

**Action Summary Minutes  
for the  
San Joaquin Valley Unified Air Pollution Control District  
Governing Board Meeting  
1990 E. Gettysburg Avenue, Governing Board Room  
Fresno, CA.**

**Thursday, October 16, 2003  
9:00 a.m.**

**Meeting held via video teleconferencing (VTC) in the Central Region Office (Fresno) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.**

1. **CALL TO ORDER** – The Chair, Supervisor Ronn Dominici, called the meeting to order at 9:05 a.m.

**The Chair** introduced and welcomed new Governing Board Member, Councilmember Dan Prince, City of Ripon, Small City representative.

2. **ROLL CALL was taken and a quorum was present.**

Mike Maggard, Councilmember (*) (**)	City of Bakersfield
J. Steven Worthley, Supervisor	Tulare County
Tony Barba, Supervisor	Kings County
Judith G. Case, Supervisor	Fresno County
Sam Armentrout, Councilmember	City of Madera
Michael G. Nelson, Supervisor	Merced County
Thomas W. Mayfield, Supervisor ( <b>absent</b> )	Stanislaus County
Jack A. Sieglock, Supervisor (*) (***)	San Joaquin County
Dan Prince, Councilmember (***)	City of Ripon
Barbara Patrick, Supervisor, <b>Vice Chair</b> (**)	Kern County
Ronn Dominici, Supervisor, <b>Chair</b>	Madera County

(\*) Arrived after Roll Call

(\*\*) Attended meeting in Southern Region Office

(\*\*\*) Attended meeting in Northern Region Office

3. **APPROVAL OF CONSENT CALENDAR** – Item Numbers **(11-20)**. (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any consent item).

11. Approve Action Summary Minutes from the Governing Board Meeting of Thursday, September 18, 2003.

12. Receive and file List of Scheduled Meetings for 2003 and 2004.
13. Receive and file Operations Statistics Summary for September 2003.
14. Receive and file Budget Status Report as of September 30, 2003.
15. Approve agreement with Central Valley Asphalt in the amount of \$38,792 for the asphalt restoration project for the Central Region Office Building.
16. Approve Budget Transfer #3 in the amount of \$13,919 for expedited contracting for field research on measurement of combustion tracers in particulate air pollution.
17. Approve contract with AltaPacific Technology Solutions Inc. for programming services for the Compliance Complaints Database Application for an amount not to exceed \$28,500.
18. Approve and authorize the Chair to execute Amendment No. 1 to the agreement with Fangs Communications in the amount of \$5,475.
19. Approve Amendment 1 to lease agreement with Christy Concrete Products, Inc. to change their name to GBC Global Investments on the lease agreement for the Tracy Air Monitoring Station site.
20. Approve selection of Jeffrey/Scott Advertising (JSA) to conduct a multilingual outreach campaign for Rule 4901 – Wood Burning Fireplaces and Wood Burning Heaters for \$163,000.

**Board Member Armentrout** – made the following comments pertaining to Item 14. Board Member Armentrout requested an object level total column be added to the Budget Report.

Staff noted they would comply with Board Member Armentrout's request and assemble some different variations for the Board to choose a variation that would best serve their needs.

**APPROVED AS RECOMMENDED** – ***Board Member Worthley made the motion to approve the Consent Calendar as recommended. Seconded by Board Member Barba and carried unanimously with the following Roll Call Vote:***

***Ayes: Sieglock, Nelson, Worthley, Armentrout, Case, Barba, Maggard, Prince, Patrick and Dominici.***

***Absent: Mayfield.***

**Action: Approved Consent Calendar Items 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 as submitted.**

4. **PUBLIC COMMENTS** – No Public Comments.
5. **REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)** – No Report.
6. **VERBAL: STATUS REPORT ON STAKEHOLDERS MEETINGS TO REDUCE PERMIT APPLICATIONS BACKLOG** – Presentation made by David L. Crow, Executive Director/APCO and Seyed Sadredin, Director of Permit Services.

**The following persons provided comments during the public comment portion of this item:**

**The Chair** on behalf of the Board thanked Seyed Sadredin for his work and noted that Seyed has done a tremendous job.

**Tom Umenhofer, Entrix**, commended Mr. Sadredin for his leadership as well as Tom Goff, Permit Services Manager for the Southern Region Office. Mr. Umenhofer thanked Mr. Sadredin for his status report.

**Roger Christy, ChevronTexaco**, echoed comments made by Mr. Umenhofer and also thanked the Board for their support of this process.

**Jerry Frost, Kern Oil Refinery**, expressed appreciation to Mr. Sadredin for his leadership in this whole process of streamlining and his staff. Mr. Frost also expressed appreciation for staff of the Southern Region and Tom Goff, Permit Services Manager for the Southern Region.

**The Chair**, stated that on behalf of the Board he would like to thank the stakeholders for taking their time to help with improving the air in this Valley.

7. **AUTHORIZE AN ADDITIONAL \$1 DMV SURCHARGE FEE FOR MOTOR VEHICLE EMISSION REDUCTION PROJECTS** – Presentation made by David L. Crow, Executive Director/APCO and Tom Jordan, Air Quality Projects Advisor.

**The following persons provided comments during the public comment portion of this item:**

**Kirk Hunter, Southwest Transportation Agency**, spoke in support of the Board authorizing the additional \$1 surcharge on registration fees applicable to all motor vehicles registered in the District.

**Ken Machoian, Advanced Transportation**, strongly supports the Board authorizing the additional \$1 surcharge on vehicle registration fees.

**Sean Edgar, California Refuse Removal Council**, spoke in support of the Board authorizing the additional \$1 DMV surcharge. Mr. Edgar noted good things could be done with this fee in place.

**Linda Urata, San Joaquin Valley Clean Cities Coalition**, spoke in support of the Board authorizing the additional \$1 DMV surcharge fee.

**AMENDED MOTION** – Board Member Armentrout made the motion to approve the resolution authorizing \$1 dollar surcharge. Seconded by Board Member Patrick. The motion was amended to include language that states the Board is not backfilling State obligations to assist this region with air quality. The motion carried with the following **Roll Call Vote**:

**Ayes:** Case, Barba, Prince, Nelson, Armentrout, Patrick and Dominici.

**Noes:** Sieglock and Worthley.

**Absent:** Mayfield and Maggard.

**Action:** The Board approved an amended resolution authorizing an additional One Dollar (\$1) surcharge on the registration fees applicable to all motor vehicles registered in the District, as specified in Section 9250.16 of the Vehicle Code, and requests that DMV begin collecting the fee beginning January 1, 2004. The added language to the resolution reads: The Board (by authorizing the additional One Dollar (\$1) surcharge) is not backfilling State obligations to assist this region with air quality.

**Board Member Case**, requested staff write a letter for the Chair's signature to our local legislators/whole delegation to ask for assistance to make sure these new dollars are not backfill for other state programs. Supervisor Case noted we need to go on record that this needs to be new money not money that allows the State to go out and spend someplace else.

8. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB) BOARD MEETING** – Report made by Ravi Ramalingam, ARB representative and ARB Liaison for the Valley Air District. Mr. Ramalingam reported on a item that was presented to the ARB Board at their April 2003 Board meeting titled: Health Update: Effects of Ozone and Allergen Exposure on Allergic Asthmatics.

**Board Member Case** asked if there were studies taking place in respect to home allergens?

Mr. Ramalingam responded that the FACES Study in Fresno includes approximately two hundred asthmatic children and is looking closely at what happens with the children in their homes.

**David L. Crow, Executive Director/APCO**, made the following suggestion: we have the FACES Study taking place in Fresno and it might make sense to ask some of those medical experts to appear before the Board periodically to speak briefly to the medical side of it. Mr. Crow stated they could provide the Board with information regarding what parameters their scientific inquiries are and what it is they are concluding.

**Board Member Case**, stated she knows a cardiologist locally that has been doing evaluations on air pollution and cardiovascular disease. Board Member Case stated we might also ask him to bring that information forward for our Board.

**The Chair**, directed the Executive Director to work out a plan for those types of presentations for future Board meetings.

**The following persons provided comments during the public comment portion of this item:**

**Kevin Hall, member of the Sierra Club**, stated he appreciates Board Member Case's emphasis on continuing to explore the various health impacts of air pollution. Mr. Hall noted that we also struggle with the message of trying to emphasize that it is not just asthma that air pollution impacts but he thinks that's what most people notice and that is the lead issue. Mr. Hall pointed out that EPA under Jack Broadbent did a workshop here in Fresno at an Elementary School a few months back that focused on indoor air quality and allergens.

**Linda Urata, San Joaquin Valley Clean Cities Coalition**, noted that they partnered with the Spare the Air Campaign through Project Clean Air. We were always issuing statements on Spare the Air Days such as now that you are staying indoors is not the time to paint your kitchen and those kinds of things. So when people had to stay indoors we would also alert them to the dangers of indoor air quality. Ms. Urata stated that maybe the District could also use that idea in their Spare the Air Campaign. Ms. Urata announced that Clean Air Now received a grant to put together a brochure regarding air quality issues that will be placed in Doctor's offices which is a good place to get the word out as well.

9. **EXECUTIVE DIRECTOR/APCO, David L. Crow, Executive Director/APCO**, stated in June of this year the Board approved the PM10 Plan for submittal to the Environmental Protection Agency (EPA). Mr. Crow explained that over the last several months the District has been involved in discussions with EPA upon their actions to receive the Plan and accept it as complete. Mr. Crow stated the

District has been having some substantive discussions with EPA regarding the approvability of the Plan. Mr. Crow stated there are a couple of issues that we find necessary to bring back for the public and the Board to address in terms of EPA approvability of the Plan which if the Board recalls it is on an EPA timeframe of March 31 for an EPA administrator to approve the Plan or promulgate a Federal Implementation Plan (FIP) in the alternative.

Mr. Crow announced the District has draft amendments and language for those amendments for the Board. (the Board was provided a copy of the Draft Amendments to the 2003 PM10 Plan). Mr. Crow announced that the District would release that information at 3:00 p.m. this afternoon on the District's website and to media. Mr. Crow stated that we find ourselves in a circumstance where the Board will be obliged to consider action at the December 18 meeting for approval of amendments that will be addressed during a workshopping process that will begin October 27 and 28 with a comment closure period of November 6, 2003.

Mr. Crow indicated staff would not be in a position to come before the Board at a November meeting since the Board is dark in November for purposes of receiving and filing these changes prior to the December 19 Board meeting. Mr. Crow noted that receive and file is something that the District has done as a matter of policy because we believe it makes some sense. But, the most important requirement is that we make the Draft Plan available to the public and conduct the workshops in a timely manner.

Mr. Crow indicated that today he wanted to share with the Board a.) the amendments that are in draft at this juncture that will subject to the workshopping process that he just mentioned and b.) to acknowledge that we are not going to be in a position to have the Board do a formal receive and file at a nonexistent November meeting prior to the December 18 meeting.

**The Chair** noted the Board will decide during the December 18 meeting if we need to schedule an early January meeting on this issue.

**Mr. Crow** stated he thinks it would be highly desirable and he would recommend it to the Board that we hold a Governing Board Retreat. Mr. Crow explained we have an opportunity for the Board to go to a place and spend a bit of time focusing on some of the new challenges that we are seeing ahead of us. Mr. Crow pointed that we are going to be on an accelerated schedule as it relates to a number of very important air quality improve measurements. Mr. Crow stated we have some new members and he thinks that it would be a good meeting for them to attend. Mr. Crow stated that he would like to suggest we start looking at our calendar opportunities for the month of January coming and see if we can't do this. Mr. Crow stated that obviously when we have opportunities like this the public is invited to participate.

**Board Member Case**, stated that maybe this would be the opportunity to have medical experts tell the Board about the current state of science with some of the disease processes we're concerned with.

10. **GOVERNING BOARD MEMBER COMMENTS – Board Member Patrick**, stated that Board Member Maggard requested a video tape to be forwarded to him of the recent Indirect Source Review Public Workshops.

**David L. Crow, Executive Director/APCO**, noted the District held three Scoping Meetings on the Indirect Source Review Rule. Mr. Crow indicated staff would forward a copy of those video tapes to interested Board Members.

The following Board Member requested a copy:

Board Members Mike Maggard, Judith G. Case, J. Steven Worthley and Tony Barba.

**OTHER BUSINESS** – No Other Business.

**Philip M. Jay, District Counsel**, made the following announcement.

21. **CLOSED SESSION** – The Governing Board will hold a Closed Session pursuant to Section **54956.9 (a)** of the Government Code (Ralph M. Brown Act) as follows:

- Conference with Legal Counsel – Existing Litigation, Government Code Section 54956.9 (a) Name of Case:  
Admiral Insurance Company v. Crippen, (# CIV-F-03-6312AWI)

Mr. Jay indicated the Board would adjourn to the Fresno VTC Room for Closed Session.

The Board adjourned to Closed Session at 11:10 a.m.

**Philip M. Jay, District Counsel**, returned to the Governing Board Room and made the following announcement: The Board by unanimous vote authorized District Counsel to appear and defend in the Admiral Insurance Company v. Crippen matter.

**Mr. Jay** announced the Board adjourned at 11:20 p.m.