

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, January 20, 2011
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 Acting Chair, Mayor Johnston called the meeting to order at 9:00 a.m. Outgoing Board Chair, Supervisor Barba and outgoing Study Agency Chair, Supervisor O'Brien, were recognized for their service and leadership during the past year.
2. ROLL CALL was taken and a quorum was present.

Present:

Tony Barba, Supervisor	Kings County
Judy Case, Supervisor	Fresno County
Ronn Dominici, Supervisor	Madera County
Henry J. Forman, Ph.D. ***	Appointed by Governor
Hub Walsh, Supervisor	Merced County
Ann Johnston, Mayor*, Vice Chair	City of Stockton
Mike Lane, Councilmember	City of Visalia
Randy Miller, Councilmember**	City of Taft
William O'Brien, Supervisor*	Stanislaus County
Leroy Ornellas, Supervisor*	San Joaquin County
Chris Vierra, Councilmember*	City of Ceres
Raymond Watson, Supervisor**	Kern County

* Attended meeting in Northern Region Office

**Attended meeting in Southern Region Office

***Dr. Forman arrived at 10:00 a.m.

Absent:

John G. Telles, M.D.	Appointed by Governor
J. Steven Worthley, Supervisor, Chair	Tulare County

3. APPROVAL OF CONSENT CALENDAR – Item numbers 16 – 20 *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.*
 16. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, DECEMBER 16, 2010

17. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2011
18. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR DECEMBER 2010
19. RECEIVE AND FILE BUDGET STATUS REPORT AS OF DECEMBER 31, 2010
20. COMMENDATION FOR EXECUTIVE DIRECTOR/APCO AND MANAGEMENT STAFF

Public Comment: *The following persons provided testimony on this item:*

- Manuel Cunha, Nisei Farmers League

Mr. Cunha requested that Item #20, COMMENDATION FOR EXECUTIVE DIRECTOR/APCO AND MANAGEMENT STAFF be pulled for separate consideration. Supervisor Case requested that Item #18, RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR DECEMBER 2010 be pulled for separate consideration.

Moved: Dominici
Seconded: Barba
Ayes: Miller, Watson, Dominici, Walsh, Case, Lane, Barba,
O'Brien, Vierra, Ornellas, Johnston
Nays: None

Motion unanimously carried to approve Consent Calendar Items 16, 17 and 19.

18. RECEIVE AND FILE OPERATION STATISTICS SUMMARY FOR DECEMBER 2010

Supervisor Case expressed concern regarding the December statistics stating there were few permits issued within 90 days and a larger number of permits issued in over 90 days. Mr. Sadredin explained that viewing the permit application workload on a month to month basis may be misleading due to the quantity or the complexity of applications. Mr. Sadredin explained it's best to look at this information over a longer period of time due to seasonality factors and construction levels. Also, the complexity and the size of projects must be weighed in.

Moved: Case
Seconded: Dominici
Ayes: Barba, Case, Dominici, Walsh, Lane, Miller,
Watson, O'Brien, Ornellas, Vierra, Johnston
Nays: None

Motion unanimously carried to approve Consent Calendar Item 18.

20. COMMENDATION FOR EXECUTIVE DIRECTOR/APCO AND
MANAGEMENT STAFF

Manuel Cunha, Chair of the CAC and Nisei Farmers League, acknowledged the hard work by Mr. Sadredin and staff to accomplish the goals set by the Governing Board. Vice Chair Johnston explained that a resolution was passed at the last Closed Session of the Governing Board which highlighted the good work by Mr. Sadredin and his staff. Mayor Vierra acknowledged Mr. Sadredin's hard work and dedication. Councilmember Lane expressed appreciation and gratitude towards Mr. Sadredin and the Management team for their professionalism and strong work ethic. Supervisor Watson conveyed these performance measures are outstanding. He noted Mr. Sadredin does a great job, and demonstrates the ability to reconcile the interests of the Governing Board while continuing to balance business interests with public and environmental interests. Supervisor Barba expressed appreciation for the hard work from Mr. Sadredin and the staff. Councilmember Miller stated he's very pleased to be part of the organization and thanked Mr. Sadredin and staff. Supervisor Dominici acknowledged Mr. Sadredin's leadership and willingness to assist. Mr. Sadredin expressed gratitude for the generous comments and the Board's support and leadership. Mr. Sadredin thanked the Management Team for their hard work and dedication.

Moved: Barba
Seconded: Watson
Ayes: O'Brien, Ornellas, Vierra, Watson, Miller, Case,
Walsh, Lane, Dominici, Barba, Johnston
Nays: None

Motion unanimously carried to approve Consent Calendar Item 20.

4. PUBLIC COMMENT – None
5. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE (CAC) ACTIVITIES – Manuel Cunha, Chair of the CAC, expressed appreciation to Mr. Sadredin and staff for the presentation describing upcoming federal air quality standards and the new alternative risk-based approach to attainment planning at the January CAC meeting. He reported the Environmental Justice Advisory Group is working to establish their goals and objectives for 2011. He also reported at the January meeting, CAC appointed several members to the District's Economic Analysis Advisory Group, as directed by the Board at the September 2010 Governing Board Study Session.
6. S.T.A.R RECOGNITION (Service, Teamwork, Attitude, Respect) - Carolyn Rose, the District's Personnel Director, gave the presentation on this item which recognized employees' years of service as follows:

Five Years of Service

John Hejde, Air Quality Inspector II

Ten Years of Service

Patia Siong, Senior Air Quality Specialist

Mayor Vierra left at 9:42 a.m.

Dr. Forman arrived at 10:01 a.m.

7. **ADOPT THE DISTRICT'S 2011 LEGISLATIVE PLATFORM** - Mr. Sadredin explained that the document provides guidance on state and federal legislative and regulatory actions and reflects the District's priorities. Included in current priorities are (1) the repeal or modification of the non-attainment penalties for the now-revoked federal 1-hour ozone standard (2) reasonable implementation of state and federal National Ambient Air Quality Standards (3) addressing the needs concerning near-roadway air quality monitoring (4) developing and promoting cost-effective alternatives to ag burning (5) promoting energy efficiency/alternative energy (6) obtaining additional incentive funding for emission reduction projects (7) Air Quality and Health Empowerment Zone designation (8) ensuring air quality is a priority in federal transportation bill re-authorization (9) curbing wildfires and associated adverse public health impacts; and, (10) ensuring that climate change mandates can be efficiently implemented and do not adversely impact public health.

Paul Yoder, Strategic Local Government Services reported on the proposed Governor's Budget Summary in the area of environmental protection. He stated the Governor defines the problem at 26 billion dollars; half of the problem would be solved by revenues and the other half by cuts. Mr. Yoder explained the largest element of the budget is the realignment proposal. On top of eliminating enterprise zones and doing away with redevelopment, the ten billion dollar realignment would be five times the scope of the original re-alignment that we were given in 1991. The Governor does concede the state government workforce has to shrink at some point. Mr. Yoder continued explaining that the tax package must go before the voters and the Governor has called for a special election.

Councilmember Lane voiced his appreciation for the report and asked about the impacts and continual work required because of AB 32 and SB 375. Mr. Sadredin responded the District will work with ARB on the regulatory process over the next two years. He stated he believes cities and counties will need some funding assistance to implement those measures and do the modeling work necessary and noted he hoped to recommend funding for cities and counties in the District's Proposed Budget for next year. Councilmember Lane suggested Board Members should work closely with their respective COGs on this issue. Supervisor Watson asked about the strategic approach to implement the District's 2011 Legislative Platform. Mr. Sadredin responded that once this item is approved by the Board, meetings will be scheduled with legislators in Sacramento to share this information

with them. He stated there will be a similar process in Washington D.C. later this Spring. He noted the Board Chair and one or two other Board Members will accompany District Staff and a coalition of industry and environmental interest groups. He stated help will be needed from individual Board Members to advocate for these issues in various venues.

Public Comment: *The following persons provided testimony on this item:*

- Manuel Cunha, Nisei Farmers League

Supervisor Case suggested adding farm bill air quality incentives in the District's Legislative Platform, as the ag community continues to do their part to help clean the air and have suffered hard financial times over the last few years. Mr. Sadredin suggested, at the Board's desire, this item could be added by the maker of the motion.

Moved: Case
Seconded: Dominici
Ayes: Miller, Watson, Walsh, Case, Lane, Dominici,
Forman, Barba, O'Brien, Ornellas, Johnston
Nays: None

Motion unanimously carried to adopt the District's 2011 Legislative Platform and also include funding for agricultural air quality efforts in the federal farm bill.

8. APPROPRIATE \$144,258 IN NEW REVENUE FOR THE CARL MOYER MEMORIAL AIR QUALITY STANDARDS ATTAINMENT PROGRAM FROM THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT – Mr. Sadredin stated over the last three or four years the District has been able to work with neighboring air districts who may have issues spending their funds in a timely fashion, to have the funds transferred here to meet spending deadlines under state law. He noted, while these measures improve air quality in the Valley, they also benefit the neighboring air districts which are downwind from the Valley. He expressed his gratitude to Eldon Heaston, APCO for the Mojave Desert Air Quality Management District.

Public Comment: None

Moved: Dominici
Seconded: Barba
Ayes: Ornellas, O'Brien, Watson, Miller, Case, Dominici,
Lane, Walsh, Forman, Barba, Johnston
Nays: None

Motion unanimously carried to appropriate \$144,258 in new revenue for the Carl Moyer Memorial Air Quality Standards Attainment Program from the Mojave Desert Air Quality Management District.

9. APPROPRIATE ADDITIONAL FUNDING FROM THE CALIFORNIA AIR RESOURCES BOARD IN THE AMOUNT OF \$183,661 AND APPROVE THE NEXT PHASE OF THE DISTRICT'S CLEAN GREEN YARD MACHINE PROGRAM – Mr. Sadredin reported the Board allocated \$542,000 to this program a couple of months ago and it was hugely successful, selling out within two weeks up and down the Valley. He stated based on the level of interest and the District's success in competing and winning additional funding from ARB, staff recommends taking these funds from ARB and allocating another \$500,000 from the District's local funds to relaunch this program. He reported these funds will be apportioned to each county in the District, based on population in the first round of applications. He noted funds could be reallocated in each county, if necessary based on the interest level. He also noted there is an additional \$100,000 in funding, which was accepted from the Rose Foundation at a previous Board Meeting, to be used solely in Kern County for this program.

Supervisor O'Brien clarified that the initial round of funding will be allocated to each county based on population. Mr. Sadredin stated all but the funds from the Rose Foundation would be allocated that way. Supervisor Case asked for quantification of emission reductions achieved by this program. Mr. Sadredin stated staff could report on this information at the end of this round of funding, if approved by the Board. Mayor Miller stated this program is a great way to exchange old, polluting lawn mowers for newer, lower-emitting versions.

Public Comment: None

Moved: Miller
Seconded: Case
Ayes: O'Brien, Ornellas, Miller, Watson, Dominici,
Case, Barba, Forman, Lane, Walsh, Johnston
Nays: None

Motion unanimously carried to appropriate additional funding from the California Air Resources Board in the amount of \$183,661 and approve the next phase of the District's Clean Green Yard Machine Program.

10. APPROVE AND AUTHORIZE CHAIR TO SIGN AGREEMENT WITH THE AMERICAN LUNG ASSOCIATION OF CALIFORNIA IN THE AMOUNT OF \$64,000 – Jaime Holt, Chief Communications Officer, presented this item which proposed the Board approve a \$64,000 agreement with the American Lung Association in California to expand the Air Quality Flag Program and for further development of the Real Time Air Advisory Network (RAAN). She reported as of 2010, the flag program was in use in 700 Valley schools. She noted the American Lung Association of California anticipates adding an additional 470 schools in the next 18 months.

Supervisor Case stated she supports this program and suggested possibly creating

a You Tube presentation on the District's Flag Program to expand the program to businesses and hospitals. Ms. Holt responded staff is looking at possibly creating a podcast on this program.

Public Comment: *The following persons provided testimony on this item:*

- Suzie Rico, American Lung Association

Moved: Dominici
Seconded: Barba
Ayes: Dominici, Case, Lane, Forman, Walsh, Barba,
Miller, Watson, Ornellas, O'Brien, Johnston
Nays: None

Motion unanimously carried to approve and authorize Chair to sign agreement with the American Lung Association of California in the amount of \$64,000.

11. ANNUAL REPORT TO THE COMMUNITY – RECEIVE THE DISTRICT'S ANNUAL REPORT TO THE COMMUNITY AND DISCUSS UPCOMING DISTRIBUTION OF THE REPORT – Mr. Sadredin reported the 2010 Annual Report to the Community is available for distribution. He noted the 48-page report details the challenges faced by the District, provides an update on the journey to cleaner air, reviews the accomplishments of the past year, and highlights the contributions by Valley businesses. He stated the plan is to distribute this report to elected officials throughout the Valley, along with the video of Board Members reporting on various air quality issues affecting the Valley. He invited Board Members to provide any other ideas for distribution of this important information.

Mayor Johnston voiced her appreciation to staff for this informative document.

Public Comment - None

12. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES – Mr. Sadredin noted Dr. Telles was not present to provide this report. He noted at the last ARB meeting, the Board adopted relaxations to the On-Road Truck Rule and the Off-Road Construction Equipment Rule, providing affected operations with extra time to comply with these rules. He stated District staff testified at the hearing and asked that ARB accept responsibility for any shortfall in the federally mandated reductions in emissions, if their projections turn out to be defective. He noted the adopted amendments provide no margin for error, and if they are short in any way, the District will not be able to satisfy the shortfall by additional regulations on stationary sources. He reported the ARB Board was receptive to these suggestions and incorporated them in the adopted resolution.

Public Comment - None

13. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin responded to a previous question from Supervisor Watson regarding the operations of dairy

digesters that connect to natural gas pipeline. He confirmed that Mr. Albers is still in business in Bakersfield; however, no gas is flowing at this time.

14. GOVERNING BOARD MEMBER COMMENTS – Supervisor O’Brien stated in his business as a grocer he has noted firelogs in Stanislaus County have labels affixed that give an 800 number to contact to find out if it is appropriate to burn these logs on certain days. He stated these numbers belong to the Bay Area Air Quality Management District. He stated his point is that his constituency is bombarded with inconsistent burn/no-burn messages between the San Joaquin Valley Air Pollution Control District and the Bay Area Air Quality Management District. He asked staff if there was a way to work with neighboring air districts to give a consistent message to the public. Mr. Sadredin reported staff has been working with Bay Area and Sacramento Air District and stated he believed this 800 number also provides a message referring Valley residents to SJVAPCD’s phone number and website for information on burn status. Supervisor O’Brien suggested further action is needed to streamline information given to Northern Region Valley residents. Mayor Johnston echoed the need to provide a consistent message to Northern Valley residents. Based on subsequent conversations with the Bay Area AQMD, the phone message has now been revised to refer callers to San Joaquin Valley APCD at the start of the message.
15. CLOSED SESSION – Mr. Phil Jay, District Counsel, reported there was a member of the public who wished to comment on the litigation items being considered at today’s Closed Session.

Public Comment – *The following person provided testimony on this item:*

- Doug Bloch, Teamsters Joint Council No. 7

At the end of Closed Session, Mr. Jay announced by unanimous vote, the Governing Board authorized the District Counsel’s office to appear and defend in the Teamsters v. City of Visalia case; and on the potential litigation, the Board unanimously authorized the District Counsel’s office to file a lawsuit against individuals. He noted after the case is filed, any individual or interested party can contact the District Counsel’s office for all of the particulars on the case. He stated that action was followed by adjournment.

ADJOURN

Meeting adjourned at 11:22 a.m.

Next scheduled meeting of the Governing Board: Thursday, March 17, 2011. Meeting starts at 9:00 a.m., Central Region Office, Governing Board Room, and 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.

SJVAPCD Governing Board
ACTION SUMMARY MINUTES
January 20, 2011