

## 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, June 21, 2018**  
**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 Vice Chair, Supervisor Worthley, called the meeting to order at 9:05 a.m.
2. ROLL CALL – was taken and a quorum was present.

*Present:*

David Ayers, Mayor	City of Hanford
Drew M. Bessinger, Councilmember	City of Clovis
John Capitman, Ph.D	Appointed by Governor
David Couch, Supervisor	Kern County
Bob Elliott, Supervisor**	San Joaquin County
Christina Fugazi, Councilmember***	City of Stockton
Kristin Olsen, Supervisor**	Stanislaus County
Lloyd Pareira, Supervisor**	Merced County
Craig Pedersen, Supervisor	Kings County
Monte Reyes, Councilmember	City of Porterville
Dr. Alexander Sherriffs	Appointed by Governor
Chris Vierra, Mayor	City of Ceres
Tom Wheeler, Supervisor	Madera County
J. Steven Worthley, Supervisor, <b>Vice Chair</b>	Tulare County

*Absent:*

Buddy Mendes, Supervisor, <b>Chair</b>	Fresno County
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*\*attended in Southern Region Office*

*\*\*attended in Northern Region Office*

*\*\*\*attended in Northern Region Office and arrived at 9:50 a.m.*

3. PLEDGE OF ALLEGIANCE

*This item was taken out of order*

5. PUBLIC COMMENT – *The following persons provided comment during this item:*

- Connie Young, Citizens Climate Lobby (CCL)
- Tom Frantz, Association of Irrigated Residents
- Thomas Menz, Fresno Resident

4. APPROVAL OF CONSENT CALENDAR – *Item Numbers (20 – 29): 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.*

20. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD MEETING OF THURSDAY, APRIL 19, 2018

21. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT SPECIAL PUBLIC HEARING: REVIEW OF 2018-19 RECOMMENDED BUDGET OF THURSDAY, MAY 10, 2018

22. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2018

23. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARIES FOR APRIL AND MAY 2018

24. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF MAY 31, 2018

25. APPROVE AND AUTHORIZE CHAIR TO SIGN AN AGREEMENT WITH CALIFORNIA AIR RESOURCES BOARD FOR CONTINUED DISTRICT ENFORCEMENT OF STATE REFRIGERANT MANAGEMENT PROGRAM

26. AUTHORIZE THE EXECUTIVE DIRECTOR/APCO TO ENTER INTO CONTRACT TO ASSIST THE AIR RESOURCES BOARD WITH THEIR EMISSIONS INVENTORY OBLIGATIONS AND ACCEPT AND APPROPRIATE UP TO \$50,000 IN ASSOCIATED FUNDING

27. APPROVE MOU FOR THE GENERAL BARGAINING UNIT, APPROVE MOU FOR THE SUPERVISORY BARGAINING UNIT, AND APPROVE RELATED CHANGES TO THE DISTRICT'S ADMINISTRATIVE CODE

28. APPROVE CHANGES TO THE DISTRICT'S COMPENSATION PACKAGE FOR MANAGEMENT EMPLOYEES

29. ADOPT REVISION TO STATE IMPLEMENTATION PLAN TO ADDRESS FEDERAL CLEAN AIR ACT REQUIREMENTS FOR REASONABLY AVAILABLE CONTROL TECHNOLOGY

Public Comment: None

*Moved:* Pedersen  
*Seconded:* Wheeler  
*Ayes:* Ayers, Bessinger, Capitman, Couch, Elliott, Olsen, Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley  
*Nays:* None

***Motion unanimously carried to approve Consent Calendar Item Numbers 20 - 29***

6. ADOPT THE DISTRICT'S 2018-19 RECOMMENDED BUDGET – Samir Sheikh, Deputy APCO, said this was the second public hearing required by law to adopt the District's 2018-19 Recommended Budget. He said at the meeting held on May 10, 2018, the Board received a detailed presentation on the Recommended Budget. By law, he said the Board could not take action until today's meeting and based on positive feedback received during the May 10<sup>th</sup> public hearing, staff recommended adoption of the Recommended Budget today.

Supervisor Elliott voiced support for the 2018-19 Recommended Budget.

Public Comment: None

*Moved:* Wheeler  
*Seconded:* Pedersen  
*Ayes:* Ayers, Bessinger, Capitman, Couch, Elliott, Olsen, Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley  
*Nays:* None

***Motion unanimously carried to adopt the District's 2018-19 Recommended Budget***

7. DISTRICT COMMUNITY IDENTIFICATION AND PRIORITIZATION UNDER AB 617 – Sheraz Gill, Director of Strategies and Incentives, presented this item which asked the Board to review the District's methodology used for prioritizing Valley communities for action under AB 617 and adopt staff recommendations that the communities of South Central Fresno and North Bakersfield be submitted to ARB for consideration under the first year implementation of AB 617 for additional clean air resources and public engagement.

Supervisor Olsen asked how the selected communities would be addressed under AB 617. Seyed Sadredin, Executive Director/APCO, responded that AB

617 has a set of mandates, the exact nature of which are still taking shape as ARB is currently going through the process to develop the implementation strategies for these mandates. Mr. Sadredin said that the District will need to work with the communities to identify the sources of pollution affecting the selected communities and then develop community action plans. Additional air monitoring will also potentially be required in the selected communities and the District is in the process of purchasing air monitoring equipment as previously approved by the Board to acquire additional monitoring capabilities. AB 617 requires that the District analyze certain stationary sources to ensure they are equipped with best available retrofit control technology (BARCT). This analysis and demonstration of BARCT will be labor intensive, but he said the District is in a good position to meet those requirements as the District has been in a perpetual planning and regulatory regimen for many years addressing federal air quality standards. In addition, he said AB 617 mandated new annual emissions inventory reporting requirements for many stationary sources.

Supervisor Olsen asked if there was science or data available to suggest it is possible to have an impact on these smaller, individual communities and neighborhoods. Mr. Sadredin responded that is a big point of debate at the state level right now. ARB will ultimately set up the criteria as to how success and progress are judged within each community. He said historically, when looking at a smaller community subject to multiple rules it is impossible to tie a significant health impact on each individual rule, but that it is important to consider the effects of the overall plan. He said it is being debated right now whether results would be judged by the amount of pollution reduced or other health indicators which sometimes have other causes such as obesity, issues with nutrition or other pollution sources outside the District's jurisdiction.

Supervisor Olsen said managing community expectations will be an important part of this program. She said there could be a far greater, positive impact on air quality if the District could identify forest land as one of the targeted communities and asked if that was an eligible area to consider or if ARB was looking at population-based communities only. Mr. Sadredin responded that ARB hasn't given definite answers to questions raised such as this, because the program is evolving. He said it is his understanding that environmental groups are pushing to target communities near certain industries that they feel are harmful to them. He said the District's approach was to focus on population weighted exposure and included forest communities where there is population as well. She suggested continuing the dialogue with ARB on this topic, as the effects of one forest fire has far more devastating consequences on air quality than any of the other stationary sources.

Dr. Capitman asked whether the funding resources associated with implementing AB 617 were based on the number of communities selected by ARB or was it a fixed amount – would the funding change if ARB only selected one community in the Valley. Mr. Sadredin responded he would be surprised if only one community in the Valley were selected as our community activists have been effective in

communicating the needs of Valley communities and at the end of the day, the resources would be proportionate to the communities selected. Dr. Capitman suggested taking out the population adjustment and offering a more rural community as a third recommendation. Mr. Sadredin said at the Board's direction, the District could recommend the two selected communities as well as identify a rural community with the highest score among other rural communities.

Supervisor Elliott voiced agreement with Supervisor Olsen's comments and asked how staff would determine where measures would need to be implemented if impacts will be felt downwind on the selected community. Mr. Sadredin hoped an option would be that measures in the community action plans could be placed in areas that have a downwind effect on the selected community and not necessarily placed within that community. Dr. Sherriffs added AB 617 is a very different approach and an opportunity to think out of the box on a community-based approach that focuses on disadvantaged communities. He said putting forth a rural community is important for the Valley. Mr. Sadredin responded affirmatively and added that it is important to keep in mind that resources are limited. Councilmember Reyes suggested identifying and tracking communities with the newly created opportunity zones created by the tax bill which will increase the opportunity for development within some rural areas.

Supervisor Pareira said he would like to keep focus on the District's success at getting the biggest bang for the buck and said the top communities selected reflect that. Supervisor Pedersen thanked staff for their intensive work developing this plan in a short period of time. He said ultimately the goal is to win additional incentive dollars for the Valley and a lot of the mandates seem to be geared towards redoubling efforts that that the District has already completed. Supervisor Worthley thanked staff, saying he really appreciated the data-driven approach. He said all things being equal, the District and Board are trying to achieve air quality improvements and get the best return for the investment and not picking a community because a certain industry is located there. He said he appreciated looking for synergy when picking communities. He added that if a third option is selected, he would like to see the same data-driven approaches applied to identify a smaller, rural community. Dr. Capitman said he would be okay with a data-driven approach for a rural community but also identifying a community high on the list of environmental groups would strengthen the District's argument to ARB. Mr. Sadredin said a case could be made for picking Shafter that is consistent with Board member comments.

*Supervisor Couch left at 9:53 a.m.*

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

- Tom Frantz, Association of Irrigated Residents (AIR)
- Janet Diets Camay, Fresno Resident
- Colby Morrow, So Cal Gas

- Veronica Garibay, Leadership Council for Justice and Accountability
- Kevin Hamilton, Central CA Asthma Collaborative (CCAC) and CAC member
- Dolores Weller, Central Valley Air Quality Coalition (CVAQ)
- Nayamin Martinez, Central CA Environmental Justice Network
- Yolanda Park, Catholic Charities and Diocese of Stockton

Mr. Sadredin said based on comments received from the Board and the public, he recommended adding the community of Shafter to the other two communities named in the staff report.

*Moved:* Wheeler

*Seconded:* Pedersen

*Ayes:* Ayers, Bessinger, Capitman, Elliott, Fugazi, Olsen, Pareira, Pedersen, Reyes, Vierra, Wheeler, Worthley

*Nays:* Sherriffs

***Motion carried 12-1 to approve staff recommendations, with the addition of the community of Shafter, for the District's community identification and prioritization under AB 617***

8. ADOPT PROPOSED AMENDMENTS TO RULE 4905 (NATURAL GAS-FIRED, FAN-TYPE CENTRAL FURNACES) – Mr. Sadredin said as a rule, the Board leaves no stone unturned in finding emission reduction opportunities and at times the Board has had to adopt regulations that are technology-forcing to serve as an impetus and catalyst to develop applicable emission reduction technology. He said when adopting technology-forcing rules, adjustments are necessary at times if the technology does not develop as expected. When the Board adopted Rule 4905 in 2015, they knew the technology was not quite there so the Board allowed an option for manufacturers to sell non-complaint units and pay an emissions penalty fee until they had commercialized complaint technology. This allowed manufactures the time necessary to meet the requirements of the regulation while eliminating any economic advantages by the sale of non-compliant units and maintaining an incentive for manufacturers to develop compliant technology. He said that provision is expiring and manufacturers have reached out saying although they have made great progress, the technology is just not there yet. The proposed amendments to Rule 4905 (Natural Gas-Fired, Fan Type Central Furnaces), which are similar to those proposed by South Coast Air Quality Management District, included:

- Extending the emissions fee option period
- Adding a provision to allow use of current emission fee option for units under contract prior to January 1, 2018
- Adding a sell-through period
- Adding an exemption for units that are for propane-use only
- Enhancing enforcement with additional recordkeeping

- Adding labeling requirements for non-compliant units

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

- Ken Greer, Banner Air
- Tom Frantz, Association of Irrigated Residents (AIR)
- Jeff Small, US Distributor/Wholesale
- Dr. Dave Stevens, Johnson Controls
- Alex Ayers, Heating, Air Conditioning and Refrigeration Distributors International
- Dave Warningham, Lennox International
- Nathan Walker, Goodman
- Kevin Hamilton, CCAC
- Steven Mc Bride, Wholesale Distributor
- Ray Brogman, Honeys Air and Solar

Supervisor Olsen asked if the District had authority to oversee any purchases of non-compliant units in other areas and brought to the Valley. Mr. Sadredin responded that would be a violation of the rule and local contractors are required to keep records of equipment purchases. He added that enforcement is not as easy as inspecting a stationary source but the District has a good track record of enforcement on consumer product regulations. Supervisor Olsen said she is not a huge fan of burdensome regulations and enforcement actions but she is a very big fan of a level playing field for all and making sure that the Valley's businesses are not at a disadvantage. She asked if the District could think about sending letters to wholesalers in other counties to make them aware of the rules and the District's enforcement.

Councilmember Fugazi added that she agreed with having the latest and greatest technology for the environment and residents and suggested adding an incentive to purchase compliant versus non-compliant equipment. Mr. Sadredin said non-compliant equipment must be labeled as such and said he does not recommend adding incentives for purchasing compliant equipment as incentive dollars should be used for those measures that would get the biggest dollars per ton in reductions which is evaluated annually during the budget process. Councilmember Bessinger suggested working with local building inspectors and planning departments to ensure these requirements are on their checklist. Mr. Sadredin clarified the Board's direction to beef up enforcement efforts on these units, including working with building departments and land use agencies.

*Supervisor Couch returned at 11:08 a.m.*

Moved: Wheeler  
Seconded: Bessinger  
Ayes: Ayers, Bessinger, Elliott, Fugazi, Olsen,  
Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley  
Nays: Capitman  
Abstain: Couch

**Motion carried 12-1 with 1 abstention to adopt proposed amendments to Rule 4905 (Natural Gas-Fired, Fan-Type Central Furnaces)**

*This item was taken out of order*

11. REPORT ON DISTRICT'S CITIZENS ADVISORY COMMITTEE ACTIVITIES – Chris McGlothlin, Fresno County Industry/Agriculture Alternate member reported on the highlights from the Citizens Advisory Committee meetings held on May 1, 2018 and June 5, 2018. Mr. McGlothlin also presented Mr. Sadredin with an award on behalf of Citizens Advisory Committee members, in appreciation for his years of dedicated service towards clean air and improved health for Valley residents.
  
9. ADOPT PROPOSED AMENDMENTS TO DISTRICT RULE 4692 (COMMERCIAL CHARBROILING) – Mr. Sadredin said the Board has had an extensive series of meetings and discussions about the underfired charbroiler rule and said it was important to distinguish those from the chain-driven charbroilers which are already regulated. He said science has indicated that emissions from underfired charbroilers, despite what some find as a pleasant aroma, is very unhealthy. He said extensive studies have found there is no way for the Valley to reach attainment without controlling these charbroilers, and in fact staff believes that spending \$35 million in incentives on underfired charbroilers would have the benefit equal to \$14 billion of controls on stationary and other traditionally regulated sources. He asked the Board to adopt proposed amendments to Rule 4692 (Commercial Charbroiling) including:
  - Commercial underfired charbroiler units will lose their permit exemption upon adoption of the proposed amendments, except for units that cook less than 400 pounds of meat in any calendar week or units that cook less than or equal to 10,800 pounds in any 12-month period and less than 875 pounds per calendar week.
  - In lieu of permits, the proposed amendments will require units losing permit exemptions to register, which is less costly and will avoid unintended consequences under the District's New Source Review rule.
  - Pursuant to District Rule 2020, Section 9.0, units losing permit exemption will have 6 months to apply for registration.
  - Require weekly recordkeeping of quantity of meat cooked only for registered charbroilers
  - Require a one-time report from all commercial cooking operations with an underfired charbroiler by January 1, 2019, which includes the following information:



- Name and location of restaurant
- Daily operating hours of the commercial cooking operation
- Number and size of underfired charbroilers
- Type of fuel used to heat the underfired charbroiler(s)
- Type and quantity, in pounds, of meat cooked on the underfired charbroiler(s) on a weekly basis for the previous 12-month period
- Flowrate (CFM) of the hood or exhaust system
- Information about any installed pollution control devices

Public Comments: None

*Moved:* Vierra

*Seconded:* Wheeler

*Ayes:* Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Olsen,  
Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley

*Nays:* None

***Motion unanimously carried to adopt proposed amendments to District Rule 4692 (Commercial Charbroiling)***

10. FAREWELL AND RECOGNITION FOR RETIRING EXECUTIVE

DIRECTOR/APCO – Supervisor Worthley said there were numerous staff members in attendance for this important item. Mr. Sheikh said one of Mr. Sadredin’s biggest legacies is the team he built over the years, many of whom were in attendance at this meeting. He said Mr. Sadredin created a team that is laser focused on providing exceptional customer service to Valley residents and doing so in an efficient way, with the lowest fees in the nation. On a personal note, he thanked Mr. Sadredin for everything he has done to develop him professionally over many years and also all of his hard work and dedication to ensure a smooth transition for the entire agency. On behalf of himself and the entire agency, he thanked Mr. Sadredin and congratulated him on his retirement. Mr. Sheikh also recognized Mr. Sadredin’s family who was in attendance, for all of their support for Mr. Sadredin and the District over the years.

Supervisor Worthley added that many accolades were given to Mr. Sadredin at his retirement party in May. He read a letter on behalf of Chairman Mendes, who was unable to attend the meeting. He also presented a letter of recognition from Congressman Kevin McCarthy, and plaques from the Honorable Jim Costa, Honorable Jeff Denham, Honorable Devin Nunes, Honorable Kevin McCarthy, Honorable David Valadao, and Honorable Devin Mathis.

Anna Myers, President of the SJVAPCD Employees’ Association, spoke on behalf of District staff, thanking Mr. Sadredin for his leadership, guidance, many contributions to the District’s STAR culture and overall success of the District. Supervisor Wheeler thanked Mr. Sadredin for helping him be a better leader in Madera County and said he would be missed but left the District in great hands with Mr. Sheikh as the new APCO, along with Mr. Lambert and Mr. Warner as

Deputy APCOs. Supervisor Elliott thanked Mr. Sadredin for enhancing the Board meetings by instituting the pledge of allegiance at the start of the meetings and voiced appreciation for Mr. Sadredin's legacy of leaving no stone unturned and pursuing excellence at every level. He said Mr. Sadredin is leaving behind a great team, which he assembled, and an excellent succession plan which guaranteed the District's continued success. Lastly, he thanked Mr. Sadredin for including "common sense" in the District's Mission Statement and said it is important to never lose sight of that.

Mayor Vierra said he has enjoyed working with Mr. Sadredin over the past several years and watching him guide the District through the many obstacles faced. He said air quality is not an easy subject, with heated debates on both sides and Mr. Sadredin did an excellent job of guiding District staff to find the best solutions which will have the most impact for Valley residents.

Councilmember Bessinger said as a public servant for over 40 years, he said he felt a different kind of vibe at the District, one that is cooperative and forward thinking thanks to the guidance and leadership of Mr. Sadredin. Councilmember Reyes thanked Mr. Sadredin for bringing dignity and decorum to what at times can be very difficult conversations and said it is an example he will carry with him throughout his career. Supervisor Pereira said his only regret is that he did not get to know Mr. Sadredin earlier in life and wished him all the best in his future endeavors. Supervisor Pedersen thanked Mr. Sadredin for his leadership and guidance for the Board and staff. Mayor Ayers also thanked Mr. Sadredin for his leadership and said it was evident that he was truly appreciated by District staff. He also noted the atmosphere of respect, dignity, and appreciation of each other at the District among its staff and leadership. Supervisor Worthley said the District is the best run government agency that he knows of and said the real legacy that Mr. Sadredin leaves behind is in his great team at all staff levels who will continue the excellent work that he started.

Mr. Sadredin thanked everyone for the kind and generous words and said it is hard to believe that this day has finally arrived as he has never missed a Board meeting in his career. He thanked his family, including his beautiful wife and daughters and their husbands, for the support they have given him throughout his career. He thanked the "greatest employees in the universe", saying the District's motto is that "there are no others who work harder and have more fun than we do". He also thanked the Board members, and said he has been blessed to work with the greatest set of leaders. He said he was grateful for this country as he immigrated here at the age of 16, alone and on a student visa with limited English and was given tremendous opportunities. He said he was very blessed to work with Board members who really care about their community and about the balance between a good economy and good environment. He said this was not goodbye but just a change in relationship as he would continue to be the biggest cheerleader of the Board, District and staff in his retirement.

12. REVIEW AND SET AGENDA FOR THE SEPTEMBER 2018 GOVERNING BOARD STUDY SESSION FOR EDUCATIONAL AND STRATEGIC PLANNING PURPOSES - Mr. Sheikh reviewed a list of proposed agenda topics for the 2018 Governing Board Study Session, scheduled for September 19<sup>th</sup> and 20<sup>th</sup>, 2018 at Bass Lake, including:

- Efforts by State of California to prioritize electrification over other commercially available near-zero emissions technologies
- Progress report and next course of action for District's Healthy Air Living Schools program
- Ensuring that businesses are provided opportunities for engagement under AB 617
- Update on the District's low-cost air monitoring sensor action plan
- Collaboration with Land Managers to increase prescribed burning and reduce forest fuels to minimize air quality impacts from wildfires
- Evaluate District socioeconomic analysis procedures and guidelines
- Review, reaffirm and/or fine-tune the District's Mission Statement, Vision Statement and Core Values
- The District S.T.A.R. (Service, Teamwork, Attitude and Respect) Work Culture
- Update from SJVAPCD Employees' Association
- Progress Report on Drive Clean in the San Joaquin Passenger Vehicle Incentive Program
- District's efforts to increase interest in Kern County to take advantage of District incentive funding for Clean Air projects
- District's implementation of California's Oil and Gas Methane Reduction Regulation

Supervisor Wheeler said he was looking forward reviewing the item on minimizing air quality impacts from wildfires. Supervisor Worthley agreed. Mr. Sheikh said as the new APCO, he looked forward to the opportunity to interact with the Board on these strategic issues and reaffirming the District's Mission Statement, Vision Statement and Core Values.

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

- Colby Morrow, So Cal Gas

13. ACCEPT AND APPROPRIATE \$1,024,813 IN FUNDING FROM THE CALIFORNIA AIR RESOURCES BOARD TO MITIGATE INCREASES IN NOX EMISSIONS RESULTING FROM USE OF BIODIESEL FUEL IN THE SAN JOAQUIN VALLEY – Mr. Sheikh said the Board has had a long standing policy of supporting reasonable greenhouse gas reduction efforts that also provide for co-benefits and definitely do not have negative impacts when it comes to air quality. Staff has therefore consistently advocated for mitigation of increased NOx and other pollutants in situations where ARB has adopted greenhouse gas reduction

measures that cause such increases. In the case of the state's Low Carbon Fuel Standard (LCFS), he asked the Board to accept \$1,024,813 from the California Air Resources Board to mitigate increases of NOx in the San Joaquin Valley caused by the LCFS.

Public comment: None

*Moved:* Pedersen

*Seconded:* Wheeler

*Ayes:* Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Olsen, Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley

*Nays:* None

***Motion unanimously carried to accept and appropriate \$1,024,813 in funding from the California Air Resources Board to mitigate increases in NOx emissions resulting from use of biodiesel fuel in the San Joaquin Valley***

14. APPROVE THE CONTINUED IMPLEMENTATION OF THE TUNE IN TUNE UP VEHICLE REPAIR PROGRAM – Mr. Sheikh presented this item which asked the Board to approve the continued implementation of the District's very successful Tune In Tune Up vehicle repair program. He said a recent report by the Luskin School of Public Affairs at UCLA recognized the Tune In Tune Up program as an efficient and effective way to positively impact disadvantages communities, and said it is a model for other programs to emulate. Mr. Sheikh thanked Board members for putting time and effort into making sure their constituents are aware of these funds that are available and welcomed their suggestions for continued deployment of this program. Mr. Sadredin recognized Councilmember Fugazi for getting the word out about these events in the City of Stockton and making sure residents are able to take advantage of this program.

Councilmember Fugazi said over \$256,000 in funding was awarded to Stockton residents who are participating in cleaning up the Valley's air by getting their cars fixed, smog tested and registered. She said she loves the Tune In Tune Up program and will always continue to support the program. Supervisor Elliott said he completely supports this program and asked if staff follows up on unused vouchers to learn why they were not used. Mr. Sheikh responded affirmatively, saying there is a certain percentage of residents who are unable to use the vouchers for various regions but there is a noticeable increase in usage after follow up is conducted.

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

- Colby Morrow, So Cal Gas

Moved: Fugazi  
Seconded: Pareira  
Ayes: Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Olsen,  
Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley  
Nays: None

***Motion unanimously carried to approve the continued implementation of the Tune In Tune Up vehicle repair program***

15. APPROVE CONTRACT WITH ARCHER AND HOUND FOR OUTREACH AND MARKETING AGENCY REPRESENTATION TO IMPLEMENT COMPREHENSIVE, MULTILINGUAL PUBLIC EDUCATION AND OUTREACH CAMPAIGNS – Jaime Holt, Chief Communications Officer, asked the Board to approve and authorize the Chair to execute the contract between the District and Archer and Hound to implement comprehensive public education and outreach campaigns for key District programs including, but not limited to, the Healthy Air Living Program, Real-time Air Advisory Network (RAAN) outreach, the Wood-burning Curtailment Program and potential outreach related to the promotion of various grants and incentives.

Dr. Capitman asked about the plan to assess the impacts of this initiative. Mr. Sadredin responded it is an ongoing effort, and the Board over time has sanctioned a number of surveys. Ms. Holt said with the industry changes including the rise of social media, apps, website and digital billboards, that information is available real time on a daily basis that is used in evaluating the effectiveness of outreach efforts.

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

- Janet Diets Camay, Fresno Resident
- Jessica Blanchfield, Archer and Hound

Moved: Sherriffs  
Seconded: Reyes  
Ayes: Ayers, Bessinger, Capitman, Couch, Elliott, Fugazi, Olsen,  
Pareira, Pedersen, Reyes, Sherriffs, Vierra, Wheeler, Worthley  
Nays: None

***Motion unanimously carried to approve contract with Archer and Hound for outreach and marketing agency representation to implement comprehensive, multilingual public education and outreach campaigns***

16. VERBAL REPORT ON AIR RESOURCES BOARD ACTIVITIES – Dr. Sherriffs reported on highlights from the Air Resources Board meetings of April 27, 2018 and May 25, 2018, including:

- The Board approved the Proposed Community Air Protection Funds Supplement to the Carl Moyer Memorial Air Quality Standards Attainment Program Guidelines
- The Board heard proposed amendments to the Low Carbon Fuel Standard (LCFS) regulation in line with Senate Bill 32 greenhouse gas reduction goals
- In response to a 2017 court order in the ongoing POET litigation challenge to the 2009 adoption of the LCFS regulation, the Board adopted a measure to provide immediate funding to air districts to achieve further reductions in emission of NOx to remediate estimated historical emissions potentially related to increased use of biodiesel in California that may be attributable to incentivizing biodiesel use through the LCFS regulation
- The Board approved proposed amendments to the Heavy-Duty Vehicle Inspection Program (HDVIP) and the Periodic Smoke Inspection Program (PSIP).
- The Board approved California's Beneficiary Mitigation Plan for the Volkswagen Environmental Mitigation Trust

Dr. Sherriffs also announced under AB 179 that the ARB and California Transportation Commission are required to meet twice per year to coordinate implementation of transportation programs and policies. He said breaking down silos is a good thing and they are meeting next week to discuss coordinating to achieve the state's goals in terms of climate change and air quality.

17. EXECUTIVE DIRECTOR/APCO COMMENTS – Mr. Sadredin reported on the recent legislative advocacy trip to Washington, D.C. attended by staff, several Board members and stakeholders, in support of the District's Legislative Platform which was approved by the Board unanimously and included the District's funding needs at the federal level as well as the new approach of working directly with EPA to try and bring some administrative streamlining to the implementation of the Clean Air Act. He said they met with several members of Congress, key committees, Forest and Agriculture Department representatives and were well received judging by early actions by Congress on the budget on requests for more DERA, Targeting Air Shed and agricultural equipment funding. He said they also had a great meeting with EPA representatives who indicated they were willing to work with the District and are in the process of communicating potential solutions to streamline the Act without weakening it.
18. GOVERNING BOARD MEMBER COMMENTS - Supervisor Pedersen said taking a large contingent to Washington, D.C. to lobby on behalf of Valley residents spoke loudly about the commitment of the District and the regulated community to addressing air quality issues and the need for additional funding to advance these efforts. He said the message was well received. Supervisor Elliott concurred that it was a very beneficial and useful trip, and said one of the biggest takeaways for him was the environment at EPA was very different than from what it had been in the past in terms of their willingness to listen and try to accommodate the District's common sense approach to getting things done.

Mayor Ayers echoed the previous comments and said he was very appreciative of the opportunity to participate on his first legislative advocacy trip. Supervisor Worthley said everyone the group met with was very positive and receptive to the District's message and requests. He said the medical community was represented along with other Valley stakeholders and said it was an excellent trip.

19. **CLOSED SESSION** – District Counsel, Annette Ballatore-Williamson, announced that the Board would consider the following items in Closed Session and asked for public comment:
- CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Government Code Section 54956.9(d)(1) in Communities for Better Environment v. SJVAPCD, Kern Co. Sup. Ct. Case No. S-1500-CV-284013
  - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9(c) (1 potential case)

Public Comment: None

*The Chair adjourned the meeting to Closed Session at 12:30 p.m.*

*District Counsel, Annette Ballatore-Williamson, returned from Closed Session at 12:47 p.m. and announced the following:*

After meeting in Closed Session, the Board gave unanimous approval to Legal Counsel to accept a settlement offer in the case of Communities for Better Environment v. SJVAPCD, Kern Co. Sup. Ct. Case No. S-1500-CV-284013 to resolve the litigation upon terms involving various emission reduction mitigation projects at no cost to the District. The second unanimous action was approval given to Legal Counsel to enter as Amicus Curiae in the case of Valero v. Bay Area AQMD, that is pending in San Francisco County Superior Court, followed by adjournment.

## **ADJOURN**

*NO MEETING IN JULY. The next scheduled meeting of the Governing Board is: Thursday, August 16, 2018. 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 videoteleconference (VTC) with the Northern Region Office (Modesto) and the Southern Region Office (Bakersfield) participating via VTC.*