

BOARD MEETING DATE: December 4, 2020

AGENDA NO. 20

REPORT: Administrative Committee

SYNOPSIS: The Administrative Committee held a meeting remotely, Friday, November 13, 2020. The following is a summary of the meeting.

RECOMMENDED ACTION:
Receive and file.

Dr. William A. Burke, Chair
Administrative Committee

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Committee Members

Present: Dr. William A. Burke/Chair
Council Member Ben Benoit/Vice Chair
Council Member Michael Cacciotti
Council Member Judith Mitchell
Supervisor Janice Rutherford

Absent: None

Call to Order

Chair Burke called the meeting to order at 10:00 a.m. Dr. Burke appointed Supervisor Janice Rutherford to the Administrative Committee meeting.

The following items were taken out of order.

11. **Execute Contracts for Legislative Consulting Services Representation in Sacramento, California:** Derrick Alatorre, Deputy Executive Officer/Legislative, Public Affairs and Media, reported that the current contracts for legislative representation in Sacramento, California, expire on December 31, 2020. Proposals were received from California Advisors, LLC; Campbell Strategy & Advocacy; Joe A. Gonsalves & Son; and Resolute. The consultants were interviewed by the Administrative Committee and it was recommended to keep the current three legislative contracts with California Advisors, LLC; Joe A. Gonsalves & Son; and Resolute. Mr. Nastri was given

spot authority to enter into an agreement with Campbell Strategy & Advocacy if the need arises.

Moved by Mitchell to retain the three current legislative consultant services and authorize the Executive Officer to enter into agreements with Campbell Strategy & Advocacy as needed for their particular expertise; seconded by Cacciotti, unanimously approved.

Ayes: Burke, Benoit, Cacciotti, Mitchell, Rutherford
Noes: None
Absent: None

12. **Amend Contracts for Legislative Representation in Washington, D.C.:** Mr. Alatorre reported that this is the last of the one-year extensions for the three consultants in Washington, D.C.: Kadesh & Associates, LLC; Cassidy & Associates, and Carmen Group, Inc. Council Member Mitchell recommended that the three contract extensions be renewed. The Carmen Group has been instrumental in helping get industry manufacturers, and chambers of commerce involved in legislative matters of importance to South Coast AQMD.

Moved by Mitchell; seconded by Cacciotti, unanimously approved.

Ayes: Burke, Benoit, Cacciotti, Mitchell, Rutherford
Noes: None
Absent: None

DISCUSSION ITEMS:

1. **Board Members' Concerns:** None to report.
2. **Chairman's Report of Approved Travel:** None to report.
3. **Report of Approved Out-of-Country Travel:** None to report.
4. **Review December 4, 2020 Governing Board Agenda:** Vice Chair Ben Benoit requested that public comment be moved to the beginning of the Board meeting which would provide the public with an opportunity to comment and not have to stay for the duration of the meeting. The Administrative Committee concurred.
5. **Approval of Compensation for Board Member Assistant(s)/Consultant(s):** Supervisor Janice Rutherford has selected Debra Mendelsohn as her Board Consultant to replace Andrew Silva, and she will continue with Mark Taylor.

Moved by Mitchell; seconded by Benoit, unanimously approved.

Ayes: Burke, Benoit, Cacciotti, Mitchell, Rutherford
Noes: None
Absent: None

6. **Update on South Coast AQMD Inclusion, Diversity and Equity Efforts:** Wayne Nastri, Executive Officer, reported that the open recruitment for the Inclusion, Diversity and Equity Advisory (IDEA) Officer is underway with the hope that the position will be filled in January 2021. The IDEA panel continues to meet and has provided recommendations on communication and engagement and forming subcommittees. The IDEA panel will be presenting to Executive Council and to the entire staff through a lunch and learn session in December. Council Member Mitchell commented that she thought that the Inclusion, Diversity and Equity Officer title is too lengthy and recommended the title of Diversity Officer. Mr. Nastri responded that a simpler title will be considered but each of these terms has specific meaning. Council Member Mitchell recommended that Dr. Burke and Mr. Gilchrist be involved in the selection process.
7. **Budget and Economic Outlook Update:** Jill Whynot, Chief Operating Officer, reported that the number of permit applications recently has improved but year-to-date applications are down 18%. The Port of Long Beach reported another record month on their volume, for three consecutive months.
8. **Status Report on Major Ongoing and Upcoming Projects for Information Management:** Ron Moskowitz, Chief Information Officer/Information Management reported that on November 6, a new Grant Management system was deployed for Prop 1B. The Rule 1180 Refinery monitoring system was also enhanced last week and 40,000 people are now using our mobile application. An air quality model has been incorporated into the upcoming version and a preview will be provided for all Board Members before going live.
9. **Annual Audited Financial Statement for FY Ended June 30, 2020:** Sujata Jain, Chief Financial Officer/Finance, reported that this item transmits the annual audited financial statements with an unmodified opinion (the highest opinion) on its financial statements. Helen Chu, auditor/BCA Watson Rice, provided an update on the financial statements and single audit results. There were no material weaknesses, or significant deficiencies. Board members asked about the 5-year projection and commented about expectations for economic recovery.

10. **South Coast AQMD's FY 2020-21 First Quarter Ended September 3, 2020 Budget vs. Actual (Unaudited):** Ms. Jain provided an overview of the Budget vs. Actual for the first quarter, ended on September 30, 2020, revenues, expenditures and the updated General Fund Five-year projection based on the results.

ACTION ITEMS:

13. **Recognize Revenue and Appropriate and Transfer Funds, Issue Solicitations and Purchase Orders and Amend Contract for Air Monitoring:** Jason Low, Assistant Deputy Executive Officer/Science and Technology Advancement reported that this item is to recognize expected revenue up to \$350,000 from the U.S. Government for the enhanced particulate monitoring program and up to \$800,000 from the U.S. EPA PAMS Program. In addition, this action is to appropriate the funds in the Science and Technology Advancement budget and transfer \$350,000 between major objects to realign expenditures for the enhanced particulate program. Lastly, this item is to issue solicitations to execute purchase orders and amend contract for air monitoring.

Moved by Cacciotti; seconded by Mitchell, unanimously approved.

Ayes: Burke, Cacciotti, Mitchell
Noes: None
Absent: None

14. **Establish List of Prequalified Vendors for Mailing Services:** John Olvera, Deputy Executive Officer/Administrative & Human Resources, reported that this action is to establish a prequalified vendor's list that will be used for mailing services for a three-year period. Three proposals were received and were all deemed qualified. Sufficient funds are in this year's budget and will be requested in future budgets.

Moved by Mitchell; seconded by Cacciotti, unanimously approved.

Ayes: Burke, Cacciotti, Mitchell
Noes: None
Absent: None

WRITTEN REPORT:

15. **Local Government & Small Business Assistance Advisory Group Minutes for the September 11, 2020 Meeting:** The report was acknowledged and received.

OTHER MATTERS:

16. **Other Business:** There was no other business.

17. **Public Comment:** There was no public comments.
18. **Next Meeting Date:** The next regular Administrative Committee meeting is scheduled for December 11, 2020 at 10:00 a.m.

Adjournment

The meeting adjourned at 11:34 a.m.

Attachment

Local Government & Small Business Assistance Advisory Group Minutes for the September 11, 2020 meeting



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

LOCAL GOVERNMENT & SMALL BUSINESS ASSISTANCE ADVISORY GROUP FRIDAY, SEPTEMBER 11, 2020 MEETING MINUTES

MEMBERS PRESENT:

Council Member Ben Benoit, LGSBA Chairman (Board Member)
Supervisor Janice Rutherford (Board Member)
Mayor Pro Tempore Rachele Arizmendi, City of Sierra Madre
Paul Avila, P.B.A. & Associates
Geoffrey Blake, Metal Finishers of Southern California
Todd Campbell, Clean Energy
LaVaughn Daniel, DancoEN
Bill LaMarr, California Small Business Alliance
Rita Loof, RadTech International
Eddie Marquez, Roofing Contractors Association
David Rothbart, Los Angeles County Sanitation District

MEMBERS ABSENT:

Supervisor V. Manuel Perez (Board Member)
Felipe Aguirre
John DeWitt, JE DeWitt, Inc.

OTHERS PRESENT:

Mark Abramowitz
Tom Gross, Board Member Consultant (*Benoit*)
Dan McGivney, SoCal Gas
Andrew Silva, Board Member Consultant (*Rutherford*)

SOUTH COAST AQMD STAFF:

Jill Whynot, Chief Operating Officer
Derrick Alatorre, Deputy Executive Officer
Sujata Jain, Chief Financial Officer
Julie Prussack, Hearing Board Chair
Faye Thomas, Clerk of the Board
Jason Aspell, Assistant Deputy Executive Officer
Fabian Wesson, Assistant Deputy Executive Officer
Victor Yip, Assistant Deputy Executive Officer
Mark Henninger, Information Technology Manager
Michael Morris, Planning & Rules Manager
Lisa Tanaka O'Malley, Senior Public Affairs Manager

Uyen-Uyen Vo, Program Supervisor
Anthony Tang, Information Technology Supervisor
Van Doan, Air Quality Specialist
Elaine-Joy Hills, Air Quality Specialist
Paul Wright, Senior Information Technology Specialist

Agenda Item #1 - Call to Order/Opening Remarks

Supervisor Janice Rutherford called the meeting to order at 11:31 a.m.

Ms. Lisa Tanaka O'Malley provided guidelines and general instructions for participation in the remote meeting for the Local Government & Small Business Assistance Advisory Group (LGSBA) meeting via Zoom webinar and teleconference.

Agenda Item #2 – Approval of June Meeting Minutes/Review of Follow-Up/Action Items

Chair Ben Benoit called for approval of the August 14, 2020 meeting minutes. The minutes were approved unanimously.

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

Mr. Derrick Alatorre provided responses to the action items from the previous meeting and indicated that staff provided links to the advisory group members via email regarding past cost-effectiveness analyses and the 6th Environmental Justice Conference registration information.

Agenda Item #4 – Budget and Economic Outlook Update

Ms. Jill Whynot provided an update on economic information, revenue, expenditures, permitting activity, and fee review requests.

Mr. Bill LaMarr asked who the members of the Fee Review Committee (FRC) are. Ms. Whynot replied that the FRC is comprised of representatives from various departments, including Finance, Engineering & Permitting, Legal, Legislative, Public Affairs & Media, and Compliance & Enforcement; additional representatives are invited as needed. Mr. LaMarr asked if the FRC offers options other than payment plans. Ms. Whynot indicated that she served on the FRC in the past and most cases were related to billing errors, payment plan requests, or permit errors; therefore, there are cases in addition to payment plans. Mr. LaMarr indicated that there is a fee for reinstatement of expired permits and asked if the FRC has the authority to waive it or offer a forbearance program considering the current economic situation resulting from the coronavirus disease 2019 (COVID-19) pandemic. Ms. Whynot replied that the FRC does not have the authority to waive fees as specified in Rule 301. The annual renewal fees for small businesses such as dry cleaners, gas stations, and auto body shops are \$200-400 per year. Approximately 10% of potentially expired permits belong to small businesses and the FRC can waive the fees if there are errors caused or contributed by the South Coast Air Quality Management District (South Coast AQMD). Businesses are notified multiple times before the permits expire, including 1-2 phone calls and signature-required postal delivery, which is used to prove notification. Businesses also have the option to make fee payments using credit cards. Mr. LaMarr commended staff for assisting businesses with fee review requests.

Mr. Todd Campbell referenced slides #3-4 and commented that the port twenty-foot equivalent unit (TEU) throughput for the Ports of Los Angeles and Long Beach for July 2020 were notably high despite

the effects of COVID-19 pandemic on the economy and stated that staff should consider that aspect during indirect source rule development.

Agenda Item #5 – Getting to Know the Hearing Board

Chair Julie Prussack provided an overview of the South Coast AQMD’s Hearing Board.

Chair Benoit indicated that the presentation was very informative and recommended it to new Governing Board (GB) members.

Mr. LaMarr referenced slide #17 and asked for clarification on the definitions of “taking of a business” and “practical closing of a business.” Chair Prussack replied that there are two definitions specified in the California Health & Safety Code (H&SC). First, it is defined as the unreasonable taking of property, including lost profits, potential penalties for failure to conduct emissions testing, or time needed for equipment repair. Second, it is defined as the essential closing of a lawful business, which is the closing of the business resulting from variance denial. Mr. LaMarr asked if the definitions are in any written South Coast AQMD documents. Chair Prussack replied that the definitions are written in the H&SC and recited it.

Mr. David Rothbart stated hypothetically, if many wastewater treatment plants need to operate generators during power shutoff in exceedance of the maximum 200 allowable operating hours and asked if a group variance or group stipulated order for abatement are recommended. Chair Prussack replied that a group variance could be an option, which is one variance application for multiple entities; however, all entities must have in common all relevant facts needed for the six findings. In this case, the use of an individual generator is very specific; therefore, a group variance may not be the best option and an emergency or regular variance would be more appropriate. Mr. Rothbart asked if a stipulated order for abatement is a better option. Chair Prussack replied that orders for abatement are punitive and have ramifications beyond the Hearing Board and recommended seeking a variance if the violation is beyond the reasonable control of the entity. Mr. Alatorre stated that some back-up generator bills were introduced, but they did not make it out of the houses of origin; however, there were discussions regarding these bills with the water companies, California Municipal Utilities Association (CMUA), and hospitals. Mr. Alatorre suggested that staff contacts Mr. Rothbart to further discuss details of these bills, to which Mr. Rothbart agreed.

Action item: Contact Mr. Rothbart to discuss back-up generator bills.

Mr. Campbell commended and thanked Chair Prussack for her leadership of the Hearing Board.

Agenda Item #6 – Overview of Amended Rule 1407: Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations

Ms. Uyen-Uyen Vo provided an overview of the amended Rule 1407 revision of emissions standards, which applies to non-chromium metal melting operations.

Ms. Rita Loof asked how many facilities are impacted by this rule. Ms. Vo replied that approximately 60 facilities are impacted by this rule; however, a majority would qualify for one of the exemptions, including housekeeping, recordkeeping, and building enclosures. Ms. Loof asked what products are manufactured by these facilities. Ms. Vo replied the products include pure ingots, art and sculptures, and parts for different industries, including oil and well and aerospace industries.

Agenda Item #7 – Written Report

No comments.

Agenda Item #8 - Other Business

Mr. LaMarr requested a presentation on the California Air Pollution Control Officers Association (CAPCOA) and its involvement in the South Coast AQMD rulemaking process. Mr. Alatorre stated that CAPCOA is an association for all air pollution control officers in California and staff will seek guidance on the presentation request from Mr. Wayne Nastri.

Action item: Agendize a presentation on CAPCOA.

Ms. Loof expressed support for the presentation request.

Agenda Item #9- Public Comment

None.

Agenda Item #10 – Next Meeting Date

The next regular Local Government & Small Business Assistance Advisory Group meeting is scheduled for Friday, October 9, 2020 at 11:30 a.m.

Adjournment

The meeting adjourned at 12:39 p.m.