

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, NOVEMBER 15, 2022
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
Steven Hofbauer, 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.

ALL SCHEDULED ITEMS WILL BE HEARD AT THE ANTELOPE VALLEY TRANSIT AUTHORITY (AVTA) DISTRICT OFFICE, 42210 6TH STREET WEST, LANCASTER, CA 93534 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. PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE SUBMITTED VIA EMAIL TO PUBLICCOMMENT@AVAQMD.CA.GOV AT LEAST TWO HOURS PRIOR TO THE START OF THE MEETING.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call

PUBLIC COMMENT

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.

1. Approve Minutes from Regular Governing Board Meeting of October 18, 2022.
2. Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.
3. Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.
4. Approve payments to MDAQMD in the amount of \$139,364.91 for September 2022 expenditures. Presenter: Bret Banks, Executive Director/APCO.
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 September 30, 2022. Presenter: Bret Banks, Executive Director/APCO.
6. This item adopts an amended Governing Board Policy, 02-01, "Authority of the Air Pollution Control Officer. Presenter: Bret Banks, Executive Director/APCO.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

NEW BUSINESS

7. 1) Award an amount not to exceed \$144,000 in Carl Moyer Program funds to Hemme Hay and Feed for the replacement of an older diesel off-road hay squeeze with newer, cleaner 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, and pending review by the Governing Board Chairman. Presenter: Julie McKeehan, Grants Analyst.

8. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
9. Board Member Reports and Suggestions for Future Agenda Items.
10. Adjourn to Regular Governing Board Meeting of Tuesday, December 20, 2022.

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 x22. 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: Wednesday, November 9, 2022

Adrianna Castañeda

Adrianna Castaneda

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, October 18, 2022
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
Newton Chelette, Public Member
Ron Hawkins, Los Angeles County
Steven Hofbauer, City of Palmdale
Ken Mann, City of Lancaster

Board Members Absent:

Howard Harris, Los Angeles County

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:06 a.m. Chair **CRIST** called for roll call, roll call was taken. Chair **CRIST** asked Board Member **CHELETTE** to lead the Pledge of Allegiance.

PUBLIC COMMENT

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

CONSENT CALENDAR

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

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of September, 2022.

Approved Minutes from Regular Governing Board Meeting of September 20, 2022.

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 #4 – Approve payment to MDAQMD in the amount of \$151,098.56 for August 2022 expenditures.

Presenter: Bret Banks, Executive Director/APCO.

Approved payment to MDAQMD in the amount of \$151,098.56 for August 2022 expenditures.

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 August 31, 2022. The Financial Reports for August 2022 provide pre-audit financial and budgetary performance information for the District for the period referenced.

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 August 31, 2022. The Financial Reports for August 2022 provide financial and budgetary performance information for the District for the period referenced.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #6 – This item adopts a new Governing Board Policy, 22-01, “The Antelope Valley Clean Air Fund.”

Presenter: Bret Banks, Executive Director/APCO.

Chair CRIST opened the public hearing. Bret Banks, Executive Director/APCO, presented background information and answered questions from the Board. Chair CRIST directed staff to include language in the draft policy “including but not limited to” for the events, organizations and sponsorships that can be supported by Governing Board Policy 22-01. 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 HAWKINS, seconded by Board Member HOFBAUER, and carried by the following roll call vote, with six AYES votes by Board Members, AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, RON HAWKINS, STEVEN HOFBAUER and KENN MANN, with Board Member HOWARD HARRIS absent, the Board, Adopted a new Governing Board Policy, 22-01, “The Antelope Valley Clean Air Fund.”

Agenda Item #7 – 1) Award an amount not to exceed \$30,204 in Carl Moyer Program funds to Copeland’s Cherry Ranch for the replacement of (1) older diesel utility vehicle; 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 pending review by the Governing Board Chairman.

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 BISHOP, and carried by the following roll call vote, with six AYES votes by Board Members, AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, STEVEN HOFBAUER, RON HAWKINS and KEN MANN, with Board Member HARRIS

absent, the Board, 1) Awarded an amount not to exceed \$30,204 in Carl Moyer Program funds to Copeland's Cherry Ranch for the replacement of (1) older diesel utility vehicle; 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 pending review by the Governing Board Chairman.

Agenda Item #8 – 1) Award an amount not to exceed \$24,015 in Mobile Source Emission Reductions Program (AB 923) funds to Landscape Connection Group for the replacement of (1) older gasoline riding mower; 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 pending review by the Governing Board Chairman.

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 **BISHOP**, seconded by Board Member **CHELETTE**, and carried by the following roll call vote, **with six AYES votes by Board Members, AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, RON HAWKIN, SEVEN HOFBAUER and KEN MANN**, with Board Member **HOWARD HARRIS** absent, 1) Awarded an amount not to exceed \$24,015 in Mobile Source Emission Reductions Program (AB 923) funds to Landscape Connection Group for the replacement of (1) older gasoline riding mower; 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 pending review by the Governing Board Chairman.

Agenda Item #9– Reports.

Governing Board Counsel –

- No Report.

Executive Director/APCO –

Week 3 of separation from Mojave Desert has been overall going well.

Staff –

- No report.

Agenda Item #10– Board Member Reports and Suggestions for Future Agenda Items.

- No report.

Agenda Item #11– Adjourn to Regular Governing Board Meeting of Tuesday, October 18, 2022.

Being no further business, the meeting adjourned at 10:14 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, November 15, 2022.

Item #2 – Grant Funds Project Summary

October 2022

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 "to 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: \$409,622.00

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 to remediate air pollution harms created by motor vehicles.

Funding Limits: Carl Moyer eligible projects; unregulated agriculture vehicles and equipment; school bus projects; light-duty vehicle retirement program; and alternative fuel and electric infrastructure projects.

Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$284,035.00

Carl Moyer Program

\$1,730,061.00 FY 21/22 Allocation

Carl Moyer Program (CMP) funds provide incentives 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, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$1,096,624.00

AB 134 Community Air Protection (CAP) Projects

\$855,673 FY 19/20 Allocation

The purpose of AB 134 funds is to implement projects under the Carl Moyer Program specifically for projects that meet the goals of AB 617. These funds are focused on replacing older polluting engines operating in disadvantaged and low-income communities with newer, cleaner engines prioritizing zero-emission projects. CMP funding categories include on-road heavy-duty vehicles, off-road equipment, locomotives, marine vessels, light-duty passenger vehicles, lawn mower replacement and alternative fuel infrastructure projects. Surplus emission reductions required. Subject to cost-effectiveness limit.

Current Balance: \$359,103.00



Agenda Item #3

Date: November 1, 2022

Subject: October Operations Activity Report

Permit Inspections - 81

Notices of Violation (NOV) Issued – 0

Vapor Recovery Tests Witnessed – 1

Complaints – 2

Complaint Investigations – 2

Asbestos Notifications – 15

Asbestos Project Inspections - 0

Active Companies - 277

Active Facilities - 537

Active Permits - 1138

Certificate of Occupancy/Building Permit Reviews - 3

CEQA Project Comment Letters - 21

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						
11/22/2022						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
9/26/2022	Lancaster	Collocation at existing wireless base (AT&T)	Conditional Use Permit (CUP 22-12) requesting to collocate at an existing wireless base station. This project site is located at 43651 50 th Street West (APN: 3203-016-900).	No Comment	10/17/2022	10/7/2022
9/19/2022	Palmdale	Quick Fit Study	Pre-Application 22-034 requesting to develop a commercial building totaling 8,852 square feet on 5.51 acres. This project site is located on the NWC of Avenue S and SR 14 (APN: 3004-016-032).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	10/3/2022	10/7/2022
9/19/2022	Palmdale	19 Single-family Residential Lots	Pre-Application 22-036 requesting to develop 5 acres into 19 single-family residential lots. This project site is located south of Avenue S, west of Alder Street (APN: 3051-015-018).	Rule 302-Construction Excavation DCP CARB Equipment	10/13/2022	10/7/2022
9/27/2022	Palmdale	Industrial Building	Pre-Application 22-037 for the request to construct an industrial building totaling 400 square feet for dispatching of a towing service on 1.28 acres. This project site is located east of 30th Street East, south of Avenue L (APN: 3170-017-045).	Dust Control Signage Rule 219-Permitting CARB Equipment	10/18/2022	10/7/2022
9/27/2022	Palmdale	Apartment Building	Pre-Application 22-039 for the request to construct one building totaling 20,000 square feet as an apartment building on 0.48 acres. This project site is located on the SEC of Avenue Q-12 and 11th Street East (APN: 3014-003-033).	Dust Control Signage Rule 219-Permitting CARB Equipment	10/18/2022	10/7/2022
10/12/2022	Palmdale	4 Single-family Lots	Pre-Application 22-038 requesting to subdivide one acre into four single-family lots. This project site is located south of Avenue Q on the west side of 25th Street East (APN: 3018-016-042).	Dust Control Signage Rule 219-Permitting CARB Equipment	10/19/2022	10/12/2022
10/12/2022	Palmdale	6 Commercial Buildings	Site Plan Review 22-040 requesting to construct six buildings totaling 13,425 square feet on 6.93 acres for commercial uses. This project site is located NWC of Palmdale Boulevard and Division Street (APNs: 3008-041-007 and -009).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	10/19/2022	10/12/2022
10/3/2022	Lancaster	Distribution Facility	Site Plan Review No. 21-15 requesting to construct and operate a distribution facility on approximately 68.14 acres. The project site is located at the southwest corner of Avenue G and the Antelope Valley Freeway (state Route 14) in the City of Lancaster (APN:3114-011-031).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	11/3/2022	10/13/2022

AVAQMD CEQA PROJECTS						
BOARD MEETING						
11/22/2022						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
10/12/2022	Palmdale	ARCO ampm Fac#TBD	Pre-Application 22-041 requesting to develop a 3,870 square foot building with a 6,545 fueling canopy as a commercial use on 1.07 acres. This project site is located at the southeast corner of Rancho Vista Boulevard and Division Street (APN:3006-022-025).	Rule 302-Construction Excavation DCP Rule 219-Permitting -GDF CARB Equipment	11/2/2022	10/20/2022
10/12/2022	Palmdale	Retail Center	Pre-Application 22-022 for the request to construct five commercial buildings totaling approximately 22,500 square feet on an approximately four-acre vacant parcel. This project site is located at the SEC of 10th Street West and Technology Drive (APN: 3003-079-018).	Dust Control Signage Rule 219-Permitting CARB Equipment	11/2/2022	10/20/2022
10/12/2022	Palmdale	Telecommunication Facility Upgrades	Conditional Use Permit 11-007 Time Extension, requesting a time extension for a previously approved wireless telecommunication facility. This project site is located at 906 E Avenue R (APN: 3010-024-008).	No Comment	10/26/2022	10/20/2022
10/13/2022	Lancaster	Expansion of Existing Commissary	Site Plan Review (SPR 22-13) requesting the expansion of existing commissary to include propane storage tank and dispenser food trucks, solar panels, temporary porta potty storage for local events. This project site is located at: 43061 Sierra Hwy (APN: 3128-005-035).	No Comment	11/3/2022	10/26/2022
10/12/2022	Lancaster	Truck Repair Facility	Site Plan Review (SPR 22-12) planning documents for the proposed development of a truck repair facility and modular office (phase 1), and an Industrial shell building (phase 2) on 2.32 acres. This project site is located at 5th Street East and Avenue L-1 (APN: 3126-021-021)	Dust Control Signage Rule 219-Permitting CARB Equipment	11/2/2022	10/26/2022
10/20/2022	Palmdale	8 Commercial Buildings	Site Plan Review 22-042 requesting to develop 61.1 acres with eight buildings totaling 1,625,000 square feet for industrial manufacturing, warehousing, commercial retail, restaurant, and office uses. This project site is located NWC of Rancho Vista Boulevard and Sierra Highway (APNs: 3006-027-001 through -005).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	11/10/2022	10/26/2022
10/19/2022	Lancaster	L4 Avenue Warehouse Industrial Park	Site Plan Review (SPR 22-14) requesting to develop a 217,700 square foot industrial building with secured truck yard and trailer parking on 10.56 acres. This project site is located at Avenue L-4 and Wall Street in the city of Lancaster, CA (APNs: 3128-007-015 & 3128-007-024).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	11/9/2022	10/26/2022

AVAQMD CEQA PROJECTS						
BOARD MEETING						
11/22/2022						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
10/11/2022	Lancaster	Distribution Facility	Site Plan Review No. 21-15 requesting to construct and operate a distribution facility on approximately 68.14 acres. The main building is 1,240,630 square feet of warehouse and 20,000 square feet of office. This project site is located at the southwest corner of Avenue G and the Antelope Valley Freeway (State Route 14) in the City of Lancaster (APN: 3114-011-031).	Rule 302-Construction Excavation DCP Rule 219-Permitting CARB Equipment	11/10/2022	10/26/2022
10/19/2022	Lancaster	Cannabis Facility	Conditional Use Permit (CUP 22-13) requesting to construct and operate a proposed cannabis facility on approximately 4.41 acres. The project site is located at 42349 5th Street East in the City of Lancaster (APN: 3126-019-026).	Rule 302-Construction Excavation Cannabis Odor Control Plan DCP Rule 219-Permitting CARB Equipment	11/9/2022	10/26/2022
10/19/2022	Lancaster	Cannabis Facility: Proud Source LLC and SG Proud Source LLC	Conditional Use Permit (CUP 22-14) requesting to construct and operate a proposed cannabis facility on approximately 2 acres. The project site is located at 42336 5th Street East in the City of Lancaster (APN: 3126-016-041).	Rule 302-Construction Excavation Rule 1403-Asbestos Cannabis Odor Control Plan DCP Rule 219-Permitting CARB Equipment	11/10/2022	10/26/2022
10/20/2022	Lancaster	2 Lots	Tentative Parcel Map 83994 (attached to SPR 22-11) requesting to subdivide existing parcel into 2 lots on 11.83 acres. This project site is located at Forbes Street & Market Street (APN:3128-008-009).	Rule 302-Construction Excavation DCP-TTM Rule 219-Permitting CARB Equipment	11/10/2022	10/26/2022
10/26/2022	Lancaster	Tentative Tract Map 62321	Tentative Tract Map (TTM 62321). The proposed project consists of the subdivision of approximately 19.93 gross acres for the construction and occupancy of 78 single-family dwelling. The project site is located at Lancaster Blvd and 25th Street East in the City of Lancaster (APNs: 3150-024-008 and 3150-024-009).	Rule 302-Construction Excavation DCP-TTM Rule 219-Permitting CARB Equipment	11/16/2022	10/27/2022
10/26/2022	Lancaster	Tentative Tract Map 62478	Tentative Tract Map (TTM 62478) cross reference PR 22-26. The proposed project consists of the subdivision of approximately 19.8 gross acres for the construction and occupancy of 74 single-family dwelling. The project site is located on the SEC 35th Street East and Avenue I in the City of Lancaster (APNs: 3150-003-001 and 3150-003-002).	Rule 302-Construction Excavation DCP-TTM Rule 219-Permitting CARB Equipment	11/16/2022	10/27/2022

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

AGENDA ITEM #4

DATE: November 15, 2022

RECOMMENDATION: Approve payments to MDAQMD in the amount of \$139,364.91 for September 2022 expenditures.

SUMMARY: The District contracts for services with MDAQMD; an invoice for services is presented for payment.

BACKGROUND: Key Expenses: Staffing expenses of \$121,312.79.

The AVAQMD contracts with the MDAQMD for essential executive, administrative, fiscal, engineering, and air monitoring services.

REASON FOR RECOMMENDATION: The AVAQMD Governing Board must authorize all payments to the MDAQMD.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form; and by Bret Banks, Executive Director/APCO, on or before September 30, 2022.

FINANCIAL DATA: The contract and direct expenditure amounts are part of the approved District budget for FY23. No change in appropriations is anticipated as a result of the approval of this item.

PRESENTER: Bret Banks, Executive Director/APCO



Mojave Desert AQMD
 14306 Park Avenue
 Victorville, CA 92392
 760.245.1661

Due Date **DUE UPON RECEIPT**
 Invoice Date **9/30/2022**
 Invoice Number **43522**

INVOICE

Bill To :
ANTELOPE VALLEY AQMD 43301 DIVISION ST. SUITE 206 LANCASTER, CA 93535
Company ID 10193

FY22 - September 2022		Amount
Program Staff	Program Staff	121,312.79
OVERHEAD	OVERHEAD	17,114.99
Professional Services	Professional Services	15.11
Office Expenses	Office Expenses -	922.02
<p>TO INSURE PROPER CREDIT - PLEASE INCLUDE A COPY OF THE INVOICE WITH YOUR PAYMENT</p> <p>FOR CREDIT CARD PAYMENTS PLEASE VISIT www.mdaqmd.ca.gov</p>		
		Invoice Total 139,364.91
MAKE CHECKS PAYABLE TO MOJAVE DESERT AQMD		Amount Paid 0.00
PLEASE INCLUDE THE INVOICE NUMBER ON THE CHECK		Balance Due 139,364.91

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

AGENDA ITEM #5

DATE: November 15, 2022

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 September 30, 2022.

BACKGROUND: The Financial Reports for September 2022 provide pre-audit financial and budgetary performance information for the District for the period referenced.

BALANCE SHEET. The balance sheet summarizes the District's pre-audit financial position on September 30, 2022.

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 September is 25%.

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 (MDAQMD) and passed through to the District including salaries. *Report Recap* consolidates both reports.

BANK REGISTERS. This report details the Districts bank activity.

REASON FOR RECOMMENDATION: Receive and file.

REVIEW BY OTHERS: This item was reviewed by Allison Burns, Special Counsel as to legal form and by Bret Banks, Executive Director/APCO (AVAQMD) on or about September 30, 2022.

PRESENTER: Bret Banks, Executive Director/APCO.

Antelope Valley AQMD
Balance Sheet - Governmental Funds
As of September 30, 2022

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	4,118,453.67	963,561.99	1,750,500.02	2,354,955.61	9,187,471.29
Cash Held For Other Fund	(541,123.07)	38,826.86	2,296.21	500,000.00	0.00
Receivables	249,780.87	0.00	0.00	0.00	249,780.87
Pre-Paid	17,359.64	0.00	0.00	0.00	17,359.64
Total Current Assets	3,844,471.11	1,002,388.85	1,752,796.23	2,854,955.61	9,454,611.80
Total Assets	3,844,471.11	1,002,388.85	1,752,796.23	2,854,955.61	9,454,611.80
Liabilities and Net Position					
Current Liabilities					
Payables	468,104.89	0.00	0.00	41,790.15	509,895.04
Due to Others	(936.00)	0.00	0.00	0.00	(936.00)
Unearned Revenue	950,227.21	0.00	0.00	2,784,917.64	3,735,144.85
Total Current Liabilities	1,417,396.10	0.00	0.00	2,826,707.79	4,244,103.89
Restricted Fund Balance	0.00	1,020,598.85	1,757,311.23	28,247.82	2,806,157.90
Cash Reserves	1,000,000.00	0.00	0.00	0.00	1,000,000.00
Unassigned Fund Balance	1,549,632.96	0.00	0.00	0.00	1,549,632.96
Pre-Paid	1,378.50	0.00	0.00	0.00	1,378.50
Change in Net Position	(123,936.45)	(18,210.00)	(4,515.00)	0.00	(146,661.45)
Total Liabilities & Net Position	3,844,471.11	1,002,388.85	1,752,796.23	2,854,955.61	9,454,611.80

Antelope Valley AQMD
Statement of Revenues & Expenditures
For the Period Ending September 30, 2022

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>
Revenues					
Application and Permit Fees	156,587.29	0.00	0.00	0.00	156,587.29
AB 2766 and Other Program Revenues	0.00	0.00	0.00	0.00	0.00
Fines	24,216.55	0.00	0.00	0.00	24,216.55
Investment Earnings	0.00	0.00	0.00	0.00	0.00
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	180,803.84	0.00	0.00	0.00	180,803.84
Expenditures					
Program Staff	129,620.29	0.00	0.00	0.00	129,620.29
Services and Supplies	31,412.42	1,760.00	390.00	0.00	33,562.42
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	161,032.71	1,760.00	390.00	0.00	163,182.71
Excess Revenue Over (Under) Expenditures	19,771.13	(1,760.00)	(390.00)	0.00	17,621.13

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 9/30/2022

00 District Wide

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	188,215.67	423,065.66	1,199,200.00	(0.35)
Programs	70.00	280.00	3,755,106.00	0.00
Application Fees	1,423.00	8,499.00	32,500.00	(0.26)
State Revenue	0.00	0.00	1,446,315.00	0.00
Federal Revenue	0.00	0.00	63,982.00	0.00
Fines & Penalties	380.55	14,549.54	10,000.00	(1.45)
Interest Earned	0.00	3,636.55	44,602.00	(0.08)
Adjustments to Revenue	(9,285.38)	(9,285.38)	0.00	0.00
Total Revenues	180,803.84	440,745.37	6,551,705.00	(0.07)
Expenses				
Office Expenses	4,078.07	37,496.24	131,561.00	0.29
Communications	2,675.04	7,415.32	35,870.00	0.21
Vehicles	2,197.16	4,444.66	15,930.00	0.28
Program Costs	2,150.00	43,301.20	4,119,978.00	0.01
Travel	0.00	852.47	16,650.00	0.05
Professional Services				
Payroll Contract	0.00	0.00	1,000.00	0.00
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	0.00	25,000.00	0.00
Stipends	400.00	1,500.00	8,400.00	0.18
Maintenance & Repairs	0.00	0.00	7,000.00	0.00
Non-Depreciable Inventory	560.20	560.20	10,500.00	0.05
Dues & Subscriptions	0.00	1,300.00	21,100.00	0.06
Legal	4,301.50	6,580.50	79,000.00	0.08
Miscellaneous Expense	70.35	76.18	2,900.00	0.03
Capital Expenditures	0.00	41,060.42	50,000.00	0.82
Total Expenses	16,432.32	144,587.19	4,530,889.00	0.03
Program Staff				
Excess Revenue Over (Under) Expenditures	164,371.52	296,158.18	2,020,816.00	(0.15)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 9/30/2022

10 Contracted Services

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
<u>Revenues</u>				
<u>Expenses</u>				
Office Expenses	0.00	10.46	1,200.00	0.01
Professional Services				
Payroll Contract	15.11	56.49	250.00	0.23
Financial Audit & Actuarial Svcs	17,114.99	53,474.37	264,500.00	0.20
Total Expenses	17,130.10	53,541.32	265,950.00	0.20
<u>Program Staff</u>				
Program Staff	129,620.29	389,278.31	1,800,000.00	0.22
Total Program Staff	129,620.29	389,278.31	1,800,000.00	0.22
Excess Revenue Over (Under) Expenditures	(146,750.39)	(442,819.63)	(2,065,950.00)	(0.21)

Antelope Valley AQMD
Statement of Activity - MTD, MTM and YTD
For 9/30/2022

Report Recap

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
Revenues				
Permitting	188,215.67	423,065.66	1,199,200.00	(0.35)
Programs	70.00	280.00	3,755,106.00	0.00
Application Fees	1,423.00	8,499.00	32,500.00	(0.26)
State Revenue	0.00	0.00	1,446,315.00	0.00
Federal Revenue	0.00	0.00	63,982.00	0.00
Fines & Penalties	380.55	14,549.54	10,000.00	(1.45)
Interest Earned	0.00	3,636.55	44,602.00	(0.08)
Adjustments to Revenue	(9,285.38)	(9,285.38)	0.00	0.00
Total Revenues	180,803.84	440,745.37	6,551,705.00	(0.07)
Expenses				
Office Expenses	4,078.07	37,506.70	132,761.00	0.28
Communications	2,675.04	7,415.32	35,870.00	0.21
Vehicles	2,197.16	4,444.66	15,930.00	0.28
Program Costs	2,150.00	43,301.20	4,119,978.00	0.01
Travel	0.00	852.47	16,650.00	0.05
Professional Services				
Payroll Contract	15.11	56.49	1,250.00	0.05
Financial Audit & Actuarial Svcs	17,114.99	53,474.37	264,500.00	0.20
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	0.00	25,000.00	0.00
Stipends	400.00	1,500.00	8,400.00	0.18
Maintenance & Repairs	0.00	0.00	7,000.00	0.00
Non-Depreciable Inventory	560.20	560.20	10,500.00	0.05
Dues & Subscriptions	0.00	1,300.00	21,100.00	0.06
Legal	4,301.50	6,580.50	79,000.00	0.08
Miscellaneous Expense	70.35	76.18	2,900.00	0.03
Capital Expenditures	0.00	41,060.42	50,000.00	0.82
Total Expenses	33,562.42	198,128.51	4,796,839.00	0.04
Program Staff				
Program Staff	129,620.29	389,278.31	1,800,000.00	0.22
Total Program Staff	129,620.29	389,278.31	1,800,000.00	0.22
Excess Revenue Over (Under) Expenditures	17,621.13	(146,661.45)	(45,134.00)	(3.25)

Antelope Valley AQMD
Bank Register from 9/01/2022 to 9/30/2022
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>
0004961	9/01/2022	[00143] 7-ELEVEN, INC-Refund: Refund AB2588	70.00	0.00	581,419.47
0004962	9/01/2022	[11508] ALUMA TOWER COMPANY, INC-T-135 TOWER 32'	6,979.12	0.00	574,440.35
0004963	9/01/2022	[10996] ANTELOPE VALLEY EDGE-DIRECTOR FEE FY 22/23	300.00	0.00	574,140.35
0004964	9/01/2022	[11405] IT SOLUTIONS INTEGRATED-AUGUST MONTHLY IT SERVICE	885.00	0.00	573,255.35
0004965	9/01/2022	[02603] LITTLE ROCK COMMUNITY GAS STATION-Refund: Refund AB2588	70.00	0.00	573,185.35
0004966	9/01/2022	[02637] LOS ANGELES COUNTY DEVELOPMENT AUTHORITY-Refund: Refund AB2588	70.00	0.00	573,115.35
0004967	9/01/2022	[00352] PILOT TRAVEL CENTER-Refund: Refund AB2588	70.00	0.00	573,045.35
0004968	9/01/2022	[02631] PMM COLLECTIVE HOLDINGS LLC-Refund: Refund AB2588	70.00	0.00	572,975.35
0004969	9/01/2022	[10036] SECURA COM INC-QUARTERLY ALARM MONITORING	116.85	0.00	572,858.50
0004970	9/01/2022	[02701] SHAMSIAN HOLDING LLC-Refund: Refund AB2588	70.00	0.00	572,788.50
0004971	9/01/2022	[00069] SOUTHERN CALIFORNIA EDISON-ELECTRICAL SERVICE 7/14/2022 -8/11/2022	404.52	0.00	572,383.98
0004972	9/01/2022	[02051] US CORNERSTONE-Refund: Refund AB2588	70.00	0.00	572,313.98
0004973	9/01/2022	[01234] WESTSIDE UNION SCHOOL DISTRICT-Refund: Refund AB2588	70.00	0.00	572,243.98
0004974	9/01/2022	[11259] WEX BANK-FUEL PURCHASES 08/2022	1,172.82	0.00	571,071.16
0004975	9/01/2022	[10050] WOELFL FAMILY TRUST-Lease Payment - September 2022	4,968.38	0.00	566,102.78
0000403	9/02/2022	CREDIT CARD TRANSACTION RAWLINGS MECHANICAL T-MOBILE LLC	0.00	2,124.84	568,227.62
0000001	9/06/2022	Credit Card Transactions Unknown DCP Applicant	0.00	661.00	568,888.62
0000001	9/06/2022	Credit Card Transactions Applicant - Lockheed Martin Asbestos	0.00	2,340.00	571,228.62
0000001	9/09/2022	Credit Card Transactions Burns Environmental ICC - Boeing	0.00	904.00	572,132.62
0000001	9/12/2022	Credit Card Transactions Palmdale Water District	0.00	7,423.00	579,555.62
0000001	9/12/2022	EFT Transactions BYD Coach & Bus	0.00	7,436.94	586,992.56
R23-05	9/14/2022	Operating Fund Replenishment #4	0.00	276,835.56	863,828.12
0000001	9/14/2022	Credit Card Transactions Athiva Services	0.00	244.00	864,072.12
0004976	9/22/2022	[10006] BANK OF THE WEST-CREDIT CARD - 8190 8/10/22-9/09/22	648.21	0.00	863,423.91
0004977	9/22/2022	[10405] CANON FINANCIAL SERVICES-COPIER LEASE 8/01/2022 - 8/31/2022	308.56	0.00	863,115.35
0004978	9/22/2022	[10016] COUNTY OF LOS ANGELES-Invoices , ,	70.35	0.00	863,045.00
0004979	9/22/2022	[11511] JOEL S CRAIG-AIR MONITORING SERVICES FOR AUGUST 2022	1,047.50	0.00	861,997.50
0004980	9/22/2022	[10071] QUADIENT LEASING-METER LEASING9/2/22-10/1/22	78.17	0.00	861,919.33
0004981	9/22/2022	[00069] SOUTHERN CALIFORNIA EDISON-ELECTRICITY SERVICE 8/12/22 - 9/12/22	408.55	0.00	861,510.78
0004982	9/22/2022	[10592] SPECTRUM BUSINESS-FIBER 9/08/2022-10/07/2022	770.00	0.00	860,740.78

Antelope Valley AQMD
Bank Register from 9/01/2022 to 9/30/2022
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>
0004983	9/22/2022	[10455] STRADLING YOCCA CARLSON & RAUTH-LEGAL SERVICES FOR JULY 2022	1,572.00	0.00	859,168.78
0004984	9/22/2022	[10483] STREAMLINE-WEB HOSTING 9/1/22-10/1/22	200.00	0.00	858,968.78
0004985	9/22/2022	[11402] TIME WARNER CABLE-SPECTRUM BUSINESS INTERNET 9/01/22-9/30/22	429.96	0.00	858,538.82
0004986	9/22/2022	[10045] VERIZON BUSINESS-VOIP 9/01/2022-9/30/2022	390.08	0.00	858,148.74
0000001	9/22/2022	EFT Transactions Northrop Grumman	0.00	1,384.00	859,532.74
0000001	9/22/2022	Credit Card Transactions North American Recycling	0.00	551.00	860,083.74
0000001	9/23/2022	Credit Card Transactions Caliber Collision	0.00	531.21	860,614.95
0004965	9/27/2022	[02603] LITTLE ROCK COMMUNITY GAS STATION-Refund: Refund AB2588	0.00	70.00	860,684.95
0004713	9/27/2022	[10054] KENNETH MANN-Attendance Governing Board Meeting Tuesday, December 21, 2021.	0.00	100.00	860,784.95
0004737	9/27/2022	[01707] CVS PHARMACY-Refund: Invoices 30387, 4923	0.00	358.22	861,143.17
0004738	9/27/2022	[01176] FERRELLGAS, INC - FERRELLGAS, INC-Refund: Duplicate Payment of Invoice AV3785	0.00	800.04	861,943.21
0004793	9/27/2022	[00954] US FEDERAL AVIATION ADMINISTRATION-Refund: Invoice AV5588	0.00	145.04	862,088.25
Total for Report:			21,310.07	301,908.85	

Antelope Valley AQMD
Bank Register from 9/01/2022 to 9/30/2022
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>
0000403	9/06/2022	DAILY DEPOSIT	0.00	7,648.67	2,075,075.74
R23-05	9/14/2022	Operating Fund Replenishment #4	276,835.56	0.00	1,798,240.18
0000001	9/15/2022	DAILY DEPOSIT	0.00	41,741.77	1,839,981.95
0000001	9/21/2022	Daily Deposit	0.00	164,074.54	2,004,056.49
0000001	9/29/2022	Daily Deposit	0.00	540,052.84	2,544,109.33
Total for Report:			276,835.56	753,517.82	

Antelope Valley AQMD
Bank Register from 9/01/2022 to 9/30/2022
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>
0022617	9/01/2022	[11509] JOSE A DUENAS-AB2766 GRANT	500.00	0.00	965,821.99
0022618	9/01/2022	[11510] ROBERT ALLEN MAY-AB 2766 GRANT	500.00	0.00	965,321.99
0022619	9/22/2022	[10884] COAST AUTO SALVAGE-AB 2766 LAWN AND GARDEN EXCHANGE PROGRAM	760.00	0.00	964,561.99
0022620	9/22/2022	[11513] ANDY DUARTE-AB 2766 GRANT	500.00	0.00	964,061.99
0022621	9/22/2022	[11514] MARIA LUISA LIWANAG-AB 2766 GRANT	500.00	0.00	963,561.99
Total for Report:			2,760.00	0.00	

Antelope Valley AQMD
Bank Register from 9/01/2022 to 9/30/2022
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>
0001061	9/22/2022	[10884] COAST AUTO SALVAGE-AB 923 GRANT LAWN AND GARDEN EXCHANGE PROGRAM	390.00	0.00	1,750,500.02
Total for Report:			390.00	0.00	

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

AGENDA ITEM #6

DATE: November 15, 2022

RECOMMENDATION: Approve amendment of Governing Board Policy 02-01
AUTHORITY OF THE AIR POLLUTION CONTROL OFFICER and direct staff actions.

SUMMARY: This item removes reference to MDAQMD, amends the Executive Director/APCO spending authority and directs staff action.

BACKGROUND: Review of District policies is necessary to ensure that the policies conform to legal standards and current procedures. This encourages the policy documents to be kept up to date and aims to eliminate losses, minimize losses and permits better management.

REASON FOR RECOMMENDATION: The action is necessary to give authority to the APCO/Executive Director to approve and expend Districts funds within the allowed limit to ensure the successful operation of the District.

REVIEW BY OTHERS: This item was reviewed by Bret Banks, Executive Director on or before November 2, 2022.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Bret Banks, Executive Director/APCO

GOVERNING BOARD POLICY

Antelope Valley Air Quality Management District

Policy No.: 02-01

Amended xx/xx/xxxx

Marvin Crist
Governing Board Chair

Bret S. Banks
Executive Director/APCO

SUBJECT: AUTHORITY OF THE AIR POLLUTION CONTROL OFFICER

POLICY:

It is the policy of the Governing Board of the Antelope Valley Air Quality Management District (District) to delegate to the Executive Director/APCO management authority as set forth herein. ~~Nothing in this policy shall be considered an amendment of any agreement between the District and its contractor, Mojave Desert Air Quality Management District (MDAQMD). In the case of a conflict, the terms of the Agreement shall take precedence.~~

AMPLIFICATION OF POLICY:

The Governing Board delegates to the APCO:

1. The authority to make management decisions in conformity with policies established by the Board.
2. The authority to manage District financial operations and expend District funds in conformity with the District budget as adopted by the Board. The budget shall be proposed by the APCO in a form and at a level of detail determined by the Board. Upon Board adoption of the budget, the APCO shall have:
 - a. The authority to transfer funds within major budget categories.
 - b. The authority to expend District funds for capital replacement and improvement projects up to the limits established for each project in the budget.
 - c. The authority to expend District funds for contracts, claims and/or expenses not exceeding \$25,000 for specifically budgeted non-emergency items.
 - d. The authority to expend District funds for contracts, claims and/or expenses not exceeding \$25,000 for unbudgeted non-emergency items if funds are available.
3. The authority to review budget revenue and expenditure monthly on behalf of the Board and present a report to the Board at periodic intervals, but not less than once every three months. However, in the event revenues or expenditures materially vary from the budget, the APCO shall inform the Board and propose corrective action at the earliest opportunity.

4. In the event of an emergency, the authority to determine that an emergency exists that adversely affects the ability of the District to perform its services, puts District personnel or property in jeopardy, or may jeopardize the health and safety of the community and its residents:
 - a. The APCO shall take whatever steps and expend whatever funds he or she deems necessary to meet the emergency.
 - b. The APCO shall inform the Board of the emergency and the steps he or she has taken and expenditures that have been incurred at the earliest opportunity.
5. The authority, ~~within the scope of the contract with the MDAQMD,~~ to hire, dismiss, make assignments, direct, supervise, and/or assist employees and independent contractors to ensure the successful operation of the District.
6. Property Rights
 - a) Real Property. The authority to accept, on behalf of the District, easements and similar real property rights and interests required for effective performance of the District's legitimate functions. The Board reserves to itself the sole authority to convey real property or real property rights.
 - b) Other Property: The Governing Board delegates to the APCO or his or her duly appointed designee the authority to declare surplus and dispose of other District Property valued at less than \$1,000 (depreciated value) and to arrange for the recycle or disposal of such property in a manner such that District liability is minimized, District information is protected, and applicable laws are followed. The APCO or his or her designee shall present a report detailing surplus property and manner of disposition to the Board at periodic intervals, but not less than once every six months if property has been disposed of during that period.
7. The authority to carry out District management objectives and plans as approved by the Board.

The Governing Board recognizes that there are management areas in addition to those enumerated herein, which may require further delineation of management authority.

Approved as to Legal Form

Allison Burns, Special Counsel

Revision History:

Adopted: January 15, 2002

Amended: March 16, 2004

Last Review: February 17, 2015

GOVERNING BOARD POLICY

Antelope Valley Air Quality Management District

Policy No.: 02-01

Amended 11/15/2022

Marvin Crist

Governing Board Chair

Bret S. Banks

Executive Director/APCO

SUBJECT: AUTHORITY OF THE AIR POLLUTION CONTROL OFFICER

POLICY:

It is the policy of the Governing Board of the Antelope Valley Air Quality Management District (District) to delegate to the Executive Director/APCO management authority as set forth herein.

AMPLIFICATION OF POLICY:

The Governing Board delegates to the APCO:

1. The authority to make management decisions in conformity with policies established by the Board.
2. The authority to manage District financial operations and expend District funds in conformity with the District budget as adopted by the Board. The budget shall be proposed by the APCO in a form and at a level of detail determined by the Board. Upon Board adoption of the budget, the APCO shall have:
 - a. The authority to transfer funds within major budget categories.
 - b. The authority to expend District funds for capital replacement and improvement projects up to the limits established for each project in the budget.
 - c. The authority to expend District funds for contracts, claims and/or expenses not exceeding \$25,000 for specifically budgeted non-emergency items.
 - d. The authority to expend District funds for contracts, claims and/or expenses not exceeding \$25,000 for unbudgeted non-emergency items if funds are available.
3. The authority to review budget revenue and expenditure monthly on behalf of the Board and present a report to the Board at periodic intervals, but not less than once every three months. However, in the event revenues or expenditures materially vary from the budget, the **APCO** shall inform the Board and propose corrective action at the earliest opportunity.
4. In the event of an emergency, the authority to determine that an emergency exists that adversely affects the ability of the District to perform its services, puts District personnel or property in jeopardy, or may jeopardize the health and safety of the community and its

residents:

- a. The APCO shall take whatever steps and expend whatever funds he or she deems necessary to meet the emergency.
 - b. The APCO shall inform the Board of the emergency and the steps he or she has taken and expenditures that have been incurred at the earliest opportunity.
5. The authority to hire, dismiss, make assignments, direct, supervise, and/or assist employees and independent contractors to ensure the successful operation of the District.
 6. Property Rights
 - a) Real Property. The authority to accept, on behalf of the District, easements and similar real property rights and interests required for effective performance of the District's legitimate functions. The Board reserves to itself the sole authority to convey real property or real property rights.
 - b) Other Property: The Governing Board delegates to the APCO or his or her duly appointed designee the authority to declare surplus and dispose of other District Property valued at less than \$1,000 (depreciated value) and to arrange for the recycle or disposal of such property in a manner such that District liability is minimized, District information is protected, and applicable laws are followed. The APCO or his or her designee shall present a report detailing surplus property and manner of disposition to the Board at periodic intervals, but not less than once every six months if property has been disposed of during that period.
 7. The authority to carry out District management objectives and plans as approved by the Board.

The Governing Board recognizes that there are management areas in addition to those enumerated herein, which may require further delineation of management authority.

Approved as to Legal Form

Allison Burns, Special Counsel

Revision History:

Adopted: January 15, 2002

Amended: March 16, 2004

Last Review: February 17, 2015

Amended November 15, 2022

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

AGENDA ITEM #7

DATE: November 15, 2022

RECOMMENDATION: 1) Award an amount not to exceed \$144,000 in Carl Moyer Program funds to Hemme Hay and Feed for the replacement of an older diesel off-road hay squeeze with newer, cleaner 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, and pending review by the Governing Board Chairman.

SUMMARY: This item awards an amount not to exceed \$144,000 of Carl Moyer Program funds to Hemme Hay and Feed for the replacement of (1) older diesel off-road hay squeeze for (1) new diesel off-road hay squeeze certified to the Tier 4 emission standards.

BACKGROUND: AVAQMD received an application from Hemme Hay and Feed requesting grant funding towards retirement and replacement of (1) older diesel off-road hay squeeze for (1) new diesel off-road hay squeeze. Hemme Hay and Feed proposes voluntary participation in the Carl Moyer Program to reduce emissions by early retirement of older diesel agricultural equipment for new, cleaner diesel technology that meets the current Tier 4 emission standards. Staff has evaluated the proposed project and finds it eligible for a maximum of 54.4% percent of the replacement costs for a 3-year project life. Early fleet turnover with cleaner technologies provides emission reductions that help the Valley towards attainment of the national ambient air quality standards.

REASON FOR RECOMMENDATION: Governing Board approval is needed to fund Carl Moyer projects. 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 Bret Banks, Executive Director/APCO – Antelope Valley Operations on or before October 31, 2022.

FINANCIAL DATA: Sufficient funds are available in the District's Carl Moyer Program funds.

PRESENTER: Julie McKeehan, Grants Analyst

cc: Bret Banks
Barbara Lods
Julie McKeehan