

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, November 18, 2021
9:00 a.m.**

Given the international COVID-19 pandemic, and consistent with public health recommendations and Assembly Bill 361, this meeting was held via Zoom Webinar and video teleconferencing with the Central Region Office (Fresno). This meeting was also webcast.

1. CALL MEETING TO ORDER – The Chair, Supervisor Craig Pedersen, called the meeting to order at 9:01 a.m.
2. ROLL CALL – was taken and a quorum was present.

Present:

Drew M. Bessinger, Councilmember***	City of Clovis
Vito Chiesa, Supervisor	Stanislaus County
David Couch, Supervisor	Kern County
Deborah Lewis, Mayor Pro Tem	City of Los Banos
Buddy Mendes, Supervisor	Fresno County
Lloyd Pareira, Supervisor, Vice Chair	Merced County
Craig Pedersen, Supervisor, Chair	Kings County
Alvaro Preciado, Mayor**	City of Avenal
Monte Reyes, Mayor	City of Porterville
Robert Rickman, Supervisor*	San Joaquin County
Alexander Sherriffs, M.D.	Appointed by Governor
Amy Shuklian, Supervisor	Tulare County
Tom Wheeler, Supervisor	Madera County

Absent:

Christina Fugazi, Vice Mayor	City of Stockton
Tania Pacheco-Werner, Ph.D.	Appointed by Governor

*arrived at 9:14 a.m.

**arrived at 9:17 a.m.

***arrived at 9:23 a.m.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF CONSENT CALENDAR – Item Numbers (15 – 22): *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.*
15. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, OCTOBER 21, 2021
16. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2021
17. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR OCTOBER 2021
18. RECEIVE AND FILE BUDGET STATUS REPORTS AS OCTOBER 31, 2021
19. APPROVE VOLUNTARY EMISSION REDUCTION AGREEMENT WITH RE SCARLET LLC TO MITIGATE AIR QUALITY IMPACTS
20. ASSEMBLY BILL 361 AND DISTRICT REMOTE TELECONFERENCING UPDATE
21. AMEND 2021-22 NON-OPERATING BUDGET TO ADJUST ESTIMATED AMOUNTS TO ACTUAL AMOUNTS AS OF JUNE 30, 2021
22. APPROVE CONTRACT WITH INTELESYS, INC. FOR IMPLEMENTATION OF A NEW DISTRICT PHONE SYSTEM

Public Comment: None

Moved: Wheeler

Seconded: Chiesa

Ayes: Chiesa, Couch, Lewis, Mendes, Pareira,
Reyes, Sherriffs, Shuklian, Wheeler, Pedersen

Nays: None

Motion unanimously carried to approve Consent Calendar (Items 15-22)

5. PUBLIC COMMENT – *The following persons provided public comments at this meeting:*

- Connie Young, Citizens Climate Lobby (CCL)

6. RECEIVE THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING – Samir Sheikh, Executive Director/APCO, announced that the District has been awarded the Government Finance Officers' Association of the United States and Canada (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the District's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending June 30, 2020. He also recognized Mehri Barati, Director of Administrative Services, and Ryan Buchanan, Controller, and thanked them and their Finance team for all of the hard work they do and the Board for their leadership and making fiscal transparency a priority for the agency.

Chairman Pedersen thanked staff and said he wanted them to know how much the Board appreciates their efforts because it is critical that the District is transparent in how the public funds entrusted to the agency are utilized.

Dr. Sherriffs echoed Chairman Pedersen's comments and said what the Finance team is doing in terms of reinforcing the work that the District is doing is critical as we are dealing every year with hundreds of millions of dollars of public funds where transparency is key and critical to getting additional funding.

Supervisor Mendes said it is very important to have such a great team that is transparent and accurate in accounting for District funding.

7. STATE IMPLEMENTATION PLAN CREDIT FOR RESIDENTIAL WOOD BURNING DEVICE CHANGE-OUT INCENTIVE MEASURE – Mr. Sheikh said the next two items were related to the District's ongoing work in implementing the wide variety of measures that are included in the 2018 PM2.5 Plan. He introduced Jessica Coria, Program Manager, who presented the proposed *Burn Cleaner Fireplace and Woodstove Change-out Incentive Measure* for inclusion in the State Implementation Plan.

Chairman Pedersen said this is clearly one of the identifiable programs in the community that truly helps. He reminded staff that there are many of residents who are not familiar with or comfortable using online tools to apply for programs like these and asked them to ensure there are alternative ways to participate. Mr. Sheikh responded that staff is very sensitive to the fact that different residents have different needs in seeking this funding. He said the District accepts applications via paper, in person, and can also provide assistance to residents over the phone.

Supervisor Mendes asked if there was readily available equipment for residents. Mr. Sheikh responded that staff is definitely hearing about supply chain issues when it comes to a variety of equipment or devices. He said staff are engaged in very active discussions with retailers to understand the impacts. He said there is still quite a bit of demand and continued implementation of projects under the programs. In regards to heavy duty equipment, he said staff is actively talking to

state agencies and some of the big manufacturers to make sure, to the extent they can prioritize equipment in areas like ours with air quality challenges, that we are looking at ways within supply chains to direct priority procurement. Chairman Pedersen commented on inflation bringing additional challenges.

Supervisor Wheeler commented on outreach efforts for the additional funding available. Mr. Sheikh responded the District conducts a very aggressive outreach campaign every year, utilizing a variety of marketing resources including social media, television, and other avenues to promote the program. In addition, he said staff works with retailers to make sure they have marketing materials. He recognized Mayor Pro Tem Lewis for her leadership and laying the groundwork for program outreach for retailers in her County. Supervisor Wheeler asked staff to provide him with outreach materials to share on his social media pages.

Supervisor Shuklian said she was a big proponent of this program and noted that one of the commercials she filmed had a tagline for replacing wood burning devices.

Mayor Reyes suggested conducting more outreach with Valley chambers of commerce, who typically have a good relationship with residents and use conventional outreach methods.

Mayor Pro Tem Lewis said she truly enjoys her gas fireplace and is encouraging residents within Merced County to participate in this program and take advantage of the available funding.

Dr. Sherriffs commented this was obviously a fabulous program in terms of bang for the buck and what we get back direct PM reductions. He asked how the surplus value of reductions would be calculated since this is a voluntary program where people are actually choosing gas over wood, as well as taking people who could not burn and providing a window for them to burn. In addition, he asked how to ensure this choice was permanent so that residents could not choose to go back to a wood burning device. Mr. Sheikh responded that a lot of effort goes into implementing a SIP-creditable grant program, including quantifying reductions. He said it also takes into account that we have a very strict regulatory program and the restrictions on burning are strongly considered. He said there are numerous measures in place to ensure transparency and ensuring that all projects are completed. He said staff has worked closely with EPA and CARB to ensure this program meets all of the requirements for this SIP-creditable program. He said the program would also enable the Valley to exceed the commitment in our plan with even more projects to come.

Mayor Preciado voiced his full support for this program.

Supervisor Pareira asked staff to send Board members the list of retailers for this program so that they can share with constituents in their jurisdictions.

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

- Thomas Menz, Fresno Resident

Moved: Wheeler

Seconded: Mendes

Ayes: Couch, Lewis, Mendes, Pereira, Preciado, Reyes,
Rickman, Sherriffs, Shuklian, Wheeler, Pedersen

Nays: None

Abstain: Bessinger

Motion carried 11-0, with one abstention to adopt the Burn Cleaner Fireplace and Woodstove Change-out Incentive Measure for inclusion in the State Implementation Plan, authorize the Chair to sign the attached Resolution, and direct the Executive Director/Air Pollution Control Officer to transmit a copy of this Resolution and Measure to the California Air Resources Board for incorporation into the State Implementation Plan (SIP).

8. STATE IMPLEMENTATION PLAN CREDIT FOR ADOPTED AGRICULTURAL BURNING PHASE-OUT STRATEGY – Jon Klassen, Director of Air Quality Science and Planning, presented this item and recommended the Board approve District Rule 4103 (Open Burning) Technical Submittal for Receiving SIP Credit for Reductions in Agricultural Burning.

Supervisor Mendes commented on equipment that needs on board computer systems and asked about supply chain issues to the trouble getting computer chips.

Mr. Sheikh responded this directly effects the expansion of the chipping services to make sure they are able to respond to the significant new demand from growers throughout the Valley. He said the Board included some funding for an infusion of extra equipment into the fleets and staff have worked very hard on pushing the local dealerships and manufacturers of this equipment to see what could be done to make them more quickly available to the Valley.

Supervisor Mendes asked about tier-5 engines and when they might be coming online. Mr. Sheikh responded that the jury was still out and there were a lot of developments that needed to take place before that equipment was made available.

Dr. Sherriffs commented on the problems with the biomass industry and asked about the permanence and ensuring we are not in danger of sliding back or facing issues in the future that would require reinventing the wheel.

Mr. Sheikh responded the Board already adopted the regulatory strategy for this program, and this item was strictly about quantifying the emissions reductions

that come from that regulatory strategy.

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

- Janet Dietz-Kamei, Fresno Resident
- Madeline Harris, Leadership Council for Justice and Accountability
- Thomas Menz, Fresno Resident

Moved: Mendes

Seconded: Wheeler

Ayes: Bessinger, Chiesa, Couch, Lewis, Mendes, Pareira,
Preciado, Reyes, Rickman, Sherriffs, Shuklian, Wheeler, Pedersen

Nays: None

Motion unanimously carried to Approve District Rule 4103 (Open Burning) Technical Submittal for Receiving SIP Credit for Reductions in Agricultural Burning, authorize the Chair to sign the Resolution, and direct the Executive Director/Air Pollution Control Officer to transmit a copy of this Resolution and Technical Submittal to the California Air Resources Board for incorporation into the State Implementation Plan (SIP)

9. RECEIVE PROGRESS REPORTS ON AB 617 COMMUNITY EMISSIONS REDUCTION PROGRAM IMPLEMENTATION – Jessica Olsen, Director of Community Strategies and Resources, provided Board members with a progress report on implementation of Board-adopted Community Emissions Reduction Programs (CERPs) for South Central Fresno, Shafter, and Stockton AB 617 communities.

Dr. Sherriffs thanked staff for their engagement, and said this has been a tremendous opportunity to grow in terms of their relationships with the community.

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

- Matt Holmes, Little Manila Rising and Community Steering Committee member
- Manuel Cunha, Nisei Farmers League
- Janet Dietz Kamei, Fresno Resident
- Leticia Casillas, Leadership Council for Justice and Accountability
- Emma De La Rosa, Community Steering Committee member
- Jasmin Martinez, Central Valley Air Quality Coalition
- Thomas Menz, Fresno Resident

Mr. Sheikh thanked those who made public comments and those who consistently take the time to meet frequently in the evenings, and for their ongoing support, work, and brainstorming with District staff. He also thanked Ms.

Olsen and District staff for doing a great job, working tirelessly in the evenings and on weekends.

Chairman Pedersen thanked the Community Steering Committees and staff for their hard work. He said it is important that this program developed by the State Legislature, continues to be funded.

Dr. Sherriffs reiterated the tremendous comments provided by community members and thanked staff for their hard work and robust engagement. He added if there were state resources that are going to support more AB 617 communities in the future, clearly the Valley is well positioned to be at the head of the line.

10. APPROVE AMENDMENTS TO REGIONAL POLICY COUNCIL TO ADD SAN JOAQUIN JOINT POWERS AUTHORITY AND AUTHORIZE PARTICIPATION IN REGIONAL POLICY COUNCIL LOBBYING COALITION AND UP TO \$12,000 CONTRIBUTION IN SUPPORT OF STATE/FEDERAL ADVOCACY – Mr.

Sheikh presented this item, which asked the Board to authorize the Chair to sign the Amended Regional Policy Council MOU adding the San Joaquin Joint Powers Authority to the Regional Policy Council; and authorize the District to participate, as a member of the Regional Policy Council, in the Council's lobbying coalition and to sign the attached funding agreement to provide up to \$12,000 to that effort.

Public Comment: None

Moved: Wheeler

Seconded: Bessinger

Ayes: Bessinger, Chiesa, Couch, Lewis, Mendes, Pereira, Preciado, Reyes, Rickman, Sherriffs, Shuklian, Wheeler, Pedersen

Nays: None

Motion unanimously carried to authorize Chair to sign the Amended Regional Policy Council MOU adding the San Joaquin Joint Powers Authority to the Regional Policy Council, authorize the District to participate, as a member of the Regional Policy Council, in the Council's lobbying coalition, and authorize the Chair to sign the funding agreement to provide up to \$12,000 to that effort.

11. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD ACTIVITIES – Mr. Sheikh referred Board members to the item included in their agenda packets.

12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sheikh updated members on the major developments with respect to climate initiatives and big funding opportunities that may arise to help the Valley continue to pursue innovative measures that will help the District deal with various climate goals as well as our local clean air issues. He said there has been a lot of activity with respect to the

adoption of the federal infrastructure bill that includes significant funding for a variety of things and provides a lot of opportunity in our region to take advantage of that funding. He said the other big opportunity is the development of the state's budget and said work has begun advocating for priorities and needs of the Valley.

13. GOVERNING BOARD MEMBER COMMENTS – Supervisor Wheeler thanked everyone for a great year and wished a Happy Thanksgiving for all.

Dr. Sherriffs thanked staff for their continued work to protect the public during COVID-19, including wearing masks, which are not fun but key to making the public feel safe.

Mayor Pro Tem Lewis recognized and thanked Jaime Holt, Chief Communications Officer, for her excellent presentation at a recent City Council meeting on the incentives that the District offers to residents, other government agencies, and private companies. She said it was her mission to work with the District to attend various City Council meetings in Merced County to promote the District's programs and get the information out to residents. She wished all a Happy Thanksgiving.

14. CLOSED SESSION: Annette Ballatore, District Counsel, announced that the Governing Board would hold a Closed Session pursuant to the Ralph M. Brown Act as follows:

- Pursuant to Government Code Section 54956.9(d), conference with legal counsel to consider one potential case:
 - *Comite de Progreso de Lamont v. USEPA*, U.S. Dist. Ct., Northern Dist. of California Case No. 3:21-cv-08733, filed November 10, 2021, pending litigation.

Public Comment: None

ADJOURN

Chairman Pedersen adjourned the meeting to Closed Session at 11:13 a.m.

Meeting adjourned from Closed Session at 11:43 a.m.

The next scheduled meeting of the Governing Board is: Thursday, December 16, 2021, 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 Zoom audio and video teleconference (VTC).