

Action Summary Minutes

San Joaquin Valley Unified Air Pollution Control District

GOVERNING BOARD MEETING

Thursday, June 15, 2023

Meeting was held via video teleconference (VTC): Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, the Southern Region Office, VTC Room, 34946 Flyover Court, Bakersfield, and teleconference in the Northern Region Office, VTC Room, 4800 Enterprise Way, Modesto. Members of the public were allowed to participate in-person at any of the referenced locations or remotely via Zoom webinar. The meeting was also webcast.

- 1. CALL MEETING TO ORDER – The Chair, Supervisor Vito Chiesa, called the meeting to order at 9:05 a.m.
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL – was taken and a quorum was present.

Present:

Vito Chiesa, Supervisor, Chair	Stanislaus County
Deborah Lewis, Councilmember, Vice Chair	City of Los Banos
Drew Bessinger, Councilmember	City of Clovis
David Couch, Supervisor	Kern County
Rosa Escutia-Braaton, Councilmember ¹	City of Modesto
Robert Macaulay, Supervisor	Madera County
Buddy Mendes, Supervisor	Fresno County
Tania Pacheco-Werner, PhD ²	Appointed by Governor
Lloyd Pereira, Supervisor	Merced County
Alvaro Preciado, Mayor	City of Avenal
Gilberto Reyna, Councilmember	City of Wasco
Robert Rickman, Supervisor	San Joaquin County
Alexander Sherriffs, M.D.	Appointed by Governor
Amy Shuklian, Supervisor	Tulare County

Absent:

Councilmember Robinson

¹ Arrived at 9:45 a.m.

² Arrived at 9:15 a.m.

4. APPROVAL OF CONSENT CALENDAR – ITEM NUMBERS (17-26)

17. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED GOVERNING BOARD MEETING OF THURSDAY, MAY 18, 2023
18. APPROVE ACTION SUMMARY MINUTES FOR THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION DISTRICT SPECIAL PUBLIC HEARING : REVIEW OF 202-24 RECOMMENDED BUDGET OF THURSDAY, MAY 18, 2023
19. RECEIVE AND FILE LIST OF SCHEDULED MEETINGS FOR 2023
20. RECEIVE AND FILE SUMMARY OF RULES AND PLANS
21. RECEIVE AND FILE OPERATIONS STATISTICS SUMMARY FOR MAY 2023
22. RECEIVE AND FILE BUDGET STATUS REPORTS AS OF MAY 31, 2023
23. REAPPOINT AT-LARGE MEMBER TO THE DISTRICT'S ENVIRONMENTAL JUSTICE ADVISORY GROUP
24. APPROVE AGREEMENT WITH PANORAMA CONSULTING GROUP TO PROVIDE FINANCIAL ENTERPRISE SOFTWARE SELECTION SERVICES
25. AUTHORIZE USE OF SERVICE PROVIDERS AS NECESSARY TO SUPPORT AB 617 COMMUNITY ENGAGEMENT
26. APPROVE CONTRACT WITH CAROUSEL INDUSTRIES OF NORTH AMERICA, LLC FOR UPGRADE OF THE DISTRICT'S VIDEO TELECONFERENCING (VTC) SYSTEM IN THE AMOUNT OF UP TO \$1,172,295

Public Comment: None

Moved: Lewis
Seconded: Shuklian
Ayes: Bessinger, Couch, Lewis, Macaulay, Mendes, Pareira, Preciado, Reyna, Rickman, Sherriffs, Shuklian, Chiesa
Nays: None

Motion carried to approve Consent Calendar (Items 17-26).

5. PUBLIC COMMENT – None
6. REPORT ON DISTRICT CITIZENS ADVISORY COMMITTEE ACTIVITIES – Derek Williams, Citizens Advisory Committee member, reported on highlights from the meeting held on June 6, 2023.
7. ADOPT THE DISTRICT’S 2023- 24 RECOMMENDED BUDGET – Samir Sheikh, Executive Director / APCO, said this was final step to adopt the District’s 2023-24 Recommended Budget, which was prepared with guidance and oversight by the Board’s Ad Hoc Budget Subcommittee. He said on May 18, 2023, the Board held a public hearing for the exclusive purpose of reviewing the Recommended Budget and providing the public with an opportunity to comment on the proposed budget. Mr. Sheikh explained that the recommended budget is balanced with adequate reserves and contingencies. He explained that the resources in the budget are designed to fulfill our public health mission.

Public Comment: *The following individual(s) commented on this item:*

- Andrea Uribe, Leadership Counsel for Justice & Accountability
- Jesus Contreras, Leadership Counsel for Justice & Accountability

Moved: Mendes

Seconded: Shuklian

Ayes: Bessinger, Couch, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs, Shuklian, Chiesa

Nays: None

Motion unanimously carried to approve and authorize the Chair to sign the resolution establishing the District’s 2023-24 Budget

8. ACCEPT AND APPROPRIATE \$30,400,000 IN STATE VEHICLE REPLACEMENT FUNDING AND APPROVE THE CONTINUED IMPLEMENTATION OF THE DISTRICT’S DRIVE CLEAN IN THE SAN JOAQUIN VEHICLE REPLACEMENT AND REPAIR PROGRAMS – Brian Dodds, Program Manager in District’s Grants and Incentives Department, and Tom Knox, Valley Clean Air Now Executive Director, presented this item seeking the Governing Board’s approval to accept and appropriate funds to the Drive Clean in the San Joaquin car replacement program in an effort to focus on low income and disadvantaged communities by assisting with a vehicle repair and replacement program to assist with reducing emissions.

Ms. Lewis inquired about the removal of traditional hybrid vehicles by December 2024. Mr. Knox and Mr. Dodds both confirmed that based on the grant funding agreement outlined by CARB’s funding plan, traditional hybrid vehicles will not be eligible for the funding after December of 2024. Mr. Dodds added that District staff would continue to meet the needs of the residents wanting to purchase traditional hybrid vehicles until the deadlines pass.

Ms. Lewis additionally requested that in Merced County be held in alternating locations to be accessible to residents in different areas of Merced County.

Mr. Bessinger shared his congratulations on the precision it takes to successfully plan these large scale events. Mr. Bessinger also shared a concern that not all individuals with lower income levels live in the designated areas and are not eligible for these funding opportunities.

Public Comment: *The following individual(s) commented on this item:*

- Anthony Molina, Fresno County Bicycle Coalition

Moved: Sherriffs

Seconded: Mendes

Ayes: Bessinger, Couch, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs, Shuklian, Chiesa

Nays: None

Motion unanimously carried to (1) accept and appropriate up to \$30,400,000 in additional funding from the California Air Resources Board and authorize the Chair, with Executive Director/APCO recommendation, to execute agreements with Valley Clean Air Now for the continued implementation of the District's Drive Clean in the San Joaquin vehicle replacement program; (2) authorize the Chair, with Executive Director/APCO recommendation, to execute an agreement with Valley Clean Air Now for the continued implementation of the District's \$12,000,000 vehicle repair program included in the District's fiscal year 2023- 24 Budget; and (3) authorize the Executive Director/APCO to make administrative changes to the programs, as necessary, in order to ensure successful implementation of program funding.

9. ADOPT 2023 MAINTENANCE PLAN AND REDESIGNATION REQUEST FOR THE REVOKED 1-HOUR OZONE STANDARD – Jon Klassen, Director of Air Quality Science and Planning, presented recommendations to adopt the proposed 2023 Maintenance Plan and redesignation request for the revoked one hour ozone standard, and authorize the Chair to sign the attached resolution and direct staff to forward this maintenance plan and a resolution to CARB for approval and submittal to EPA for their review.

Dr. Sherriffs thanked the staff for all of the hard work, and inquired about the timing of this project. Dr. Sherriffs also asked for clarification on the collection of Section 185 fees. Mr. Sheikh answered that the timing of this project was shaped by lawsuits and court rulings that only now fully established pathway to move forward. Mr. Sheikh clarified that non-attainment fees are being collected pursuant to Section 185 of the federal Clean Air Act. Once redesignated, the Section 185 mandates are eliminated as the Valley will no longer be non-

attainment with this standard.

Public Comment: *The following individual(s) commented on this item:*

- None

Moved: Mendes

Seconded: Bessinger

Ayes: Bessinger, Couch, Escutia-Braaton, Lewis, Macaulay, Mendes, Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs, Shuklian, Chiesa

Nays: None

Motion unanimously carried to (1) adopt the proposed 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard; (2) authorize the Chair to sign the resolution adopting the proposed 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard; and (3) direct staff to forward the adopted 2023 Maintenance Plan and Redesignation Request for the Revoked 1-Hour Ozone Standard and resolution to the California Air Resources Board for approval and submittal to the U.S. Environmental Protection Agency.

10. APPROVE ALLOCATION OF UP TO \$1,000,000 IN ADDITIONAL FUNDING FOR VALLEY-WIDE CLEAN AIR ROOMS RESIDENTIAL AIR FILTRATION INCENTIVE PROGRAM FOR VALLEY DISADVANTAGED AND LOW-INCOME COMMUNITIES – Jessica Olsen, Director of Community Strategies and Resources, presented this item and recommended the Board approve an additional funding allocation for up to \$1 million for the Valley-wide Clean Air Rooms residential air filtration incentive program to provide residential air filtration units to residents in disadvantaged and low-income communities throughout the San Joaquin Valley.

Dr. Pacheco-Werner thanked staff for this program and for all of the outreach that is happening within the communities. She asked if there is any data on the geographical distribution of the approved applications. Mr. Sheikh responded that staff will review application data to identify if any areas would benefit from additional targeted outreach efforts. Dr. Pacheco-Werner also shared that she was surprised by the amount of air filtration units that are still available in the AB 617 communities and wondered if there were partners assisting with the outreach. Mr. Sheikh explained that the Fresno and Shafter AB617 communities have had strong demand for the program, and the District has an action plan to work with the Stockton community that involves social media, community based organizations, and local partners to assist in getting the word out about this program.

Ms. Escutia-Braaton commended the District on this program and inquired about how long this program has been available. Ms. Olsen explained that the program

was piloted last June and this is the first launch valleywide. Ms. Escutia-Braaton also asked if there was a plan for any of the areas that had a sizeable number of unclaimed units. Mr. Sheikh responded that there is authority to shift funding at some point if the number of units were remaining, but that the goal is to continue with outreach efforts to ensure every county expends their funds.

Mr. Macaulay asked about the qualification factors and if there was a way to use income qualifiers since some people who are low income may not reside in a designated disadvantage community, specifically the community of North Fork. Mr. Sheikh confirmed that North Fork residents are eligible for this program. Mr. Sheikh said that this is an important concern that will be looked into for upcoming rounds of the program and to use different tools to help identify low income households that may not reside within a designated community.

Mr. Chiesa asked if there was any opposition to the District open program eligibility to income limited households, regardless of whether they reside in a designated community. Dr. Sherriffs stated that Calenviorscreen is more complete look at health risk and takes other factors into account including, cumulative risks in the area, access to healthcare, and other sources of pollution. Mr. Couch responded that he would like the focus of program eligibility to be based more on health factors than income.

Mr. Preciado inquired about the extra funding amount and how will it be allocated in each county. Mr. Sheikh responded that the additional funding would be distributed proportionally based on county population. Mr. Preciado also shared his input that the focus of program should be for people with respiratory issues. Mr. Sheikh responded the District will explore the possibility of a streamlined way to consider health factors in the program eligibility for upcoming rounds.

Ms. Shuklian commented expressing her full support of this program and the importance of the air filtration units.

Ms. Lewis stated her support for not only including targeted areas to determine income eligibility, since some who meet income requirements may not reside in a designated disadvantaged community.

Dr. Sherriffs commended this program and made suggestions to outreach to doctor's offices and health care systems in order to reach the higher risk individuals.

Public Comment: *The following individual(s) commented on this item:*

- Jesus Contreras, Leadership Counsel for Justice & Accountability
- Andrea Uribe, Leadership Counsel for Justice & Accountability

Moved: Sherriffs
Seconded: Preciado
Ayes: Bessinger, Couch, Escutia-Braaton, Lewis, Macaulay, Mendes,
Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs,
Shuklian, Chiesa
Nays: None

Motion unanimously carried to (1) approve an additional funding allocation for the Valley-wide Clean Air Rooms residential air filtration incentive program to provide residential air filtration units to residents residing in disadvantaged and low-income communities throughout the San Joaquin Valley for up to \$1,000,000; and (2) authorize the Executive Director/APCO to enter into any necessary agreements with equipment vendors, retail partners and/or subcontractors and to make administrative changes to the program as necessary to ensure successful implementation of the program.

11. APPROVE CONTRACT FOR ADVERTISING AND MARKETING AGENCY REPRESENTATION FOR COMPREHENSIVE MULTILINGUAL PUBLIC EDUCATION AND OUTREACH – Jaime Holt, Chief Communications Officer, presented this item and recommended the approval of the annual outreach contract for advertising and marketing agency representation in order to support the District’s clean air mission.

Dr. Sherriffs thanked Ms. Holt for the presentation and commended the powerful message delivered in the advertisements. He also asked about the possibility of partnering with the Sacramento Metropolitan Air Quality Management District (SMAQMD) to better reach residents in the northern counties of the Valley. Ms. Holt shared that that the District has partnered with SMAQMD in the past, and the District is always looking for potential opportunities to partner and leverage our outreach efforts.

Ms. Shuklian appreciated watching the advertisements that featured members of the public who have received the incentives.

Mr. Bessinger also commended the advertising segments that were viewed and was impressed with the diversity of the featured residents.

Public Comment: *The following individual(s) commented on this item:*

- Jessica Blanchfield, Archer and Hound Advertising

Moved: Lewis
Seconded: Mendes
Ayes: Bessinger, Couch, Escutia-Braaton, Lewis, Macaulay, Mendes,
Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs,
Shuklian, Chiesa
Nays: None

Motion unanimously carried to approve and authorize the Board Chair to execute the contract between the District and Archer & Hound Advertising to implement comprehensive multilingual public education and outreach campaigns for key District programs and initiatives.

12. ADOPT PROPOSED AMENDMENTS TO DISTRICT LEAK DETECTION AND REPAIR RULES 4401, 4409, 4455, 4623, AND 4624 – Sheraz Gill, Deputy APCO, presented this item and recommended the adoption of the proposed amendments to the District’s leak detection and repair rules.

Public Comment: *The following individual(s) commented on this item:*

- Lance Erickson, Chevron Exploration and Production
- Nancy Richardson, Resident
- Christine Zimmerman, Western States Petroleum Association (WSPA)

Moved: Mendes
Seconded: Pacheco-Werner
Ayes: Bessinger, Couch, Escutia-Braaton, Lewis, Macaulay, Mendes,
Pacheco-Werner, Pareira, Preciado, Reyna, Rickman, Sherriffs,
Shuklian, Chiesa
Nays: None

Motion unanimously carried to (1) adopt the proposed amendments to Rule 4401 (Steam-Enhanced Crude Oil Production Wells), Rule 4409 (Components at Light Crude Oil Production Facilities, Natural Gas Production Facilities, and Natural Gas Processing Facilities), Rule 4455 (Components at Petroleum Refineries, Gas Liquids Processing Facilities, and Chemical Plants), Rule 4623 (Storage of Organic Liquids), and Rule 4624 (Transfer of Organic Liquid); and (2) authorize the Chair to sign the Resolution.

13. VERBAL REPORT ON CALIFORNIA AIR RESOURCES BOARD (CARB) ACTIVITIES – Dr. Pacheco-Werner shared that CARB would consider amendments to the state Oil and Gas Methane regulation at their June 2023 meeting. Additionally, Dr. Pacheco-Werner shared information about an upcoming ZEV Ride and Drive event that would showcase new heavy duty vehicles.

14. EXECUTIVE DIRECTOR/APCO COMMENTS – Samir Sheikh shared information on the recently launched Zero Emission Landscaping Equipment program that is catered to a variety of potential participants such as small businesses, cities, counties and farmers who may use commercial grade landscaping equipment.
15. GOVERNING BOARD MEMBER COMMENTS– Ms. Lewis shared her visit to the Covanta Stanislaus facility that is a waste to energy plant and encouraged the other board members to take a visit.
16. CLOSED SESSION – After providing an opportunity for members of the public to comment on matters to be discussed, the Board recessed to closed session at 11:44 a.m.

Public Comment: None

ADJOURN – Chairman Chiesa adjourned the meeting at 12:05 p.m.