

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD MEETING  
TUESDAY, OCTOBER 17, 2023  
ANTELOPE VALLEY TRANSIT AUTHORITY DISTRICT OFFICE  
LANCASTER, CA**

**Minutes**

Board Members Present:

Marvin Crist, *Chair*, City of Lancaster  
Austin Bishop, *Vice Chair*, City of Palmdale  
Newton Chelette, Public Member  
Ken Mann, City of Lancaster  
Ron Hawkins, Los Angeles County  
Howard Harris, Los Angeles County

Board Members Absent:

Andrea Alarcón, City of Palmdale

**CALL TO ORDER**

Chair **CRIST** called the meeting to order at 10:05 a.m. Chair **CRIST** asked Board Member **BISHOP** to lead the Pledge of Allegiance. Chair **CRIST** called for roll call, roll call was taken.

**PUBLIC COMMENT**

❖ Chair **CRIST** called for **PUBLIC COMMENT**. At this time, no public comment was made in person, or electronically, moved onto **CONSENT CALENDAR**.

**CLOSED SESSION**

**Agenda Item #1- CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Antelope Valley Air Quality Management District v. United States Environmental Protection Agency, et al. 9th Cir. Case No. 23-1614.**

The Governing board entered the Closed session at 10:21 am and concluded at 10:35 am with no reportable action.

**ITEMS FOR DISCUSSION**

**DEFERRED ITEMS**

None.

**NEW BUSINESS**

**Agenda Item #2– 1) Award an amount not to exceed \$30,000 in Carl Moyer Program funds to Desert Haven Enterprises for the replacement of gasoline riding mowers with zero emissions technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal**

**form by the Office of District Counsel, 4) Find that this item is not a project pursuant to the California Environmental Quality Act.**

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **MANN**, seconded by Board Member **HARRIS**, and carried by the following roll call vote, with six AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS and KEN MANN**, with board member **ANDREA ALARCON** absent, the Board, 1) **Awarded** an amount not to exceed \$30,000 in Carl Moyer Program funds to Desert Haven Enterprises for the replacement of gasoline riding mowers with zero emissions technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

**Agenda Item #3– 1) Award an amount not to exceed \$40,000 in Carl Moyer Program funds to Desert Haven Enterprises for the replacement of an older diesel tractor with zero emissions technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, 4) Find that this item is not a project pursuant to the California Environmental Quality Act.**

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **BISHOP**, seconded by Board Member **MANN**, and carried by the following roll call vote, with six AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS and KEN MANN**, with board member **ANDREA ALARCON** absent, the Board, 1) **Awarded** an amount not to exceed \$40,000 in Carl Moyer Program funds to Desert Haven Enterprises for the replacement of an older diesel tractor with zero emissions technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

**Agenda Item #4– 1) Award an amount not to exceed \$387,139 in Carl Moyer Program funds to High Desert Dairy for the replacement of older diesel farming equipment with new, cleaner technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.**

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or

electronically, being none, Chair **CRIST** closed the public hearing. Board Member **KEN MANN** recused himself from this item due to conflicts of interest and left the room prior to the vote. Upon motion by Board Member **CHELETTE** seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with five AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, NEWTON CHELETTE, HOWARD HARRIS and RON HAWKINS**, with board member **ANDREA ALARCON** absent and Board Member **KEN MANN** recused, the Board, 1) **Awarded** an amount not to exceed \$387,139 in Carl Moyer Program funds to High Desert Dairy for the replacement of older diesel farming equipment with new, cleaner technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

**Agenda Item #5– Conduct a public hearing to consider the amendment of Rule 315 – Federal Clean Air Act Section 185 Penalty (1997 Standard): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions.**

Presenter: Barbara Lods, Executive Director/APCO.

The Board pulled this item and continued to November Governing Board Meeting.

**Agenda Item #16– Reports.**

**Governing Board Counsel –**

Chair Crist recommended to increase the Executive Director/APCO signing authority to \$10,000.

**Executive Director/APCO –**

- Finance Auditors will be here October 30<sup>th</sup> through November 1<sup>st</sup>.
- Unfunded Pension Liability
- Server was down for 10 days. Replacement was ordered and should be back up and running within the week.

**Staff –**

- No report.

**Agenda Item #13– Board Member Reports and Suggestions for Future Agenda Items.**

- No report.

**Agenda Item #14– Adjourn to Regular Governing Board Meeting of Tuesday, November 21, 2023.**

Being no further business, the meeting adjourned at 10:36 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, November 21, 2023.

**ACTION OF THE GOVERNING BOARD  
APPROVED**

Upon motion by **HOWARD HARRIS**, seconded by **ANDREA ALARCÓN**, as

Approved by the following vote:

**Ayes: 4 CRIST, ALARCÓN, HARRIS, MANN**

**Noes:**

**Absent: 3 BISHOP, CHELETTE, HAWKINS**

**Abstain:**

**ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT**

**BY *Adrianna Castañeda***

**Dated: November 21, 2023**