

Meeting No. 2 of the Fund Committee

September 2, 2021

10:00 AM MOUNTAIN TIME

Meeting Minutes

➤ Introductions and Opening Remarks

Dr. Rincon, EPA Border Office Director, welcomes everyone to the meeting and provides instructions for simultaneous interpretation instructions via Zoom.

Dr. Rincon introduces the Fund Committee Co-Chairs:

- **Mariama Mitchell**, Texas Air Grant Project Officer, Environmental Protection Agency (EPA)
- **Ing. Valia Maritza Goytia Leal**, Director at the National Institute of Ecology and Climate Change (INECC, by its abbreviation in Spanish)

The Fund Committee Co-Chairs provide opening remarks.

Ms. Mitchell verifies quorum by doing a roll call. Quorum is met if 5 members of the 7 bodies represented on the Fund Committee are present.

Ms. Mitchell roll calls fund committee member from the US side:

1. **Present: EPA – Mariama Mitchell**
2. **Present: TCEQ – Cory Chism**
3. **Present: New Mexico – Armando Paz**
4. **Present: City of El Paso – Anthony Dekeyzer**

Ing. Goytia roll calls fund committee members from the Mexican side:

5. **Present: INECC - Valia Goytia**
6. **Present: SEDUE – Francisco Gomez**
7. **Not Present: Ecologia of Ciudad Juarez**

Administrative Unit members present: Sergio Vasquez (TCEQ), Cesar Fierro (SEDUE), Ricardo Aragon (Ecologia).

Other attendees: Carlos Rincon (EPA), Eddie Moderow (TCEQ), Oscar Fentanes (INECC), Stephanie Ma (TCEQ), Gerardo Tarin (SEMARNAT), Fernando Ortiz (NADB), Eugenia Posada (TCEQ)

Ing. Goytia announces the rules and procedures for the fund committee meeting. This committee operates by consensus consistent with the bylaws of the JAC itself and the language of the resolution, and decisions may be made via motion. If there is a second, and no objections, the motion may pass.

At this time, we ask that only members of the Fund Committee and Administrative Unit participate in the discussion unless called upon by members of the Fund Committee or Administrative Unit to provide expertise. Public comments and questions will be allowed at the end.

No questions from the Fund Members.

➤ Item 1 Operations and Maintenance Services

Ms. Mitchell introduces Item 1 and asks the administrative unit to provide a summary of the bids received in the solicitation of Operation and Maintenance in three monitoring stations in Ciudad Juarez.

Sergio Vasquez gives a presentation to the fund committee “Binational Air Monitoring in el Paso del Norte”. The presentation focused on the work done on the three stations in Ciudad Juarez over the past 9 months. Binational collaboration done between TCEQ, SEDUE, Ecologia of Ciudad Juarez and INECC.

Cesar Fierro gave an overview of the three bids requested by the administrative unit and the initial review and disqualification of some of the bids received. The three entities that provided a quote were: Asesores en implementación de tecnologías, Autonomous University of Ciudad Juarez (UACJ), Periferios y Sistemas S.A. de C.V. (PERSIS). Cesar discussed the summary of bids document provided to the fund committee and the administrative unit decision to move forward with a contractor’s proposal or disqualify them from moving forward. Cesar also discussed the clarifying questions asked of each submission and how it was determined who was to be awarded a contract. The recommendation to the fund committee was to **award a 6-month contract to the Autonomous University of Ciudad Juarez for an amount of \$27,505.48.**

Ms. Mitchell asks if anyone wants to make a motion to award a 6-month contract to UACJ for the amount of \$27,505.48.

Dr. Rincon informs the fund committee, for record purposes, if they make motion or second a motion to include it in the chat.

Cory Chism (TCEQ) **makes a motion** to award the contract to UACJ for the amount of \$27,505.48 for the next 6 months.

Ing. Goytia (INECC) **seconds the motion.**

Ms. Mitchell asks for the fund committee members to vote yay or nay for this motion to carry:

EPA – Did not vote	INECC – Yay (on Chat)
TCEQ – Yay (on Chat)	SEDUE – Yay (on Chat)
NMED – Yay (on Chat)	Ecología Ciudad Juárez – Not Present
El Paso – Yay (on Chat)	

Ms. Mitchell informs the members there are no Nays, therefore **the motion carries.**

No questions from any of the attendees.

➤ **Item 2** **Defining the process for Technical Commission Membership**

Ing. Goytia introduces Item 2 on defining the process for Technical Commission Membership and request Sergio Vasquez to make the administrative unit’s recommendation to the fund committee.

Sergio Vasquez informs the fund committee of the administrative unit recommendation to define the process of appointing new members to the administrative unit.

First recommendation: Currently, there are 3 entities that are represented in the administrative unit, which include: Ciudad Juarez Ecology Department, SEDUE and TCEQ. Per the resolution, the administrative unit can be composed of up to 6 members, but there is no defined process on how to add new entities. The administrative unit proposes that new entities that want to be added to the administrative unit, a motion must be made by a JAC voting member in a regular meeting of the Joint Advisory Committee meeting. If the motion is seconded, then the JAC voting members will vote to approve of the entity’s participation in the Administrative Unit. For example, El Paso county has shown interest in being added to the administrative unit. For them to be included in the administrative unit, a voting member of the JAC

must make a motion. Subsequently, any additional entities that want to be represented in the administrative unit will follow the same process.

Second recommendation: We have 7 entities in the fund committee. If an entity changes the individual that represents them in either technical commission (Fund Committee or Administrative Unit), the entity must notify their respective federal co-chair of the Border 2025 Air Policy Workgroup in writing.

Dr. Rincon: Per the bylaws and framework of the Joint Advisory Committee during its 79th meeting, the fund resolution was approved, and it defined the member institutions of both technical commissions. When the resolution passed the JAC co-chairs sent a letter to their respective federal co-chair of the Border 2025 Air Policy Workgroup. Each co-chair of the Air Policy Workgroup then sent a letter to each agency/entity defined in the resolution requesting they appoint a representative to the fund committee and/or the administrative unit as applicable.

Ing. Goytia asks for a motion for the recommendations provided by the administrative unit.

Cory Chism (TCEQ) makes a motion.

Armando Paz (NMED) seconds the motion.

Ing. Goytia asks if there are any objections to this motion being passed? No comments. Since they are no comments, please indicate your vote through the chat.

EPA – **No vote**

TCEQ – **Yay** (on Chat)

NMED – **Yay** (on Chat)

El Paso – **No vote**

INECC – **No Vote**

SEDUE – **Yay** (on Chat)

Ecología Ciudad Juárez – **Not Present**

Ing. Goytia: Since there are no objections from the votes being presented on the chat. **The two recommendations provided by the administrative unit are approved.**

➤ **Item 3 Next Meeting of the Fund Committee**

Ms. Mitchell Introduces item 3 to discuss the new date for the new meeting. Ms. Mitchell recommends November 17, 2021. Are there any comments or is there motion for this date?

Sergio provides a timeline and indicates that November 17 is a good date for the next meeting.

Cory Chism (TCEQ) set a motion for the next meeting to be held on November 17.

Ing. Goytia (INECC) seconds the motion.

EPA – **No vote**

TCEQ – **Yay** (on Chat)

NMED – **Yay** (on Chat)

El Paso – **Yay** (on Chat)

INECC – **No Vote**

SEDUE – **Yay** (on Chat)

Ecología Ciudad Juárez – **Not Present**

Mariama states that the motion carries. The next meeting will be on November 17, 2021 at 10:00 AM MT.

➤ **Public Comments**

Ing. Goytia asks the attendees is there any comments from the public?

Eddie Moderow and **Dr. Carlos Rincon** have some comments:

Eddie Moderow thanks the members of the fund committee and the co-chairs. Eddie informs the attendees that Dr. Carlos Rincon from EPA, Gerardo Tarin from SEMARNAT, and Oscar Fentanes have been participating in the administrative unit meetings as observers and suggests for EPA and INECC to become members of the administrative unit, along with El Paso County.

Eddie's second comment is that Marathon Oil reached out to Dr. Rincon about contributing to the AQF via their community foundation. He asks the Fund Committee if they support the administrative unit in completing the application.? This is the first opportunity to engage the public private partnership.

Dr. Rincon informs that Marathon Oil has been engaging with the Joint Advisory committee session and are part of the El Paso chamber of commerce are interested in a way they can engage with the fund. They have sent the application for our consideration.

Also, we want to keep a balance of representation within the committee. The administrative unit is to be composed of 6 members, with 3 being from the US side and 3 from the Mexican side. Within Border 2025 goal 1 air quality, the objective is for one of the shared air basins to have a mechanism for sustainable source for air quality monitoring. This is exactly what this committee is doing. We are three months in and we have accomplished one of the objectives completed.

Ing. Goytia informs members she has taken notes of the comments discussed. Can we vote on the comments discussed today or do we bring them up for a vote during the next meeting?

Dr. Rincon: Marathon oil has reached out to us with the application. Through an email we can agree to submit the application to Marathon. The fund committee can authorize the administrative unit to fill out the application. Then, the administrative unit will provide the application to the fund committee for their approval and will submit to the Marathon Oil foundation. The due date is early October, time is of the essence.

Ing. Goytia: The administrative unit will move forward with the application process and we will discuss the additional comments of adding INECC, SEMARNAT, El Paso county and EPA to the administrative unit during the next meeting.

Ms. Mitchell gives closing remarks.