

Corrected 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, September 15, 2016
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 Chair, Councilmember Baines, called the meeting to order at 9:02 a.m.
2. ROLL CALL was taken and a quorum was present.

Present:

David Ayers, Councilmember	City of Hanford
Oliver L. Baines III, Councilmember, Chair	City of Fresno
Dennis Brazil, Mayor*	City of Gustine
John Capitman, Ph.D.	Appointed by Governor
David Couch, Supervisor**	Kern County
Bob Elliott, Supervisor*	San Joaquin County
Virginia R. Gurrola, Councilmember	City of Porterville
Harold Hanson, Councilmember**	City of Bakersfield
Buddy Mendes, Supervisor, Vice Chair	Fresno County
William O'Brien, Supervisor*	Stanislaus County
Craig Pedersen, Supervisor***	Kings County
Dr. Alexander Sherriffs	Appointed by Governor
Hub Walsh, Supervisor*	Merced County
Tom Wheeler, Supervisor	Madera County

* Attended meeting in Northern Region Office

**Attended meeting in the Southern Region Office

***Arrived at 9:13 a.m.

Absent:

J. Steven Worthley, Supervisor

Tulare County

3. APPROVAL OF CONSENT CALENDAR – (Item Numbers 15 – 19): *These matters are routine in nature and are usually approved by a single vote. Prior to 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, AUGUST 18, 2016
16. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2016
17. RECEIVE AND FILE OPERATION STATISTICS SUMMARIES FOR AUGUST 2016
18. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF AUGUST 31, 2016
19. APPROVE AIR MONITORING EQUIPMENT ASSET TRADE WITH GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

Public Comment: None

Moved: Wheeler
Seconded: Mendes
Ayes: Ayers, Brazil, Capitman, Couch, Elliott, Gurrola, Hanson, Mendes, O'Brien, Sherriffs, Walsh, Wheeler, Baines
Nays: None

Motion unanimously carried to approve Consent Calendar Items 15 - 19

4. PUBLIC COMMENT – None
5. ADOPT 2016 MODERATE AREA PLAN FOR THE 2012 PM2.5 STANDARD WITH AN ATTAINMENT IMPRACTICABILITY DEMONSTRATION AND REQUEST FOR RECLASSIFICATION TO SERIOUS – Sheraz Gill, Director of Strategies and Incentives, reviewed the multiple overlapping requirements and deadlines that the District is facing under the Clean Air Act. He gave an overview of the District's proposed 2016 Moderate Area Plan for the 2012 PM2.5 Standard, demonstrating that attainment by the Moderate area deadline of 2021 is impracticable, and requesting a bump-up to a Serious classification, which will require another attainment plan due four years after EPA approval of the reclassification. Mr. Gill also articulated the District's frustration with the bureaucratic requirements in the antiquated provisions of the Clean Air Act that

call for a plan that simply states the obvious (attainment is impossible by the Moderate deadline) and forces the District to request a Serious classification for a more stringent standard even though the District has already been classified as Serious for a less stringent standard by EPA.

Councilmember Baines asked if the Valley would have been able to reach attainment if the District did not have to hold something back to comply with the contingency requirement. Mr. Sadredin responded the answer is a definite no, as the necessary mobile source emission reductions will not be in place by 2019. Regarding contingencies, Mr. Sadredin reported that EPA lost a recent 9th Circuit court case on contingencies. Historically, EPA had been allowing agencies to use measures that were implemented early and went above what is necessary to meet the basic requirements of the plan as contingencies. This latest ruling no longer allows that practice. He said if the ruling prevails, the contingencies proposed in this plan would be disallowed. In addition, those contingencies approved by EPA in previous plans would also be voided. Mr. Sadredin said EPA might challenge this ruling, noting that even as dysfunctional as contingencies already are in areas like the Valley, this ruling makes them even more unreasonable.

Mayor Brazil asked if ARB has indicated that they are alignment with the District's proposal. Mr. Sadredin responded affirmatively, noting they are planning to discuss approving the plan at their October 20, 2016, meeting, which will be held in Fresno at the District's office. Supervisor Elliott asked Mr. Sadredin to elaborate on the comment that the District already meets or exceeds all emission reduction requirements for moderate areas. Mr. Sadredin responded that this is part of the District's frustration with the redundancy and unnecessary bureaucratic requirements of the federal Clean Air Act. The District has written several attainment plans which have demonstrated that the District programs not only include reasonably available controls, but also best available control requirements. Supervisor Elliott asked if there were any way to streamline the process. Mr. Sadredin responded that would only be possible with modifications to the Clean Air Act.

Public Comment: None

Moved: Wheeler

Seconded: Mendes

Ayes: Ayers, Brazil, Capitman, Couch, Elliott, Gurrola, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Wheeler, Baines

Nays: None

Motion unanimously carried to adopt the 2015 Moderate Area Plan for the 2012 PM2.5 Standard with an attainment impracticability demonstration and request for reclassification to Serious.

6. ADOPT PROPOSED AMENDMENTS TO RULE 9510 (INDIRECT SOURCE REVIEW) – Mr. Sadredin recommended this item be tabled to allow time to address late comments on the proposed changes to the rule. He reported staff received late comments from the Wonderful Company who felt that the proposed amendments as written would apply retroactively. Mr. Sadredin said that the District never intended for the rule enhancements to apply retroactively, and it would be best to make necessary changes to clarify the rule applicability and return the Board at a future meeting. The Governing Board accepted Mr. Sadredin’s recommendation to table this item.
7. ACCEPT \$75,000 IN ADDITIONAL REVENUE IN SUPPLEMENTAL ENVIRONMENTAL PROJECT FUNDING PROVIDED THROUGH A CONSENT AGREEMENT AND FINANCIAL ORDER BETWEEN HALLIBURTON ENERGY SERVICES INC. AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY AND AUTHORIZE PROPOSED EXPENDITURES FOR THE HEALTHY AIR LIVING SCHOOLS PROGRAM IN KERN COUNTY – Mr. Sadredin stated that as part of EPA’s role, they have the authority to directly enforce federally enforceable regulations and they do so on occasion in the Valley. He said the District has always encouraged EPA, when they find violations, to incorporate supplemental environmental projects (SEP) into their settlements. Such projects direct the business that has violated a regulation to pay for environmentally beneficial projects. Otherwise, under the federal system, any monetary penalty that is collected by EPA would go to the federal treasury in Washington without any benefit to the Valley. He said this particular case comes from EPA’s enforcement of the state’s truck and bus regulation.

Mr. Sadredin stated that the \$40,000 of SEP funds associated with this case would be spent by the District through the Central CA Asthma Collaborative (CCAC) for the District’s Healthy Air Schools program and \$35,000 would be used to promote the District’s anti-idling program via signage and educational materials for the schools.

Dr. Sherriffs voiced support for accepting the funds. He asked at what level the District is involved in EPA and ARB enforcement activities. Mr. Sadredin responded that the District actively seeks opportunities, for example, the Board recently approved an agreement with ARB to enforce the state anti-idling regulations on behalf of ARB in the Valley. He also noted the District has been heavily involved in the VW settlement, using the Valley and South Coast as examples of areas needing additional funding.

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

- Kevin Hamilton, CCAC

Dr. Capitman questioned the value of providing printed materials to schools given the relatively high costs. Jaime Holt, Chief Communications Officer, responded that CCAC has conducted surveys and found that schools, administrators and

teachers said that giving students printed materials to take home is a very effective way to get the message out. She indicated that the bulk of the money would be used to print heavy-duty metal signs that ask parents not to idle their vehicles while waiting for their students.

Moved: Mendes

Seconded: Capitman

Ayes: Ayers, Brazil, Capitman, Couch, Elliott, Gurrola, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Wheeler, Baines

Nays: None

Motion unanimously carried to accept \$75,000 in additional revenue in supplemental environmental project funding provided through a consent agreement and financial order between Halliburton Energy Services Inc. and the federal Environmental Protection Agency and authorize proposed expenditures for the Healthy Air Living schools program in Kern County

8. CONSIDER FUNDING REQUEST BY CENTRAL CALIFORNIA ASTHMA COLLABORATIVE FOR A PROJECT AIMED AT PROMOTING INDIVIDUAL AND COMMUNITY-BASED CHANGE AT THE NEIGHBORHOOD LEVEL THROUGH IMPLEMENTATION, EDUCATION AND ADVOCACY IN SUPPORT OF THE DISTRICT'S RULE 4901 (WOOD BURNING FIREPLACES AND WOOD BURNING HEATERS) AND REAL TIME AIR ADVISORY NETWORK (RAAN) – Mr. Sadredin said he recently received a request from Kevin Hamilton, CEO of Central California Asthma Collaborative (CCAC), for the Board to consider a funding request by his group for a project aimed at promoting individual and community-based change at the neighborhood level through implementation, education and advocacy in support of the District's Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters) and Real Time Air Advisory Network (RAAN). Mr. Sadredin said he stressed with Mr. Hamilton that any proposal made must ensure that all counties in the Valley received their fair share of funding upon approval and implementation. He said the program, if designed and implemented properly, may serve the District well on a number of fronts. He introduced Mr. Hamilton, who presented this item to the Board, and said if the Board approves the item staff would work with CCAC to put the necessary documentation and contractual obligations in place for implementation.

Supervisor Pedersen said this proposal appeared to be doubling the District's media efforts. He said while he appreciates Mr. Hamilton's comments on increasing efforts to reach Valley residents with the District's messaging, the District already does a very effective job at maximizing opportunities for outreach. He suggested looking for new funding sources for these types of endeavors rather than using existing funding streams. Mr. Sadredin identified four areas that if carefully designed and implemented, would be helpful to the District, not only to make its programs more effective, but also to bring more dollars to the Valley. From a public health perspective, he said directing outreach towards

economically disadvantaged communities would help to improve public health. Acknowledging the District's comprehensive outreach program, Mr. Sadredin noted there is always room to do better. Regarding increasing incentive funding, he commented that all of the state's Cap and Trade dollars are targeted specifically for expenditure in disadvantaged communities as defined by the state. He said this program if designed and implemented properly could serve the District very well when competing for these dollars. Concerning the District's Wood Burning Rule, which is the toughest in the nation, he said including the local environmental community in the efforts to educate residents on this valuable rule would help solidify support and dispel the misguided notion that there should be a ban on all wood burning. Finally, he noted there is a great need for a better inventory of existing fireplaces and this program could help populate that inventory. He said the purpose of today's agenda item was to gauge the Board's interest in this program and if directed by the Board, staff would return at a future meeting with a work plan including result-oriented objectives that would ensure CCAC is only compensated for achieving results. Mr. Sadredin also said he recommends this initially be a pilot program for a term of one year.

Supervisor Wheeler voiced support for this program saying he liked the idea of providing additional flyers to be distributed in local communities. He noted that 90% of Madera County is comprised of disadvantaged communities, and remarked on the noticeable improvement in air quality in those areas, which correlates with increased participation in the District's Check Before You Burn and Burn Cleaner programs. Supervisor O'Brien said he is in full support of this program in concept, noting CCAC could potentially touch Valley residents that the District's regular advertising efforts do not reach. He thanked CCAC for partnering with the District over the last several years, stating they do a great job of delivering the District's message to Valley schools. He mentioned a couple of areas he would like to make sure are addressed, including printing the materials in multiple languages to be able to communicate with all Valley residents. He voiced support for the one-year pilot project and requested the Executive Director/APCO approve all community-based organizations that are allowed to participate in this program to ensure their participation is in the best interest of the District.

Councilmember Gurrola commented that the City of Porterville recently conducted a survey of residents in their local disadvantaged communities and found that residents are not aware of some of the District's programs because they do not have access to computers or to persons in their community with knowledge of these programs. She voiced support for door-to-door canvassing of neighborhoods in an effort to reach the most Valley residents with District information. She commented that many residents in rural communities are not aware that they cannot burn freely in their yards.

Supervisor Elliot pointed out that the District has an excellent reputation for being fiscally responsible and prudent in the management of its funds. He suggested

looking at ways to supplement what the District is already doing to get its message out. He said in order to ensure that funds are spent as directed by the District, there needs to be oversight of these activities to ensure they are used to further District objectives and function completely in support of District goals and objectives. He voiced concern for individual case management and going door-to-door, noting it seems to him to be a duplication of efforts. He said he is skeptical of the effectiveness of in-home education versus conducting group classes in these communities, in an effort to reach a wider range of people. He also said it would be difficult to monitor the effectiveness of in home communication, as it would be easiest to monitor a class conducted in the disadvantaged community. Lastly, he voiced concern for monitoring of the activities of the partner community-based organizations, saying it is necessary to ensure any funding spent is used to further the District's goals and objectives.

Mr. Sadredin responded the project summary included in the staff report today might not end up verbatim in the final work plan. He said staff plans to incorporate any direction given by the Board today in the final plan. He said District staff also debated the value of in-home education versus group education conducted in the community. He said he would be happy to take responsibility for monitoring the program for effectiveness and consistency with advancing the District's goals and objectives. Supervisor Walsh expressed interest in the project and willingness to explore efforts to design a one-year pilot program as discussed by the Board. He voiced support with integrating the final program with the District's existing messaging. He asked that any additional outreach efforts be outlined in the final program design in addition to the plan to implement any mid-year changes in direction. Lastly, he asked for the final program design to include a set of metrics to measure specific outcomes of any outreach efforts.

Dr. Sherriffs thanked Mr. Hamilton for his presentation and voiced support for this program, saying it would be complementary to the District's existing outreach efforts. He voiced appreciation for Mr. Sadredin's comments about daring to try new things and the importance of thinking of new ways to reach environmentally disadvantaged communities. He voiced support for the District's existing outreach efforts, noting that residents approach him almost daily to tell him they have seen him on television or at the movies as part of the District's messaging. He voiced agreement with measuring results but urged caution at comparison to other education methods. Dr. Capitman voiced support for this program and said it would be complementary to CCAC's existing asthma program, which is getting huge national attention for showing they can help people make dramatic changes to their behavior to make a safer environment for their kids and adopt new practices and behaviors to improve quality of life. Mayor Brazil thanked Mr. Hamilton for bringing this program to the Board. He voiced support for the proposed program saying the focus should be on any opportunity to reach out to disadvantaged communities.

Councilmember Baines asked for clarification on the action needed today. Mr. Sadredin responded the Board could make a motion with specific guidelines for

program development. Councilmember Baines commented there is a willingness to move forward from Board members, and he voiced support for earlier comments made by his colleagues. He said it is a great partnership as the work of CCAC speaks for itself. As an elected official, he said he realizes the value of door-to-door outreach, as it is an effective way to reach numerous Valley residents.

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

- Janet Dietz Camay, Fresno Resident
- Manuel Cunha, Nisei Farmers League

Moved: Wheeler

Seconded: O'Brien

Ayes: Ayers, Brazil, Capitman, Couch, Elliott, Gurrola, Hanson, Mendes, O'Brien, Pedersen, Sherriffs, Walsh, Wheeler, Baines

Nays: None

Motion unanimously carried for staff to return to the Board after evaluation with plan for a one-year pilot program. The program design will also incorporate the additional suggestions made by Board members during this discussion, including a quarterly report to the Board of specific and measurable results.

9. ADOPT BUDGET RESOLUTION AUTHORIZING RECEIPT AND EXPENDITURE OF UP TO \$25 MILLION IN STATE CAP AND TRADE FUNDS AND APPROVE PROPOSED ENHANCEMENTS TO THE AGREEMENTS WITH VALLEY CAN FOR ADMINISTRATION OF DISTRICT'S VEHICLE REPAIR AND REPLACEMENT PROGRAMS INCLUDING ASSOCIATED FUNDING ADJUSTMENTS – Todd DeYoung, Program Manager, gave the presentation on this item which asked the Board to amend the 2016-17 District Budget to appropriate up to \$25,000,000 from the California Air Resources Board for the Enhanced Fleet Modernization Plus-Up (EFMP) light duty vehicle replacement program and approve several changes to the administrative process for implementation of the District's Tune In Tune Up and EFMP programs.

Supervisor Pedersen asked if there were any active applications pending for the school bus funding that staff is proposing to move over to the vehicle repair and replacement programs. Mr. Sadredin responded there were not and added that although the Board allocated the school bus funding as part of the District spending plan, they directed the staff to explore reallocation to other programs that provide for more cost-effective emissions reductions. Supervisor Pedersen asked about other sources of funding for Valley CAN's administrative costs. Mr. Sadredin responded Valley CAN was formed 15 years ago with support from the oil industry and their primary contributor has been Chevron to the tune of \$800 thousand per year initially. This year they have pledged \$400 thousand. To the extent that this also serves as a call to Chevron and other entities to increase

their funding, Mr. Sadredin commented that this program is subject to reevaluation by the Board. He said at the end of the day, if we end up in a situation where Valley CAN is solely working on the District's programs, it may need to be reevaluated as to whether this is the best arrangement or should the District contract with another entity or run the program completely in house. He said in his recommendation he has tried not to overly micromanage areas that Valley CAN excels at, as there are many reports from objective observers that they do a great job of getting people to the events and running the program. He said in this proposal, most of the money would go directly to the smog shops and dealers, virtually eliminating the middle man, reducing costs, and providing additional valuable oversight of expenditures.

Supervisor O'Brien asked if the District was just getting a really good deal in years past. Mr. Sadredin responded that was a very objective way of putting it and noted the District has increased Valley CAN's responsibilities and asked them to do more, without increasing their allowance for administrative costs. Supervisor O'Brien said it appears to him that the additional payment is justified. He voiced full support for the proposed changes. He said this really is a good program, which is why he fights so hard to get the funding equitably distributed across the Valley.

Dr. Sherriffs asked what else Valley CAN is involved in besides the District's programs. Mr. Sadredin responded to his knowledge, the District's Tune In Tune Up Program is taking up the majority of their time. Dr. Sherriffs asked if they had other opportunities to seek additional funding, or are there ways the District could identify other sources of funding for them. Mr. Sadredin responded affirmatively, and reported Valley CAN just became a finalist for a \$500 thousand grant from another entity. He said the District's proposal not to pay their administrative costs is intended to encourage Valley CAN to seek other funding sources.

Supervisor Elliott asked why Valley CAN's funding has decreased significantly and if there were any real expectations that it would increase again. Mr. Sadredin responded a big reason for the decrease of funding is the downturn in the oil industry, which had been the main source of their funding. Supervisor Elliott voiced support for the recommendations.

Dr. Capitman asked if there would be additional costs for the District to take over the administrative responsibilities and if there were monies budgeted for it. He asked if the District was paying for systems that needed to be in place and were no longer necessary. Mr. Sadredin stated that as the District takes over the administrative tasks it would lessen these costs as the District can do the work more efficiently and the savings can be redirected. He said initially, he is not proposing an increase to District staffing because of these changes.

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

- Tom Knox, Valley CAN
- Manuel Cunha, Nisei Farmers League

Moved: Sherriffs
Seconded: Pedersen
Ayes: Ayers, Brazil, Capitman, Couch, Elliott, Gurrola, Hanson,
Mendes, O'Brien, Pedersen, Sherriffs, Wheeler, Baines
Nays: None

Motion unanimously carried to adopt budget resolution authorizing receipt and expenditure of up to \$25 million in state Cap and Trade funds and approve proposed enhancements to the agreements with Valley CAN for administration of District's Vehicle Repair and Replacement programs including associated funding adjustments.

10. UPDATE ON PROPOSED AMENDMENTS TO DISTRICT RULE 2201 – Mr. Sadredin provided the Board with an update on proposed amendments to Rule 2201 (New and Modified Stationary Source Review Rule), which establishes requirements for new and expanding facilities. He said each time EPA adopts a new standard, not only must the District develop new attainment plans, there is also an impact to how existing rules are implemented. Mr. Sadredin stated that staff had prepared amendments to this rule, which they were planning to bring to the Board for adoption today, to deal with some of the new provisions under PM2.5 requirements of the Clean Air Act. However, with EPA recently publishing the PM2.5 Implementation Rule in July, 19 years after the standard was originally published, EPA informed the District we must comply with the new requirements now included in the Implementation Rule. He said the District must conduct additional modeling and analysis with ARB and EPA, to craft adequate changes to the rule involving PM2.5 precursors and offset requirements. Mr. Sadredin said staff believes they will be ready to present these changes to the Board in early 2017.

11. APPOINT AD-HOC SUBCOMMITTEE TO CONSIDER POTENTIAL CHANGES TO THE BOARD PROCEDURES FOR THE ELECTION OF OFFICERS – Mr. Sadredin said historically the officers for the Governing Board have been selected through a pre-established rotation schedule and associated procedures. He said the purpose of this item was to provide a venue for the Board to discuss and assess if any changes are necessary in light of the new challenges faced by the District that are more demanding of the Governing Board Chair. These new challenges include the increased likelihood of Valley residents, businesses and municipalities facing costly federal sanctions and the need for the Board Chair to serve as a messenger on behalf of the Board on educating Valley stakeholders and preparing them for potential impacts. In addition, he noted the Board is facing many upcoming changes, including the loss of Councilmember Gurrola and Supervisor O'Brien, which would require the existing Governing Board Officer Rotation Schedule to be reexamined.

As the current Chair, Councilmember Baines noted this is a very timely issue given what is foreseen to be a pretty contentious and unprecedented season for

the District. Supervisor Mendes noted he is designated as the next Chair on the rotation and he was very interested in this item. Supervisor Pedersen commented that it is always good to review policies from time to time. Supervisor O'Brien commented that it is wise to look at the rotation schedule every 5 years or so, noting one of the downfalls of this type of schedule is unexpected changes to the Board. Dr. Capitman suggested making an amendment to the proposal to discuss the rotation schedule but not change the currently established 2017 or 2018 rotation. Councilmember Baines said the Subcommittee would be responsible for making recommendations on upcoming Chair rotations.

Councilmember Baines appointed Supervisor O'Brien, Councilmember Ayers, Supervisor Wheeler, Councilmember Gurrola, Dr. Capitman, Supervisor Worthley, and himself to the Ad Hoc Subcommittee. Dr. Sherriffs commented he is very interested in the Subcommittee's findings, especially if they were to decide to hold an election for Chairmanship. He said he feels that an elected Chair becomes a much stronger position.

12. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reminded Board members that there would be no meeting on October 20, 2016, to allow the ARB Board to hold their monthly meeting at District offices. He said the next regularly scheduled Governing Board meeting would take place on November 17, 2016.
13. GOVERNING BOARD MEMBER COMMENTS – Supervisor O'Brien commented that he recently traveled to Washington, DC as part of the Regional Policy Council made up of Council of Governments from all 8 counties in the Valley. He said one of their visits was with EPA and they discussed their recent inaction on the District's PM2.5 Plan. He said EPA said they absolutely stand behind what they called their "action" on this plan, which he cleared up as "inaction" on the District's plan. He said they would clearly not identify what caused them to take this "inaction". Councilmember Ayers reminded Board members that on October 13, 2016, the South San Joaquin Valley League of California Cities would have their general membership meeting in Delano, and that Mr. Sadredin will present a discussion on the Valley's air quality issues. He said there would also be a small farewell for Councilmember Gurrola to thank her for her service to the Valley. Supervisor Pedersen commented that he is hearing a lot of frustration with EPA's failure to act and said it is important for the District to get out in the community to ensure that Valley residents fully understand that this inaction is not a reflection on the District's actions. He noted concerns about the ability to conduct business and attract new business to the Valley.

Councilmember Baines asked Mr. Sadredin to work with him and his staff to arrange a presentation to the Fresno City Council on the challenges facing the Valley and the status of the District's actions with EPA. Councilmember Baines also reported that he, Supervisor Pedersen, Dr. Sherriffs, Supervisor Worthley and several staff members had a very productive Board-to-Board meeting with South Coast AQMD to discuss ways that both districts can create a productive

and mutually beneficial relationship in the future. Councilmember Baines voiced his appreciation for Mr. Sadredin and staff saying they represented the Valley well. Supervisor Pedersen commented the District needs additional help in the political arena to get the necessary changes. Dr. Sherriffs said it was a very exciting and productive meeting and said it was good for staff from both air districts to get together and discuss things they on which they can collaborate.

14. **CLOSED SESSION** – District Counsel, Annette Ballatore-Williamson announced the Board would adjourn to Closed Session and called for public comment.

Public Comment – None

At the end of Closed Session, Assistant District Counsel, Jessi Fierro announced that the Board discussed Closed Session item number 1a. **SVJAPCD v. U.S. E.P.A.**, based on existing facts and circumstances, the Board is meeting to discuss anticipated litigation against EPA relative to EPA's inaction on the District's 2015 PM2.5 Plan and attainment deadline extension requests for the PM2.5 National Ambient Air Quality Standards, and there was nothing to report.

There was also nothing to report for Closed Session item number 2. Public Employee Performance Evaluations pursuant to Government Code Sections 54957 and 54957.6 for the following:

- a. District Counsel
- b. Executive Director/APCO

Supervisor O'Brien left at 1:45 p.m.

ADJOURN

Meeting adjourned to Closed Session at 11:30 a.m.

The next scheduled meeting of the Governing Board is: Thursday, November 17, 2016. 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 video teleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.