

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, October 25, 2007
9:00 a.m.

*Meeting held via teleconferencing (VTC) 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 Worthley, called the meeting to order at 9:03 a.m.

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

Present

Susan Anderson, Supervisor	Fresno County
Tony Barba, Supervisor	Kings County
Raji Brar, Councilmember	City of Arvin
Jon McQuiston, Supervisor **	Kern County
Michael G. Nelson, Supervisor	Merced County
William O'Brien, Supervisor *	Stanislaus County
Chris Vierra, Councilmember *	City of Ceres
Leroy Ornellas, Supervisor, Vice Chair*	San Joaquin County
J. Steven Worthley, Supervisor, Chair	Tulare County

Absent

Ronn Dominici, Supervisor	Madera County
Henry T. Perea, Councilmember	City of Fresno

* Attended meeting in Northern Region Office (Modesto)

** Attended meeting in Southern Region Office (Bakersfield)

3. APPROVAL OF CONSENT CALENDAR – Item numbers 15-26. 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.

15. *Approve Action Summary Minutes for the Governing Board Meeting of Thursday, September 20, 2007*

16. *Receive and File List of Scheduled Meetings for 2007-08*

17. *Receive and File Operations Statistics Summaries for September 2007*

18. *Receive and File Budget Status Report as of September 30, 2007*
19. *Contract for Executive Director/APCO*
20. *Contract for District Counsel*
21. *Approve Side Letter to the Memorandum of Understanding for the General Employee Unit and Supervisory Units which includes Changes to the District's Cafeteria Health Contribution*
22. *Approve the Agreement for the Implementation of the District's Socioeconomic Impact Analysis Program in the Amount of \$222,750*
23. *Appropriate \$163,870 in Unanticipated Revenue for the Lower Emission School Bus Retrofit Program and \$1,951,000 in Unanticipated Interest Revenue for the Heavy-Duty Engine Incentive Program*
24. *Approve and Authorize the Chair to Execute Amendment No. 1 to the Heavy-Duty Engine Reduction Incentive Program Contract # S-1098 with the City of Visalia to Extend the Term of the Contract to October 8, 2008*
25. *Approve and Authorize the Chair to Execute Amendment No. 1 to the Heavy Duty Engine Emission Reduction Incentive Program Contract #S-1038 with Greenfield Union School District to Extend the Term of the Contract to August 1, 2008*
26. *Receive and File Proposed Amendments to Rule 2020 (Exemptions); Proposed Amendments to Rule 4621 (Gasoline Transfer into Stationary Storage Containers, Bulk Plants, and Delivery Vessels); Proposed Amendments to Rule 4622 (Gasoline Transfer into Motor Vehicle Fuel Tanks); and Proposed Amendments to Rule 4624 (Organic Liquid Transfer)*

Supervisor Anderson asked to pull item number 19 for separate vote.

Public Comment: None

Moved: Anderson

Seconded: Barba

Ayes: Barba, Brar, Anderson, McQuiston, Nelson,
O'Brien, Vierra, Ornellas, Worthley

Nays: None

Motion unanimously carried to approve Items 15-18 and 20-26 as recommended.

Consent Calendar Item # 19—Supervisor Anderson stated she wished to abstain from voting on Item 19 because as the alternate Board Member for Fresno County, she had not participated in the closed session discussion on this matter.

Moved: Barba

Seconded: Nelson

Ayes: McQuiston, Vierra, Nelson, Barba,
Brar, O'Brien, Ornellas, Worthley

Nays: None

Abstain: Anderson

Motion carried with a vote of 8-0 with 1 abstain to approve item 19 as recommended.

4. PUBLIC COMMENT

There was no public comment.

5. REPORT FROM CITIZENS ADVISORY COMMITTEE (CAC)

Dennis Tristao, Chair of the CAC, presented the report. He noted that representatives from community groups in West Fresno came to comment on pending permits, and District staff was on hand to answer their questions. He added the CAC had made their appointments to the Environmental Justice Advisory Group (EJAG).

6. S.T.A.R. RECOGNITION (Service, Teamwork, Attitude, Respect)

Carolyn Rose, Director of Personnel, presented the report. She acknowledged all staff who reached an employment milestone during the third quarter of 2007. The Chair thanked the staff for their years of dedication.

7. HEALTH UPDATE: VERBAL REPORT BY DON H. GAEDE, M.D. ON WOMEN'S HEALTH INITIATIVE STUDY (K. MILLER ET AL, NEJM, FEB. 1, 2007)

Seyed Sadredin, Executive Director/APCO, stated the District has been working with the Fresno Madera Medical Society, and he hoped that regular health updates such as this would be part of ongoing collaboration with the District. Dr. Don Gaede presented a report on the health effects of diesel exhaust. He noted diesel exhaust makes up 10-40% of PM2.5 and is responsible for a majority of California's cancer risk attributable to air pollution. Dr. Gaede also stated that in one study, exposure to diesel exhaust increased myocardial ischemia even in men who are in good health.

8. DISCUSSION ITEM: ENHANCED "SPARE THE AIR": PROPOSED 2008 PROGRAM—AN ELEMENT OF THE DISTRICT'S EIGHT-HOUR OZONE FAST TRACK PLAN

Seyed Sadredin, Executive Director/APCO, and Jaime Holt, Chief Communications Officer, presented the report. The District's Spare the Air program was started in 1997, and the District now is in the process of reenergizing this program and redesigning it in a manner that would promote air quality friendly lifestyle changes for individuals and

businesses. The goal will be to get people to think about sparing the air every day, not just on high ozone days. Currently, the enhanced program is in the planning stage, and some components may be implemented sooner than others. Some of the suggested enhancements include: increased partnerships with businesses and municipalities, a "Healthy Air Living" week, identification and implementation of high impact voluntary measures that can reduce emissions from activities by individuals and businesses, and an enhanced outreach campaign.

The Chair stated more education needs to be done on the impact of gas powered lawn mowers. Supervisor Barba stated the District needs to approach municipalities and get them to cooperate with Spare the Air days and activities.

Public Comment:

The following members of the public presented testimony in support of this item:

Sarah Sharpe, Coalition for Clean Air
Manuel Cunha, Nisei Farmer's League
Mary-Michael Rawling, Merced Mariposa Asthma Coalition

9. **APPROVE VOLUNTARY EMISSION REDUCTION AGREEMENT WITH CANYONS LLC, TO RECEIVE FUNDS IN THE AMOUNT OF \$5,357,000 FOR THE PURPOSE OF MITIGATING AIR QUALITY IMPACTS OF THE PROPOSED "THE CANYONS" DEVELOPMENT PROJECT**

Dave Warner, Director of Permit Services, presented the report. He stated this is a voluntary agreement, and is funded by the developer. Similar agreements in the past have resulted in total reductions of 900 tons NOx/year, 100 tons of VOC/year, and 35 tons of PM-10/year. Mr. Warner stated this agreement will reduce 74 tons per year of emissions increase in NOx, PM10, and VOC.

Moved: Anderson

Seconded: Barba

Ayes: McQuiston, Brar, Anderson, Nelson, Barba,
O'Brien, Vierra, Ornellas, Worthley

Nays: None

Motion unanimously carried to approve the voluntary emission reduction agreement with Canyons LLC

10. **APPOINT AD-HOC SUBCOMMITTEE TO FORMULATE RECOMMENDATIONS RELATING TO NEW LEGISLATION IMPACTING GOVERNING BOARD COMPOSITION**

Sayed Sadredin, Executive Director/APCO, stated with the legislation that recently passed impacting the composition of the Governing Board, there are administrative, procedural, and facilities issues that must be considered. This Ad Hoc Subcommittee will address those issues.

The Chair appointed the following members to the Ad Hoc subcommittee:
Supervisor Worthley, Supervisor Ornellas, Supervisor Nelson,
Councilmember Vierra, and Supervisor Barba.

11. **VERBAL REPORT: CALIFORNIA AIR RESOURCES BOARD (ARB)**—Jeff Lindberg, ARB, presented the report. He noted a recent workshop was held to discuss Proposition 1B funds. He stated the key priority of this proposition is to reduce the health risk from goods movement. He also gave a brief update on the school bus replacement program.
12. **EXECUTIVE DIRECTOR/APCO COMMENTS**—Seyed Sadredin, Executive Director/APCO, presented the report. He thanked the Board for their continued support, leadership, and guidance. He also stated because of the past success of our incentive programs, the Great Basin Unified Air District will send \$220,000 to the District to spend on Emission Reduction Incentive Program grants.
13. **GOVERNING BOARD MEMBER COMMENTS**—Supervisor Nelson stated the District Symposium was very educational and thanked staff for their hard work.

The meeting adjourned to closed session at 10:35 a.m.

14. **CLOSED SESSION**— Conference with Legal Counsel—Existing Litigation-Government Code section 54956.9(a):

Association of Irrigated Residents v. SJVUAPCD (Foster Farms), U.S. District Court, Eastern District #1:06-CV-01648-OWW-DLB #06 CE CG 02302

Conference with Legal Counsel-Anticipated Litigation-Initiation of Litigation pursuant to Government Code section 54956.9(c)-One Potential Case

The Governing Board voted unanimously to authorize District Counsel to represent them in the above cases.

ADJOURN

The meeting adjourned at 11:00 a.m.

Next scheduled meeting of the Governing Board: Thursday, December 20, 2007. Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, 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.