

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, March 19, 2020
9:00 a.m.**

Meeting held via video teleconferencing with the Central Region Office (Fresno), the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield). This meeting was also webcast. Given the international COVID-19 pandemic, and consistent with the California Department of Public Health's recommendations and Governor Newsom's Executive Order N-29-20, no physical location was provided for public attendance.

1. CALL MEETING TO ORDER – The Chair, Supervisor Pedersen, called the meeting to order at 9:03 a.m.
2. ROLL CALL – was taken and a quorum was present.

Present:

Drew M. Bessinger, Mayor	City of Clovis
David Couch, Supervisor***	Kern County
Kuylar Crocker, Supervisor	Tulare County
Bob Elliott, Supervisor***	San Joaquin County
Christina Fugazi, Councilmember****	City of Stockton
Buddy Mendes, Supervisor	Fresno County
Kristin Olsen, Supervisor	Stanislaus County
Lloyd Pereira, Supervisor*, Vice Chair	Merced County
Craig Pedersen, Supervisor, Chair	Kings County
Monte Reyes, Councilmember***	City of Porterville
Dr. Alexander Sherriffs***	Appointed by Governor
Tom Wheeler, Supervisor	Madera County

Absent:

Alvaro Preciado, Councilmember	City of Avenal
Chris Vierra, Mayor	City of Ceres

**Attended in Northern Region Office*

***Attended in Southern Region Office*

****Participated via Teleconference*

3. PLEDGE OF ALLEGIANCE

Samir Sheikh, Executive Director/APCO, announced the District was responding to the COVID-19 pandemic by holding this meeting in a manner consistent with Governor Newsom's Executive Order N-33-20 and California Department of Public Health's recommendations for social distancing. He quickly summarized that the meeting was being held via video teleconference and webcast with no physical location for public attendance. However, he said members of the public who wished to address the Governing Board would be provided the opportunity to do so via email during the appropriate commenting periods.

Mr. Sheikh announced the Deputy Clerk of the Boards, Michelle Franco, would be closely monitoring the public comment email and would read aloud any comments received during the appropriate time. He asked members of the public to limit comments to 250 words or less, to approximate the three-minute time limit for public comments. He thanked the Board members and the public for their patience as we implement this new meeting format in response to the COVID-19 pandemic.

4. APPROVAL OF CONSENT CALENDAR – Item Numbers (14 – 17): *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.*

14. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, FEBRUARY 20, 2020

15. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2020

16. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR FEBRUARY 2020

17. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF FEBRUARY 29, 2020

Public Comment: None

Moved: Wheeler

Seconded: Bessinger

Ayes: Bessinger, Couch, Crocker, Elliott, Fugazi,
Mendes, Olsen, Pareira, Reyes, Sherriffs, Wheeler, Pedersen

Nays: None

Motion unanimously carried to approve Consent Calendar Item Numbers 14 - 17

5. PUBLIC COMMENT – None
6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Mr. Sheikh referred Board members to the written report included in their agenda packets.
7. ACCEPT AND APPROPRIATE \$1,241,450 IN ADDITIONAL REVENUE FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO FUND THE REPLACEMENT OF AGRICULTURAL TRACTORS – Mr. Sheikh said in March of 2019 the District submitted three proposals to EPA in response to the solicitation for the highly competitive Diesel Emission Reduction Act (DERA) fiscal year 2019 National Clean Diesel Funding Assistance Program. The three applications included project proposals to replace aging yard trucks with zero-emission yard trucks, replace older switcher locomotives with new clean switcher locomotives, and to replace old, high-polluting agricultural tractors with new, Tier 4 diesel tractors. In May of 2019, EPA informed the District that all three of the proposals were selected for funding. The yard truck replacement proposal was selected for funding in the amount of 2,364,974, the agricultural tractor replacement proposal was selected for \$2,350,000, and the switcher locomotive proposal was selected for \$2,246,080. This totaled \$6,961,054 in funding for the FY 2019 DERA solicitation.

On February 27, 2020, EPA informed the District that they were proposing to provide an additional \$1,241,450 to the existing agricultural tractor replacement proposal, increasing this grant to a total amount of \$3,591,450. According to EPA, this additional funding was being offered to the District because the District's agricultural tractor replacement proposal was the highest ranked proposal for the FY 2019 DERA solicitation. Mr. Sheikh asked for the Board's approval to accept and appropriate \$1,241,450 in additional revenue from the federal DERA program for the District's agricultural tractor replacement program. He said approval of today's recommendation would increase the District's 2019-20 Budget by \$1,241,450 and authorize staff to use the existing District incentive program guidelines to administer these additional DERA funds.

Supervisor Crocker asked how many applications were currently awaiting this funding. Mr. Sheikh responded there were over \$200 million in applications from the agricultural community currently in the queue.

Public Comment: None

Moved: Wheeler
Seconded: Mendes
Ayes: Bessinger, Couch, Crocker, Elliott, Fugazi, Mendes,
Olsen, Pareira, Reyes, Sherriffs, Wheeler, Pedersen
Nays: None

Motion unanimously carried to accept and appropriate \$1,241,450 in additional revenue from the United States Environmental Protection Agency to fund the replacement of agricultural tractors

8. UPDATE ON IMPLEMENTATION OF DISTRICT'S CHARGE UP! ELECTRIC VEHICLE CHARGER INCENTIVE PROGRAM – Todd DeYoung, Director of the District's Grants and Incentives Department, provided an update on the implementation of the District's Charge Up! Electric Vehicle Charger Incentive Program (Charge Up! Program). Based on the success of the program, the staff recommended increasing the Charge Up! Program funding by an additional \$5 million for the continued implementation of the program for the remainder of the 2019-20 fiscal year.

Councilmember Fugazi said she was excited that the Board was able to allocate more funding to this program. She asked about the regional disparity in the number of funded projects. Mr. DeYoung responded that staff believed the numbers in the Central region were driven by a program administered by California Energy Commission (CEC), which was piloted for a year in Fresno County and could be used in conjunction with the District's program. He added the District conducts outreach for this program across all three regions as part of a broad outreach campaign. Mr. Sheikh added to the extent where there might be a gap between regions, staff would reach out to the local Councils of Government (COGs), cities, and counties to solicit their help in making residents aware of the availability of this program. In addition, he said staff would reach out to the Stockton Chamber of Commerce, which already works closely with the District as part of the very successful Green Team program to get the word out, along with continued Valley-wide outreach. Ultimately, he said this was a voluntary program and relies on the response of the public. Councilmember Fugazi commented that she would also help increase outreach to her region in any way she could.

Dr. Sherriffs asked if there was any distinction made for commercial chargers where a fee is charged and also if there is any sense of how the District might prioritize the queue in the future to ensure there is good regional distribution as well as encouraging more use of electric vehicles in rural areas of the Valley. Mr. DeYoung responded the program does not currently have any restrictions on fee-based versus free charging. He said this is a market driven program and some businesses install and provided free charging for their employees while others charge a fee for usage. As for prioritizing, he said the District prioritizes Level 3, Fast DC charging stations because they're significantly more expensive and in staff's opinion are the bridge necessary to expand the network of vehicle

chargers that allow people to travel throughout the Valley. He said staff utilizes the San Joaquin Valley EV Readiness Plan, developed over the past several years, in evaluating projects for prioritized funding. With the Level 2 chargers, staff does a similar analysis and wants to make sure that these are located in high traffic areas.

Dr. Sherriffs thanked staff and said that it was important to prioritize Level 3 Fast Chargers as these are necessary to help people not have range anxiety and be able to use these vehicles for longer trips.

Supervisor Wheeler asked if applicants can use the funding to purchase as many Level 2 chargers as they would like. Mr. DeYoung responded affirmatively. Supervisor Wheeler commented about the lack of chargers in the Oakhurst area and asked if restaurants along Highway 41, on the way to Yosemite, would be a suitable location. Mr. DeYoung responded affirmatively and said staff would be happy to conduct additional outreach to restaurants in those areas.

Supervisor Elliott said the staff report mentioned that this additional funding would be taken from locomotives, and said he was curious as to what other sources of money are available to replace that funding for locomotive replacement projects. Mr. Sheikh responded there was sufficient funding even with this reallocation to cover the locomotive projects that the District plans on doing this fiscal year. Supervisor Elliott confirmed that the District's locomotive projects would not be suffering as a result of this reallocation. Mr. Sheikh responded affirmatively.

Public Comment – None

Moved: Wheeler

Seconded: Pareira

Ayes: Bessinger, Couch, Crocker, Elliott, Fugazi, Mendes,
Olsen, Pareira, Reyes, Sherriffs, Wheeler, Pedersen

Nays: None

Motion unanimously carried to approve staff recommendations for the District's Charge Up! Electric Vehicle Charger Incentive program

9. REPORT ON 2019 – 2020 WINTER SEASON WOOD BURNING EMISSIONS REDUCTION STRATEGY - Jaime Holt, Chief Communications Officer, and Jessica Olsen, Program Manager in the District's Air Quality Science and Planning Department, presented the District's annual report on implementation of the wood burning emissions reduction strategy for the 2019-2020 winter season, which detailed the following:

- Valley air quality during 2019-2020 winter season
- Effectiveness of District's control strategy
- Public health benefits of strategy

- Air quality and meteorology compared to previous seasons
- Impact of exceptional events during 2019-2020 winter season
- District's Burn Cleaner Program implementation
- Extensive public outreach efforts
- Enforcement and compliance assistance activities

Mayor Bessinger said this was an example of excellent work by staff and obviously by the public. He noted they are taking this very seriously, while adding we are kind of in a different world right now, and maybe the District should probably try to take advantage of having a captive audience sitting at home who maybe have not had the opportunity to think about getting their fireplace replaced and doing something good for the Valley's air quality. He added there will be businesses that are suffering that maybe this is an opportunity for the District to get information to someone sitting at home in front of their computer terminal and hook them up with a local business. He said if additional outreach is done quickly enough, residents can still use their fireplace during the winter season. So this might be a might be an opportunity for the District and the public to get a win-win out of this current situation.

Supervisor Wheeler said this was a great program, although he was leery about it at first. He said it worked out well to allow eastern Fresno and Madera Counties to also be eligible for this program. He asked for more information on whether the Hot Spot areas of Fresno, Madera, and Kern counties were seeing better air quality as a result of this program. Mr. Sheikh responded that staff would be happy to provide Board members with more detailed air quality information, on a county by county basis, so they can follow the trends and better communicate the results of this program with their communities. Supervisor Wheeler thanked District staff for presenting at his recent Town Hall meeting in Raymond, and said the information they provide is always very helpful for residents.

Dr. Sherriffs thanked staff and the public for their acceptance and adoption of this program, which has extraordinary health and economic value for Valley residents. He asked if the District would only fund gas replacement fireplaces in Hot Spot areas. Ms. Holt responded affirmatively. Dr. Sherriffs asked how many applicants were currently in the queue. Mr. Sheikh responded there was a high demand for this program, with a significant number of applicants in the queue. He added the Board did allocate a significant amount of money for this program and he would be happy to provide specific numbers of applications in the queue to Board members after the meeting.

Public Comment: None

Moved: Mendes
Seconded: Wheeler
Ayes: Bessinger, Couch, Crocker, Elliott, Fugazi, Mendes,
Olsen, Pareira, Reyes, Sherriffs, Wheeler, Pedersen
Nays: None

Motion unanimously carried to receive and file the District's Report on 2019 – 2020 Winter Season Wood Burning Emissions Reduction Strategy _

10. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Dr. Sherriffs said the highlights were outlined in the agenda packet for the Air Resources Board meeting of February 13, 2020. At this meeting CARB approved the Community Emission Reduction Programs (CERPs) for Shafter and South Central Fresno. He noted staff had already provided a detailed report and said he wanted to recognize the importance of the Governing Board's support for this process. He also recognized Mr. Sheikh and District staff for their commitment to engaging with communities through the CERP development process. He said he thinks the District has really risen to the occasion and has been a model for other districts in the state as we engage in the AB 617 process.
11. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh reported CARB has cancelled at least one, if not several, upcoming public hearings due to the COVID-19 pandemic. He said he believes they are also looking at their future hearings, but no official word on those yet. He said it was important for Board members to be aware of the potential impacts in the air quality world as a result of this pandemic.

Mr. Sheikh also announced that in regards to the city Board member appointments, three of our Board members' terms expire on April 6th, including Councilmember Fugazi, Mayor Vierra, and Councilmember Reyes. He said staff are in discussions with the Special City Selection Committee, which consists of representatives from the 59 cities in the District. He said the Special City Selection Committee has recently shown a preference to reappointment members to a second term if possible. He said staff is working individually with the affected Board members, and with the Central Valley and the South San Joaquin Valley League of Cities divisions, who coordinate the nominations for the Special City Selection Committee, to determine the path forward. If it becomes necessary to select new Governing Board members, the process is complex and it may take some time before new members are appointed. Mr. Sheikh said he would share additional information as the process progresses.

Mr. Sheikh said for the public record, he wanted to take a moment to highlight the proactive approach that this agency has been taking in responding to the COVID-19 pandemic. He acknowledged there has been a lot going on in this area within the Board members' respective worlds, their agencies, and their roles outside of this Board. He said District staff have been following all the recommendations that have been put forth by various public health authorities and putting policies

and strategies in place to implement those recommendations.

He added the District is implementing a variety of measures related to protecting our employees, our stakeholders and our communities, and also providing continued essential public services to those we serve. He thanked the Board for all that they have been doing in their communities and on this Board to make sure that the District is continuing to operate and providing critical services. He said he also wanted to thank the staff who have really been creative and working with the management team to think of ways adjust to the rapidly changing circumstances.

Lastly, he announced that this was the last Board meeting for Dave Warner, Deputy Air Pollution Control Officer, who is retiring next week. He said this has certainly been a crazy time for Mr. Warner to be retiring. He added he did not think he ever would have imagined in his last weeks and months here at the District that he would be working on the types of issues that we are working on right now. He said he wanted to let the Board and everyone know that rather than winding down his service to the agency in these last few weeks, Mr. Warner has actually been ramping up his role at the District and has been very helpful in putting together all the policies that were mentioned with respect to COVID-19 response. He added Mr. Warner has been working in air quality for over 30 years, initially beginning his career in Tulare County before the unification of the District. He said Mr. Warner serves as an expert in many air quality areas and has played many important roles here at the District to improve air quality and public health. He asked those participating in the meeting to take a moment to thank him for his service.

12. GOVERNING BOARD MEMBER COMMENTS – Supervisor Crocker thanked District staff for an event hosted last month in Exeter. He voiced appreciation for staff who worked on and attended the event and said it was important to reach out to all of our communities.

Mayor Bessinger thanked Mr. Warner for his service to the District and the Valley. He asked Mr. Sheikh about the District's Continuity of Operations planning. Mr. Sheikh responded that the District is implementing its Continuity of Operations planning efforts and adjusting District operations in response to the current circumstances. Mayor Bessinger said the City of Clovis has a draft plan that other agencies are using and he would be happy to share it with District staff. He added he was concerned with the economic devastation that will be faced by Valley businesses as a result of this pandemic. He wants to ensure that the District will be positioned to help businesses rebound to the extent that they need to rely on District services to do so.

Supervisor Mendes thanked Mr. Warner for his great work in servicing the District. He also complimented District staff for their response to date to these unprecedented times. He noted there is a great camaraderie with staff at the District and he still calls this "the happiest place in government".

Dr. Sherriffs said he wanted to voice his appreciation to the staff and Mr. Sheikh for the thoughtfulness in pulling this meeting together while following the social distancing guidelines put forth by public health authorities. He voiced his appreciation for everyone who was modeling the seriousness of this situation. Lastly, he thanked Mr. Warner for all of his years of work at the District and wished him and his wife a happy retirement.

Supervisor Pereira thanked Mr. Warner on behalf of his himself, his family, and his constituents for being such an integral part of improving the air quality here in the Valley.

Supervisor Elliott added his thanks and appreciation to Mr. Warner for all of his years of service, for doing a great job and best wishes to him and whatever comes next.

Chairman Pedersen also thanked Mr. Warner and asked for a standing ovation in honor of his service to the District. He addressed staff, saying these times are tough and we are all finding new norms. He said first and foremost, take time, be with your family. Do what you need to do to be deliberate about your actions. But also, remember, that although you are all used to getting things done quickly and efficiently, this is one of those times where we will have to put that in check a little bit and make sure that we do the right thing. He said there are many agencies that are that are still struggling with how to pull a public meeting together, and the District is already on top of it. He said District staff are always leading the way, and that is very much appreciated.

13. **CLOSED SESSION** – Annette Ballatore, District Counsel, announced the District would now adjourn to Closed Session, pursuant to the Ralph M. Brown Act as follows:
 1. CONFERENCE WITH LABOR REPRESENTATIVE –Chenecua Dixon, pursuant to Government Code Section 54957.6, COVID-19 response preparation, as it relates to represented and unrepresented employees, including employees represented by the San Joaquin Valley Air Pollution Control District Employees Association.

Public Comment: None

The Board adjourned to Closed Session at 10:21 a.m.

ADJOURN

The next scheduled meeting of the Governing Board is: Thursday, April 16 2020, at 9:00 a.m. The 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 videoteleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.