

# INTERGOVERNMENTAL RELATIONS COUNCIL COMMITTEE MEETING MINUTES

TUESDAY, APRIL 9, 2014

10:00 A.M.

PLAZA ROOM B, MUNICIPAL PLAZA BUILDING

**Members Present:** Councilmember Cris Medina, Chair, *District 7*  
Councilmember Shirley Gonzales, *District 5*  
Councilmember Ray Lopez, *District 6*  
Councilmember Ron Nirenberg, *District 8*  
Councilmember Mike Gallagher, *District 10*

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**Members Absent:** None

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**Staff Present:** Doug Melnick, *Office of Sustainability*; Robert Murdock, *Director, Office of Military Affairs*; Jeff Coyle, *Director, Intergovernmental Relations*; John Dugan, *Director, Planning and Community Development*; Lisa Biediger, *Assistant City Attorney*; Ryan J. Cook, *Office of the City Clerk*

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**Others Present:** Tom Downs, *Patton Boggs*; Walter Serna, *Patton Boggs*; Peter Bella, *AACOG*

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## 1. Approval of minutes of the February 12, 2014 Intergovernmental Relations Council Committee Meeting

Councilmember Gallagher moved to approve the Minutes of the February 12, 2014 Intergovernmental Relations Council Committee Meeting. Councilmember Nirenberg seconded the motion. Motion carried unanimously by those present.

## Individual Briefings

## 2. Air Quality Working Group Recommendations [Jeff Coyle, Intergovernmental Relations Director]

Jeff Coyle introduced Doug Melnick, the City's Chief Sustainability Officer.

Mr. Coyle presented the Air Quality Working Group Recommendations:

- Background
- National Ambient Air Quality Standards (NAAQS)
- NAAQS Standing
- Air Quality Monitoring- Regulatory Ozone Monitors
- Ozone Standard
- San Antonio Air Quality
- Air Quality Status
- EPA NAAQS Revision Status
- Nonattainment Levels
- Nonattainment Consequences
- Working Group

- Working Group Process
- Existing COSA Measures
- Potential COSA Measures
- Findings
- AACOG
- AIR Committee
- AACOG Funding Challenges
- Ozone Advance Program
- Austin- Ozone Advance
- Austin- Ozone Action Plan
- Austin- Ozone Advance Plan
- AACOG Strategic Plan
- Recommendations

Mr. Coyle reported that the Clean Air Act requires the Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for Pollutants Harmful to Health. He stated that the NAAQS Standards include six Pollutants: Carbon Monoxide, Lead, Nitrogen Dioxide, Ozone, Particulate Pollution, and Sulfur Dioxide. He stated that continued violations of the Standards would result in Designation as a Nonattainment Area, leading to enforced improvement actions. He reported that San Antonio was currently the Largest City in Attainment and ranks 7<sup>th</sup> out of 10 Cities on the NAAQS Standing List. He noted that the City's Ozone Levels are routinely measured at three Ozone Monitor Stations. He mentioned that the current Standard utilizes the fourth highest daily maximum of an eight-hour concentration and is averaged over three years. He reported that Ozone Concentrations were measured at 80 Parts Per Billion (PPB) in 2012 and 81 PPB in 2013. He stated that the current EPA Standard is 75 PPB; however; the Alamo Area Council of Governments (AACOG) Modeling projects a decline in Ozone Levels to 74 PPB in the Region by 2018. He noted that a Draft EPA Policy Assessment recommended lowering the Standard to within 60-70 PPB.

Councilmember Gallagher asked how and why the Regulatory Ozone Monitor Locations were chosen. Peter Bella replied that monitors were strategically placed by the State in an effort to obtain the most accurate data. He noted that Ozone Monitor Locations were based on Meteorological Considerations and Population Density. He stated that the Monitoring Locations were Maintained and Operated according to EPA Guidelines. Councilmember Gallagher asked if the EPA controlled the ability to Lower Ozone Standards or if there was Congressional Oversight. Mr. Coyle replied that the EPA is guided by a Clean Air Scientific Advisory Committee. However; final decisions were made by EPA Administrators and Congress was unable to change them. Councilmember Gallagher asked if any Nonattainment Cities have made progress toward reaching Attainment. Mr. Coyle replied yes and stated that Houston had decreased their Ozone Rate by 19%.

Mr. Coyle stated that the EPA has designated new Nonattainment Regions following a revision to the NAAQS. He reported that a Final Rulemaking would be made on November 15, 2015. He noted that Nonattainment Designation Recommendations from Governors would be due November 2016. Additionally, the EPA will propose Nonattainment Designations in July 2017 and finalize Nonattainment Designations in November 2017.

Councilmember Nirenberg asked for clarification of Nonattainment Designation Recommendations from Governors Due. Mr. Bella responded that it was a Formal Process required under the Clean Air Act that guarantees a dialogue between State Governors, Counties and EPA Members.

Chairman Medina excused himself from the meeting at this time and Councilmember Lopez presided.

Mr. Coyle continued with the presentation.

Mr. Coyle outlined the Nonattainment Consequences, noting that an EPA Permit would be required for new facilities that increase pollution. Additionally, costly emissions controls and technologies would be implemented. He explained that added capacity transportation projects would have to demonstrate no pollution impact and that Nonconforming Projects would not be eligible for Federal Funding. He indicated that the State Implementation Plan provides for the implementation of control measures to reach attainment as soon as practicable. He stated that it also establishes improvement increments, as well as vehicle inspections and maintenance. He reported that the Working Group had met 12 times since October 18, 2013 and identified Existing City of San Antonio (COSA) Pollution Control Measures; Reviewed potential additional control measures; Reviewed action of other Cities/Regions; and Monitored the Regional Planning Effort led by AACOG. He noted that the Region lacks a Strategic Plan to remain in Attainment and a Sense of Urgency in addressing the potential Nonattainment Designation.

Mr. Coyle stated that AACOG is a Political Subdivision of the State tasked to address Air Quality Issues in the Region and is guided by three Air Improvement Resources (AIR) Committees: 1) Executive Committee; 2) Advisory Committee; and 3) Technical Committee. He explained that the Executive Committee includes Local City and County Officials that are supported by the Advisory and Technical Committees. He noted that AACOG's ability to plan and conduct Air Quality Models were limited due to funding shortfalls. He reported that AACOG voluntarily entered the Ozone Advanced Program in July 2012 and the EPA's Program for Near Nonattainment Regions supported Local Action of maintaining the City's Designation. He stated that a "Path Forward" Letter was submitted to the EPA in July 2013 documenting Existing and Planned Measures that would be taken. Mr. Coyle reported that the City of Austin had entered the Ozone Advance Program on May 16, 2012 and conducted outreach with Regional Stakeholders and voluntarily implemented a Vehicle Emissions Program. He reported that AACOG Staff proposed a Strategic Plan to the AIR Committee in January 2014 to include the following: 1) Determine Required Regional Reductions; 2) Continued Identification of Control Strategies; 3) Develop a Cost-Analysis Process; 4) Continued Public Education/Outreach; and 5) Implement an Ozone Advance Public Survey. He stated that IGR Staff recommended the following: 1) Creation of a City-Led Regional Task Force to evaluate the Issue; 2) Retain a Consultant to assess the impact of Specific Control Measures and Develop a Priority List; 3) Receive regular updates by AACOG on Developments of the Air Quality Strategic Plan; and 4) Brief City Representatives prior to AACOG Board of Directors and AIR Committee Meetings.

Councilmember Lopez asked if the City had a designated individual to search for State and Federal Grants. Mr. Coyle replied that the IGR Department was responsible for searching in coordination with other departments who would search for their own funding opportunities. Discussion ensued regarding Grant Searching and Air Quality.

Councilmember Nirenberg moved to forward: 1) Creation of a City-Led Regional Task Force to evaluate the Issue; 2) Retain a Consultant to assess the impact of Specific Control Measurers and develop a Priority List; 3) Receive regular updates by AACOG on Developments of the Air Quality Strategic and Plan; and 4) Brief City Representatives prior to AACOG Board of Directors and AIR Committee Meetings to the full City Council for approval. Councilmember Gallagher seconded the motion. Motion carried unanimously by those present.

Councilmember Nirenberg excused himself from the meeting at this time.

### **3. Federal Grants Update [Jeff Coyle, Intergovernmental Relations Director]**

A Formal Presentation was not conducted. Committee Members were asked to review the Identified Grant Opportunities List.

Councilmember Lopez asked if any Federal Agency's Grants required IGR Presences within the upcoming months. Mr. Coyle replied that they did not.

Councilmember Lopez inquired about the City's Federal Courthouse. Mr. Coyle replied that no Federal Courthouses were included in the Presidential Budget. He stated that although the budget is not binding; it is a proposal to Congress for the start of the Appropriations Process. Walter Serna stated that Mobile, Alabama's Federal Courthouse was funded primarily because they were partially funded right before the Appropriations Process ended. He added that their Allocations were granted during the time when Earmarks were allotted.

Councilmember Lopez asked of the overall strategy. Tom Downs replied that multiple Appropriations Requests have been submitted, which are supported by the Delegation Members, that would move the Federal Courthouse Project forward.

No action was required for Item 3.

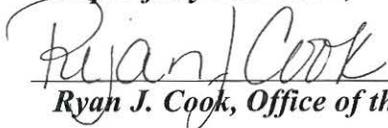
#### **Consideration of items for future meetings:**

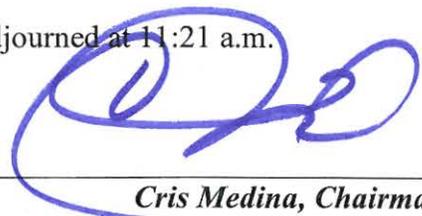
4. Next Meeting Scheduled: May 14, 2014

#### **Adjourn**

There being no further discussion, the meeting was adjourned at 11:21 a.m.

*Respectfully Submitted,*

  
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*Ryan J. Cook, Office of the City Clerk*

  
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*Cris Medina, Chairman*