

BOARD MEETING DATE: July 11, 2014

AGENDA NO. 28

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee met on Friday, June 13, 2014. The Committee discussed various issues detailed in the Committee report. The next Administrative Committee meeting is scheduled for Friday, July 18, 2014 at 10:00 a.m.

RECOMMENDED ACTION:  
Receive and file.

Dr. William A. Burke, Chair  
Administrative Committee

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**Attendance:** Attending the June 13, 2014 meeting were Committee Members Mayor Dennis Yates and Supervisor Josie Gonzales at SCAQMD headquarters, and Chairman William Burke and Dr. Clark E. Parker, Sr. via videoconference.

**ACTION/DISCUSSION ITEMS:**

1. **Board Members' Concerns:** None
2. **Chairman's Report of Approved Travel:** There were two trips reported. Supervisor Josie Gonzales traveled to Sacramento regarding various legislative issues on June 4, 2014. Mayor Judith Mitchell anticipated a trip to Sacramento to attend the CARB Board meeting on June 25-27, 2014.
3. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** None to report.
4. **Report of Approved Out-of-Country Travel:** None to report.

5. **Pre-Audit Conference (Presenter: Melba Simpson):** Chief Financial Officer Michael O'Kelly reported that the Governing Board has engaged Simpson and Simpson, CPAs, to perform the annual Financial Statement Audit for Fiscal Year 2013-14 and introduced Melba Simpson to present plans for performing the audit. Ms. Simpson reported that they have prepared the engagement letter and have met with the controller to set the schedule to begin on August 11, 2014. All of the necessary audit procedures will be completed and performed timely so that the audit reports can be issued by October 17. The draft report will be presented at the November Administrative Committee meeting. Overall, the plan is to continue to make sure that the District has discharged its responsibility to present their financial statements in accordance with all of the government accounting standards and they are in agreement, materially correct and reasonably stated. They will continue to meet with management to update their understanding of any change in the District's internal controls, as applicable, and review any new contracts or extended contract agreements to make sure that on the single audit report they are in compliance with all of the laws and regulations.
  
6. **Update on AB 1318 Emission Mitigation Projects in Coachella Valley:** Director of Technology Implementation Fred Minassian reported on the status of 26 projects approved by the Board for funds totaling \$50,652,440 to be apportioned as follows: 30% in Environmental Justice areas, 30% in areas in close proximity to power plants, and the remaining 40% in the Coachella Valley. In addition, \$418,818 in interest funds were awarded to augment one project and initiate a new project. Of the 26 contracts awarded, 25 have been executed. Five of the executed contracts have been completed, their projects implemented and funds paid totaling \$4.9 million. The remaining 20 executed contracts are in progress. To date \$1.8 million has been paid as progress payments on different projects. Others are moving forward, but are not at the payment stage. Most of the projects have their contractors selected, have had RFPs issued, and have been approved by their cities.

Mr. Minassian mentioned that the Border Valley Trading project was awarded \$900,000, but they have been able to acquire more co-funding from other sources. This project will be completed with less money than awarded because of the co-funding they received from other sources. Summit Insulation is another project in progress, but staff has not been happy with the quality of work that has been done; staff would like to negotiate the price with the contractor lower than the amount awarded.

Regarding the once-planned solar contract with SunWize, staff is recommending that it not be executed. Staff has been negotiating with them since July 2013 for a Boys and Girls Club in each area of the Coachella Valley and have amended the draft contract approximately 29 times. The last proposed amendment was out

of scope and could not be accepted since this was a fixed-price contract. Additionally, there was a conditional \$200,000 rebate available for the project, but because of their delays, about \$170,000 of the \$200,000 rebate they were qualified for had been lost.

To date, the actual project funds available are \$785,000 (from the aforementioned SunWize project). The remaining amount of \$517,438 is interest accrued. As requested by CVAG, staff has tracked the interest funds on the CVAG project separate from the remaining interest funds and will await the Board's direction on how to use the interest funds in the future.

In summary, staff is recommending that the contract with SunWize not be executed and that staff contact the Boys and Girls Club directly to assist them in finding a new contractor for the solar project in that area. Additionally, because projects are still evolving with regard to co-funding, staff is recommending a delay for a few months to clarify optimal funding allocations and then come back to the Board with proposed revisions.

Chairman Burke sought and was provided clarification regarding intended funding for the solar projects at the Boys and Girls Club sites. Chairman Burke emphasized that we will fulfill the commitment of the project review Committee.

Supervisor Gonzales sought and was provided clarification regarding the non-executed contract with SunWize. Staff will be bringing a Board Letter to the Governing Board stating that the previous award is proposed to be changed, with an accompanying proposed revised award.

Supervisor Gonzales pressed staff regarding the expired rebate related to the SunWize negotiations. Mr. Minassian acknowledged that loss of supplemental funding should not have occurred.

Chairman Burke commented that Supervisor Gonzales is absolutely correct in her observation that an ultimatum should have been presented to the contractor. Chairman Burke directed staff to try to cover all three Boys and Girls Clubs with remaining funds.

7. **Recommendation to Amend Governing Board Meeting Procedures:**  
Dr. Wallerstein informed the Committee that the Legal Office is requesting that this item be continued for one month so that they may further review it.

## JULY AGENDA ITEMS

8. **Establish List of Prequalified Counsel to Represent and Advise SCAQMD on Legal Matters Related to Environmental Law and Represent and Advise SCAQMD Hearing Board:** Chief Deputy Counsel Barbara Baird reported that every three years staff releases an RFP to create a prequalified list of outside counsel having expertise in air quality, the California Environmental Quality Act (CEQA), rulemaking, administrative law, and other issues we deal with at the District and in our litigation. At the same time in this RFP, staff sought firms able to provide services to the Hearing Board, which occasionally requires advice from outside counsel and where District Counsel cannot be used because we appear in front of them. Staff is recommending that the Board approve the prequalified list consisting of the top-scoring firms, and also approve the single firm, Atkinson, Andelson, Loya, Ruud & Romo for the Hearing Board as prequalified to assist in litigation representation in the future. Staff will come back to the Board if more than \$250,000 is needed. Chairman Burke commented that next year the Committee would like to see an ethnic breakout of applicant firms.

Moved by Yates; seconded by Gonzales; unanimously approved.

9. **Issue RFP to Solicit Proposals to Develop Marketing, Advertising and Communications Plans for SCAQMD Outreach Campaigns:** Dr. Wallerstein requested that this item be delayed for one month. However, he informed the committee that given some acute timing issues for outreach on the Check Before You Burn Program, staff is going to the Stationary Source Committee with a recommendation to renew the existing contract and then bring it to the full Board. Chairman Burke commented that he is not opposed to that, but mentioned that for ongoing projects where advertising is involved, there should be an annual assessment where Board Members are able to evaluate the project on its totality for the year. Dr. Wallerstein responded that was the intent of the conversation at the Board Retreat. However, there was so much feedback from the Board that staff did not have adequate time to have it agendaized for the Committee's June meeting. For the Check Before You Burn Program where the contractor has done a very good job, staff would like to retain that contractor so we can do a well-timed outreach and notification program.

This item is being delayed for one month.

10. **Authorize Purchase of PeopleSoft and Oracle Software Support:** Assistant Deputy Executive Officer Chris Marlia reported on Items 10, 11 and 12 simultaneously. This item is to renew the PeopleSoft Software used to manage

SCAQMD's financial systems, general ledger, and human resource functionality. The Oracle Database supports the PeopleSoft system. Staff is requesting approval to renew this software support for another year. (Please see item #10 for outcome.)

11. **Authorize Purchase of OnBase Software Support:** Mr. Marlia reported that that this item is to renew the OnBase Software support used to manage critical documents and to support the Record Retention Policy. Staff is requesting approval to renew this software for another year.
12. **Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2014-15:** Mr. Marlia advised that this item is to report on projects to be initiated by Information Management during the first six months of FY 2014-15.

Barbara Baird mentioned that she was under the impression that the contractor for Item 10 had not yet submitted their Campaign Contribution Form. Mr. Marlia affirmed that this was pending. Ms. Baird recommended that, because they have not yet submitted their Campaign Contribution Form, we not take action on this item other than to forward it to the full Board and, assuming that they provide their form at that time, then we act on the item. Therefore, no action was taken on Item 10; this item is to be held for forwarding to the full Board pending submittal of the contractor's Campaign Contribution Form.

In response to a query from Dr. Parker, Mr. Marlia said that staff is negotiating the final price, and item #10 is in an amount not-to-exceed \$208,000 for the PeopleSoftware and not-to-exceed \$30,400 for the Oracle Software.

Moved by Gonzales; seconded by Parker; unanimously approved on both Items 11 and 12.

13. **Recognize Revenue and Appropriate Funds for Enhanced Particulate Monitoring Programs, National Air Toxics Trends Stations, Photochemical Assessment Monitoring Stations, PM2.5 and Near-Road NO2 Programs; and Issue Purchase Orders for Air Monitoring Equipment:** Assistant Deputy Executive Officer Laki Tisopulos reported that this item is to recognize funding from the U.S. EPA as well as other federal agencies to operate the various monitoring networks in support of a national monitoring program and to appropriate this funding for the various program accounts. Staff is also requesting monies to procure air monitoring equipment to upgrade our monitoring network, which will be done through competitive bids where possible. Both agencies are in agreement with the allotment.

Dr. Wallerstein mentioned that Dr. Lyou had an inquiry regarding the overtime expenditure allotment shown in Attachment 1 for Enhanced Particulate Monitoring. Dr. Lyou was sent a response prepared by staff and he was generally satisfied. Dr. Wallerstein advised the Committee that Enhanced Particulate Monitoring is the way we phrase SCAQMD's implementation of BioWatch, a federal grant program to detect biological agents. The District operates the samplers and then takes the samples to very specialized labs for analysis.

Dr. Parker questioned whether the total amount of \$2,968,841 is directly related to doing work for Homeland Security and U.S. EPA pursuant to a subcontract or is a portion of that money for the District to carry on its own activities to improve air quality. Dr. Wallerstein responded that the funding is for us to assist them with their work, that we are paid for all the materials and our time.

Dr. Wallerstein added that we do not charge the federal government any additional administrative costs above our actual costs including overhead.

Dr. Parker asked if we have an indirect cost. Dr. Wallerstein responded that it is the last line on Attachment 1, Indirect Costs. Dr. Tisopulos added that out of slightly less than \$3 million dollars that we are receiving from the federal government, \$2.3 million are going straight to staff time, salaries, benefits and other indirect costs. Dr. Parker asked what our indirect costs percentage was for our operation. Mr. O'Kelly responded that for this program we charge an overhead rate against a direct cost and it is 83% of salaries and employee benefits. All the contracted efforts' direct costs are covered by the federal government; all of the indirect costs, including overhead, parts of the building, and parts of the utilities are all paid for by the federal government.

Moved by Yates; seconded by Gonzales; unanimously approved.

14. **Issue RFP for Operation of Diamond Bar Headquarters Cafeteria:** Assistant Deputy Executive Officer Bill Johnson reported that staff is requesting release of an RFP to obtain a management firm to manage cafeteria operations. We currently are at the end of the 5-year contract for California Dining Services and we are going to survey the market to determine what options are currently available. Dr. Wallerstein mentioned that Dr. Lyou raised an issue regarding the desire to potentially see the vendor accept ATM and credit cards. Dr. Wallerstein directed staff to look into that matter, as the current manager on site was concerned about the cost impact to the cafeteria from processing fees, and a potential need to raise their prices.

Moved by Yates; seconded by Parker; unanimously approved.

15. **Report of RFPs and RFQs Scheduled for Release in July:** Chief Financial Officer Michael O’Kelly reported that this item requests approval to issue two RFPs, one for the Audit of AB 2766 Program monies and one for Systems Development, Maintenance and Support Services. Dr. Parker commented that two RFPS were reported, but the title mentions an RFP and an RFQ. He asked which one was the RFQ. Mr. O’Kelly responded that he did not have an RFQ listed and explained that this is a standard report title in which we have RFPs and RFQs on any given month. However, he will start removing that RFQ designation if no RFQs are reported.

Moved by Gonzales; seconded by Yates; unanimously approved.

16. **Environmental Justice Advisory Group Draft Minutes from the April 25, 2014 Meeting (written report):** Attached for information only are the draft minutes from the April 25, 2014 meeting of the Environmental Justice Advisory Group.
17. **Review of the July 11, 2014 Governing Board Agenda:** There were no questions on the July 11, 2014 Governing Board Agenda.
18. **Other Business:** Dr. Wallerstein informed the Committee that he and CFO Mike O’Kelly attended the SBCERA Special Emergency Meeting where they adopted new actuarial data and calculations, with minimal process for stakeholder comment. On July 1, 2015, we will see a decrease in the assumed rate of return on investment by the retirement fund, from 7-3/4% to 7-1/2%, which means there will be approximately an additional \$2.5 million impact on our budget above and beyond all the other increases that they have previously approved, and it will be \$2.5 million going forward. We were also forewarned that when they review this issue again in three years, there is a reasonable likelihood that they will decrease the rate from 7-1/2% to 7-1/4% and we will take an additional impact of about an equivalent amount. Staff will be discussing this issue further with the Board in the upcoming weeks and months.

19. **Public Comment:** None.

Meeting adjourned at 11:05 a.m.

**Attachment**

Environmental Justice Advisory Group Draft Minutes from the April 25, 2014 Meeting

# DRAFT



## South Coast Air Quality Management District

South Coast  
AQMD 21865 Copley Drive, Diamond Bar, CA 91765-4178  
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### ENVIRONMENTAL JUSTICE ADVISORY GROUP FRIDAY, APRIL 25, 2014 MEETING MINUTES

#### **MEMBERS PRESENT:**

Dr. Joseph Lyou, AQMD Governing Board Member, EJAG Chairman  
Rhetta Alexander, San Fernando Valley Interfaith Council  
Dr. Lawrence Beeson, Loma Linda University, School of Public Health  
Judy Bergstresser, Member of the Public  
Suzanne Bilodeau, Knott's Berry Farm  
Arnold Butler, Inglewood Unified School District  
Paul Choe, Korean Drycleaners & Laundry Association  
Dr. Afif El-Hasan, American Lung Association  
Mary Figueroa, Riverside Community College  
Andrea Hricko, Southern California Environmental Health Sciences  
Evelyn Knight, Long Beach Economic Development Commission  
Daniel Morales, National Alliance for Human Rights

#### **MEMBERS ABSENT:**

Micah Ali, Compton Unified School District  
Alycia Enciso, Small Business Owner  
Rudy Gutierrez, Member of the Public  
Maria Elena Kennedy, Quail Valley Task Force  
Angelo Logan, East Yard Communities for Environmental Justice  
Msgr. John Moretta, Resurrection Church  
Lizette Navarette, University of California, Riverside  
William Nelson, OC Signature Properties  
Woodie Rucker-Hughes, NAACP – Riverside Branch  
Brenda Threatt, S. Los Angeles Service Representative for L.A. Mayor  
Rafael Yanez, Member of the Public

#### **OTHERS PRESENT:**

Mark Abramowitz, Board Member Assistant (*Lyou*)  
Earl Elrod, Board Member Assistant (*Yates*)  
Susan Stark, TSO

#### **SCAQMD STAFF:**

Jill Whynot, Assistant Deputy Executive Officer  
Susan Nakamura, Director of Strategic Initiatives  
Fed Minassian, Director of Technology Implementation  
Nancy Feldman, Principal Deputy District Counsel  
Guillermo Sanchez, Sr. Public Affairs Manager  
Drue Hargis, Sr. Public Information Specialist  
Nicole Soto, Secretary



### **Agenda Item #1 - Call to Order/Opening Remarks**

Chair Dr. Joseph Lyou called the meeting to order at 12:30 PM. Chair Lyou informed members that the California Environmental Protection Agency (EPA) has released its updated version of CalEnviroScreen.

### **Agenda Item #2 – Approval of January 24, 2014 Meeting Minutes**

Chair Lyou called for the approval of the meeting minutes. The January 24, 2014 meeting minutes were approved.

### **Agenda Item #3 – Review of Follow-Up/Action Items**

Mr. Guillermo Sanchez reviewed the action items from the January 24, 2014 meeting. Mr. Sanchez announced the July 25, 2014 meeting would begin at 12:30 PM due to scheduling conflicts and announced the Clean Air Awards nominations, State Refinery Task Force Meetings, and Lawn Mower Exchanges.

### **Agenda Item #4 – Member Updates**

Mr. Daniel Morales updated members on recent environmental justice issues that have been occurring in South Colton and the community's success in preventing industrial businesses from locating in the area, which could lead to additional diesel truck traffic.

Dr. Andrea Hricko said she is having problems retrieving lead data on CalEnviroScreen and asked if staff had any information. Ms. Jill Whynot replied she can speak to Dr. Hricko after the meeting in more detail, but noted a Public Records Request can be submitted through SCAQMD asking for facilities with lead emissions or FIND can be used on SCAQMD's website. Ms. Susan Nakamura also suggested using EPA's Toxics Release Inventory. Ms. Nakamura further explained that Rule 1420.1 was adopted when exceedances were found at Exide Technologies after EPA lowered the Lead standard, and soon they will begin working on a rule that identifies small, medium, and large facilities.

Ms. Mary Figueroa informed members there are with warehousing issues in Moreno Valley, but said that community members have expressed their gratitude to the SCAQMD for speaking out on the health impacts of the projects.

### **Agenda Item #5 – Update on the 2016 Air Quality Management Plan**

Ms. Nakamura provided an update on the 2016 Air Quality Management Plan (AQMP).

Dr. Lawrence Beeson asked if the standards required for the 2016 AQMP are state standards. Ms. Nakamura responded they are federal standards.

Ms. Rhetta Alexander asked about the membership of the AQMP working group. Ms. Nakamura said the members are listed on the website, but can be emailed to members and Chair Lyou said members consist of businesses, regulated entities, agency stakeholders.

*Action Item: Email members the list of AQMP working group members.*

Dr. Beeson asked how hydrocarbon emissions stand in addition to NOx emissions. Ms. Nakamura replied there are strategies to reduce Volatile Organic Compounds (VOC's) and hydrocarbon emissions from coatings, solvents, and stationary sources, but consumer products are regulated at the state level, and tailpipe emissions are controlled by the California Air Resources Board (CARB).

Ms. Judy Bergstresser asked if the Scientific, Technical & Modeling Peer Review (STMPR) Advisory Group is governed by the state. Ms. Nakamura responded it's a subset of the AQMP Advisory Group

and is a technical group that consists of people who conduct the modeling and socioeconomic analysis. Ms. Bergstresser asked if the members are modelers, which Ms. Nakamura said generally they are. Ms. Nakamura said SCAG along with academic and other organizations are on the STMPR Advisory Group.

Ms. Alexander asked if both mobile and stationary fuel cell technologies are included in the strategies. Ms. Nakamura said all technologies are being reviewed and noted that the 21<sup>st</sup> Century Goods Movement System and Air Quality White Paper will incorporate all modes of transportation and infrastructure, and possibly will include aviation.

Chair Lyou asked Ms. Nakamura to explain the White Paper on “A Business Case for Clean Air.” Ms. Nakamura explained it looks at the costs and benefits of clean air including who pays for the benefits and whether or not additional business opportunities are created.

Ms. Bergstresser asked if the White Papers will be published in a staggered fashion and available online, which Ms. Nakamura confirmed.

Mr. Morales asked if SCAQMD is aware of and involved in the natural gas storage issue related to the Omnitrans bus facility in San Bernardino. Ms. Nakamura said she is aware of the issue and it is one of the top ten issues in the Clean Communities Program in San Bernardino. Ms. Nakamura continued to explain that the community is very concerned; and, the facility has been working with the communities to address the issues. Mr. Morales asked if the explosion that occurred in New York is potentially an issue for San Bernardino. Ms. Nakamura explained she is not aware of the types of tanks involved in the New York explosion.

Mr. Arnold Butler asked if academic representatives can be encouraged to participate in the AQMP process, which Ms. Nakamura confirmed.

Dr. Andrea Hricko referred to a report on fracking in Texas and asked what the potential is for new fracking in the District that will impact the AQMP. Ms. Nakamura explained Rule 1148.2 requires notification of any drilling or well stimulation which includes hydraulic fracturing, acidizing, and gravel packing. There have been only 18 events hydraulic fracturing events based on the notifications received in over the first six month period, and even in the most recent data there is not much fracking. Ms. Nakamura continued to say the SCAQMD is not seeing the same amount of fracking as other states, but there are other activities, gravel packing and matrix acidizing, which are similar to hydraulic fracturing and while not as intense, they still include a lot of chemicals and potential emission sources. Chair Lyou asked Dr. Hricko to provide the article to staff, so they can distribute to members and also asked staff to provide the presentation.

**Action Item:** *Email members the fracking report and AQMP presentation.*

Ms. Evelyn Knight asked about the potential long term impacts from slant drilling. Ms. Nakamura said when developing Rule 1148.2 staff realized the potential for emissions from drilling operations as well.

Ms. Nakamura continued to say they are in the process of sampling and monitoring the drilling operations and will be reporting their findings to the Governing Board for further direction.

Ms. Bergstresser asked which agency has jurisdiction over fracking. Chair Lyou replied the Department of Conservation - Division of Oil, Gas & Geothermal Resources and Ms. Nakamura added that the SCAQMD is looking at air emissions from fracking and other well operations.

#### **Agenda Item #6 – Update on the Carl Moyer Program**

Mr. Fred Minassian provided an update on the Carl Moyer Program.

Ms. Suzanne Bilodeau asked what size vehicles are applicable. Mr. Minassian replied gross vehicles weights of over 14,000 lbs.

Dr. Beeson asked what happens to the old trucks. Mr. Minassian explained the program also includes construction equipment and engines from marine vessels, which are crushed and rendered unusable.

Ms. Bilodeau asked about the application and approval process. Mr. Minassian explained that in the early years nearly all applicants were awarded since many of them were not subject to regulations. Since then CARB has implemented various regulations, and the applications are now reviewed vigorously to ensure they're not already required to be operating cleaner equipment. Mr. Minassian added that only those that meet the requirements may be funded and said of the \$30 million incentive dollars that may be available, \$60-\$70 million dollars in applications are received, but approximately \$25 million in applications are disqualified due to applicable regulations.

Ms. Bergstresser asked if tow truck companies qualify. Mr. Minassian responded that tow trucks are usually below the minimum weight requirement, but as long as they are mobile sources and meet the 14,000 lb threshold, they may qualify. Ms. Bergstresser asked for an explanation of cost effectiveness per ton. Mr. Minassian explained that most projects have a five year contract life, so a dollar amount and incremental costs are applied for lower emitting technologies, and then required in the contract that the project be operated in the basin for at least five years. Mr. Minassian continued to explain the cost effectiveness is the amount of emissions reduced relative to the contract amount. Ms. Bergstresser asked if it is measured after the five years. Mr. Minassian responded after the project has been implemented, the applicant is required to submit an annual report each year, and are audited by CARB and the Department of Finance every four years.

Ms. Alexander asked if school buses weren't included in the program because they are required under regulations. Mr. Minassian explained school buses are a large part of the program, and AB 923 allows about \$24 million to be collected each year through the \$2 Department of Motor Vehicles Fee.

Ms. Bilodeau asked if all the money is usually allocated. Mr. Minassian responded if their targets are not met, the funds should be returned to CARB, but so far they have been successful in allocating all the funds. Ms. Bilodeau asked about the funding for the conversions of locomotives to tier four engines. Mr. Minassian indicated that the funding amount is different depending on the equipment category and operation.

#### **Agenda Item #7 – Update on the AB 1318 Mitigation Fees Fund**

Ms. Connie Day provided an update on the AB 1318 Mitigation Fees Fund program.

Chair Lyou asked Ms. Day to provide a description of the Polanco locations. Ms. Day explained the locations as very small properties where city land use planning was suspended by the Polanco Bill so lower income people can have more housing on a piece of property, and noted you see a lot of mobile homes with no paving or facilities around the properties.

Dr. Afif El-Hasan asked if the dust around the mobile homes has been analyzed for mold. Chair Lyou responded the dust is considered road dust and Ms. Day replied it's mostly sand.

Ms. Bergstresser asked if the CV Link is considered an electric vehicle pathway because that's all that will be allowed. Ms. Day confirmed that only non-combustion engines and active transportation will be allowed.

Mr. Morales asked what was completed in the 333 homes under the weatherization project. Ms. Day said the attics of the homes were insulated.

Mr. Butler asked about the scope of the weatherization program. Ms. Day explained that it is to bring the home up to current standards to help reduce energy usage. Mr. Butler questioned if windows and doors were included in the program, which Ms. Day responded they are not because the energy companies have programs that already replace those items.

Chair Lyou asked if the program demand has been good and Ms. Day replied the funds have already been exhausted. Chair Lyou requested the presentation be emailed to EJAG member Rudy Gutierrez who was unable to attend the meeting.

***Action Item:** Provide EJAG member Rudy Gutierrez the AB 1318 Mitigation Fees Fund presentation.*

Mr. Butler asked if the CNG upgrade projects were initially funded from a different program. Ms. Day said she is unsure of the equipment history, but it is possible they were funded through SCAQMD.

Ms. Figueroa asked how many applications were submitted through the program. Chair Lyou responded over \$100 million in projects were submitted. Ms. Figueroa asked how the outreach was conducted. Ms. Day said a lot of advertising and media was conducted including various weekend workshops in the community.

Ms. Evelyn Knight asked if the AB 1318 program is ongoing. Ms. Day explained that it was one time funding, but there are remaining funds in the account, that the Governing Board will decide how to spend the money after all current projects have been funded. Ms. Knight asked if the impacts from the power plant are ongoing and if they are, if the pollution will outlast the benefits. Ms. Day explained the intent is that the projects will have ongoing emission reductions.

Ms. Alexander asked what type of power plant it is, which Chair Lyou responded a large peaker plant.

#### **Agenda Item #8 – Other Business**

Ms. Alexander asked for an update on Exide Technologies. Ms. Nancy Feldman said the facility is currently not operating and explained they have two pending Order for Abatements - one for their furnace operations and the other for lead exceedances during construction. Ms. Feldman continued to explain the civil penalty is still pending, and noted they will continue to be shutdown until all their upgrades are completed, and cannot do any construction or maintenance activities until measures are in place to ensure there is no excess lead. Chair Lyou noted open discussion on this item can be done at a future meeting when it is on the agenda and asked staff to arrange a presentation.

Mr. Morales requested a presentation on the Omnitrans issue, which Chair Lyou asked to be arranged.

Ms. Knight requested a Southern California International Gateway update, which Chair Lyou confirmed.

Ms. Figueroa requested an update on the Moreno Valley warehouse issues, and Chair Lyou explained there was a recent update, but asked staff to see if there is new information to present from the community perspective.

Dr. Hricko noted she completed an article on environmental justice and people who live near railyards, and Chair Lyou asked her to send it to staff for distribution.

Dr. Afif El-Hasan said he would like to present on a community service website. Chair Lyou responded the EPA is doing outreach on CalEnviroScreen and will check if EPA is willing to co-present on the tools available to the community.

- Action Items:**
- 1) Agendize an update on Exide Technologies.
  - 2) Agendize a presentation on the natural gas storage issue at the Omnitrans facility in San Bernardino.
  - 3) Agendize a presentation on the Southern California International Gateway.
  - 4) Check with staff if new information is available on the warehousing projects in Moreno Valley.
  - 5) Distribute Dr. Hricko's environmental justice and railyards article to members.
  - 6) Check with EPA if they can co-present with Dr. El-Hasan on the community service website and CalEnviroScreen.

**Agenda Item #9 – Public Comment**

No Comments.

**Agenda Item #10 – Adjournment**

The meeting adjourned at 2:50 PM.