

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, AUGUST 15, 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
Ken Mann, City of Lancaster
Andrea Alarcón, City of Palmdale
Ron Hawkins, Los Angeles County
Howard Harris, Los Angeles County

Board Members Absent:

Newton Chelette, Public Member

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:00 a.m. Chair **CRIST** asked Board Member **ALARCÓN** 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 10:20 am and concluded at 10:40 am with no report.

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 **MANN**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, ANDREA ALARCON, AUSTIN BISHOP, RON HAWKINS, HOWARD HARRIS, and KEN MANN, with Board Member NEWTON CHELETTE absent**, on the Consent Calendar, as follows:

Agenda Item #2 – Approve Minutes from Regular Governing Board Meeting of July 18, 2023. Find that the California Environmental Quality Act does not apply to this item.

Approved Minutes from Regular Governing Board Meeting July 18, 2023.

Agenda Item #3 – Monthly Grant Funding Summary. Receive and file.

Presenter: Barbara Lods, Executive Director/APCO.

Received and Filed Monthly Grant Funding Summary.

Agenda Item #4 – Monthly Activity Report. Receive and file.

Presenter: Barbara Lods, 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 June 30, 2023.

Presenter: Barbara Lods, 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 June 30, 2023.

Agenda Item #6– 1) Authorize \$50,000 of Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; 2) Authorize the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan; 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 this item is not a project pursuant to the California Environmental Quality Act.

Presenter: Julie McKeehan, Grants Analyst.

1) **Authorized** \$50,000 of Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; 2) **Authorized** the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan; 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 this item is not a project pursuant to the California Environmental Quality Act.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #7– 1) Award an amount not to exceed \$476,551 of Carl Moyer Program funds to Allied Potato 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 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 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. The award was amended to \$255,172 due to updated price quote recently submitted. Upon motion by Board Member **ALARCON**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, RON HAWKINS, HOWARD HARRIS and KEN MANN**, with board member **NEWTON CHELETTE** absent, the Board, 1) **Award** an amount not to exceed \$255,172 of

Carl Moyer Program funds to Allied Potato 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 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 this item is not a project pursuant to the California Environmental Quality Act.

Agenda Item #8– 1) Award an amount not to exceed \$171,591 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Fair Association (AV Fair) for the replacement of older diesel vehicles and equipment for new, clean engine technologies; 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 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, 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 **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 **MANN**, seconded by Board Member **HARRIS**, and carried by the following roll call vote, with five AYES votes by Board Members, **MARVIN CRIST, ANDREA ALARCON, RON HAWKINS, HOWARD HARRIS and KEN MANN**, with board member **NEWTON CHELETTE** absent and Board Member **AUSTIN BISHOP** recused, the Board, 1) **Awarded** an amount not to exceed \$171,591 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Fair Association (AV Fair) for the replacement of older diesel vehicles and equipment for new, clean engine technologies; 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 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 \$30,202 of Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Fair Association (AV Fair) for the replacement of an older diesel mower for a replacement equipment with cleaner engine 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 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, 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 **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 **ALARCON**, and carried by the following roll call vote, with five AYES votes by Board Members, **MARVIN CRIST, ANDREA ALARCON, RON HAWKINS,**

HOWARD HARRIS and KEN MANN, with board member **NEWTON CHELETTE** absent and Board Member **AUSTIN BISHOP** recused, the Board, 1) **Awarded** an amount not to exceed \$30,202 of Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Fair Association (AV Fair) for the replacement of an older diesel mower for a replacement equipment with cleaner engine 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 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– 1) Award an amount not to exceed \$400,000 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Transit Authority (AVTA) for the repower of an older diesel Coach; 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 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, 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 **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 **ALARCON**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with five AYES votes by Board Members, **MARVIN CRIST, ANDREA ALARCON, RON HAWKINS, HOWARD HARRIS and KEN MANN**, with board member **NEWTON CHELETTE** absent and Board Member **AUSTIN BISHOP** recused, the Board, 1) **Awarded** an amount not to exceed \$400,000 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Transit Authority (AVTA) for the repower of an older diesel Coach; 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 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 #11– 1) Award an amount not to exceed \$233,506 of Community Air Protection Project (CAPP/AB 134) funds to the City of Palmdale for Electric Vehicle Charging Project at McAdam Park in Palmdale; 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; 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, 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 **ALARCON**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with six AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, RON HAWKINS,**

HOWARD HARRIS and KEN MANN, with board member **NEWTON CHELETTE** absent, the Board, 1) **Awarded** an amount not to exceed \$233,506 of Community Air Protection Project (CAPP/AB 134) funds to the City of Palmdale for Electric Vehicle Charging Project at McAdam Park in Palmdale; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

Agenda Item #12– 1) Award an amount not to exceed \$100,000 of Mobile Source Emission Reductions Program (AB 923) funds to the City of Palmdale for a program that will offer residential electric vehicle (EV) charging equipment; 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; 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, 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 **ALARCON**, and carried by the following roll call vote, with six AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, RON HAWKINS, HOWARD HARRIS and KEN MANN**, with board member **NEWTON CHELETTE** absent, the Board, 1) **Awarded** an amount not to exceed \$100,000 of Mobile Source Emission Reductions Program (AB 923) funds to the City of Palmdale for a program that will offer residential electric vehicle (EV) charging equipment; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

Agenda Item #13– 1) Award an amount not to exceed \$50,073 of Mobile Source Emission Reductions Program (AB 923) funds to Trust Palmdale Honda for an EV charging project; 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; 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, 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 **HARRIS**, and carried by the following roll call vote, with six AYES votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, RON HAWKINS, HOWARD HARRIS and KEN MANN**, with board member **NEWTON CHELETTE** absent, the Board, 1) **Awarded** an amount not to exceed \$50,073 of Mobile Source Emission Reductions Program (AB 923) funds to Trust Palmdale Honda for an EV charging project; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

Agenda Item #14– Reports.

Governing Board Counsel –

- No report.

Executive Director/APCO –

- Notified Board Members that there has been a nomination for the Achievement In Reducing Emissions (AIRE) Award for next month’s meeting.
- Increase in local projects, grants and Engineering.

Staff –

- No report.

Agenda Item #15– Board Member Reports and Suggestions for Future Agenda Items.

- Board Members thanked the staff, Board and the Chairman for helping bring grants to the City of Palmdale.

Agenda Item #16– Adjourn to Regular Governing Board Meeting of Tuesday, September 19, 2023.

Being no further business, the meeting adjourned at 10:44 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, September 19, 2023.

**ACTION OF THE GOVERNING BOARD
APPROVED**

Upon motion by **NEWTON CHELETTE**, seconded by **ANDREA ALARCON**, as approved

by the following vote:

Ayes: 6 CRIST, BISHOP, ALARCÓN, CHELETTE, HAWKINS, MANN

Noes:

Absent: 1 HARRIS

Abstain:

ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT

BY *Adrianna Castañeda*

Dated: September 19, 2023