

Antelope Valley Air Quality Management District

2551 W Avenue H
Lancaster, CA 93536
www.avaqmd.ca.gov

Governing Board Regular Meeting

Agenda

MEETING LOCATION

Antelope Valley Transit Authority
District Office
42210 6th Street West
Lancaster, CA 93534
661.723.8070

**TUESDAY, MARCH 19, 2024
10:00 A.M.**

BOARD MEMBERS

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

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE LISTED PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE GOVERNING BOARD AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, PUBLIC COMMENTS ARE LIMITED TO FIVE MINUTES PER SPEAKER. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

EXCEPT WHERE NOTED, ALL SCHEDULED ITEMS WILL BE HEARD IN THE DISTRICT OFFICE OF THE GOVERNING BOARD, 43301 DIVISION STREET, SUITE 206, LANCASTER, CA 93535 AND THE TELECONFERENCE LOCATION(S), IF APPLICABLE. PLEASE NOTE THAT THE BOARD MAY ADDRESS ITEMS IN THE AGENDA IN A DIFFERENT ORDER THAN THE ORDER IN WHICH THE ITEM HAS BEEN POSTED.

PUBLIC COMMENTS ON ANY AGENDA ITEM WILL BE HEARD AT THE TIME OF DISCUSSION OF THE AGENDA ITEM. PUBLIC COMMENTS NOT PERTAINING TO AGENDA ITEMS WILL BE HEARD DURING THE PUBLIC COMMENT PERIOD BELOW.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call

Items with potential Conflict of Interests — If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel.

PUBLIC COMMENT

CLOSED SESSION

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.

CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial and will be acted upon by the Board at one time without discussion unless a Board Member requests an item be held for discussion under DEFERRED ITEMS.

2. Approve Minutes from Regular Governing Board Meeting of February 20, 2024. Find that the California Environmental Quality Act does not apply to this item.
3. Monthly Grant Funding Summary. Receive and file. Find that the California Environmental Quality Act does not apply to this item.
4. Monthly Activity Report. Receive and file. Find that the California Environmental Quality Act does not apply to this item.
5. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at January 31, 2024.
6. Approve a Second Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; 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

NEW BUSINESS

7. 1) Award an amount not to exceed \$38,000 in Community Air Protection Program funds to Dieseltronics Equipment Repair for the replacement of an older diesel forklift 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.

8. 1) Award an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with new, zero emissions 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.
9. 1) Award an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi 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/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.
10. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
11. Board Member Reports and Suggestions for Future Agenda Items.
12. Adjourn to Regular Governing Board Meeting of Tuesday, April 16, 2024.

In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board Meeting, please contact the Executive Director during regular business hours at 661.723.8070 x23. Notification received 48 hours prior to the meeting will enable the District to make reasonable accommodations. All accommodation requests will be processed swiftly and resolving any doubt in favor of accessibility.

I hereby certify, under penalty of perjury, that this agenda has been posted 72 hours prior to the stated meeting in a place accessible to the public. Copies of this agenda and any or all additional materials relating thereto are available at www.avaqmd.ca.gov or by contacting Adrianna Castaneda at 661.723.8070 ext. 21 or by email at acastaneda@avaqmd.ca.gov.

Mailed & Posted on: Thursday, March 14, 2024

[Adrianna Castañeda](#)

Adrianna Castaneda

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of February 20, 2024. Find that the California Environmental Quality Act does not apply to this item.](#)

Please scroll down to view the backup material.

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, FEBRUARY 20, 2024
ANTELOPE VALLEY TRANSIT AUTHORITY DISTRICT OFFICE
LANCASTER, CA**

Draft Minutes

Board Members Present:

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

Board Members Absent:

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:00 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 10:01 am and concluded at 10:38 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 **MANN**, seconded by Board Member **LOA**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, RICHARD LOA and KEN MANN**, on the Consent Calendar, as follows:

Agenda Item #2 – Approve Minutes from Regular Governing Board Meeting of January 16, 2024. Find that the California Environmental Quality Act does not apply to this item.

Approved Minutes from Regular Governing Board Meeting January 16, 2024.

Agenda Item #3 – Monthly Grant Funding Summary. Receive and file. Find that the California Environmental Quality Act does not apply to this item.

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 #6– 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 December 31, 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 December 31, 2023.

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

Agenda Item #5– Approve payments to City of Lancaster in the amount of \$565,734.61 for FY24 Quarter 1 and Quarter 2 expenditures. Find that the California Environmental Quality Act does not apply to this item.

Presenter: Barbara Lods, Executive Director/APCO.

Approved payments to City of Lancaster in the amount of \$565,734.61 for FY24 Quarter 1 and Quarter 2 expenditures. Find that the California Environmental Quality Act does not apply to this item.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #7– 1) Award an amount not to exceed \$60,000 in Carl Moyer Program funds to Antelope Valley Transit Authority for an Electric Vehicle Charging Project; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 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, 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. 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 **HAWKINS**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, RICHARD LOA, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, with Board Member **BISHOP** recused, the Board, 1) **Awarded** an amount not to exceed \$60,000 in Carl Moyer Program funds to Antelope Valley Transit Authority for an Electric Vehicle Charging Project; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 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 #8– Reports.

Governing Board Counsel –

- Reminded the Board Members and staff to complete Form 700s prior to the April 1, 2024 deadline.

Executive Director/APCO –

- Financial audit is almost complete and will be entering the interim audit.
- Working on budget and will present at a future meeting.
- Working on the Contingency Measure plan and will be bringing it to the April Governing Board Meeting.

Staff –

- No report.

Agenda Item #9– Board Member Reports and Suggestions for Future Agenda Items.

- Chairman Crist requested an agenda item be added to the March meeting adding a new position to the AVAQMD staff
- Vice Chair Bishop thanked staff and District Council for their help during the pending litigation with EPA.

Agenda Item #10– Adjourn to Regular Governing Board Meeting of Tuesday, March 19, 2024.

Being no further business, the meeting adjourned at 10:47 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, March 19, 2024.

The following page(s) contain the backup material for Agenda Item: Monthly Grant Funding Summary. Receive and file. Find that the California Environmental Quality Act does not apply to this item.

Please scroll down to view the backup material.

Item #3 – Grant Funds Project Summary

February 2024

AB 2766 (\$4 DMV Fee)

\$655,000 Annually by Monthly Distribution

These fees fund the District's Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used on eligible projects that reduce air pollution from motor vehicles and for related planning, monitoring, enforcement, and technical studies necessary for the implementation of the California Clean Air Act of 1988.

Funding Limits: No surplus emission reductions or cost-effectiveness limit requirements.

Current Balance: \$453,688.00

AB 923 (\$2 DMV Fee)

\$614,000 Annually by Monthly Distribution

These fees fund the District's Mobile Source Emission Reductions (MSER) Grant Program. The funds must be used on eligible projects that remediate air pollution harms created by motor vehicles. These funds may also be used on Carl Moyer eligible projects; unregulated agriculture vehicles and equipment; school bus projects; light-duty vehicle retirement program; and alternative fuel and electric infrastructure projects.

Funding Limits: Surplus emission reductions required. Subject to CARB's cost-effectiveness limit.

Current Balance: \$563,396.00

Carl Moyer Program (CMP)

\$1,169,166.00 FY 23/24 Allocation

Carl Moyer Program (CMP) funds are used toward projects eligible under the Carl Moyer Program Guidelines.

Program goals are to gain early or extra emission reductions by retrofitting, repowering, or replacing older more polluting engines with newer, cleaner engines including zero and near zero emission technologies. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects.

Funding Limits: Surplus emission reductions required. Subject to CARB's cost-effectiveness limit.

Current Balance: \$2,435,604.00

AB 134 Community Air Protection Program (CAPP) Incentives

\$967,560 FY 23/24

Community Air Protection Program (CAPP) funds are used toward eligible projects under the CAPP and CMP Guidelines. Eligible projects must also be needed and supported within the community. These funds are focused on replacing older polluting engines, operating in disadvantaged and low-income communities, with newer, cleaner engines with a priority for zero-emissions. Funding categories include on-road heavy-duty vehicles, off-road equipment, light duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects.

Funding Limits: Surplus emission reductions required. Subject to CARB's cost-effectiveness limit.

Current Balance: \$3,098,953.00

The following page(s) contain the backup material for Agenda Item: [Monthly Activity Report. Receive and file. Find that the California Environmental Quality Act does not apply to this item.](#)

Please scroll down to view the backup material.



Agenda Item #4

Date: March 19, 2024

Subject: February Operations Activity Report

Permit Inspections - 245

Notices of Violation (NOV) Issued – 0

Vapor Recovery Tests Witnessed – 5

Complaints – 6

Complaint Investigations – 2

Asbestos Notifications – 10

Asbestos Project Inspections - 0

Active Companies - 289

Active Facilities - 553

Active Permits - 1134

Certificate of Occupancy/Building Permit Reviews - 1

CEQA Project Comment Letters - 10

State or Local Air Monitoring Stations (SLAMS) Network Air Monitoring Site:

Lancaster Site (full meteorology, CO, NO_x, O₃, PM₁₀, PM_{2.5})

Full meteorology (exterior temperature, wind speed, wind direction, exterior pressure and relative humidity)

Community Sensors:

13 **PurpleAir** particulate sensors (Del Sur School, Leona Valley Elementary, Anaverde Hills, Esperanza Elementary School, Joe Walker Middle School, Desert Willow Middle School, Amargosa Creek, Eastside High School, Littlerock High School, Knight High School, Westside School District Offices, (2) Wilsona School District.

AVAQMD CEQA PROJECTS						
BOARD MEETING						
3/19/2024						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
1/31/2024	Lancaster	78 Single-Family Residential Lots	Notice of Availability/Notice of Intent to Adopt a Mitigated Negative Declaration for Tentative Tract Map No. 62321 requesting to subdivide approximately 20 gross acres into 78 single-family residential lots in the R-7,000 zone (single-family residential, minimum lot size 7,000 square feet.) This project site is located on approximately 20 gross acres on the northeast corner of Lancaster Boulevard and 25th Street East in the City of Lancaster, California (APNs: 3150-024-008, 3150-024-009, 3150-024-019, 3150-024-020, and 3150-024-021).	Rule 302-Construction Excavation DCP-TTM Rule 219-Permitting CARB Equipment	2/23/2024	2/7/2024
1/31/2024	Lancaster	Battery Energy Storage Facility	Conditional Use Permit No. 23-012 requesting to construct and operate a battery energy storage facility capable of delivering up to 250 megawatts (MW) of energy storage capacity and associated ancillary services into the California electric grid. This project site is located on approximately 9.7 gross acres on the south side of Avenue J at 92nd Street West in the City of Lancaster, CA (APN: 3203-034-004).	Rule 302-Construction Excavation DCP-Solar Rule 219-Permitting CARB Equipment Active Operations-DCP	2/23/2024	2/7/2024
2/7/2024	Palmdale	Multi-Family Affordable Housing	Pre-Application 23-0026 requesting the development of several multi-family affordable housing units, including Wright Brothers Court. This project site is located at the northeast corner of Avenue Q and 4th Street East in the City of Palmdale, CA (APN: 3006-008-921).	DCP-TTM Rule 1403-Asbestos Rule 219-Permitting CARB Equipment EV Charging Grant	2/12/2024	2/20/2024

AVAQMD CEQA PROJECTS						
BOARD MEETING						
3/19/2024						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
2/7/2024	Palmdale	Condominium Complex	Pre-Application 23-0041 requesting the development of a partially constructed condominium complex. This complex will include single-family housing as well as shared common areas. This project site is located south of Avenue Q-4 and Puerta Avenue in the City of Palmdale, CA (APNs: 3018-017-023 thru -034 & 3018-017-059 thru -068 with a common area APN: 3018-017-095).	DCP-TTM Rule 1403-Asbestos Rule 219-Permitting CARB Equipment EV Charging Grant	2/12/2024	2/20/2024
2/7/2024	Palmdale	Maverik Gas Station	GPA 23-0002, SPR 24-0002, CUP 24-0001 to change the General Plan land use designation and zone to allow the construction of a Maverik travel gas station comprised of a new fueling station and convenience store, including the sale of alcohol and tobacco. This project site is located at the NWC of West Avenue S and State Route -14 in the City of Palmdale, CA (APN: 3004-016-032).	Rule 302-Construction Excavation DCP Rule 219-GDF Permitting CARB Equipment EV Charging Grant	2/12/2024	2/20/2024
2/7/2024	Palmdale	Walmart Fueling Station	Pre-Application 24-0003 requesting to construct a new fuel station consisting of eight fuel pumps and a convenience store. This project site is located at 37140 47th Street East in the City of Palmdale, CA (APN: 3051-046-017).	Rule 219-GDF Permitting CARB Equipment EV Charging Grant	2/12/2024	2/20/2024
2/7/2024	Palmdale	Subdivision of a 2.5-acre Lot into 7 Lots	Pre-Application 24-0004 requesting to subdivide a 2.5-acre lot into seven, 10,000-square-foot lots. This project site is located at the southwest corner of West Avenue N and 45th Street West in the City of Palmdale, CA (APN: 3001-028-008).	No Comment	2/12/2024	2/20/2024

AVAQMD CEQA PROJECTS						
BOARD MEETING						
3/19/2024						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
2/7/2024	Palmdale	Three-story Mixed-use Building	Pre-Application 24-0002 for the request to construct a three-story mixed-use building including a restaurant and office. This project site is located on approximately 0.25 acres at the northwest corner of East Avenue Q-3 and 6th Street East in the City of Palmdale, CA (APN: 3008-011-019).	Dust Control Signage & Project Signage Information Form Rule 219-Permitting CARB Equipment EV Charging Grant	2/12/2024	2/20/2024
2/9/2024	Lancaster	67 Single-Family Lots with Common Area	Notice of Availability/Notice of Intent to Adopt a Mitigated Negative Declaration for Tentative Tract Map (TTM) No. 83573 requesting to subdivide two vacant parcels, approximately 18.5 acres, into 67 single-family lots and one lot for a common area (68 lots total), which is planned to include a gym, pool spa, outdoor park area, and dog run. This project site is located on approximately 18.5 acres at the northwest corner of 40th Street West and Avenue K in the City of Lancaster (APNs: 3153-025-019 and 3153-025-043).	Rule 302-Construction Excavation DCP-TTM Rule 219-Permitting CARB Equipment EV Charging Grant	2/7/2024	2/20/2024
2/12/2024	Lancaster	Green Hydrogen Production Plant: Lancaster Clean Energy Center	Conditional Use Permit No. 23-019 requesting to construct and operate the Lancaster Clean Energy Center, a green hydrogen production plant powered by photovoltaic (PV) solar. This project site is located on approximately 1,338 gross acres generally bounded by Avenue J, Avenue L, 40th Street East, and 70th Street East in the City of Lancaster, CA (APNs: 3384-018-001, -002, -003, -004; 3384-017-001, -002, -003; 3384-015-013; 3384-016-013, -014; 3384-017-003, and 3170-012-002).	Rule 302-Construction Excavation DCP-Solar Rule 219-Permitting CARB Equipment Active Operations-DCP	3/8/2024	2/23/2024

The following page(s) contain the backup material for Agenda Item: [This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at January 31, 2024.](#)
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM #5

DATE: March 19, 2024

RECOMMENDATION: Receive and file.

SUMMARY: This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at January 31, 2024.

BACKGROUND: The Financial Reports for January 2024 provide financial and budgetary performance information for the District for the period referenced.

BALANCE SHEET. The balance sheet summarizes the District's financial position on January 31, 2024.

STATEMENT OF REVENUES & EXPENDITURES. A summary of all District revenue and related expenditures incurred in the day to day administration of District Operations.

STATEMENT OF ACTIVITY. The target variance for January is 59%.

The *District Wide* report details revenue and expenses for the District's operating account and grant funds. *Contracted Services* reports the expenses made by the City of Lancaster and passed through to the District including salaries. *Report Recap* consolidates both reports.

BANK REGISTERS. This report details the Districts bank activity.

DISTRICT CARDS. This report details purchases made using the District's credit cards.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form and by Barbara Lods, Executive Director/APCO (AVAQMD) on or about March 11, 2024.

PRESENTER: Barbara Lods, Executive Director/APCO.

Antelope Valley AQMD
Balance Sheet - Governmental Funds
As of January 31, 2024

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions</u>	<u>AB923 Mobile Emissions</u>	<u>Carl Moyer</u>	<u>Total</u>
Assets					
Current Assets					
Cash	5,154,716.44	1,320,736.64	2,269,742.72	3,065,458.46	11,810,654.26
Cash Held For Other Fund	95,154.17	30,140.94	(5,847.65)	(119,447.46)	0.00
Receivables	294,868.38	0.00	0.00	0.00	294,868.38
Pre-Paids	3,722.14	0.00	0.00	0.00	3,722.14
Total Current Assets	<u>5,548,461.13</u>	<u>1,350,877.58</u>	<u>2,263,895.07</u>	<u>2,946,011.00</u>	<u>12,109,244.78</u>
Total Assets	<u>5,548,461.13</u>	<u>1,350,877.58</u>	<u>2,263,895.07</u>	<u>2,946,011.00</u>	<u>12,109,244.78</u>
Liabilities and Net Position					
Current Liabilities					
Payables	560,434.17	143,426.78	50,073.00	38,395.00	792,328.95
Due to Others	(781.00)	0.00	0.00	0.00	(781.00)
Unearned Revenue	1,334,745.47	0.00	0.00	2,884,385.67	4,219,131.14
Total Current Liabilities	<u>1,894,398.64</u>	<u>143,426.78</u>	<u>50,073.00</u>	<u>2,922,780.67</u>	<u>5,010,679.09</u>
Restricted Fund Balance	0.00	1,207,392.88	2,134,903.41	65,830.33	3,408,126.62
Cash Reserves	1,000,000.00	0.00	0.00	0.00	1,000,000.00
Unassigned Fund Balance	2,483,258.83	0.00	0.00	0.00	2,483,258.83
Pre-Paid	1,378.50	0.00	0.00	0.00	1,378.50
Change in Net Position	266,935.87	57.92	78,918.66	(42,600.00)	303,312.45
Total Liabilities & Net Position	<u>5,645,971.84</u>	<u>1,350,877.58</u>	<u>2,263,895.07</u>	<u>2,946,011.00</u>	<u>12,206,755.49</u>

Antelope Valley AQMD
Statement of Revenues & Expenditures
For the Period Ending January 31, 2024

Financial Report

	<u>General Fund</u>	<u>AB2766 Mobile Emissions Program</u>	<u>AB923 Mobile Emissions Program</u>	<u>Carl Moyer Program</u>	<u>Total Governmental Funds</u>
<u>Revenues</u>					
Application and Permit Fees	245,545.79	0.00	0.00	0.00	245,545.79
AB 2766 and Other Program Revenues	48,001.41	45,070.24	42,257.57	75,568.00	210,897.22
Fines	21,057.45	0.00	0.00	0.00	21,057.45
Investment Earnings	7,059.81	0.00	0.00	0.00	7,059.81
Federal and State	0.00	0.00	0.00	0.00	0.00
Miscellaneous Income	0.00	0.00	0.00	0.00	0.00
Total Revenues	321,664.46	45,070.24	42,257.57	75,568.00	484,560.27
<u>Expenditures</u>					
Program Staff	546,645.29	0.00	0.00	0.00	546,645.29
Services and Supplies	6,809.60	143,426.78	53,248.00	105,568.00	309,052.38
Contributions to Other Participants	0.00	0.00	0.00	0.00	0.00
Capital Outlay Improvements and Equipment	0.00	0.00	0.00	0.00	0.00
Total Expenditures	553,454.89	143,426.78	53,248.00	105,568.00	855,697.67
Excess Revenue Over (Under) Expenditures	(231,790.43)	(98,356.54)	(10,990.43)	(30,000.00)	(371,137.40)

Antelope Valley AQMD

Statement of Activity - MTD, MTM and YTD

For 1/31/2024

00 District Wide

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	247,992.57	890,896.68	1,353,600.00	(0.66)
Programs	210,897.22	1,354,665.69	3,418,217.00	(0.40)
Application Fees	1,962.00	32,205.82	32,325.00	(1.00)
State Revenue	0.00	166,407.71	1,604,523.00	(0.10)
Federal Revenue	0.00	7,939.47	63,982.00	(0.12)
Fines & Penalties	17,870.45	39,518.30	10,000.00	(3.95)
Interest Earned	7,059.81	49,102.67	10,000.00	(4.91)
Adjustments to Revenue	(1,221.78)	(6,418.96)	0.00	0.00
Total Revenues	484,560.27	2,534,317.38	6,492,647.00	(0.39)
Expenses				
Office Expenses	1,270.03	24,383.99	109,800.00	0.22
Communications	2,315.90	11,247.65	22,000.00	0.51
Vehicles	351.18	8,840.23	21,000.00	0.42
Program Costs	302,242.78	1,461,072.68	3,948,962.00	0.37
Travel	82.47	121.81	12,000.00	0.01
Professional Services				
Financial Audit & Actuarial Svcs	60.03	4,294.03	0.00	0.00
Consulting Fees	0.00	0.00	25,000.00	0.00
Stipends	0.00	3,400.00	8,400.00	0.40
Maintenance & Repairs	0.00	20.93	2,000.00	0.01
Non-Depreciable Inventory	1,720.01	2,000.12	18,500.00	0.11
Dues & Subscriptions	0.00	5,645.15	36,100.00	0.16
Legal	(24,769.68)	47,917.80	53,000.00	0.90
Miscellaneous Expense	64.45	(171.17)	1,000.00	(0.17)
Suspense	0.00	1,082.39	0.00	0.00
Capital Expenditures	0.00	23,883.98	105,000.00	0.23
Total Expenses	283,337.17	1,593,739.59	4,362,762.00	0.37
Program Staff				
Excess Revenue Over (Under) Expenditures	201,223.10	940,577.79	2,129,885.00	(0.44)

Antelope Valley AQMD

Statement of Activity - MTD, MTM and YTD

For 1/31/2024

10 Contracted Services

M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
-----------------	-----------------	-----------------	-----------------------

Revenues

Expenses

Professional Services

Financial Audit & Actuarial Svcs

Total Expenses

25,715.21	28,079.20	220,000.00	0.13
25,715.21	28,079.20	220,000.00	0.13

Program Staff

Program Staff

Total Program Staff

546,645.29	609,186.14	1,828,647.00	0.33
546,645.29	609,186.14	1,828,647.00	0.33

Excess Revenue Over (Under) Expenditures

(572,360.50)	(637,265.34)	(2,048,647.00)	(0.31)
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Antelope Valley AQMD

Statement of Activity - MTD, MTM and YTD

For 1/31/2024

Report Recap

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	247,992.57	890,896.68	1,353,600.00	(0.66)
Programs	210,897.22	1,354,665.69	3,418,217.00	(0.40)
Application Fees	1,962.00	32,205.82	32,325.00	(1.00)
State Revenue	0.00	166,407.71	1,604,523.00	(0.10)
Federal Revenue	0.00	7,939.47	63,982.00	(0.12)
Fines & Penalties	17,870.45	39,518.30	10,000.00	(3.95)
Interest Earned	7,059.81	49,102.67	10,000.00	(4.91)
Adjustments to Revenue	(1,221.78)	(6,418.96)	0.00	0.00
Total Revenues	484,560.27	2,534,317.38	6,492,647.00	(0.39)
Expenses				
Office Expenses	1,270.03	24,383.99	109,800.00	0.22
Communications	2,315.90	11,247.65	22,000.00	0.51
Vehicles	351.18	8,840.23	21,000.00	0.42
Program Costs	302,242.78	1,461,072.68	3,948,962.00	0.37
Travel	82.47	121.81	12,000.00	0.01
Professional Services				
Financial Audit & Actuarial Svcs	25,775.24	32,373.23	220,000.00	0.15
Consulting Fees	0.00	0.00	25,000.00	0.00
Stipends	0.00	3,400.00	8,400.00	0.40
Maintenance & Repairs	0.00	20.93	2,000.00	0.01
Non-Depreciable Inventory	1,720.01	2,000.12	18,500.00	0.11
Dues & Subscriptions	0.00	5,645.15	36,100.00	0.16
Legal	(24,769.68)	47,917.80	53,000.00	0.90
Miscellaneous Expense	64.45	(171.17)	1,000.00	(0.17)
Suspense	0.00	1,082.39	0.00	0.00
Capital Expenditures	0.00	23,883.98	105,000.00	0.23
Total Expenses	309,052.38	1,621,818.79	4,582,762.00	0.35
Program Staff				
Program Staff	546,645.29	609,186.14	1,828,647.00	0.33
Total Program Staff	546,645.29	609,186.14	1,828,647.00	0.33
Excess Revenue Over (Under) Expenditures	(371,137.40)	303,312.45	81,238.00	(3.73)

Antelope Valley AQMD
Bank Register from 1/01/2024 to 1/31/2024
General Fund P6A LA County

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
	1/01/2024	Interest Earned	0.00	7,059.81	2,726,088.02
0000504	1/11/2024	DAILY DEPOSIT	0.00	220,836.63	2,946,924.65
0000506	1/18/2024	DAILY DEPOSIT	0.00	7,239.05	2,954,163.70
R24-12	1/18/2024	AB2766 GRANT FUND TRANSFER - MAY 2023	58,680.41	0.00	2,895,483.29
R24-13	1/18/2024	AB923 GRANT FUND TRANSFER - MAY 2023	55,018.38	0.00	2,840,464.91
R24-14	1/18/2024	AB2766 GRANT FUND TRANSFER - OCT 2023	50,196.11	0.00	2,790,268.80
R24-15	1/18/2024	AB923 GRANT FUND TRANSFER - OCT 2023	47,063.56	0.00	2,743,205.24
R24-16	1/18/2024	AB2766 GRANT FUND TRANSFER - SEP 2023	50,263.10	0.00	2,692,942.14
R24-17	1/18/2024	AB923 GRANT FUND TRANSFER - SEP 2023	47,126.37	0.00	2,645,815.77
R24-18	1/18/2024	AB2766 GRANT FUND TRANSFER - AUG 2023	56,084.94	0.00	2,589,730.83
R24-19	1/18/2024	AB923 GRANT FUND TRANSFER - AUG 2023	52,584.90	0.00	2,537,145.93
0000505	1/25/2024	DAILY DEPOSIT	0.00	196,624.63	2,733,770.56
Total for Report:			417,017.77	431,760.12	

Antelope Valley AQMD

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Page: 1

Bank Register from 1/01/2024 to 1/31/2024

Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000515	1/02/2024	CREDIT CARD TRANSACTION K HOVNANIAN	0.00	2,351.00	1,480,013.84
0000516	1/02/2024	CREDIT CARD TRANSACTION HOME DEPOT	0.00	610.89	1,480,624.73
0000517	1/03/2024	CREDIT CARD TRANSACTION CENTURY PLAZA CLEANERS	0.00	584.33	1,481,209.06
0000541	1/09/2024	CREDIT CARD TRANSACTION SI-FI NETWORK - DUPLICATE PAYMENT	0.00	553.99	1,481,763.05
0005479	1/11/2024	[11540] LINDE GAS & EQUIPMENT INC.-CYLINDER RENTAL 11/20/2023 - 12/20/2023	25.07	0.00	1,481,737.98
0005480	1/11/2024	[10071] QUADIENT LEASING-POSTAGE METER LEASE 01/02/24-02/01/24	77.96	0.00	1,481,660.02
0005481	1/11/2024	[10455] STRADLING YOCCA CARLSON & RAUTH-Invoices 403063, 403064	10,860.00	0.00	1,470,800.02
0005482	1/11/2024	[11402] TIME WARNER CABLE-SPECTRUM BUSINESS INTERNET 01/01/2024 - 01/31/2024	214.98	0.00	1,470,585.04
0000518	1/11/2024	CREDIT CARD TRANSACTION NORTHROP GRUMMAN - FERLITA ERC TRANSFER	0.00	519.00	1,471,104.04
0000519	1/12/2024	CREDIT CARD TRANSACTION SL&C	0.00	916.34	1,472,020.38
0000520	1/19/2024	CREDIT CARD TRANSACTION GATEWAY CLEANERS	0.00	584.33	1,472,604.71
0005483	1/25/2024	[11673] A.V. ACTION AIR INC-AIR MONITORING - MINI SPLIT	1,680.00	0.00	1,470,924.71
0005484	1/25/2024	[11646] BMO BANK N.A. - PAYMENT-CREDIT CARD 1465	610.27	0.00	1,470,314.44
0005485	1/25/2024	[11646] BMO BANK N.A. - PAYMENT-CREDIT CARD - 4950	1,322.33	0.00	1,468,992.11
0005486	1/25/2024	[10405] CANON FINANCIAL SERVICES-COPIER LEASE 01/01/2024- 01/31/2024	302.21	0.00	1,468,689.90
0005487	1/25/2024	[10019] FEDERAL EXPRESS CORPORATION-Invoices 8-284-34305, 8-321- 24152, 9-665-02919	52.78	0.00	1,468,637.12
0005488	1/25/2024	[11405] IT SOLUTIONS INTEGRATED-MONTHLY IT SERVICES JANUARY 2024	1,095.00	0.00	1,467,542.12
0005489	1/25/2024	[11512] SAMUEL OKTAY-Invoices 0116, 0117	9,163.00	0.00	1,458,379.12
0005490	1/25/2024	[10045] VERIZON BUSINESS-VOIP 01/01/2024-01/31/2024	721.62	0.00	1,457,657.50
0005491	1/25/2024	[10046] VERIZON CALIFORNIA - NJ-LONG DISTANCE 12/28/2023-01/27/2024	35.41	0.00	1,457,622.09
0005492	1/25/2024	[01107] VERIZON WIRELESS-AIR MONITORING SIM CARD 12/18/2023- 01/17/2024	40.01	0.00	1,457,582.08
0000521	1/26/2024	CREDIT CARD TRANSACTION CITY OF LANCASTER	0.00	654.00	1,458,236.08
0000522	1/29/2024	CREDIT CARD TRANSACTION NASA JIM HORN BOON KWOK	0.00	1,308.00	1,459,544.08
0000523	1/29/2024	CREDIT CARD TRANSACTION BOEING BURNS ENVIRONMENTAL	0.00	7,610.60	1,467,154.68

Antelope Valley AQMD
Bank Register from 1/01/2024 to 1/31/2024
Wells Fargo Operating

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0000524	1/31/2024	CREDIT CARD TRANSACTION HOUSE OF CUSTOM	0.00	584.33	1,467,739.01
Total for Report:			26,200.64	16,276.81	

Antelope Valley AQMD
Bank Register from 1/01/2024 to 1/31/2024
WF AB2766

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
R24-12	1/18/2024	AB2766 GRANT FUND TRANSFER - MAY 2023	0.00	58,680.41	1,164,192.49
R24-14	1/18/2024	AB2766 GRANT FUND TRANSFER - OCT 2023	0.00	50,196.11	1,214,388.60
R24-16	1/18/2024	AB2766 GRANT FUND TRANSFER - SEP 2023	0.00	50,263.10	1,264,651.70
R24-18	1/18/2024	AB2766 GRANT FUND TRANSFER - AUG 2023	0.00	56,084.94	1,320,736.64
Total for Report:			0.00	215,224.56	

Antelope Valley AQMD
Bank Register from 1/01/2024 to 1/31/2024
WF AB923

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
R24-13	1/18/2024	AB923 GRANT FUND TRANSFER - MAY 2023	0.00	55,018.38	2,126,142.89
R24-15	1/18/2024	AB923 GRANT FUND TRANSFER - OCT 2023	0.00	47,063.56	2,173,206.45
R24-17	1/18/2024	AB923 GRANT FUND TRANSFER - SEP 2023	0.00	47,126.37	2,220,332.82
R24-19	1/18/2024	AB923 GRANT FUND TRANSFER - AUG 2023	0.00	52,584.90	2,272,917.72
0001090	1/25/2024	[10884] COAST AUTO SALVAGE LLC-AB 923 GRANT ANNUAL LAWN MOWER EXCHANGE PROGRAM	3,175.00	0.00	2,269,742.72
Total for Report:			3,175.00	201,793.21	

Antelope Valley AQMD
Bank Register from 1/01/2024 to 1/31/2024
District Cards

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0080569	1/25/2024	CREDIT CARD PAYMENT -1465	0.00	610.27	2,261.88
0080570	1/25/2024	CREDIT CARD PAYMENT -4950	0.00	1,322.33	3,584.21
0000724	1/25/2024	[11024] AMAZON-Invoices 2027, 2028	379.38	0.00	3,204.83
0000725	1/25/2024	[11353] RESTAURANTS-MEETING EXPENSE	19.49	0.00	3,185.34
0000726	1/25/2024	[10611] SPUDNUT DONUTS-MEETING EXPENSE	21.70	0.00	3,163.64
0000727	1/25/2024	[11435] STORE-Invoices 2032, 2037	189.70	0.00	2,973.94
0000728	1/25/2024	[11526] EXPRESS MAPPING-PUBLIC NOTICE - KEPPEL I.C.E.	850.00	0.00	2,123.94
0000729	1/25/2024	[10581] SAM'S CLUB-Invoices 2030, 2031, 2034	200.61	0.00	1,923.33
0000730	1/25/2024	[11435] STORE-WALMART OFFICE SUPPLIES	7.72	0.00	1,915.61
0000731	1/25/2024	[10688] USPS-OFFICE SUPPLIES - STAMPS	264.00	0.00	1,651.61
Total for Report:			1,932.60	1,932.60	

The following page(s) contain the backup material for Agenda Item: Approve a Second Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 6

DATE: March 19, 2024

RECOMMENDATION: Approve a Second Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

SUMMARY: This item presents a proposed Second Amendment to the Agreement for the City of Lancaster to provide administrative and operational services for the AVAQMD; authorizes the Chairman to finalize terms and conditions of the proposed agreement; and authorize the Chairman to execute the final Agreement.

BACKGROUND: The Agreement for services between the AVAQMD and the City of Lancaster shall be for a period of five (5) years commencing on October 1, 2022 and ending on June 30, 2027, with an option to continue for two (2) more years under the same terms and conditions, unless earlier terminated, extended, or modified as provided herein. This Second Amendment Agreement will become effective as of January 1, 2024.

Staff has developed a draft agreement and legal counsel has reviewed it for matters of interest to the AVAQMD. This item includes a copy of the proposed contract.

REASON FOR RECOMMENDATION: Governing Board approval is required to enter into contracts and agreements.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel as to legal form on or about March 12, 2024.

FINANCIAL DATA: No increase in appropriation is anticipated action will not require any additional appropriation.

PRESENTER: Barbara Lods, Executive Director/APCO

**SECOND AMENDMENT TO AGREEMENT BETWEEN THE
ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
AND THE CITY OF LANCASTER**

This Second Amendment (“Second Amendment”) is made between the ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT (“AVAQMD”) AND THE CITY OF LANCASTER (“CITY”).

RECITALS

WHEREAS, AVAQMD is the local agency with the Primary responsibility for the control of air pollution from all sources other than vehicular sources within the local jurisdiction (Health & Safety Code §39002, 40000); and

WHEREAS, AVAQMD has a jurisdiction as described in Health & Safety Code §41300(b) and more particularly described in AVAQMD Rule 103; and

WHEREAS, the CITY OF LANCASTER is within the jurisdiction as described in Health & Safety Code §41300(b);

WHEREAS, the AVAQMD and the CITY have by that certain agreement dated August 24, 2022 (“Agreement”) agreed that AVAQMD will contract from the CITY certain services necessary to provide air pollution control services including human resources, staffing and fiscal administration adequate to meet the regulatory and legislated responsibilities of an air quality management district within the AVAQMD jurisdiction; and

WHEREAS, the CITY agreed to provide such services consistent with all applicable laws and regulations pursuant to the provisions of this Agreement; and

WHEREAS, the CITY and AVAQMD amended the Agreement by that certain First Amendment dated July 11, 2023; and

WHEREAS, certain changes in personnel have occurred, requiring further amendment of the Agreement; and

WHEREAS, the AVAQMD and the CITY together agree to amend the Agreement pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 of the California Government Code (commencing with §6500).

In consideration of the mutual covenants and conditions the AVAQMD and the CITY agree as follows:

TERMS AND CONDITIONS

1. **AMENDMENT TO SECTION 3.** Section 3 of the Agreement is hereby deleted in its entirety and replaced with the following:

The CITY OF LANCASTER agrees to provide the human resource, staffing and fiscal administration, as specified in “Scope of Materials and Services” (Exhibit “A”), attached and incorporated by this reference (collectively, the “Services”). The CITY OF LANCASTER and AVAQMD will mutually agree upon an annual budget for the Services based on a best estimate of the costs to provide such Services and historical data, which budget will be adopted by AVAQMD prior to the commencement of each fiscal year (“Annual Budget”). The Annual Budget will be subject to amendment in accordance with changes in the actual costs of goods and services provided by the CITY OF LANCASTER as described in Section 5(c). Exhibit A may be amended in whole or in part to reflect any changes or adjustments as directed by the actions of the governing bodies of the AVAQMD and/or the CITY OF LANCASTER. For purposes of interpretation of the scope and nature of the Services, the governing order of document precedence shall be first Exhibit A and second the current fiscal year budget for the AVAQMD, as amended.

2. **AMENDMENT TO SECTION 13.** Section 13.B of the Agreement is hereby deleted in its entirety and replaced with the following:

13. OPERATIONAL OVERSIGHT

B. Executive Director

1. The Executive Director of AVAQMD pursuant to this Amendment will be Barbara Lods, whose classification and compensation shall be as a “Director 2000, Step 3” on the CITY OF LANCASTER’s compensation and classification schedule, with a starting salary as of January 1, 2024 of \$101.97 per hour (\$17,675.30 per month).

2. The Parties acknowledge and agree that future compensation to Barbara Lods will be in accordance with the below schedule and pursuant to the CITY OF LANCASTER’s customary fiscal year employee review schedule, beginning in fiscal year 2024/2025.

City of Lancaster Title	City of Lancaster Employee Group	AVAQMD Working Title	Starting Hourly Range Steps 1-6. (City of Lancaster: Effective November 14, 2023)					
			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Director	3000	Executive Director/APCO	\$92.49	\$97.12	\$101.97	107.07	112.43	118.05

3. Any removal of Barbara Lods from the position of Executive Director pursuant to the provisions of paragraph 13.A., above, will result in her removal from employment with the CITY OF LANCASTER.

3. AMENDMENT TO EXHIBIT A. Exhibit A to the Agreement is hereby deleted in its entirety and replaced with Exhibit A hereto.

4. AMENDMENT TO EXHIBIT B.

5. EFFECTIVE DATE

This Second Amendment shall be effective January 1, 2024, for the term specified in Section 2 of the Agreement.

6. NO OTHER CHANGES

Except as amended by this Second Amendment, all provisions of the Agreement shall remain in full force and effect and shall govern the actions of the Parties.

This Agreement is executed in the City of Lancaster, County of Los Angeles.

ANTELOPE VALLEY AIR QUALITY
MANAGEMENT DISTRICT

CITY OF LANCASTER

BY: _____
Barbara Lods, APCO

BY: _____
Jason Caudle, City Manager

DATED: _____

DATED: _____

Approved as to Legal Form

**ACKNOWLEDGMENT AND CONSENT
TO SECOND AMENDMENT TO AGREEMENT BETWEEN THE
ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
AND THE CITY OF LANCASTER**

The undersigned hereby expressly acknowledges and consents to the terms of that certain Second Amendment to Agreement Between the Antelope Valley Air Quality Management District (“AVAQMD”) and the City of Lancaster (“City”) dated _____, 2024 (the “Second Amendment”), including, but not limited to:

1. That the person serving in the position of Air Pollution Control Officer (“APCO/Executive Director”) must have the full confidence of the Governing Board of the AVAQMD.
2. That the Governing Board of the AVAQMD with a 75% majority will have the right, at any time, to request the removal of the undersigned as APCO/Executive Director.
3. That as APCO/Executive Director, the undersigned is an at-will employee not entitled to due process rights pursuant to *Skelly v. State Personnel Board* (1975) 15 Cal.3d 194.

This Agreement is executed in the City of Lancaster, County of Los Angeles on this ____ day of _____, 2024.

Barbara Lods

EXHIBIT A

SCOPE OF MATERIALS AND SERVICES

The CITY OF LANCASTER agrees to provide services to the AVAQMD as specified in the Agreement, namely: provide administration and operations, adequate to meet the regulatory and legislated responsibilities of an air quality management district within the AVAQMD jurisdiction specified in Division 26 of the California Health & Safety Code (commencing with §39000). The scope of services that the CITY OF LANCASTER may provide as directed by the fiscal year budget are described below.

In the event the AVAQMD Governing Board redirects or appoints a third party to perform any of the services or functions listed herein to another party, contractor, consultant or vendor, the CITY OF LANCASTER will be relieved from any and all liabilities arising out of or connection with the performance of such services by any or all third parties from the effective date of such assignment. The AVAQMD shall indemnify and hold harmless the CITY OF LANCASTER, its agents and employees, against all liabilities arising out of or connected with the transfer of such assignment.

The CITY OF LANCASTER agrees to provide staffing for the following positions to serve in each referenced capacity on behalf of the AVAQMD operations:

City of Lancaster Title	City of Lancaster Employee Group	AVAQMD Working Title	Starting Hourly Range Steps 1-6. (City of Lancaster: Effective November 14, 2023)					
			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Director	3000	Executive Director/APCO	\$92.49	\$97.12	\$101.97	107.07	112.43	118.05
Analyst	4000	Grants Analyst	\$46.25	48.56	50.99	53.54	56.21	59.02
Senior Inspector	4000	Air Quality Specialist III	\$46.25	48.56	50.99	53.54	56.21	59.02
Inspector	4000	Air Quality Specialist I	41.62	43.70	45.89	48.18	50.59	53.12
Specialist I	4000	Office Assistant	32.37	33.99	35.69	37.48	39.35	41.32
Engineering Technician	4000	Engineer	41.62	43.70	45.89	48.18	50.59	53.12
Planner	4000	Air Quality Planner	46.25	48.56	50.99	53.54	56.21	59.02

Annually, THE CITY OF LANCASTER and the AVAQMD will amend or confirm the titles and organizational structure in concurrence with the annual budget process. The CITY OF LANCASTER will provide all benefits for the above listed personnel as it does for all other CITY OF LANCASTER employees. As such, all listed positions will be subject to amendments and changes approved by the CITY OF LANCASTER city council.

Grant Account/Management: all activities including, but not limited to, making application for available funds, soliciting projects that meet the objectives of each grant program, developing and administering contracts to ensure the grant program objectives are met; disbursing funds and performing reviews on contract performance. A portion of the CITY OF LANCASTER finance department staff will supervise and account for the grant's activity and the AVAQMD will be billed on a time and material basis for such support.

Administrative Services: all activities including, but not limited to, operations for a staffed office located in the AVAQMD jurisdiction with regular business operating hours, revenue collection and expenditure tracking, budget preparation and administration, development, implementation and maintenance of an automated system for tracking permits and permit activities, procurement and maintenance of facilities, operations and fixed assets as set forth in the annual budget, and miscellaneous expenses as identified in the annual budget. Financial and accounting services include, but are not limited to, appropriate accounting procedures to maintain bank accounts, receive and expend funds and report accordingly, and computer information systems.

Executive Services: all activities including, but not limited to services of the Air Pollution Control Officer/Executive Officer, direction and oversight of all operations of the AVAQMD, support for boards, commissions and committees, including the Governing Board and the Hearing Board.

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$38,000 in Community Air Protection Program funds to Dieseltronics Equipment Repair for the replacement of an older diesel forklift 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.

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 7

DATE: March 19, 2024

RECOMMENDATION: 1) Award an amount not to exceed \$38,000 in Community Air Protection Program funds to Dieseltronics Equipment Repair for the replacement of an older diesel forklift 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.

SUMMARY: This item awards an amount not to exceed \$38,000 in Community Air Protection Program (CAPP/AB 134) to Dieseltronics Equipment Repair for the replacement of an older diesel forklift with new, cleaner technology certified to the Final Tier 4/current emission standards.

BACKGROUND: AVAQMD received an application from Dieseltronics Equipment Repair for grant funding to replace an older diesel forklift. Applicant is compliant with the diesel off-road equipment regulation and has no regulatory requirements. Applicant proposes voluntary participation in the off-road equipment replacement program to reduce emissions by early retirement of the older, higher polluting diesel forklift. Applicant is located directly in a designated Disadvantaged Community (DAC) pursuant to CalEPA's CalEnviroScreen 4.0. Staff has evaluated the project for eligibility pursuant to the guidelines and finds the proposed project eligible for an amount up to 90% of the replacement costs. Retirement of the older polluting forklift produces an estimated 0.23 ton/yr. early emission reductions that directly benefit the DAC. Early fleet turnover provides emission reductions that help the Valley towards attainment of the national ambient air quality standards.

cc: Barbara Lods
Julie McKeehan

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 7

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REASON FOR RECOMMENDATION: Governing Board approval is needed for the use of District funds. Additionally, Governing Board authorization is needed for the Executive Director/APCO and staff to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board, as to legal form and by Barbara Lods, Executive Director/APCO on or before March 11, 2024.

FINANCIAL DATA: Funding is available from the District's Community Air Protection Program (CAPP/ AB 134) Funds.

INTERESTED PARTIES: Alex Miron

PRESENTER: Julie McKeehan, Grants Analyst

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with new, zero emissions 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.

Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 8

DATE: March 19, 2024

RECOMMENDATION: 1) Award an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with new, zero emissions 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.

SUMMARY: This item awards an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with a new, zero emissions forklift.

BACKGROUND: AVAQMD received an application from QSP Auto Salvage for grant funding to replace an older propane forklift. Applicant is compliant with the large spark-ignited equipment regulation and has no regulatory requirements. Applicant proposes voluntary participation in the off-road equipment replacement program to reduce emissions by early retirement of an older, higher polluting propane forklift and replacing it with a new, zero emissions forklift. Staff has evaluated the project for eligibility pursuant to the guidelines and finds the proposed project eligible for 80% percent toward the replacement equipment. Retirement of the older polluting forklift produces an estimated 0.06 ton/yr. early emission reductions. Early fleet turnover provides emission reductions that help the Valley towards attainment of the national ambient air quality standards.

REASON FOR RECOMMENDATION: Governing Board approval is needed for the use of District funds. Additionally, Governing Board authorization is needed for the Executive Director/APCO and staff to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board, as to legal form and by Barbara Lods, Executive Director/APCO on or before March 11, 2024.

FINANCIAL DATA: Funding is available from the District's Carl Moyer Program funds.

INTERESTED PARTIES: Marlon Martinez

PRESENTER: Julie McKeehan, Grants Analyst

cc: Barbara Lods
Julie McKeehan

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi 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/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.
Please scroll down to view the backup material.

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 9

DATE: March 19, 2024

RECOMMENDATION: 1) Award an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi 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/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.

SUMMARY: This item awards an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi of Taghavi Farms for the replacement of an older diesel tractor with new, cleaner technology certified to the Final Tier 4/current emission standards.

BACKGROUND: AVAQMD received an application from Guy Taghavi/Taghavi Farms for grant funding to replace an older diesel farm tractor. Applicant is exempt from off-road regulation due to agricultural operations and is not subject to any diesel off-road equipment regulation. Applicant proposes voluntary participation in the off-road equipment replacement program to reduce emissions by early retirement of an older, higher polluting diesel tractor and replacing it with new, cleaner diesel technology that meets the current emission standards. Staff has evaluated the project for eligibility pursuant to the guidelines and finds the proposed project eligible for 80% percent toward the replacement equipment. Retirement of the older polluting tractor produces an estimated 0.41 tons/yr. early emission reductions. Early fleet turnover provides emission reductions that help the Valley towards attainment of the national ambient air quality standards.

cc: Barbara Lods
Julie McKeehan

**MINUTES OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
LANCASTER, CALIFORNIA**

AGENDA ITEM # 9

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REASON FOR RECOMMENDATION: Governing Board approval is needed for the use of District funds. Additionally, Governing Board authorization is needed for the Executive Director/APCO and staff to negotiate and execute an agreement with the grant recipient.

REVIEW BY OTHERS: This item was reviewed by Allison E. Burns, Special Counsel to the Governing Board, as to legal form and by Barbara Lods, Executive Director/APCO on or before March 11, 2024.

FINANCIAL DATA: Funding is available from the District's Carl Moyer Program funds.

INTERESTED PARTIES: Guy Taghavi

PRESENTER: Julie McKeehan, Grants Analyst