

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, JUNE 20, 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
Raj Mahli, City of Lancaster
Andrea Alarcón, City of Palmdale
Howard Harris, Los Angeles County
Newton Chelette, Public Member

Board Members Absent:

Ron Hawkins, Los Angeles County

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:01 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

- ❖ Public comments were made by representatives of City of Lancaster, City of Palmdale, Lockheed Martin, Northrop Grumman, AV Edge, AV Fair, and Supervisor Kathryn Barger's office to thank Mr. Bret Banks for his 23 years of dedicated service and congratulated him on his Retirement.

CONSENT CALENDAR – The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **BISHOP**, seconded by Board Member **HARRIS**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **ANDREA ALARCON, AUSTIN BISHOP, MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS and RAJ MAHLI**, with Board Member **RON HAWKINS absent**, on the Consent Calendar, as follows:

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of May 16, 2023. Find that the California Environmental Quality Act does not apply to this item.

Approved Minutes from Regular Governing Board Meeting May 16, 2023.

Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Received and Filed Monthly Grant Funding Summary.

Agenda Item #3 – Monthly Activity Report. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.

Received and Filed Monthly Activity Report.

Agenda Item #5– Receive and file the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at April 30, 2023.

Presenter: Bret Banks, Executive Director/APCO.

Received and filed the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at April 30, 2023.

Agenda Item #6 - Consider the Consulting Agreement with Bret Banks; authorize the Chairman of the Governing Board to sign the agreement; Find that the California Environmental Quality Act (CEQA) does not apply to this item and direct staff actions.

Presenter: Allison Burns, Legal counsel.

Consider the Consulting Agreement with Bret Banks; authorize the Chairman of the Governing Board to sign the agreement; Find that the California Environmental Quality Act (CEQA) does not apply to this item and direct staff actions.

CONSENT CALENDAR – The following consent items were acted upon by the Board at one time without discussion. Board Member **AUSTIN BISHOP** recused himself from this item due to conflicts of interest and left the room prior to the vote. Upon motion by Board Member **HARRIS**, seconded by Board Member **CHELETTE**, and carried by the following roll call vote, with five **AYES** votes by Board Members, **ANDREA ALARCON, MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS and RAJ MAHLI**, with Board Member **RON HAWKINS absent**, on the Consent Calendar, as follows:

Agenda Item #4 - Approve payments to City of Lancaster in the amount of \$249,058.16 for FY23 Quarter 3 expenditures. Find that the California Environmental Quality Act does not apply to this item.

Presenter: Bret Banks, Executive Director/APCO

Approved payments to City of Lancaster in the amount of \$249,058.16 for FY23 Quarter 3 expenditures. Find that the California Environmental Quality Act does not apply to this item.

Agenda Item #7 - Approve the First Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster amending Section 13 in its entirety, to include Operational Oversight, naming Barbara Lods as the Executive Director pursuant to this Amendment, whose initial classification and compensation shall be Director 2000, Step 1 on the City of Lancaster's compensation and classification schedule and shall be considered as an at-will employee; Find that the California Environmental Quality Act (CEQA) does not apply to this item; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

Presenter: Bret Banks, Executive Director/APCO.

Approved the First Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster amending Section 13 in its entirety, to include Operational Oversight, naming Barbara Lods as the Executive Director pursuant to this Amendment, whose initial classification and compensation shall be Director 2000, Step 1 on the City of Lancaster's compensation and classification schedule and shall be considered as an at-will employee; Find that the California Environmental Quality Act (CEQA) does not apply to this item; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #8– 1) Award an amount not to exceed \$33,237 in Mobile Source Emission Reductions Program (AB 923) funds to Jeff Pantana for the replacement of an older diesel tractor 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 Deputy Director 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 the California Environmental Quality Act (CEQA) does not apply to this item .

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 CHELETTE, seconded by Board Member HARRIS, and carried by the following roll call vote, with six AYES votes by Board Members, , ANDREA ALARCON, AUSTIN BISHOP, MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS, and RAJ MAHLI, with board member RON HAWKINS absent, the Board, 1) **Awarded** an amount not to exceed \$33,237 in Mobile Source Emission Reductions Program (AB 923) funds to Jeff Pantana for the replacement of an older diesel tractor 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 Deputy Director 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 the California Environmental Quality Act (CEQA) does not apply to this item.

Agenda Item #9 - 1) Award an amount not to exceed \$82,000 in Mobile Source Emission Reductions Program funds to the City of Lancaster for a hydrogen mobile fueler; 2) Authorize the Executive Director the option to change the funding source if warranted or if other applicable funding sources become available; 3) Authorize the Executive Director 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 the California Environmental Quality Act (CEQA) does not apply to this item.

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 HARRIS, seconded by Board Member MAHLI, and carried by the following roll call vote, with six AYES votes by Board Members, ANDREA ALARCON, AUSTIN BISHOP, MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS, and RAJ MAHLI, with Board Member RON HAWKINS absent, the Board, 1) **Awarded** an amount not to exceed \$82,000 in Mobile Source Emission Reductions Program funds to the City of Lancaster for a hydrogen mobile fueler; 2) **Authorized** the Executive Director the option to change the funding source if warranted or if other applicable funding sources become available; 3) **Authorized** the Executive Director 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 the California Environmental Quality Act (CEQA) does not apply to this item.

Agenda Item #10 - Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2023-24: a. Re-Open the continued public hearing; b. Receive supplemental staff report and/or staff update; c. Receive public testimony; d. Close public hearing; e. Find that the California Environmental Quality Act (CEQA) does not apply to this item; f. Adopt a resolution approving and adopting the budget for FY 2023-2024.

Presenter: Barbara Lods, Operations Manager

Chair Crist opened the public hearing. Barbara Lods, Operations Manager, presented the proposed AVAQMD budget and answered questions from the Board. Chair Crist called for public comment, being none, Chair Crist closed the public hearing. Upon motion by Board Member **ALARCON**, seconded by Board Member **MAHLI**, and carried by the following roll call vote, with six AYES votes by Board Members, **ANDREA ALARCON, AUSTIN BISHOP, MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS, and RAJ MAHLI**, with Board Member **RON HAWKINS** absent, the Board, Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2023-24: a. **Re-Opened** the continued public hearing; b. **Received** supplemental staff report and/or staff update; c. **Received** public testimony; d. **Closed** public hearing; e. Find that the California Environmental Quality Act (CEQA) does not apply to this item; f. **Adopted** a resolution approving and adopting the budget for FY 2023-2024.

Agenda Item #11– Reports.

Governing Board Counsel –

- The Governing Board congratulated Mr. Bret Banks on his retirement and said it was a pleasure working with him.

Executive Director/APCO –

- Assembly Bill AB 985, Arambula. San Joaquin Valley Unified Air Pollution Control District: emission reduction credit system. If passed may affect the SJVUAPCD ERC program.

Staff –

- No report.

Agenda Item #12– Board Member Reports and Suggestions for Future Agenda Items.

- The Board all Congratulated Mr. Bret Banks on his retirement and will miss working with him.

Agenda Item #13– Adjourn to Regular Governing Board Meeting of Tuesday, July 18, 2023.

Being no further business, the meeting adjourned at 10:37 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, July 18, 2023.

**ACTION OF THE GOVERNING BOARD
APPROVED**

Upon motion by **ANDREA ALARCON**, seconded by **NEWTON CHELETTE**, as approved by the following vote:

Ayes: 4 ALARCON, BISHOP, CHELETTE, MANN

Noes:

Absent: 3 CRIST, HARRIS, HAWKINS

Abstain:

ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT

BY *Adrianna Castañeda*

Dated: July 18, 2023