.Ct., E.D. Cal. Case No 1:18-CV-00734

Public Comment: None

The Chair adjourned the meeting to Closed Session at 12:15 p.m.

District Counsel, Annette Ballatore-Williamson, returned from Closed Session at 12:32 p.m. and announced the following:

The Board met in Closed Session to consider the pending litigation in Flierl v. SJVAPCD, U.S. Dist.Ct., E.D. Cal. Case No 1:18-CV-00734, and took unanimous action to authorize the District Counsel's office to take all actions necessary to defend the District's interest in that lawsuit, followed by adjournment.

ADJOURN

The next scheduled meeting of the Governing Board is: September 19 and 20, 2018.