

# **Antelope Valley Air Quality Management District Governing Board Regular Meeting**

## **Agenda**

### **LOCATION**

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

**TUESDAY, JUNE 21, 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

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

**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 May 17, 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 \\$155,415.76 for April 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 April 30, 2022. The Financial Reports for April 2022 provide financial and budgetary performance information for the District for the period referenced. Presenter: Bret Banks, Executive Director/APCO.](#)
6. [1\) Authorize the acceptance of AB 197 Emission Inventory District Grant Program Funding; 2\) Accept the terms and conditions for the funds; and 3\) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and carry out related activities to meet the requirements of AB 197. Presenter: Julie McKeehan, Grants Analyst.](#)
7. [Amend Governing Board Procedural Rules to change the District Office location address to 2551 W Avenue H, Lancaster, CA 93536. Presenter: Bret Banks, Executive Director.](#)
8. [Reappoint Newton Chelette as the Public Member on the Governing Board of the Antelope Valley Air Quality Management District \(AVAQMD\) for a two-year term. Presenter: Bret Banks, Executive Director.](#)

**ITEMS FOR DISCUSSION**

DEFERRED ITEMS

NEW BUSINESS

9. Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2022-23: a. Re-Open the continued public hearing; b. Receive supplemental staff report and/or staff update; c. Receive public testimony; d. Close public hearing; e. Adopt a resolution approving and adopting the budget for FY 2022-2023. Presenter: Laquita Cole, Finance Manager.
10. 1) Award an amount not to exceed \$27,132 of Mobile Source Emission Reductions Program (AB 923) funds to Jeovany Herrera Farms to replace an older diesel-powered farm tractor with 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.
11. Reports: Governing Board Counsel, Executive Director/APCO, Staff.
12. Board Member Reports and Suggestions for Future Agenda Items.
13. Adjourn to Regular Governing Board Meeting of Tuesday, July 19, 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](http://www.avaqmd.ca.gov) or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at [dhernandez@mdaqmd.ca.gov](mailto:dhernandez@mdaqmd.ca.gov) .

**Mailed & Posted on: Tuesday, June 14, 2022**

*Deanna Hernandez*

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of May 17, 2022.](#)

Please scroll down to view the backup material.

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD MEETING  
TUESDAY, MAY 17, 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  
Howard Harris, Los Angeles County  
Ron Hawkins, Los Angeles County  
Steven Hofbauer, City of Palmdale  
Ken Mann, City of Lancaster

Board Members Absent:

**CALL TO ORDER**

Chair **CRIST** called the meeting to order at 10:00 a.m. Chair **CRIST** called for roll call, roll call was taken. Chair **CRIST** asked Board Member **BISHOP** 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 **HOFBAUER**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, on the Consent Calendar, as follows:

**Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of April 19, 2022.**  
**Approved** Minutes from Regular Governing Board Meeting of April 19, 2022.

**Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.**  
Presenter: Bret Banks, Executive Director/APCO.  
**Received and Filed** Monthly Grand 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 \$149,750.64 for March 2022 expenditures.**

Presenter: Bret Banks, Executive Director/APCO.

**Approved** payment to MDAQMD in the amount of \$149,750.64 for March 2022 expenditures.

**Agenda Item #5 – Receive and file the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at March 31, 2022.**

Presenter: Bret Banks, Executive Director/APCO.

**Received and filed** the Financial Report. The Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at March 31, 2022.

**Agenda Item #6 – 1) Authorize the District to participate in the FARMER Program’s Shared Allocation Pool (SAP); and 2) Authorize the Executive Director/APCO and staff to negotiate, sign, and amend as needed, agreements and contracts related to administration and implementation of the FAMER SAP Master Agreement, approved as to legal form by the Office of District Counsel.**

Presenter: Julie McKeehan, Grants Analyst.

1) **Authorized** the District to participate in the FARMER Program’s Shared Allocation Pool (SAP); and 2) **Authorized** the Executive Director/APCO and staff to negotiate, sign, and amend as needed, agreements and contracts related to administration and implementation of the FAMER SAP Master Agreement, approved as to legal form by the Office of District Counsel.

**Agenda Item #7 – 1) Allocate an amount not to exceed \$166,550 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of Public Transit Rideshare Programs in the Antelope Valley; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel.**

Presenter: Julie McKeehan, Grants Analyst.

1) **Allocated** an amount not to exceed \$166,550 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of Public Transit Rideshare Programs in the Antelope Valley; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel.

**Agenda Item #8 – Ratification of Board Chairman’s determination pursuant to Government Code section 54953(e)(3) finding state or local officials continue to impose or recommend measures to promote social distancing. Adopt a resolution reaffirming the local Declaration of Emergency as adopted on April 27, 2020; ratifying the proclamation of a State of Emergency by the Governor on March 4, 2020; and authorizing remote teleconference meetings of the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) for the period of May 17, 2022 through June 17, 2022 pursuant to provisions of the Brown Act.**

Presenter: Bret Banks, Executive Director/APCO.

**Ratified** the Board Chairman’s determination pursuant to Government Code section 54953(e)(3) finding state or local officials continue to impose or recommend measures to promote social distancing. **Adopted** a resolution reaffirming the local Declaration of Emergency as adopted on April 27, 2020; ratifying the proclamation of a State of Emergency by the Governor on March 4, 2020; and **authorized** remote teleconference meetings of the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) for the period of May 17, 2022 through June 17, 2022 pursuant to provisions of the Brown Act.

**ITEMS FOR DISCUSSION****DEFERRED ITEMS**

None.

**NEW BUSINESS****Agenda Item #9 – Conduct Public Hearing to consider the proposed AVAQMD Budget for FY 2022-23: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Continue to the meeting of June 21, 2022 for adoption.**

Presenter: Laquita Cole, Finance Manager.

Chair CRIST opened the public hearing. Laquita Cole, Finance Manager, Bret Banks, Executive Director/APCO, and Barbara Lods, Operations Manager, presented the proposed budget 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 and continued this item to the meeting of June 21, 2022 for adoption.

**Agenda Item #10 – 1) Award an amount not to exceed \$26,754.00 in Carl Moyer Program funds to H.W. Hunter, Inc. 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; 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.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion, upon motion by Board Member CHELETTE, seconded by Board Member HARRIS, and carried by the following roll call vote, with seven AYES votes by Board Members, AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN, the Board, 1) Awarded an amount not to exceed \$26,754.00 in Carl Moyer Program funds to H.W. Hunter, Inc. 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; 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 #11 – 1) Award an amount not to exceed \$206,224.00 in Carl Moyer Program funds to H.W. Hunter, Inc. 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; 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.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion, upon motion by Board Member CHELETTE, seconded by Board Member MANN, and carried by the following roll call vote, with seven AYES votes by Board Members, AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN, the Board, 1) Awarded an amount not to exceed \$206,224.00 in Carl Moyer Program funds to H.W. Hunter, Inc. 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; 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 #12– Reports.**

**Governing Board Counsel –**

- No report.

**Executive Director/APCO –**

- No report.

**Staff –**

- No report.

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

- No report.

**Agenda Item #14 – Adjourn to Regular Governing Board Meeting of Tuesday, June 21, 2022.**

Being no further business, the meeting adjourned at 10:15 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, June 21, 2022.

The following page(s) contain the backup material for Agenda Item: [Monthly Grant Funding Summary. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)  
Please scroll down to view the backup material.

## Item #2 – Grant Funds Project Summary

May 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: \$359,734.00**

### 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: \$340,314.00**

### 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: \$7,667.00**

### 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: \$0**

The following page(s) contain the backup material for Agenda Item: [Monthly Activity Report. Receive and file. Presenter: Bret Banks, Executive Director/APCO.](#)  
Please scroll down to view the backup material.



## **Agenda Item #3**

**Date: June 7, 2022**

**Subject: May Operations Activity Report**

Permit Inspections - 110

Notices of Violation (NOV) Issued – 0

Vapor Recovery Tests Witnessed – 5

Complaints – 5

Complaint Investigations – 5

Asbestos Notifications – 7

Asbestos Project Inspections - 0

Active Companies - 281

Active Facilities - 535

Active Permits - 1124

Certificate of Occupancy/Building Permit Reviews - 4

CEQA Project Comment Letters - 13

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

Lancaster Site (full meteorology, CO, NO<sub>x</sub>, O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>)

*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						
6/21/2022						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
4/22/2022	Palmdale	Antelope Valley Commerce Center	Site Plan Review 22-008 Determination of Application Completeness / Condition Setting requesting to develop 112 acres with six industrial buildings totaling 2,384,700 square feet located at the southeast corner of Avenue M and Sierra Highway (APNs: 3126-022-926, -927, -928 and -929)	DCP CARB Equipment Permitting-Rule 219	5/5/2022	5/6/2022
5/9/2022	Lancaster	Apartment Complex	CUP 22-09 regarding the proposed development of one apartment complex consisting of two buildings located at the southeast corner of Avenue L and 40 <sup>th</sup> Street West (APN: 3109-001-074) on approximately 2.5 acres	Dust Control Signage Permitting-Rule 219 CARB Equipment	5/31/2022	5/17/2022
5/9/2022	Palmdale	TTM 61610	TTM 61610 regarding the proposed subdivision of approximately 10 acres into 33 lots for the purpose of constructing 32 single-family residences with one detention basin lot on five contiguous vacant parcels located approximately 285 feet west of 58 <sup>th</sup> Street East (APNs: 3023-002-022,-029,-030, -031 and -032)	DCP CARB Equipment	5/18/2022	5/17/2022
5/9/2022	Palmdale	Raising Cane's	Proposed demolition of an approximately 9,300 square foot commercial building and the construction of an approximately 3,200 square foot commercial building with a drive-through for a restaurant located at 1105 West Rancho Vista Boulevard (APN: 3005-038-048)	Permitting-Rule 219 Asbestos Demo/Reno	5/17/2022	5/17/2022
5/9/2022	Palmdale	Gas Station	SPR 22-010 regarding the proposed development of 2 acres with one building totaling 5,085 square feet for a commercial gasoline station use located at the southwest corner of Avenue O and 10 <sup>th</sup> Street West (APNs: 3005-010-025 and -026).	DCP CARB Equipment Permitting-Rule 219	5/18/2022	5/17/2022
5/9/2022	Lancaster	TTM 61314	TTM 61314 planning documents for the proposed development of 84 single-family residential lots located at Avenue K and 27 <sup>th</sup> Street East (APN: 3170-007-056) on approximately 29.16 acres	DCP CARB Equipment	5/31/2022	5/20/2022

AVAQMD CEQA PROJECTS						
BOARD MEETING						
6/21/2022						
Date Rec'd	Location	Project Name	Description	Comment	Date Due	Date Sent
5/13/2022	Lancaster	Tractor Supply	DR 22-100 planning documents for the proposed development of one 21,702 sf commercial retail building for Tractor Supply store, including 22,584 sf of a fenced outdoor display located on the NWC of Avenue L and 42 <sup>nd</sup> Street West (APN: 3110-007-030) on approximately 3.07 acres	Dust Control Signage Permitting-Rule 219 CARB Equipment	6/3/2022	5/20/2022
5/13/2022	Lancaster	Industrial-Stone Building Materials	SPR 22-06 planning documents for the proposed development of an industrial facility for the production & storage of stone building materials; 2,000 sf office/display, 15,000 sf warehouse and 3,750 sf of industrial use on 4.43 acres located on Avenue H between 25 <sup>th</sup> and 27 <sup>th</sup> West (APN: 3114-012-020)	DCP CARB Equipment	6/3/2022	5/20/2022
5/24/2022	Lancaster	TTM 69560	TTM 69560 planning documents for the proposed development of 15 single-family residential lots located at the corner of Avenue J-6 and 7th Street East (APN: 3140-034-036).	DCP CARB Equipment	6/14/2022	6/6/2022
5/26/2022	Lancaster	TTM 67239	TTM 67239 planning documents for the proposed development of 32 single-family residential lots located at Avenue M and 35 <sup>th</sup> Street West (APN: 3111-001-063 and 3111-001-088) on approximately 19.36 acres	DCP CARB Equipment	6/16/2022	6/6/2022
5/25/2022	Lancaster	FedEx Ground Distribution Facility	SPR No. 21-09 for the proposed development of a Fed Ex Ground Distribution facility located at the northeast corner of 30 <sup>th</sup> Street West and Avenue G (APN: 3114-010-011).on approximately 40 acres	Dust Control Signage Permitting-Rule 219 CARB Equipment	6/22/2022	6/6/2022
5/31/2022	Palmdale	TTM 83674	Tentative Tract Map 83674 requesting to subdivide 59.125 acres into 241 single-family residential lots located at the northwest corner of Rancho Vista Boulevard and Tilbury Drive within the Rancho vista Specific Plan (APNs: 3001-003-160, -163 and -164)	DCP CARB Equipment	6/14/2022	6/6/2022
5/31/2022	Palmdale	Pre-Application 22-021	Pre-Application 22-021 requesting to subdivide 7.93 acres to develop 31 single-family residential lots located at the northwest corner of Avenue R and 40 <sup>th</sup> Street East (APNs: 3020-041-001)	DCP CARB Equipment	6/13/2022	6/6/2022

The following page(s) contain the backup material for Agenda Item: [Approve payments to MDAQMD in the amount of \\$155,415.76 for April 2022 expenditures. Presenter: Bret Banks, Executive Director/APCO.](#)

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 #4*

**DATE:** June 21, 2022

**RECOMMENDATION:** Approve payments to MDAQMD in the amount of \$155,415.76 for April 2022 expenditures.

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

**BACKGROUND:** Key Expenses: Staffing expenses of \$135,989.11.

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 June 3, 2022.

**FINANCIAL DATA:** The contract and direct expenditure amounts are part of the approved District budget for FY22. 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 **4/30/2022**  
 Invoice Number **43387**

# INVOICE

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

FY22 - April 2022		Amount
Program Staff	Program Staff	135,989.11
OVERHEAD	OVERHEAD	19,086.15
Professional Services	Professional Services	11.75
Office Expenses	Office Expenses	328.75
<p>TO INSURE PROPER CREDIT -            PLEASE INCLUDE A COPY OF THE INVOICE WITH YOUR PAYMENT</p> <p>FOR CREDIT CARD PAYMENTS            PLEASE VISIT <a href="http://www.mdaqmd.ca.gov">www.mdaqmd.ca.gov</a></p>		
		<b>Invoice Total 155,415.76</b>
<b>MAKE CHECKS PAYABLE TO MOJAVE DESERT AQMD</b>		<b>Amount Paid 0.00</b>
<b>PLEASE INCLUDE THE INVOICE NUMBER ON THE CHECK</b>		<b>Balance Due 155,415.76</b>

The following page(s) contain the backup material for Agenda Item: [Receive and file the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at April 30, 2022. The Financial Reports for April 2022 provide financial and budgetary performance information for the District for the period referenced. Presenter: Bret Banks, Executive Director/APCO.](#)  
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:** June 21, 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 April 30, 2022.

**BACKGROUND:** The Financial Reports for April 2022 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 April 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 April is 84%.

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 June 3, 2022.

**PRESENTER:** Bret Banks, Executive Director/APCO.

**Antelope Valley AQMD**  
**Balance Sheet - Governmental Funds**  
**As of April 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>
<b>Assets</b>					
Current Assets					
Cash	3,791,365.27	794,757.54	1,578,588.31	526,239.43	6,690,950.55
Cash Held For Other Fund	(221,251.94)	35,706.55	86,890.21	98,655.18	0.00
Receivables	114,688.83	0.00	0.00	0.00	114,688.83
Pre-Paid	4,924.89	0.00	0.00	0.00	4,924.89
<b>Total Current Assets</b>	<b>3,689,727.05</b>	<b>830,464.09</b>	<b>1,665,478.52</b>	<b>624,894.61</b>	<b>6,810,564.27</b>
<b>Total Assets</b>	<b>3,689,727.05</b>	<b>830,464.09</b>	<b>1,665,478.52</b>	<b>624,894.61</b>	<b>6,810,564.27</b>
<b>Liabilities and Net Position</b>					
Current Liabilities					
Payables	314,026.79	3,000.00	0.00	0.00	317,026.79
Due to Others	(1,703.00)	0.00	0.00	0.00	(1,703.00)
Unearned Revenue	(476,901.77)	0.00	0.00	549,073.50	72,171.73
<b>Total Current Liabilities</b>	<b>(164,577.98)</b>	<b>3,000.00</b>	<b>0.00</b>	<b>549,073.50</b>	<b>387,495.52</b>
Restricted Fund Balance	2,017,902.69	649,150.86	1,650,543.42	75,817.45	4,393,414.42
Cash Reserves	577,718.00	0.00	0.00	0.00	577,718.00
Unassigned Fund Balance	1,366,714.76	0.00	0.00	0.00	1,366,714.76
Pre-Paid	914.05	0.00	0.00	0.00	914.05
Change in Net Position	(108,944.47)	178,313.23	14,935.10	3.66	84,307.52
<b>Total Liabilities &amp; Net Position</b>	<b>3,689,727.05</b>	<b>830,464.09</b>	<b>1,665,478.52</b>	<b>624,894.61</b>	<b>6,810,564.27</b>

**Antelope Valley AQMD**  
**Statement of Revenues & Expenditures**  
**For the Period Ending April 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>
<b>Revenues</b>					
Application and Permit Fees	81,335.31	0.00	0.00	0.00	81,335.31
AB 2766 and Other Program Revenues	50,785.89	50,630.70	50,630.71	(38,231.00)	113,816.30
Fines	2,341.16	0.00	0.00	0.00	2,341.16
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
<b>Total Revenues</b>	<b>134,462.36</b>	<b>50,630.70</b>	<b>50,630.71</b>	<b>(38,231.00)</b>	<b>197,492.77</b>
<b>Expenditures</b>					
Program Staff	135,989.11	0.00	0.00	0.00	135,989.11
Services and Supplies	36,541.73	10,500.00	0.00	(38,231.00)	8,810.73
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
<b>Total Expenditures</b>	<b>172,530.84</b>	<b>10,500.00</b>	<b>0.00</b>	<b>(38,231.00)</b>	<b>144,799.84</b>
<b>Excess Revenue Over (Under) Expenditures</b>	<b>(38,068.48)</b>	<b>40,130.70</b>	<b>50,630.71</b>	<b>0.00</b>	<b>52,692.93</b>

**Antelope Valley AQMD**  
**Statement of Activity - MTD, MTM and YTD**  
**For 4/30/2022**

00 District Wide

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
<b>Revenues</b>				
Permitting	61,500.52	956,366.60	1,047,500.00	(0.91)
Programs	113,816.30	1,801,916.57	2,833,400.00	(0.64)
Revenue - Other	0.00	57.00	0.00	0.00
Application Fees	20,366.00	44,430.97	30,500.00	(1.46)
State Revenue	0.00	1,179,774.95	1,096,000.00	(1.08)
Fines & Penalties	2,341.16	26,460.13	10,000.00	(2.65)
Interest Earned	0.00	17,923.78	17,500.00	(1.02)
Adjustments to Revenue	(531.21)	(15,185.79)	0.00	0.00
<b>Total Revenues</b>	<b>197,492.77</b>	<b>4,011,744.21</b>	<b>5,034,900.00</b>	<b>(0.80)</b>
<b>Expenses</b>				
Office Expenses	12,598.21	86,402.55	108,625.00	0.80
Communications	2,368.33	22,615.03	21,050.00	1.07
Vehicles	801.39	10,197.71	7,900.00	1.29
Program Costs	(27,731.00)	2,245,543.77	3,104,500.00	0.72
Travel	11.70	(327.64)	12,650.00	(0.03)
Professional Services				
Payroll Contract	0.00	911.42	0.00	0.00
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	5,737.50	3,000.00	1.91
Stipends	700.00	6,500.00	8,400.00	0.77
Maintenance & Repairs	225.00	3,774.63	6,500.00	0.58
Non-Depreciable Inventory	15.00	5,237.96	2,300.00	2.28
Dues & Subscriptions	0.00	9,956.20	46,400.00	0.21
Legal	1,603.77	13,998.56	44,000.00	0.32
Miscellaneous Expense	0.00	412.83	2,900.00	0.14
Suspense	(1,208.32)	(1,051.30)	0.00	0.00
Capital Expenditures	0.00	15,116.89	50,000.00	0.30
<b>Total Expenses</b>	<b>(10,615.92)</b>	<b>2,425,026.11</b>	<b>3,424,225.00</b>	<b>0.71</b>
<b>Program Staff</b>				
<b>Excess Revenue Over (Under) Expenditures</b>	<b>208,108.69</b>	<b>1,586,718.10</b>	<b>1,610,675.00</b>	<b>(0.99)</b>

**Antelope Valley AQMD**  
**Statement of Activity - MTD, MTM and YTD**  
**For 4/30/2022**

10 Contracted Services

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
<b>Revenues</b>				
<b>Expenses</b>				
Office Expenses	328.75	4,590.61	1,500.00	3.06
Communications	0.00	229.51	0.00	0.00
Vehicles	0.00	547.39	0.00	0.00
Travel	0.00	0.00	2,500.00	0.00
Professional Services				
Payroll Contract	11.75	635.25	125.00	5.08
Financial Audit & Actuarial Svcs	19,086.15	191,906.98	212,625.00	0.90
Non-Depreciable Inventory	0.00	180.98	0.00	0.00
Dues & Subscriptions	0.00	95.54	250.00	0.38
<b>Total Expenses</b>	<b>19,426.65</b>	<b>198,186.26</b>	<b>217,000.00</b>	<b>0.91</b>
<b>Program Staff</b>				
Program Staff	135,989.11	1,304,224.32	1,389,000.00	0.94
<b>Total Program Staff</b>	<b>135,989.11</b>	<b>1,304,224.32</b>	<b>1,389,000.00</b>	<b>0.94</b>
<b>Excess Revenue Over (Under) Expenditures</b>	<b>(155,415.76)</b>	<b>(1,502,410.58)</b>	<b>(1,606,000.00)</b>	<b>(0.94)</b>



**Antelope Valley AQMD**  
**Statement of Activity - MTD, MTM and YTD**  
**For 4/30/2022**

Report Recap

	M-T-D Actual	Y-T-D Actual	Y-T-D Budget	% Budget to Actual
<b>Revenues</b>				
Permitting	61,500.52	956,366.60	1,047,500.00	(0.91)
Programs	113,816.30	1,801,916.57	2,833,400.00	(0.64)
Revenue - Other	0.00	57.00	0.00	0.00
Application Fees	20,366.00	44,430.97	30,500.00	(1.46)
State Revenue	0.00	1,179,774.95	1,096,000.00	(1.08)
Fines & Penalties	2,341.16	26,460.13	10,000.00	(2.65)
Interest Earned	0.00	17,923.78	17,500.00	(1.02)
Adjustments to Revenue	(531.21)	(15,185.79)	0.00	0.00
<b>Total Revenues</b>	<b>197,492.77</b>	<b>4,011,744.21</b>	<b>5,034,900.00</b>	<b>(0.80)</b>
<b>Expenses</b>				
Office Expenses	12,926.96	90,993.16	110,125.00	0.83
Communications	2,368.33	22,844.54	21,050.00	1.09
Vehicles	801.39	10,745.10	7,900.00	1.36
Program Costs	(27,731.00)	2,245,543.77	3,104,500.00	0.72
Travel	11.70	(327.64)	15,150.00	(0.02)
Professional Services				
Payroll Contract	11.75	1,546.67	125.00	12.37
Financial Audit & Actuarial Svcs	19,086.15	191,906.98	212,625.00	0.90
Research Studies	0.00	0.00	6,000.00	0.00
Consulting Fees	0.00	5,737.50	3,000.00	1.91
Stipends	700.00	6,500.00	8,400.00	0.77
Maintenance & Repairs	225.00	3,774.63	6,500.00	0.58
Non-Depreciable Inventory	15.00	5,418.94	2,300.00	2.36
Dues & Subscriptions	0.00	10,051.74	46,650.00	0.22
Legal	1,603.77	13,998.56	44,000.00	0.32
Miscellaneous Expense	0.00	412.83	2,900.00	0.14
Suspense	(1,208.32)	(1,051.30)	0.00	0.00
Capital Expenditures	0.00	15,116.89	50,000.00	0.30
<b>Total Expenses</b>	<b>8,810.73</b>	<b>2,623,212.37</b>	<b>3,641,225.00</b>	<b>0.72</b>
<b>Program Staff</b>				
Program Staff	135,989.11	1,304,224.32	1,389,000.00	0.94
<b>Total Program Staff</b>	<b>135,989.11</b>	<b>1,304,224.32</b>	<b>1,389,000.00</b>	<b>0.94</b>
<b>Excess Revenue Over (Under) Expenditures</b>	<b>52,692.93</b>	<b>84,307.52</b>	<b>4,675.00</b>	<b>(18.03)</b>

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
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>
0000369	4/01/2022	Credit Card Transaction - K Hovnanian	0.00	661.00	796,632.80
0000370	4/04/2022	Credit Card Transaction - Rawlings Mechanical Corp	0.00	321.00	796,953.80
0000401	4/07/2022	Credit Card Transaction - First Student	0.00	505.91	797,459.71
0004814	4/08/2022	[10009] CALIFORNIA AIR RESOURCES BOARD-FISCAL YEAR 2019-2020 "HOT SPOTS" ASSESSMENT	3,587.00	0.00	793,872.71
0004815	4/08/2022	[10019] FEDERAL EXPRESS CORPORATION-CARRIER SERVICE 03-25-22	23.30	0.00	793,849.41
0004816	4/08/2022	[10071] QUADIENT LEASING-POSTAGE METER LEASE 04-02-22 - 05-01-22	78.17	0.00	793,771.24
0004817	4/08/2022	[10043] SOCALGAS-GAS SERVICE 03-02-22 TO 03/31/22	131.77	0.00	793,639.47
0004818	4/08/2022	[10039] SPARKLETTS-WATER DELIVERY SERVICE 03-16-22	9.99	0.00	793,629.48
0004819	4/08/2022	[10046] VERIZON CALIFORNIA - NJ-LONG DISTANCE 03-28-22 TO 04-27-22	33.28	0.00	793,596.20
0000371	4/08/2022	Credit Card Transactions - City of Palmdale (5)	0.00	4,867.12	798,463.32
0004820	4/13/2022	[10006] BANK OF THE WEST-CREDIT CARD - 1465 03-05-22 TO 04-04-22	205.04	0.00	798,258.28
0004821	4/13/2022	[10019] FEDERAL EXPRESS CORPORATION-CARRIER SERVICE 03-31-22	23.30	0.00	798,234.98
0004822	4/13/2022	[10260] QCS BUILDING SERVICES-CUSTODIAL SERVICES APRIL 2022	225.00	0.00	798,009.98
0004823	4/13/2022	[10455] STRADLING YOCCA CARLSON & RAUTH-LEGAL SERVICES FOR THE MONTH OF FEBRUARY 2022	1,250.00	0.00	796,759.98
0004824	4/13/2022	[11402] TIME WARNER CABLE-Inv 126316401040122 - Internet - April 2022	214.98	0.00	796,545.00
0000388	4/13/2022	Wells Fargo ACH - Northrop Grumman	0.00	4,309.38	800,854.38
0000389	4/13/2022	Wells Fargo ACH - Northrop Grumman	0.00	478.82	801,333.20
0000387	4/15/2022	Credit Card Transactions - LA-Rics (3)	0.00	1,593.63	802,926.83
R22-43	4/18/2022	Operating Fund Replenishment #17	0.00	6,569.57	809,496.40
0000400	4/18/2022	Credit Card Transaction - Burns Environmental	0.00	660.00	810,156.40
0004825	4/21/2022	[01148] ANTELOPE VALLEY PRESS-NOTICE OF HEARING 03-18-22	242.88	0.00	809,913.52
0004826	4/21/2022	[10405] CANON FINANCIAL SERVICES-COPIER LEASE 04-01-22 TO 04-30- 22	288.94	0.00	809,624.58
0004827	4/21/2022	[10019] FEDERAL EXPRESS CORPORATION-CARRIER SERVICE 04-11-2022	25.59	0.00	809,598.99
0004828	4/21/2022	[10050] WOELFL FAMILY TRUST-Lease Payment - May 2022	4,823.67	0.00	804,775.32
0004829	4/21/2022	[10592] SPECTRUM BUSINESS-FIBER 04/08/2022-05/07/2022	770.00	0.00	804,005.32
0004830	4/21/2022	[11259] WEX BANK-FUEL PURCHASES 03/25/2022	578.92	0.00	803,426.40
0000391	4/25/2022	Credit Card Transaction - 505 W Avenue J, Lancaster	0.00	551.00	803,977.40
0000392	4/25/2022	Credit Card Transaction - Executive Auto Body	0.00	531.21	804,508.61
0000393	4/27/2022	Credit Card Transaction - Pacific Communities Builder	0.00	661.00	805,169.61
0004831	4/28/2022	[10996] ANTELOPE VALLEY EDGE-2022 BUSINESS SPONSORSHIP	5,000.00	0.00	800,169.61
0004832	4/28/2022	[10006] BANK OF THE WEST-CREDIT CARD-1481 03/20/2022 - 04/19/2022	74.31	0.00	800,095.30
0004833	4/28/2022	[10518] AUSTIN BISHOP-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	799,995.30
0004834	4/28/2022	[10055] NEWTON CHELETTE-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	799,895.30
0004835	4/28/2022	[10057] MARVIN CRIST-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	799,795.30

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
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>
0004836	4/28/2022	[10599] HOWARD HARRIS-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	799,695.30
0004837	4/28/2022	[10058] RONALD HAWKINS-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	799,595.30
0004838	4/28/2022	[10503] STEVEN D HOFBAUER-Attendance Governing Board Meeting Tuesday, April 19, 2022.	111.70	0.00	799,483.60
0004839	4/28/2022	[11405] IT SOLUTIONS INTEGRATED-IT SERVICES FOR THE MONTH OF APRIL 2022	760.00	0.00	798,723.60
0004840	4/28/2022	[10023] LOS ANGELES COUNTY CLERK-NOE Rule 315.1 and Rule 315.2 Adoption	75.00	0.00	798,648.60
0004841	4/28/2022	[10054] KENNETH MANN-Attendance Governing Board Meeting Tuesday, April 19, 2022.	100.00	0.00	798,548.60
0004842	4/28/2022	[10026] MOJAVE DESERT AQMD-FY22 - February 2022	164,221.38	0.00	634,327.22
0004843	4/28/2022	[00069] SOUTHERN CALIFORNIA EDISON-ELECTRICITY SERVICE 03/15/22 -04/12/22	392.32	0.00	633,934.90
0004844	4/28/2022	[10039] SPARKLETTS-WATER SERVICE FOR THE MONTH OF APRIL 2022	22.94	0.00	633,911.96
0000394	4/28/2022	Credit Card Transaction - Burns Environmental	0.00	1,242.00	635,153.96
0000395	4/28/2022	Credit Card Transaction - American Tower Asset	0.00	551.00	635,704.96
0000396	4/29/2022	Credit Card Transaction - United Rentals	0.00	57.47	635,762.43
<b>Total for Report:</b>			<b>183,769.48</b>	<b>23,560.11</b>	

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
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>
0000371	4/05/2022	Daily Deposit	0.00	15,120.11	2,217,495.62
0000058	4/07/2022	[10437] SPOWER-Checks Returned NSF	1,983.00	0.00	2,215,512.62
0000386	4/13/2022	Daily Deposit	0.00	24,352.09	2,239,864.71
R22-42	4/14/2022	Transfer Moyer Year 23 State Reserve	50,140.00	0.00	2,189,724.71
R22-41	4/14/2022	Transfer AB2766 - Janaury 2022	51,253.79	0.00	2,138,470.92
R22-40	4/14/2022	Transfer AB923 - January 2022	48,055.23	0.00	2,090,415.69
R22-43	4/18/2022	Operating Fund Replenishment #17	6,569.57	0.00	2,083,846.12
0000387	4/19/2022	Daily Deposit	0.00	287,572.85	2,371,418.97
0000388	4/22/2022	Daily Deposit	0.00	51,092.84	2,422,511.81
0000389	4/27/2022	Daily Deposit	0.00	13,207.30	2,435,719.11
<b>Total for Report:</b>			<b>158,001.59</b>	<b>391,345.19</b>	

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
**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>
0022522	4/08/2022	[11411] KAMAL M AL KHATIB-AB2766 VEHICLE GRANT	500.00	0.00	760,503.75
0022523	4/08/2022	[11416] ERICK G ANTON-AB2766 VEHICLE GRANT	1,000.00	0.00	759,503.75
0022524	4/08/2022	[11423] JOHN ANTHONY CERVANTES-AB2766 VEHICLE GRANT	500.00	0.00	759,003.75
0022525	4/08/2022	[11421] JOCELYN A CROWE-AB2766 VEHICLE GRANT	500.00	0.00	758,503.75
0022526	4/08/2022	[11413] FERNANDO DIAZ-AB2766 VEHICLE GRANT	500.00	0.00	758,003.75
0022527	4/08/2022	[11417] JEFFREY SCOTT DONIS-AB2766 VEHICLE GRANT	500.00	0.00	757,503.75
0022528	4/08/2022	[11428] RASHALL HIGHTOWER-AB2766 VEHICLE GRANT	500.00	0.00	757,003.75
0022529	4/08/2022	[11409] ANTHONY KITSCH-AB2766 VEHICLE GRANT	500.00	0.00	756,503.75
0022530	4/08/2022	[11414] JACOB MANSON-AB2766 VEHICLE GRANT	500.00	0.00	756,003.75
0022531	4/08/2022	[11410] LENARD MARTIN-AB2766 VEHICLE GRANT	500.00	0.00	755,503.75
0022532	4/08/2022	[11426] MICHAEL MARTINEZ-AB2766 VEHICLE GRANT	500.00	0.00	755,003.75
0022533	4/08/2022	[11418] FRANK MONREAL-AB2766 VEHICLE GRANT	500.00	0.00	754,503.75
0022534	4/08/2022	[11412] JORGE PEREZ MORALES-AB2766 VEHICLE GRANT	500.00	0.00	754,003.75
0022535	4/08/2022	[11427] MELISSA PARGA-AB2766 VEHICLE GRANT	1,000.00	0.00	753,003.75
0022536	4/08/2022	[11425] EDWARD SANTIAGO-AB2766 VEHICLE GRANT	500.00	0.00	752,503.75
0022537	4/08/2022	[11415] CHRIS SPEARS-AB2766 VEHICLE GRANT	1,000.00	0.00	751,503.75
0022538	4/08/2022	[11419] TERENCE TAYLOR-AB2766 Vehicle Grant	500.00	0.00	751,003.75
0022539	4/08/2022	[11422] JAMES TILTON-AB2766 VEHICLE GRANT	1,000.00	0.00	750,003.75
0022540	4/08/2022	[11424] DEVIN TRAYNOR-AB2766 VEHICLE GRANT	500.00	0.00	749,503.75
0022541	4/08/2022	[11407] ASHWANI VIJ-AB2766 VEHICLE GRANT	500.00	0.00	749,003.75
0022542	4/08/2022	[11406] KADIJAH WILLIAMS-AB2766 VEHICLE GRANT	500.00	0.00	748,503.75
0022543	4/08/2022	[11408] GUSTAVO JR ZAMUDIO-AB2766 VEHICLE GRANT	500.00	0.00	748,003.75
0022544	4/08/2022	[11420] KATYA ZAVALA-AB 2766 GRANT	500.00	0.00	747,503.75
R22-41	4/14/2022	Transfer AB2766 - Janaury 2022	0.00	51,253.79	798,757.54
0022545	4/21/2022	[11434] JON CARRINO-AB 2766 GRANT	1,000.00	0.00	797,757.54
0022546	4/21/2022	[11432] VICTOR HUGO GARCIA-AB 2766 GRANT	500.00	0.00	797,257.54
0022547	4/21/2022	[11431] PENNY PARKER-AB 2766 GRANT	1,000.00	0.00	796,257.54
0022548	4/21/2022	[11433] MIA SMITH-AB 2766 GRANT	500.00	0.00	795,757.54
0022549	4/21/2022	[11430] STEPHANIE THOMAS-AB 2766 GRANT	1,000.00	0.00	794,757.54
<b>Total for Report:</b>			<b>17,500.00</b>	<b>51,253.79</b>	

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
**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>
R22-40	4/14/2022	Transfer AB923 - January 2022	0.00	48,055.23	1,578,588.31
<b>Total for Report:</b>			<b>0.00</b>	<b>48,055.23</b>	

**Antelope Valley AQMD**  
**Bank Register from 4/01/2022 to 4/30/2022**  
**WF Carl Moyer**

<u>Check/Ref</u>	<u>Date</u>	<u>Name/Description</u>	<u>Check Amount</u>	<u>Deposit Amount</u>	<u>Account Balance</u>
0011030	4/13/2022	[11429] CRITICAL CAR CARE INCORPORATED-CARL MOYER GRANT RD 23	60,417.00	0.00	477,085.82
R22-42	4/14/2022	Transfer Moyer Year 23 State Reserve	0.00	50,140.00	527,225.82
<b>Total for Report:</b>			<b>60,417.00</b>	<b>50,140.00</b>	

The following page(s) contain the backup material for Agenda Item: [1\) Authorize the acceptance of AB 197 Emission Inventory District Grant Program Funding; 2\) Accept the terms and conditions for the funds; and 3\) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and carry out related activities to meet the requirements of AB 197. Presenter: Julie McKeehan, Grants Analyst.](#)  
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:** June 21, 2022

**RECOMMENDATION:** 1) Authorize the acceptance of AB 197 Emission Inventory District Grant Program Funding; 2) Accept the terms and conditions for the funds; and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and carry out related activities to meet the requirements of AB 197.

**SUMMARY:** This action formally accepts the AB 197 Emission Inventory District Grant Program Funding in the amount of \$8,583.00 to the AVAQMD. This action also accepts the terms and conditions for the funds as appropriated in the Grant Agreement Provisions and approves staff to carry out related activities.

**BACKGROUND:** On September 8, 2016, the Governor signed into law AB 197. The law creates a legislative committee to oversee regulators, giving lawmakers more say in how climate goals are met. The law pushes the State to take stronger steps to reduce emissions and protect the State's most impacted and disadvantaged communities. This law requires the California Air Resources Board (CARB) to make available, and update annually, on its Internet Web site the emissions of GHG, criteria pollutants, and toxic air contaminants for each facility that reports to CARB and local Air Districts. Emissions data will be based on data provided to CARB by Air Pollution Control and Air Quality Management Districts. AB 197 Emission Inventory District Grant Program provides Air Districts funding for additional resources needed to meet the emission inventory requirements of AB 197.

**REASON FOR RECOMMENDATION:** CARB requires the Governing Board formally approve District acceptance of the funds and participation in the program.

**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 June 6, 2022

**FINANCIAL DATA:** AB 197 Emissions Inventory Grant are supplementary to the AVAQMD budget.

**PRESENTER:** Julie McKeehan, Grants Analyst

---

cc: Laquita Cole  
Michelle Powell  
Julie McKeehan

The following page(s) contain the backup material for Agenda Item: [Amend Governing Board Procedural Rules to change the District Office location address to 2551 W Avenue H, Lancaster, CA 93536. Presenter: Bret Banks, Executive Director.](#)  
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:** June 21, 2022

**RECOMMENDATION:** Amend Governing Board Procedural Rules to change the District Office location address to 2551 W Avenue H, Lancaster, CA 93536.

**SUMMARY:** This action will amend the Governing Board Procedural Rules as shown in the attached redline.

**BACKGROUND:** The Antelope Valley Air Quality Management District (AVAQMD) Governing Board Procedural Rules were last amended March 17, 2020. This action updates the Governing Board Procedural Rules to reflect the new District Office address location.

**REASON FOR RECOMMENDATION:** Governing Board approval is required to amend the Governing Board Procedural Rules.

**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 about June 6, 2022.

**FINANCIAL DATA:** No increase in appropriation is anticipated.

**PRESENTER:** Bret Banks, Executive Director/APCO.

**ANTELOPE VALLEY  
AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD PROCEDURAL RULES\***

Amended: June 21, 2022

Amended: April 21, 2020

Amended: February 14, 2017

Amended: May 20, 2014

Amended: April 16, 2013

Amended: January 17, 2012

Amended: January 18, 2011

Amended: January 15, 2008

Amended: January 17, 2006

Amended: March 18, 2003

Adopted: January 15, 2002

\*For related statutory provisions see Health & Safety Code §§41300 et seq., 40700, 40701, 40702.; and Government Code 54950 et seq.

[This page intentionally left blank.]

## TABLE OF CONTENTS

<b>1. Meeting Location.</b>	<b>1</b>
<b>2. District Offices - Address.</b>	<b>1</b>
<b>3. District Offices – Holidays and Hours.</b>	<b>1</b>
<b>4. Meetings.</b>	<b>1</b>
<b>A. Compliance with the Ralph M. Brown Act.</b>	<b>1</b>
<b>B. Regular Meetings or Workshop Meetings.</b>	<b>2</b>
<b>C. Special Meetings.</b>	<b>2</b>
<b>D. Study Sessions.</b>	<b>2</b>
<b>E. Meeting to be Public – Except for Closed Sessions.</b>	<b>3</b>
<b>5. Agenda.</b>	<b>3</b>
<b>A. Agenda Preparation.</b>	<b>3</b>
<b>B. Agenda Posting.</b>	<b>3</b>
<b>C. Agenda Distribution.</b>	<b>4</b>
<b>6. Governing Board Correspondence.</b>	<b>4</b>
<b>A. Availability to the Public.</b>	<b>4</b>
<b>B. Opening Mail and Written Communications.</b>	<b>4</b>
<b>7. Order of Business.</b>	<b>5</b>
<b>8. Unfinished Business.</b>	<b>5</b>
<b>9. Minutes.</b>	<b>5</b>
<b>A. Preparation of Minutes.</b>	<b>5</b>
<b>B. Reading of the Minutes.</b>	<b>5</b>
<b>10. Public Member.</b>	<b>5</b>
<b>11. Presiding Officer.</b>	<b>5</b>
<b>A. Chair as Presiding Officer.</b>	<b>5</b>
<b>B. Presiding Officer in Absence of Chair.</b>	<b>5</b>
<b>C. Term of Chair.</b>	<b>6</b>
<b>12. Powers and Duties of the Presiding Officer.</b>	<b>6</b>
<b>A. Participation.</b>	<b>6</b>
<b>B. Seating Arrangements for the Governing Board.</b>	<b>6</b>
<b>C. Signing of Documents.</b>	<b>6</b>
<b>D. Sworn Testimony.</b>	<b>6</b>
<b>E. Extraordinary Requests for Assistance by Members.</b>	<b>6</b>
<b>13. Rules of Debate.</b>	<b>7</b>
<b>A. Discussion Procedure.</b>	<b>7</b>
<b>B. Governing Board Members to Address Chair.</b>	<b>7</b>
<b>C. Questions to Staff.</b>	<b>7</b>
<b>D. Interruptions.</b>	<b>7</b>
<b>E. Points of Order.</b>	<b>7</b>
<b>E. Point of Personal Privilege.</b>	<b>8</b>
<b>G. Privilege of Closing Debate.</b>	<b>8</b>
<b>H. Limitation of Debate.</b>	<b>8</b>
<b>I. Motion to Reconsider.</b>	<b>8</b>
<b>14. Robert's Rules of Order.</b>	<b>8</b>

<b>15. Remarks of Governing Board Members and Synopsis of Debate.....</b>	<b>8</b>
<b>16. Protest Against Governing Board Action.....</b>	<b>9</b>
<b>17. Addressing the Governing Board.....</b>	<b>9</b>
<b>A. Manner of Addressing Governing Board. ....</b>	<b>9</b>
<b>B. Speaker for Group of Persons.....</b>	<b>9</b>
<b>C. After a Motion.....</b>	<b>9</b>
<b>D. Written Request to Address Governing Board.....</b>	<b>10</b>
<b>18. Rules of Decorum.....</b>	<b>10</b>
<b>A. Governing Board Members. ....</b>	<b>10</b>
<b>B. Employees. ....</b>	<b>10</b>
<b>C. Persons Addressing the Governing Board.....</b>	<b>10</b>
<b>D. Persons Authorized to be at Rostrum. ....</b>	<b>10</b>
<b>19. Motions - Second Required.....</b>	<b>10</b>
<b>20. Disqualification for Conflict of Interest.....</b>	<b>11</b>
<b>21. Majority and Quorum.....</b>	<b>11</b>
<b>A. Quorum.....</b>	<b>11</b>
<b>B. Quorum When Positions are Vacant.....</b>	<b>11</b>
<b>C. Majority Vote Required. ....</b>	<b>11</b>
<b>22. Effect of Abstention or Silence. ....</b>	<b>11</b>
<b>23. Tie Votes. ....</b>	<b>11</b>
<b>24. Changing Vote.....</b>	<b>12</b>
<b>25. Rules, Regulations, Resolutions, and Contracts. ....</b>	<b>12</b>
<b>A. Prior Approval by Administrative Staff.....</b>	<b>12</b>
<b>B. Reading of Rule, Regulations and Resolutions.....</b>	<b>12</b>

# ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD PROCEDURAL RULES

## 1. Meeting Location.

The meeting place of the Antelope Valley Air Quality Management District Governing Board shall be in the Board Chambers at the District offices and all meetings of the Governing Board shall be held therein, unless duly adjourned to another location.

## 2. District Offices - Address.

The offices of all departments, officers and employees of the District shall be located at the Antelope Valley Air Quality Management District offices, ~~43301 Division Street, Lancaster, California, 93535-4649~~2551 W Avenue H, Lancaster, CA 93536 unless other offices are authorized by the Governing Board.

## 3. District Offices - Holidays and Hours.

The District offices shall be closed on all official holidays as established by the Governing Board and on alternate Fridays commencing the first Friday in January 2002. Every Saturday and Sunday are holidays in respect to the transaction of business in such District offices. Said District offices shall be open to the public for business as specified by the Air Pollution Control Officer (APCO) and as dictated by business needs on all other days of the year.

## 4. Meetings.

### A. Compliance with the Ralph M. Brown Act.

To ensure that the deliberations and actions of the Governing Board are conducted openly and to ensure meaningful public participation, all meetings of the Governing Board shall be held in compliance with the provisions of the Ralph M. Brown Act (Government Code §§ 54950 et. seq.) and the guidelines promulgated thereunder (14 Cal. Code Regs §§15000 et. seq).

Any subsidiary body of the Governing Board or of the District which is subject to the provisions of the Ralph M. Brown Act shall also hold its meetings in compliance with its provisions.



**B. Regular Meetings or Workshop Meetings.**

Regular meetings of the Governing Board shall be held on the third Tuesday of the month at 10:00 A.M. Workshop meetings of the Governing Board may be held on any day normally scheduled for a regular meeting but at which no official action is to be taken. For the purposes of this paragraph a workshop meeting is defined as a meeting of the Governing Board when the primary purpose of the meeting is, but is not limited to, conducting a study session. In the event that a Board meeting or workshop meeting falls on a holiday, the meeting shall be held at the same time on the next succeeding day which is not a holiday, unless adjourned to a different time.

An agenda shall be prepared and posted at least seventy-two (72) hours prior to the meeting in a location that is freely accessible to members of the public and on the District’s website located at <http://www.avaqmd.ca.gov>.

**C. Special Meetings.**

A special meeting of the Governing Board may be called at any time by the Chair of the Governing Board or by a majority of the members of the Governing Board, by delivering personally or by United States mail written notice of the meeting to each member of the Governing Board and to each newspaper, radio or television station which has requested notice of meetings in writing. The notice shall be delivered personally or by United States mail and shall be received by the member of the Governing Board at least twenty-four (24) hours before the time of the meeting as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings.

The written notice may be dispensed with as to any member of the Governing Board who at or prior to the time a special meeting convenes, files with the Clerk of the Governing Board a written waiver of the notice. The waiver may be given by telegram or facsimile communication. A written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

The notice and a written agenda shall be posted at least twenty-four (24) hours prior to the special meeting at the location of the regular meetings of the Governing Board and at the location of the special meeting if different from the location of the regular meetings and the place(s) where the notice is posted shall be freely accessible to members of the public.

**D. Study Sessions.**

The Governing Board may meet in a study session on the day of the regular Governing Board meeting at the hour of 10:00 a.m. in the board chambers or at such other time or

place as may be designated by the Governing Board for the purpose of hearing reports from the staff, reviewing, discussing and debating matters of interest to the District. Such sessions shall be open to the public. No official action shall be taken at a study session.

An agenda shall be prepared and posted at least seventy-two (72) hours prior to the study session in a location that is freely accessible to members of the public.

**E. Meeting to be Public - Except for Closed Sessions.**

All regular and special meetings of the Governing Board shall be public. Public comment will be received on agenda items at the time of the hearing of that item. Public comment on items not on the agenda will be heard during the designated public comment period.

The Governing Board may hold closed sessions during a regular or special meeting from which the public may be excluded for the purpose of considering the matters which are properly the subject of such sessions pursuant to law, including but not limited to those matters referred to in Government Code §§54954.5, 54956.8, 54956.9, 54956.95, 54957 and/or 54957.6.

No member of the Governing Board, employee of the District, or any other person present during an closed session of the Governing Board shall disclose to any person the content or substance of any discussion which took place during a closed session unless the Governing Board authorizes the disclosure of such information by majority vote.

**5. Agenda.**

**A. Agenda Preparation.**

The times for receiving information for the Governing Board agenda and delivery of the agenda shall be established by the Clerk of the Governing Board.

The Clerk of the Governing Board shall prepare the agenda at the direction of the Executive Director/Air Pollution Control Officer and the Chair of the Governing Board. A brief description shall be provided for each item. Each description shall contain sufficient information regarding the proposed action to allow the general public to determine whether or not to participate. Each agenda produced shall contain a public comment period.

**B. Agenda Posting.**

Once completed the Clerk of the Board shall post the agenda in a location freely accessible to the general public on or before the posting time listed above for the particular type of meeting to be held. The agenda and any backup material shall also be

available in the District Offices during District business hours. The agenda and any backup material shall also be posted on the District's website.

**C. Agenda Distribution.**

The Clerk of the Board shall distribute the agenda and any backup material to Members of the Governing Board, appropriate District staff and to anyone who has requested to be included on the agenda distribution list within the last calendar year. Such distribution may occur by U.S. mail in hard copy, U.S. mail via electronic media (CD-Rom), and/or E-mail as specified by the requesting party. If a party fails to specify a delivery modality distribution shall occur via U.S. mail in hard copy.

Persons requesting to be added to the agenda distribution list may specify that they wish to receive only the agenda without the backup documentation. If a person fails to specify then they shall receive the entire agenda including backup documentation.

**6. Governing Board Correspondence.**

**A. Availability to the Public.**

Correspondence addressed to the Governing Board which is received by the Clerk of the Governing Board or by any other officer or employee of the District shall become a public record when placed in the Clerk of the Board's correspondence file or when otherwise acted upon by the Clerk of the Board unless such item is marked "confidential" or "personal". Correspondence received in the Clerk of the Governing Board's office or other offices after twelve noon the Monday preceding a regular Governing Board meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Governing Board at the next regular meeting or is determined by the Chair of the Governing Board or the APCO to be an urgent matter which should be brought to the immediate attention of the Governing Board. Correspondence shall not be read aloud at the Governing Board meetings unless requested by a majority vote of the Governing Board.

**B. Opening Mail and Written Communications.**

The APCO and the District Counsel are authorized to open and examine all mail or other written communications addressed to the Governing Board and its members unless marked "confidential" or "personal" and within the authority delegated to the APCO by the Governing Board, give it immediate attention.

**7. Order of Business.**

The order of business of Governing Board meetings shall be established by the Governing Board.

**8. Unfinished Business.**

Any matter the consideration of which has not been completed at any meeting of the Governing Board and which has not been continued or which has not been removed from the agenda shall be listed for consideration at the next regular meeting of the Governing Board.

**9. Minutes.**

**A. Preparation of Minutes.**

The Clerk of the Governing Board shall have exclusive responsibility for the preparation of the minutes and any directions for change in the minutes shall be made only by a majority vote of the Governing Board in open session.

**B. Reading of the Minutes.**

Unless the reading of the minutes of the Governing Board meeting is ordered by the majority vote of the Governing Board, such minutes may be approved without reading if the Clerk of the Governing Board has previously furnished each Governing Board member with a copy.

**10. Public Member.**

Pursuant to the provisions of Health & Safety Code §41310(d) the Governing Board shall appoint a public member. Such public member shall serve a term of two (2) years commencing on July 1 of the year of appointment or such other period of time as the Governing Board designates in its appointing action.

**11. Presiding Officer.**

**A. Chair as Presiding Officer.**

The Chair of the Governing Board shall be the presiding officer at all meetings of the Governing Board.

**B. Presiding Officer in Absence of Chair.**

In the absence of the Chair, the Vice-Chair shall preside. In the absence of the Chair and the Vice-Chair, the Clerk of the Governing Board shall call the Governing Board to order, whereupon a temporary presiding officer shall be elected by the Governing Board members present to serve until the arrival of the Chair or Vice-Chair or until

adjournment. Wherever in this chapter the term “Chair” is used, the term shall apply equally to the presiding officer as defined in this section.

**C. Term of Chair.**

The Chair shall be elected each year in December from the membership of the Governing Board and shall serve a term of one (1) year. The term of the Chair shall commence on the first regular meeting of the Governing Board in January and shall expire on the first regular meeting of the Governing Board in the subsequent January.

**12. Powers and Duties of the Presiding Officer.**

**A. Participation.**

The presiding officer may move, second, debate and vote from the Chair.

**B. Seating Arrangements for the Governing Board.**

The Clerk of the Board in consultation with the presiding officer shall, following each Governing Board member appointment and at such other times as necessary, establish the seating arrangement of the members of the Governing Board.

**C. Signing of Documents.**

The presiding officer or his or her duly appointed designee shall sign all rules, resolutions, contracts and other documents necessitating his or her signature.

**D. Sworn Testimony.**

The presiding officer may, pursuant to statute or other provision of law, require any person addressing the Governing Board to be sworn as a witness and to testify under oath. The presiding officer shall so require if directed to do so by a majority of the Governing Board.

**E. Extraordinary Requests for Assistance by Members.**

Members shall address requests for assistance above and beyond the normal measure of assistance provided to permit holders and/or the general public through the presiding officer or the APCO pursuant to Governing Board Policy 11-04. If such request is beyond the scope of the APCO’s authority set forth in Governing Board Policy 02-01 then the presiding officer shall cause the request to be placed on the next agenda for discussion and action by the Governing Board.

**13. Rules of Debate.**

**A. Discussion Procedure.**

While discussing any question under consideration by the Governing Board, it shall be the duty of the members thereof to remain seated and address their remarks to the presiding officer and their fellow members. Any remarks or orders to the audience shall be addressed by the presiding officer, or with his or her permission, by members of the Governing Board.

**B. Governing Board Members to Address Chair.**

Every Governing Board member desiring to speak shall first address the Chair, gain recognition by the presiding officer and shall confine himself or herself to the question under debate, avoiding personalities and indecorous language.

**C. Questions to Staff.**

Every Governing Board member desiring to question the District staff shall, after recognition by the presiding officer, address his or her question to the APCO or the District Counsel, who shall be entitled either to answer the inquiry himself or herself or to designate a member of the staff for that purpose.

**D. Interruptions.**

A Governing Board member, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Governing Board member, or unless the speaker chooses to yield to a question by another Governing Board member. If a Governing Board member while speaking is called to order, he or she shall cease speaking until the question of order is determined; and if interpreted to be in order, may proceed. Members of the District staff, after recognition by the presiding officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

**E. Points of Order.**

The presiding officer shall determine all points of order subject to the right of any Governing Board member to appeal to the Governing Board. If an appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority vote shall conclusively determine such question of order.

**F. Point of Personal Privilege.**

The right of a Governing Board member to address the Governing Board on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are questioned or where the welfare of the Governing Board is concerned. A Governing Board member raising a point of personal privilege may interrupt another Governing Board member who has the floor only if the presiding officer recognizes the privilege.

**G. Privilege of Closing Debate.**

A Governing Board member moving the adoption of a rule, resolution or motion shall have the privilege of closing debate.

**H. Limitation of Debate.**

No Governing Board member shall be allowed to speak more than once upon any particular subject until every other Governing Board member desiring to do so shall have spoken.

**I. Motion to Reconsider.**

A motion to reconsider action taken by the Governing Board may be made only on the day the action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session. This motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motion or while a member has the floor; it is debatable. Nothing in these rules prevents a member of the Governing Board from making or remaking the same or any other motion at a subsequent meeting of the Governing Board.

**14. Robert's Rules of Order.**

In all matters and things not otherwise provided for in these procedural rules, the proceedings of the Governing Board shall be governed by "Robert's Rules of Order", revised edition. However, no rule, resolution, proceedings or other action of the Governing Board shall be invalidated, or the legality thereof otherwise affected, by the failure or omission to observe or follow said rules.

**15. Remarks of Governing Board Members and Synopsis of Debate.**

A Governing Board member may request through the presiding officer the privilege of having an abstract of his or her statements on any subject under consideration by the Governing Board entered into the minutes. If the Governing Board consents thereto, such statements shall be entered into the minutes.

**16. Protest Against Governing Board Action.**

Any Governing Board member dissenting from or stating his or her protest against any action of the Governing Board may have his or her reasons for such dissent or protest entered into the minutes. Such reasons shall be entered into the minutes upon the request of any Governing Board member.

**17. Addressing the Governing Board.**

**A. Manner of Addressing Governing Board.**

Each person desiring to address the Governing Board shall step up to the microphone, if one is present, state his or her name and address for the record, state the agenda item he or she wishes to discuss, state whom he or she is representing, if he or she is representing an organization or other persons. Unless further time is granted by the presiding officer or a majority vote of the Governing Board, the speaker shall limit his or her remarks to five (5) minutes. All remarks shall be addressed to the Governing Board as a whole and not to any member thereof and no questions shall be asked a Governing Board member or a member of the District staff or member of the audience without permission of the presiding officer. Any person desiring to address the Governing Board on a subject not on the agenda shall first present his or her request to the Clerk of the Governing Board in accordance with Section D below unless it is deemed an emergency.

**B. Speaker for Group of Persons.**

Whenever any group of persons wishes to address the Governing Board on the same subject matter and expressing the same point of view, the presiding officer may request that a speaker be chosen by the group to address the Governing Board. Absent a special determination by the Governing Board, such speaker shall be limited to the public comment period afforded to members of the public. If additional matters are to be presented by any other member of the group, the presiding officer may ask the group to limit the number of such persons addressing the Governing Board.

**C. After a Motion.**

After a motion has been made or a public hearing has been closed, no member of the public shall address the Governing Board from the audience on the matter under consideration without first getting permission to do so by the presiding officer or a majority vote of the Governing Board.



**D. Written Request to Address Governing Board.**

Every official, board, commission or other body connected with the District government, and every citizen, individual, corporation, committee or civic group, having any reports, communications or other matters to be presented at a Governing Board meeting, shall notify the Clerk of the Governing Board of that fact prior to or upon the date of the meeting before such item is called on the agenda. The request shall be in writing on a form as provided by the Governing Board and shall set forth the nature and the subject of the matter to be presented to the Governing Board.

**18. Rules of Decorum.**

**A. Governing Board Members.**

While the Governing Board is in session, the members must preserve order and decorum; and the members shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Governing Board nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

**B. Employees.**

Members of the District staff and independent contractors shall observe the same rules of order and decorum as are applicable to the Governing Board.

**C. Persons Addressing the Governing Board.**

Any person making impertinent, slanderous or profane remarks or who has become boisterous while addressing the Governing Board, shall be called to order by the presiding officer; and if such conduct continues, may at the discretion of the presiding officer, be barred from further audience before the Governing Board during that meeting and may be ordered removed from the premises.

**D. Persons Authorized to be at Rostrum.**

No person except members of the Governing Board and members of the District staff shall be permitted to approach the rostrum without the consent of the presiding officer.

**19. Motions - Second Required.**

A motion by any member of the Governing Board including the presiding officer may not be considered by the Governing Board without receiving a second.

**20. Disqualification for Conflict of Interest.**

Any Governing Board member who is disqualified from voting on a particular matter by a reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Governing Board member affected, be decided by the other Governing Board members upon advise of District Counsel. Upon disqualification, the disqualified Governing Board member shall remove him or herself from the dais until after the item has been acted upon. In the event that a disqualified Governing Board member is authorized pursuant to state law and wishes to testify to the subject, he or she shall follow the same rules as a member of the audience.

**21. Majority and Quorum.**

**A. Quorum.**

Except as provided in subdivision (B) herein, a majority of the Governing Board as duly sworn into membership shall constitute a quorum, and no official action shall be taken by the Governing Board except in the presence of a quorum.

**B. Quorum When Positions are Vacant.**

Whenever there are one or more vacancies on the Governing Board, the vacant positions shall not be counted in determining the number of members on the Governing Board toward the majority required for a quorum or official action by the Governing Board.

**C. Majority Vote Required.**

The affirmative votes of a majority of the Governing Board which are present shall be required to take official action on all items provided a quorum is present.

**22. Effect of Abstention or Silence.**

Every Governing Board member who should vote, unless disqualified by reason of conflict of interest, and who abstains from voting in effect consents that a majority of the Governing Board may decide the question voted upon, and his or her abstention shall be recorded concurrent with the majority vote. Unless a member of the Governing Board states that he or she is abstaining, his or her silence shall be recorded as an affirmative vote.

**23. Tie Votes.**

Tie votes shall be lost motions.

**24. Changing Vote.**

A Governing Board member may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the Clerk of the Governing Board prior to the time of the next item. Prior to the time that the next item in the order of business is taken up, a Governing Board member who publicly announces that he or she is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw his or her abstention.

**25. Rules, Regulations, Resolutions, and Contracts.**

**A. Prior Approval by Administrative Staff.**

All rules, regulations, resolutions and contract documents shall, before presentation to the Governing Board, have been approved as to legal form by the District Counsel and shall have been examined for administration by the APCO or his or her authorized representative.

**B. Reading of Rule, Regulations and Resolutions.**

At the time of the adoption or amendment of a rule or regulation, the resolution accompanying the rule or regulation shall be read in full unless, after the reading of the title thereof, further reading thereof is waived by the Governing Board members present. Such consent to waive further reading shall be deemed to have been given if no request for a reading in full is made by any Governing Board member; and such consent may be expressed by a statement in substance by the presiding officer that "If there are no objections, the further reading of the resolution shall be waived." If any Governing Board member requests a reading in full, the resolution shall be read in full.

## INDEX

Abstention	
Record With Majority .....	11
Agenda .....	3
72 hour Posting of .....	2
Delivery of .....	3
Distribution of .....	4
Placement on .....	4
Posting of .....	3
Posting on Website .....	4
Receipt of Information .....	3
APCO .....	1, 4, 7, 12
Board	
Majority of .....	2
Board Chambers .....	1
Brown Act .....	1
Chair .....	5
Election of .....	6
Expiration of Term .....	6
Participation of .....	6
Recognition of speaker .....	7
Term of .....	6
Clerk of the Board .....	2, 4, 5, 9, 10, 12
Preparation of Minutes .....	5
Closed Session .....	3
Disclosure of Discussion .....	3
Conflict of Interest .....	11
Testimony by Board Member .....	11
Correspondence	
Agenda Deadline .....	4
Placement on Agenda .....	4
Public Record .....	4
Reading Aloud .....	4
Urgent Matters .....	4
Debate	
Closing of .....	8
Limitation of .....	8
Rules of .....	7
Discussion	
Procedure for .....	7
Dissent .....	9
District Counsel .....	4, 7, 11, 12
District Staff .....	10
Emergency .....	9
Governing Board Policy	
02-01 .....	6
11-04 .....	6
Interruptions .....	7
Majority of Board .....	5
Majority Vote .....	3, 4, 5, 7, 9
Meeting	
Closed Session .....	3
Date of .....	2
Holiday .....	2
Location of .....	1
Minutes of .....	5
Order and Decorum .....	10
Order of Business .....	5
Public .....	3
Regular .....	2
Removal from .....	10
Special .....	2
Study Session .....	2
Unfinished Business .....	5
Workshop .....	2
Minutes	
Approval Without Reading .....	5
Change to .....	5
Contents of .....	8
Preparation of .....	5
Protest in .....	9
Reading of .....	5
Minutes of Meeting .....	5
Motion .....	10
To Reconsider .....	8
Notice	
By Mail .....	2
Newspaper .....	2
Of Meeting .....	2
Personal delivery .....	2
Posting .....	2
Radio .....	2
Televation .....	2
Waiver of .....	2
Written .....	2

Written Request for.....	2	Reading of.....	12
Point of Order .....	7	Silence	
Appeal of .....	7	Affirmative Vote.....	11
Vote on.....	7	Speaker	
Point of Personal Privilege .....	8	Designate for Group .....	9
Limitation of .....	8	Name, Address, Group Affiliation.....	9
Presiding Officer.....	5, 6, 7, 8, 10	Recognition of .....	7
Participation of.....	6	Staff.....	10
Request for Extraordinary Assistance .....	6	Questions to .....	7
Seating Arrangements.....	6	Study Session.....	2
Signature Authority .....	6	Sworn Testimony.....	6
Temporary.....	5	Temporary Presiding Officer .....	5
Vice-Chair.....	5	Testimony	
Protest .....	9	Under Oath.....	6
Public Comment .....	3	Unfinished Business .....	5
Public Meeting.....	3	Vacancies .....	11
Public Member.....	5	Vice-Chair	
Term.....	5	As Presiding Officer .....	5
Questions to Staff .....	7	Vote	
Quorum .....	11	Abstention.....	11
Vacancies .....	11	By Chair.....	6
Regular Meeting .....	2	Change of.....	12
Remarks		Majority .....	3, 5, 7, 9, 11
5 Minute Limit.....	9	Majority of Board .....	5
Impertinent, Slanderous or Profane .....	10	Majority of Governing Board .....	4
Request to Speak.....	10	Silence as Affirmative .....	11
Resolution		Tie.....	11
Reading of.....	12	Withdrawal of Abstention.....	12
Waiver of Reading.....	12	Website .....	4
Roberts Rules of Order .....	8	Workshop Meeting .....	2
Rostrum.....	10	Written Notice .....	2
Rule			

**ANTELOPE VALLEY  
AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD PROCEDURAL RULES\***

Amended: June 21, 2022  
Amended: April 21, 2020  
Amended: February 14, 2017  
Amended: May 20, 2014  
Amended: April 16, 2013  
Amended: January 17, 2012  
Amended: January 18, 2011  
Amended: January 15, 2008  
Amended: January 17, 2006  
Amended: March 18, 2003  
Adopted: January 15, 2002

\*For related statutory provisions see Health & Safety Code §§41300 et seq., 40700, 40701, 40702.; and Government Code 54950 et seq.

[This page intentionally left blank.]

## TABLE OF CONTENTS

1. Meeting Location. ....	1
2. District Offices - Address. ....	1
3. District Offices – Holidays and Hours. ....	1
4. Meetings. ....	1
A. Compliance with the Ralph M. Brown Act. ....	1
B. Regular Meetings or Workshop Meetings. ....	2
C. Special Meetings. ....	2
D. Study Sessions. ....	2
E. Meeting to be Public – Except for Closed Sessions. ....	3
5. Agenda. ....	3
A. Agenda Preparation. ....	3
B. Agenda Posting. ....	3
C. Agenda Distribution. ....	4
6. Governing Board Correspondence. ....	4
A. Availability to the Public. ....	4
B. Opening Mail and Written Communications. ....	4
7. Order of Business. ....	5
8. Unfinished Business. ....	5
9. Minutes. ....	5
A. Preparation of Minutes. ....	5
B. Reading of the Minutes. ....	5
10. Public Member. ....	5
11. Presiding Officer. ....	5
A. Chair as Presiding Officer. ....	5
B. Presiding Officer in Absence of Chair. ....	5
C. Term of Chair. ....	6
12. Powers and Duties of the Presiding Officer. ....	6
A. Participation. ....	6
B. Seating Arrangements for the Governing Board. ....	6
C. Signing of Documents. ....	6
D. Sworn Testimony. ....	6
E. Extraordinary Requests for Assistance by Members. ....	6
13. Rules of Debate. ....	7
A. Discussion Procedure. ....	7
B. Governing Board Members to Address Chair. ....	7
C. Questions to Staff. ....	7
D. Interruptions. ....	7
E. Points of Order. ....	7
E. Point of Personal Privilege. ....	8
G. Privilege of Closing Debate. ....	8
H. Limitation of Debate. ....	8
I. Motion to Reconsider. ....	8
14. Robert's Rules of Order. ....	8



<b>15. Remarks of Governing Board Members and Synopsis of Debate.....</b>	<b>8</b>
<b>16. Protest Against Governing Board Action.....</b>	<b>9</b>
<b>17. Addressing the Governing Board.....</b>	<b>9</b>
<b>A. Manner of Addressing Governing Board. ....</b>	<b>9</b>
<b>B. Speaker for Group of Persons.....</b>	<b>9</b>
<b>C. After a Motion.....</b>	<b>9</b>
<b>D. Written Request to Address Governing Board.....</b>	<b>10</b>
<b>18. Rules of Decorum.....</b>	<b>10</b>
<b>A. Governing Board Members. ....</b>	<b>10</b>
<b>B. Employees. ....</b>	<b>10</b>
<b>C. Persons Addressing the Governing Board.....</b>	<b>10</b>
<b>D. Persons Authorized to be at Rostrum. ....</b>	<b>10</b>
<b>19. Motions - Second Required.....</b>	<b>10</b>
<b>20. Disqualification for Conflict of Interest.....</b>	<b>11</b>
<b>21. Majority and Quorum.....</b>	<b>11</b>
<b>A. Quorum.....</b>	<b>11</b>
<b>B. Quorum When Positions are Vacant.....</b>	<b>11</b>
<b>C. Majority Vote Required. ....</b>	<b>11</b>
<b>22. Effect of Abstention or Silence. ....</b>	<b>11</b>
<b>23. Tie Votes. ....</b>	<b>11</b>
<b>24. Changing Vote.....</b>	<b>12</b>
<b>25. Rules, Regulations, Resolutions, and Contracts. ....</b>	<b>12</b>
<b>A. Prior Approval by Administrative Staff.....</b>	<b>12</b>
<b>B. Reading of Rule, Regulations and Resolutions.....</b>	<b>12</b>

# **ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT GOVERNING BOARD PROCEDURAL RULES**

## **1. Meeting Location.**

The meeting place of the Antelope Valley Air Quality Management District Governing Board shall be in the Board Chambers at the District offices and all meetings of the Governing Board shall be held therein, unless duly adjourned to another location.

## **2. District Offices - Address.**

The offices of all departments, officers and employees of the District shall be located at the Antelope Valley Air Quality Management District offices, 2551 W Avenue H, Lancaster, CA 93536 unless other offices are authorized by the Governing Board.

## **3. District Offices - Holidays and Hours.**

The District offices shall be closed on all official holidays as established by the Governing Board and on alternate Fridays commencing the first Friday in January 2002. Every Saturday and Sunday are holidays in respect to the transaction of business in such District offices. Said District offices shall be open to the public for business as specified by the Air Pollution Control Officer (APCO) and as dictated by business needs on all other days of the year.

## **4. Meetings.**

### **A. Compliance with the Ralph M. Brown Act.**

To ensure that the deliberations and actions of the Governing Board are conducted openly and to ensure meaningful public participation, all meetings of the Governing Board shall be held in compliance with the provisions of the Ralph M. Brown Act (Government Code §§ 54950 et. seq.) and the guidelines promulgated thereunder (14 Cal. Code Regs §§15000 et. seq).

Any subsidiary body of the Governing Board or of the District which is subject to the provisions of the Ralph M. Brown Act shall also hold its meetings in compliance with its provisions.

**B. Regular Meetings or Workshop Meetings.**

Regular meetings of the Governing Board shall be held on the third Tuesday of the month at 10:00 A.M. Workshop meetings of the Governing Board may be held on any day normally scheduled for a regular meeting but at which no official action is to be taken. For the purposes of this paragraph a workshop meeting is defined as a meeting of the Governing Board when the primary purpose of the meeting is, but is not limited to, conducting a study session. In the event that a Board meeting or workshop meeting falls on a holiday, the meeting shall be held at the same time on the next succeeding day which is not a holiday, unless adjourned to a different time.

An agenda shall be prepared and posted at least seventy-two (72) hours prior to the meeting in a location that is freely accessible to members of the public and on the District's website located at <http://www.avaqmd.ca.gov>.

**C. Special Meetings.**

A special meeting of the Governing Board may be called at any time by the Chair of the Governing Board or by a majority of the members of the Governing Board, by delivering personally or by United States mail written notice of the meeting to each member of the Governing Board and to each newspaper, radio or television station which has requested notice of meetings in writing. The notice shall be delivered personally or by United States mail and shall be received by the member of the Governing Board at least twenty-four (24) hours before the time of the meeting as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings.

The written notice may be dispensed with as to any member of the Governing Board who at or prior to the time a special meeting convenes, files with the Clerk of the Governing Board a written waiver of the notice. The waiver may be given by telegram or facsimile communication. A written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

The notice and a written agenda shall be posted at least twenty-four (24) hours prior to the special meeting at the location of the regular meetings of the Governing Board and at the location of the special meeting if different from the location of the regular meetings and the place(s) where the notice is posted shall be freely accessible to members of the public.

**D. Study Sessions.**

The Governing Board may meet in a study session on the day of the regular Governing Board meeting at the hour of 10:00 a.m. in the board chambers or at such other time or

place as may be designated by the Governing Board for the purpose of hearing reports from the staff, reviewing, discussing and debating matters of interest to the District. Such sessions shall be open to the public. No official action shall be taken at a study session.

An agenda shall be prepared and posted at least seventy-two (72) hours prior to the study session in a location that is freely accessible to members of the public.

**E. Meeting to be Public - Except for Closed Sessions.**

All regular and special meetings of the Governing Board shall be public. Public comment will be received on agenda items at the time of the hearing of that item. Public comment on items not on the agenda will be heard during the designated public comment period.

The Governing Board may hold closed sessions during a regular or special meeting from which the public may be excluded for the purpose of considering the matters which are properly the subject of such sessions pursuant to law, including but not limited to those matters referred to in Government Code §§54954.5, 54956.8, 54956.9, 54956.95, 54957 and/or 54957.6.

No member of the Governing Board, employee of the District, or any other person present during an closed session of the Governing Board shall disclose to any person the content or substance of any discussion which took place during a closed session unless the Governing Board authorizes the disclosure of such information by majority vote.

**5. Agenda.**

**A. Agenda Preparation.**

The times for receiving information for the Governing Board agenda and delivery of the agenda shall be established by the Clerk of the Governing Board.

The Clerk of the Governing Board shall prepare the agenda at the direction of the Executive Director/Air Pollution Control Officer and the Chair of the Governing Board. A brief description shall be provided for each item. Each description shall contain sufficient information regarding the proposed action to allow the general public to determine whether or not to participate. Each agenda produced shall contain a public comment period.

**B. Agenda Posting.**

Once completed the Clerk of the Board shall post the agenda in a location freely accessible to the general public on or before the posting time listed above for the particular type of meeting to be held. The agenda and any backup material shall also be

available in the District Offices during District business hours. The agenda and any backup material shall also be posted on the District's website.

**C. Agenda Distribution.**

The Clerk of the Board shall distribute the agenda and any backup material to Members of the Governing Board, appropriate District staff and to anyone who has requested to be included on the agenda distribution list within the last calendar year. Such distribution may occur by U.S. mail in hard copy, U.S. mail via electronic media (CD-Rom), and/or E-mail as specified by the requesting party. If a party fails to specify a delivery modality distribution shall occur via U.S. mail in hard copy.

Persons requesting to be added to the agenda distribution list may specify that they wish to receive only the agenda without the backup documentation. If a person fails to specify then they shall receive the entire agenda including backup documentation.

**6. Governing Board Correspondence.**

**A. Availability to the Public.**

Correspondence addressed to the Governing Board which is received by the Clerk of the Governing Board or by any other officer or employee of the District shall become a public record when placed in the Clerk of the Board's correspondence file or when otherwise acted upon by the Clerk of the Board unless such item is marked "confidential" or "personal". Correspondence received in the Clerk of the Governing Board's office or other offices after twelve noon the Monday preceding a regular Governing Board meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Governing Board at the next regular meeting or is determined by the Chair of the Governing Board or the APCO to be an urgent matter which should be brought to the immediate attention of the Governing Board. Correspondence shall not be read aloud at the Governing Board meetings unless requested by a majority vote of the Governing Board.

**B. Opening Mail and Written Communications.**

The APCO and the District Counsel are authorized to open and examine all mail or other written communications addressed to the Governing Board and its members unless marked "confidential" or "personal" and within the authority delegated to the APCO by the Governing Board, give it immediate attention.

**7. Order of Business.**

The order of business of Governing Board meetings shall be established by the Governing Board.

**8. Unfinished Business.**

Any matter the consideration of which has not been completed at any meeting of the Governing Board and which has not been continued or which has not been removed from the agenda shall be listed for consideration at the next regular meeting of the Governing Board.

**9. Minutes.**

**A. Preparation of Minutes.**

The Clerk of the Governing Board shall have exclusive responsibility for the preparation of the minutes and any directions for change in the minutes shall be made only by a majority vote of the Governing Board in open session.

**B. Reading of the Minutes.**

Unless the reading of the minutes of the Governing Board meeting is ordered by the majority vote of the Governing Board, such minutes may be approved without reading if the Clerk of the Governing Board has previously furnished each Governing Board member with a copy.

**10. Public Member.**

Pursuant to the provisions of Health & Safety Code §41310(d) the Governing Board shall appoint a public member. Such public member shall serve a term of two (2) years commencing on July 1 of the year of appointment or such other period of time as the Governing Board designates in its appointing action.

**11. Presiding Officer.**

**A. Chair as Presiding Officer.**

The Chair of the Governing Board shall be the presiding officer at all meetings of the Governing Board.

**B. Presiding Officer in Absence of Chair.**

In the absence of the Chair, the Vice-Chair shall preside. In the absence of the Chair and the Vice-Chair, the Clerk of the Governing Board shall call the Governing Board to order, whereupon a temporary presiding officer shall be elected by the Governing Board members present to serve until the arrival of the Chair or Vice-Chair or until

adjournment. Wherever in this chapter the term “Chair” is used, the term shall apply equally to the presiding officer as defined in this section.

**C. Term of Chair.**

The Chair shall be elected each year in December from the membership of the Governing Board and shall serve a term of one (1) year. The term of the Chair shall commence on the first regular meeting of the Governing Board in January and shall expire on the first regular meeting of the Governing Board in the subsequent January.

**12. Powers and Duties of the Presiding Officer.**

**A. Participation.**

The presiding officer may move, second, debate and vote from the Chair.

**B. Seating Arrangements for the Governing Board.**

The Clerk of the Board in consultation with the presiding officer shall, following each Governing Board member appointment and at such other times as necessary, establish the seating arrangement of the members of the Governing Board.

**C. Signing of Documents.**

The presiding officer or his or her duly appointed designee shall sign all rules, resolutions, contracts and other documents necessitating his or her signature.

**D. Sworn Testimony.**

The presiding officer may, pursuant to statute or other provision of law, require any person addressing the Governing Board to be sworn as a witness and to testify under oath. The presiding officer shall so require if directed to do so by a majority of the Governing Board.

**E. Extraordinary Requests for Assistance by Members.**

Members shall address requests for assistance above and beyond the normal measure of assistance provided to permit holders and/or the general public through the presiding officer or the APCO pursuant to Governing Board Policy 11-04. If such request is beyond the scope of the APCO’s authority set forth in Governing Board Policy 02-01 then the presiding officer shall cause the request to be placed on the next agenda for discussion and action by the Governing Board.

**13. Rules of Debate.**

**A. Discussion Procedure.**

While discussing any question under consideration by the Governing Board, it shall be the duty of the members thereof to remain seated and address their remarks to the presiding officer and their fellow members. Any remarks or orders to the audience shall be addressed by the presiding officer, or with his or her permission, by members of the Governing Board.

**B. Governing Board Members to Address Chair.**

Every Governing Board member desiring to speak shall first address the Chair, gain recognition by the presiding officer and shall confine himself or herself to the question under debate, avoiding personalities and indecorous language.

**C. Questions to Staff.**

Every Governing Board member desiring to question the District staff shall, after recognition by the presiding officer, address his or her question to the APCO or the District Counsel, who shall be entitled either to answer the inquiry himself or herself or to designate a member of the staff for that purpose.

**D. Interruptions.**

A Governing Board member, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Governing Board member, or unless the speaker chooses to yield to a question by another Governing Board member. If a Governing Board member while speaking is called to order, he or she shall cease speaking until the question of order is determined; and if interpreted to be in order, may proceed. Members of the District staff, after recognition by the presiding officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

**E. Points of Order.**

The presiding officer shall determine all points of order subject to the right of any Governing Board member to appeal to the Governing Board. If an appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority vote shall conclusively determine such question of order.



**F. Point of Personal Privilege.**

The right of a Governing Board member to address the Governing Board on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are questioned or where the welfare of the Governing Board is concerned. A Governing Board member raising a point of personal privilege may interrupt another Governing Board member who has the floor only if the presiding officer recognizes the privilege.

**G. Privilege of Closing Debate.**

A Governing Board member moving the adoption of a rule, resolution or motion shall have the privilege of closing debate.

**H. Limitation of Debate.**

No Governing Board member shall be allowed to speak more than once upon any particular subject until every other Governing Board member desiring to do so shall have spoken.

**I. Motion to Reconsider.**

A motion to reconsider action taken by the Governing Board may be made only on the day the action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session. This motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motion or while a member has the floor; it is debatable. Nothing in these rules prevents a member of the Governing Board from making or remaking the same or any other motion at a subsequent meeting of the Governing Board.

**14. Robert's Rules of Order.**

In all matters and things not otherwise provided for in these procedural rules, the proceedings of the Governing Board shall be governed by "Robert's Rules of Order", revised edition. However, no rule, resolution, proceedings or other action of the Governing Board shall be invalidated, or the legality thereof otherwise affected, by the failure or omission to observe or follow said rules.

**15. Remarks of Governing Board Members and Synopsis of Debate.**

A Governing Board member may request through the presiding officer the privilege of having an abstract of his or her statements on any subject under consideration by the Governing Board entered into the minutes. If the Governing Board consents thereto, such statements shall be entered into the minutes.

**16. Protest Against Governing Board Action.**

Any Governing Board member dissenting from or stating his or her protest against any action of the Governing Board may have his or her reasons for such dissent or protest entered into the minutes. Such reasons shall be entered into the minutes upon the request of any Governing Board member.

**17. Addressing the Governing Board.**

**A. Manner of Addressing Governing Board.**

Each person desiring to address the Governing Board shall step up to the microphone, if one is present, state his or her name and address for the record, state the agenda item he or she wishes to discuss, state whom he or she is representing, if he or she is representing an organization or other persons. Unless further time is granted by the presiding officer or a majority vote of the Governing Board, the speaker shall limit his or her remarks to five (5) minutes. All remarks shall be addressed to the Governing Board as a whole and not to any member thereof and no questions shall be asked a Governing Board member or a member of the District staff or member of the audience without permission of the presiding officer. Any person desiring to address the Governing Board on a subject not on the agenda shall first present his or her request to the Clerk of the Governing Board in accordance with Section D below unless it is deemed an emergency.

**B. Speaker for Group of Persons.**

Whenever any group of persons wishes to address the Governing Board on the same subject matter and expressing the same point of view, the presiding officer may request that a speaker be chosen by the group to address the Governing Board. Absent a special determination by the Governing Board, such speaker shall be limited to the public comment period afforded to members of the public. If additional matters are to be presented by any other member of the group, the presiding officer may ask the group to limit the number of such persons addressing the Governing Board.

**C. After a Motion.**

After a motion has been made or a public hearing has been closed, no member of the public shall address the Governing Board from the audience on the matter under consideration without first getting permission to do so by the presiding officer or a majority vote of the Governing Board.

**D. Written Request to Address Governing Board.**

Every official, board, commission or other body connected with the District government, and every citizen, individual, corporation, committee or civic group, having any reports, communications or other matters to be presented at a Governing Board meeting, shall notify the Clerk of the Governing Board of that fact prior to or upon the date of the meeting before such item is called on the agenda. The request shall be in writing on a form as provided by the Governing Board and shall set forth the nature and the subject of the matter to be presented to the Governing Board.

**18. Rules of Decorum.**

**A. Governing Board Members.**

While the Governing Board is in session, the members must preserve order and decorum; and the members shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Governing Board nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

**B. Employees.**

Members of the District staff and independent contractors shall observe the same rules of order and decorum as are applicable to the Governing Board.

**C. Persons Addressing the Governing Board.**

Any person making impertinent, slanderous or profane remarks or who has become boisterous while addressing the Governing Board, shall be called to order by the presiding officer; and if such conduct continues, may at the discretion of the presiding officer, be barred from further audience before the Governing Board during that meeting and may be ordered removed from the premises.

**D. Persons Authorized to be at Rostrum.**

No person except members of the Governing Board and members of the District staff shall be permitted to approach the rostrum without the consent of the presiding officer.

**19. Motions - Second Required.**

A motion by any member of the Governing Board including the presiding officer may not be considered by the Governing Board without receiving a second.

**20. Disqualification for Conflict of Interest.**

Any Governing Board member who is disqualified from voting on a particular matter by a reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Governing Board member affected, be decided by the other Governing Board members upon advise of District Counsel. Upon disqualification, the disqualified Governing Board member shall remove him or herself from the dais until after the item has been acted upon. In the event that a disqualified Governing Board member is authorized pursuant to state law and wishes to testify to the subject, he or she shall follow the same rules as a member of the audience.

**21. Majority and Quorum.**

**A. Quorum.**

Except as provided in subdivision (B) herein, a majority of the Governing Board as duly sworn into membership shall constitute a quorum, and no official action shall be taken by the Governing Board except in the presence of a quorum.

**B. Quorum When Positions are Vacant.**

Whenever there are one or more vacancies on the Governing Board, the vacant positions shall not be counted in determining the number of members on the Governing Board toward the majority required for a quorum or official action by the Governing Board.

**C. Majority Vote Required.**

The affirmative votes of a majority of the Governing Board which are present shall be required to take official action on all items provided a quorum is present.

**22. Effect of Abstention or Silence.**

Every Governing Board member who should vote, unless disqualified by reason of conflict of interest, and who abstains from voting in effect consents that a majority of the Governing Board may decide the question voted upon, and his or her abstention shall be recorded concurrent with the majority vote. Unless a member of the Governing Board states that he or she is abstaining, his or her silence shall be recorded as an affirmative vote.

**23. Tie Votes.**

Tie votes shall be lost motions.

**24. Changing Vote.**

A Governing Board member may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the Clerk of the Governing Board prior to the time of the next item. Prior to the time that the next item in the order of business is taken up, a Governing Board member who publicly announces that he or she is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw his or her abstention.

**25. Rules, Regulations, Resolutions, and Contracts.**

**A. Prior Approval by Administrative Staff.**

All rules, regulations, resolutions and contract documents shall, before presentation to the Governing Board, have been approved as to legal form by the District Counsel and shall have been examined for administration by the APCO or his or her authorized representative.

**B. Reading of Rule, Regulations and Resolutions.**

At the time of the adoption or amendment of a rule or regulation, the resolution accompanying the rule or regulation shall be read in full unless, after the reading of the title thereof, further reading thereof is waived by the Governing Board members present. Such consent to waive further reading shall be deemed to have been given if no request for a reading in full is made by any Governing Board member; and such consent may be expressed by a statement in substance by the presiding officer that "If there are no objections, the further reading of the resolution shall be waived." If any Governing Board member requests a reading in full, the resolution shall be read in full.

INDEX

Abstention		Emergency .....	9
Record With Majority .....	11	Governing Board Policy	
Agenda .....	3	02-01 .....	6
72 hour Posting of .....	2	11-04 .....	6
Delivery of .....	3	Interruptions .....	7
Distribution of .....	4	Majority of Board .....	5
Placement on .....	4	Majority Vote .....	3, 4, 5, 7, 9
Posting of .....	3	Meeting	
Posting on Website .....	4	Closed Session .....	3
Receipt of Information .....	3	Date of .....	2
APCO .....	1, 4, 7, 12	Holiday .....	2
Board		Location of .....	1
Majority of .....	2	Minutes of .....	5
Board Chambers .....	1	Order and Decorum .....	10
Brown Act .....	1	Order of Business .....	5
Chair .....	5	Public .....	3
Election of .....	6	Regular .....	2
Expiration of Term .....	6	Removal from .....	10
Participation of .....	6	Special .....	2
Recognition of speaker .....	7	Study Session .....	2
Term of .....	6	Unfinished Business .....	5
Clerk of the Board .....	2, 4, 5, 9, 10, 12	Workshop .....	2
Preparation of Minutes .....	5	Minutes	
Closed Session .....	3	Approval Without Reading .....	5
Disclosure of Discussion .....	3	Change to .....	5
Conflict of Interest .....	11	Contents of .....	8
Testimony by Board Member .....	11	Preparation of .....	5
Correspondence		Protest in .....	9
Agenda Deadline .....	4	Reading of .....	5
Placement on Agenda .....	4	Minutes of Meeting .....	5
Public Record .....	4	Motion .....	10
Reading Aloud .....	4	To Reconsider .....	8
Urgent Matters .....	4	Notice	
Debate		By Mail .....	2
Closing of .....	8	Newspaper .....	2
Limitation of .....	8	Of Meeting .....	2
Rules of .....	7	Personal delivery .....	2
Discussion		Posting .....	2
Procedure for .....	7	Radio .....	2
Dissent .....	9	Televation .....	2
District Counsel .....	4, 7, 11, 12	Waiver of .....	2
District Staff .....	10	Written .....	2

[As Amended June 21, 2022]

Written Request for.....	2	Reading of.....	12
Point of Order .....	7	Silence	
Appeal of .....	7	Affirmative Vote.....	11
Vote on.....	7	Speaker	
Point of Personal Privilege .....	8	Designate for Group .....	9
Limitation of .....	8	Name, Address, Group Affiliation.....	9
Presiding Officer.....	5, 6, 7, 8, 10	Recognition of .....	7
Participation of.....	6	Staff.....	10
Request for Extraordinary Assistance .....	6	Questions to .....	7
Seating Arrangements.....	6	Study Session.....	2
Signature Authority .....	6	Sworn Testimony.....	6
Temporary.....	5	Temporary Presiding Officer .....	5
Vice-Chair.....	5	Testimony	
Protest .....	9	Under Oath.....	6
Public Comment .....	3	Unfinished Business .....	5
Public Meeting.....	3	Vacancies .....	11
Public Member.....	5	Vice-Chair	
Term.....	5	As Presiding Officer .....	5
Questions to Staff .....	7	Vote	
Quorum .....	11	Abstention.....	11
Vacancies .....	11	By Chair.....	6
Regular Meeting .....	2	Change of.....	12
Remarks		Majority .....	3, 5, 7, 9, 11
5 Minute Limit.....	9	Majority of Board .....	5
Impertinent, Slanderous or Profane .....	10	Majority of Governing Board .....	4
Request to Speak.....	10	Silence as Affirmative .....	11
Resolution		Tie.....	11
Reading of.....	12	Withdrawal of Abstention.....	12
Waiver of Reading.....	12	Website .....	4
Roberts Rules of Order .....	8	Workshop Meeting .....	2
Rostrum.....	10	Written Notice .....	2
Rule			

The following page(s) contain the backup material for Agenda Item: [Reappoint Newton Chelette as the Public Member on the Governing Board of the Antelope Valley Air Quality Management District \(AVAQMD\) for a two-year term. Presenter: Bret Banks, Executive Director.](#)

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:** June 21, 2022

**RECOMMENDATION:** Reappoint Newton Chelette as the Public Member on the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) for a two-year term.

**SUMMARY:** This item reappoints Newton Chelette to remain as the Public Member on the Governing Board for an additional two-year term.

**BACKGROUND:** The AVAQMD Governing Board is required to appoint a public member (Health & Safety Code §41310(d)). The AVAQMD Governing Board Procedural Rules state such public member shall serve a term of two (2) years commencing on July 1 of the year of appointment or such other period of time as the Governing Board designates in its appointing action.

**REASON FOR RECOMMENDATION:**

Newton Chelette has served in this capacity for the current two-year term. Mr. Chelette has expressed an interest in continuing to be the public member on the AVAQMD Governing Board for another two-year term.

**REVIEW BY OTHERS:** This item was reviewed by Allison Burns, District Counsel as to legal form and by Bret Banks, Executive Director/APCO on or about June 6, 2022.

**FINANCIAL DATA:** No increase in appropriation is anticipated.

**PRESENTER:** Bret Banks, Executive Director/APCO.

The following page(s) contain the backup material for Agenda Item: [Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2022-23: a. Re-Open the continued public hearing; b. Receive supplemental staff report and/or staff update; c. Receive public testimony; d. Close public hearing; e. Adopt a resolution approving and adopting the budget for FY 2022-2023. Presenter: Laquita Cole, Finance Manager.](#)  
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:** June 21, 2022

**RECOMMENDATION:** Conduct Continued Public Hearing to consider the proposed AVAQMD Budget for FY 2022-23: a. Re-Open the continued public hearing; b. Receive supplemental staff report and/or staff update; c. Receive public testimony; d. Close public hearing; e. Adopt a resolution approving and adopting the budget for FY 2022-2023.

**SUMMARY:** The AVAQMD Budget for Fiscal Year 2022-2023 is presented to the Governing Board for adoption and implementation beginning July 1, 2022.

**BACKGROUND:** The budget process includes a presentation to the Governing Board with staff recommendations for programs and projects for the new fiscal year. In addition, opportunity for public comment is incorporated into the process and is required by law.

A proposed budget summary and supporting documentation was prepared and made available in accordance with the 30-day Public Notice Requirement of Health and Safety Code §40131(a)(1). All persons within the Antelope Valley Air Quality Management District jurisdiction who were subject to fees during the prior fiscal year were properly notified of the availability of the information (pursuant to H&S §40131(a)(2)). A Public Hearing for the purpose of reviewing the budget and taking public comment, as required by H&S § 40131(a)(3), was held May 17, 2022 and continued to this meeting.

The budget includes anticipated revenue to be derived from a proposed 10.0% fee increase. The fee increase is well within the provisions of Health & Safety Code §42311(a) and falls within the exemption found in Article XIII C §1(e)(3) of the California Constitution.

**REASON FOR RECOMMENDATION:** Health and Safety Code §40131 requires that Districts adopt an annual budget. Adoption of the budget will enable the AVAQMD Governing Board to make adequate financial plans and will ensure that the District can administer their respective functions in accordance with such plans.

**REVIEW BY OTHERS:** This agenda item was approved as to legal form by Allison Burns, Special Counsel on or before June 3, 2022.

**FINANCIAL DATA:** There is no additional financial impact resulting from this presentation and public hearing.

**PRESENTER:** Laquita Cole, Finance Manager.

**RESOLUTION NO.**

**A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT APPROVING AND ADOPTING THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2022-23.**

1 On June 21, 2022, on motion by Member \_\_\_\_\_, seconded by Member  
2 \_\_\_\_\_, and carried, the following resolution is adopted:

3 **WHEREAS**, the Air Pollution Control Officer has submitted to the Governing Board  
4 an annual budget for the Antelope Valley Air Quality Management District (AVAQMD) for  
5 the fiscal year 2022-23; and

6 **WHEREAS**, a proposed budget summary and supporting documentation were  
7 prepared and made available in accordance with the 30 day Public Notice requirement (Health  
8 and Safety Code §40131(a)(1)); and

9 **WHEREAS**, all persons within the District area who were subject to fees during the  
10 prior fiscal year were properly notified of the availability of the information (Health and Safety  
11 Code §40131(a)(2)); and

12 **WHEREAS**, a separate Public Hearing for the exclusive purpose of reviewing the  
13 budget and taking public comment, as required by Health and Safety Code §40131(a)(3), was  
14 held on May 17, 2022 and continued to June 21, 2022; and

15 **WHEREAS**, the annual budget contains estimates of the services, activities and  
16 programs comprising the budget, and contains expenditure requirements and their resources  
17 available to the AVAQMD; and

18 **WHEREAS**, the expenses budgeted for all funds for fiscal year 2022-23 are  
19 \$6,596,839 (Six Million, Five Hundred Ninety-Six Thousand, Eight Hundred Thirty-Nine);  
20 and

21 **WHEREAS**, the revenue budgeted from all funds for fiscal year 2022-23 is  
22 \$6,551,705 (Six Million, Five Hundred Fifty-One Thousand, Seven Hundred Five); and

23 **WHEREAS**, the annual budget will enable the AVAQMD Governing Board to make  
24 adequate financial plans and will ensure that the AVAQMD officers can administer their  
25 respective functions in accordance with such plans,  
26  
27  
28

**RESOLUTION NO.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
22  
23  
23  
24  
25  
26  
27  
28

**NOW, THEREFORE, BE IT RESOLVED**, by the AVAQMD Governing Board, the following:

The Air Pollution Control Officer, or designee, is authorized and hereby directed to execute the initial and final applications for potential State subvention funds and CAP funds for Fiscal Year 2022-23.

The annual budget for the AVAQMD for the fiscal year 2022-23 is hereby approved and adopted, and the amounts of proposed expenditures, as specified, are appropriate for the account classifications as herein specified.

A. The 2022-23 Budget for expenses is hereby adopted, establishing the following:

<u>ACCOUNT CLASSIFICATION</u>	<u>2022-23 ADOPTED BUDGET</u>
Personnel Expenses	\$1,800,000
Operating Expenses	626,961
Program Expenses	4,119,878
Capital Expenses	<u>50,000</u>
<b>TOTAL EXPENSE BUDGET</b>	<b>\$6,596,839</b>

B. The 2022-23 Budget for revenue is hereby adopted, establishing a revenue base for the expenditures noted above:

<u>ACCOUNT CLASSIFICATION</u>	<u>2022-23 ADOPTED BUDGET</u>
Permit Fees	\$1199,200
Application Fees	32,500
Fines & Penalties	10,000
Interest Income	44,602
Revenue from (Grant) Programs	3,755,106
Federal and State Revenue	<u>1,510,297</u>
<b>TOTAL REVENUE BUDGET</b>	<b>\$6,551,705</b>
<b>Cash to/from Reserve</b>	<b>\$45,134</b>
<b>Committed Fund Balance for Cash Reserves</b>	<b>\$1M</b>

**RESOLUTION NO.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Pursuant to Section 53901 of the California Government Code, the Finance Manager shall file a copy of this resolution with the Auditor of the County of Los Angeles, as required.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the Governing Board of the Antelope Valley Air Quality Management District by the following vote:

AYES: MEMBER:  
NOES: MEMBER:  
ABSENT: MEMBER:  
ABSTAIN: MEMBER:

STATE OF CALIFORNIA )  
)  
) ss:  
COUNTY OF LOS ANGELES )

I, Deanna Hernandez, Senior Executive Analyst of the Governing Board of the Antelope Valley Air Quality Management District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the same appears in the Official Minutes of said Governing Board at its meeting of June 21, 2022.

\_\_\_\_\_,  
Deanna Hernandez  
Senior Executive Analyst  
Governing Board, Antelope Valley Air Quality Management District

FISCAL YEAR  
**2022-23**



PROPOSED  
**BUDGET**

City of  
**LANCASTER**

City of  
**PALMDALE**

**HIGH  
DESERT**  
*of Los  
Angeles  
County*

*Pictured: Apollo Community Regional Park, Lancaster, Calif.*

661.723.8070

 [avaqmd.ca.gov](http://avaqmd.ca.gov)

 [.com/avaqmd](https://www.facebook.com/avaqmd)

 [@avaqmd](https://twitter.com/avaqmd)

**July 1, 2022**

Antelope Valley Air Quality Management District  
43301 Division St., Suite 206  
Lancaster, CA 93535-4649

*Bret Banks, Executive Director*

This page intentionally left blank.



## Antelope Valley Air Quality Management District

**Bret Banks**, *Executive Director*

43301 Division St., Antelope Valley, CA 93535-4649

661.723.8070 • [www.AVAQMD.ca.gov](http://www.AVAQMD.ca.gov)



April 14, 2022

It is my pleasure to present for your consideration, the Antelope Valley Air Quality Management District's proposed Fiscal Year (FY) 2022-2023 General Fund Budget and Grant Programs. This budget is designed to serve as the financial plan for the District's programs, projects, and policies. It reflects the District's commitment to long-term financial planning, cost-effective services, and fiscal policies that recognize the need to fund future obligations.

The proposed budget for FY23 is optimistic. The COVID-19 pandemic took a significant toll on our local economy and changed how we financially prepare for the future. However, our conservative financial strategy assured the District's success through this tumultuous economic period which includes an unprecedented inflation of 8.1%. The FY23 consolidated budget is \$6.55 million with a General Fund budget of \$3.69 million (up from FY22) by \$.77 million dollars from funded programs. Recommendations include an increase to Regulation III, Fees, by proposing a 10.0% fee increase effective January 1, 2023.

The Antelope Valley AQMD is serviced based with 7 full time equivalents including one vacant FTE. Additional administrative and technical services are provided by 2.5 FTEs through our contract for services with the Mojave Desert AQMD. As such, the General Budget is composed of Personnel expenses of 55%, Program expenses of 34%, Capital Expenses of 1%, and Operating Expenses of 10%.

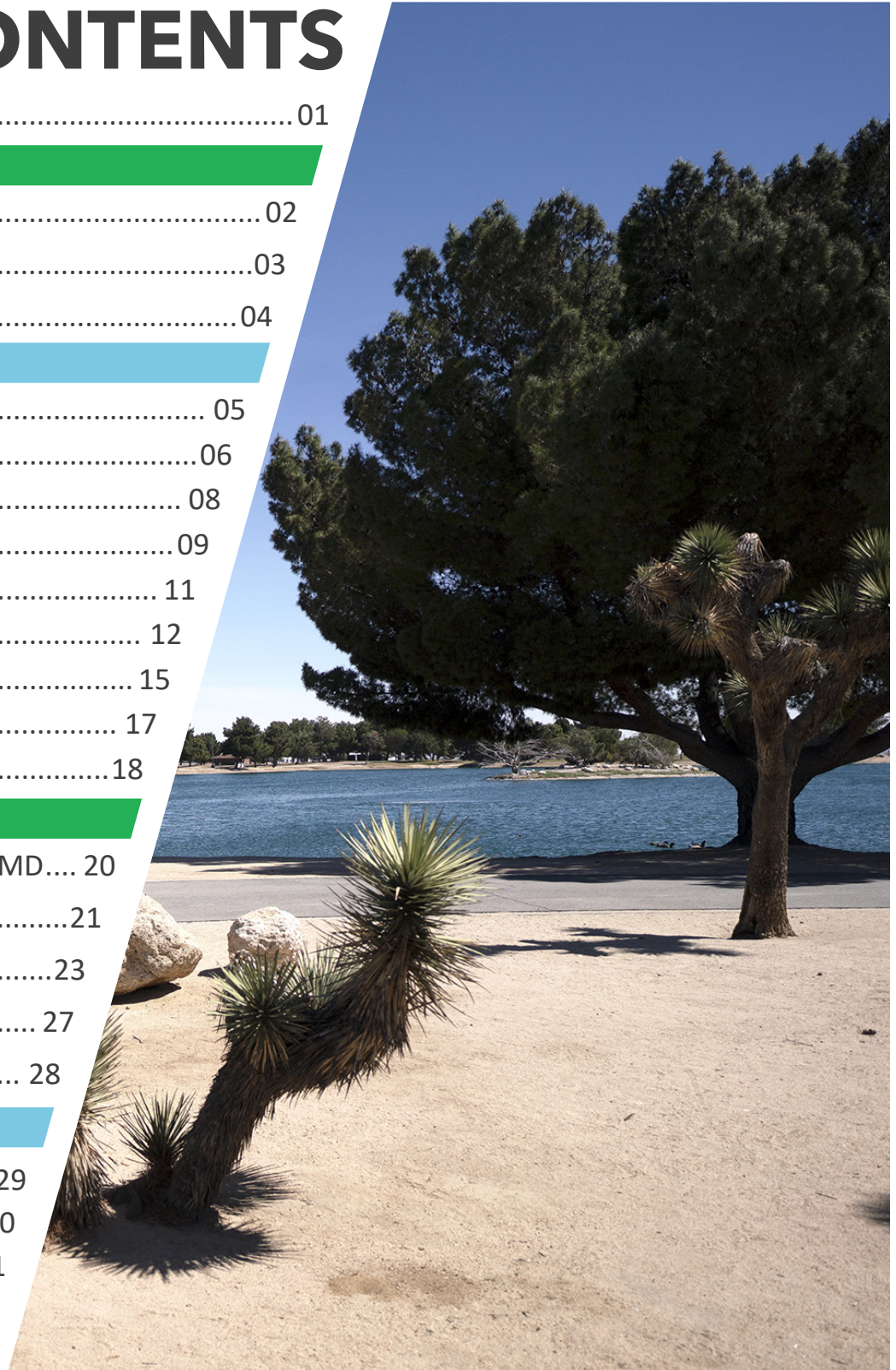
A Public Hearing will be held May 17, 2022 to receive public comments concerning this proposed budget and will be continued to June 21, 2022 for adoption on July 1, 2022. The FY23 Budget represents a financial strategy designed to meet this year's obligations and challenges, efficiently and transparently, while maintaining sensitivity towards industry and the general public.

Bret Banks  
Air Pollution Control Officer

This page intentionally left blank.

# Table of **CONTENTS**

About the AVAQMD.....	01
<hr style="border: 2px solid green;"/>	
AVAQMD Boundaries Map .....	02
Governing Board .....	03
What we do at AVAQMD .....	04
<hr style="border: 2px solid #00A0C9;"/>	
All Funds Consolidated .....	05
Cost Recovery FY 2022-23 .....	06
General Fund Consolidated .....	08
General Fund Highlights .....	09
General Fund Revenue Detail .....	11
Programs .....	12
District-wide Expenses .....	15
Support Staff .....	17
Contract Expenses Detail.....	18
<hr style="border: 2px solid green;"/>	
Contract with Mojave Desert AQMD....	20
AVAQMD Grants .....	21
Program Funds Detail .....	23
All Funds Historical .....	27
Five-year Recap .....	28
<hr style="border: 2px solid #00A0C9;"/>	
General Fund Historical .....	29
Reserves .....	30
Budget Categories .....	31
Acronyms.....	32
Agenda and Resolution .....	33



This page intentionally left blank.



# ABOUT THE AVAQMD

## INTRODUCTION

The Antelope Valley Air Quality Management District (AVAQMD) relies on transparency and community involvement to educate industries, businesses and individuals about current air quality regulations and ensure compliance with local, state and federal regulations through annual inspections. The District approaches air quality regulations in a manner that is responsive and accessible. Growth and new programs demand that the District continue to strive to streamline government, become more efficient, and conserve resources without limiting or decreasing the service provided to the regulated community.

## AVAQMD WEBSITE

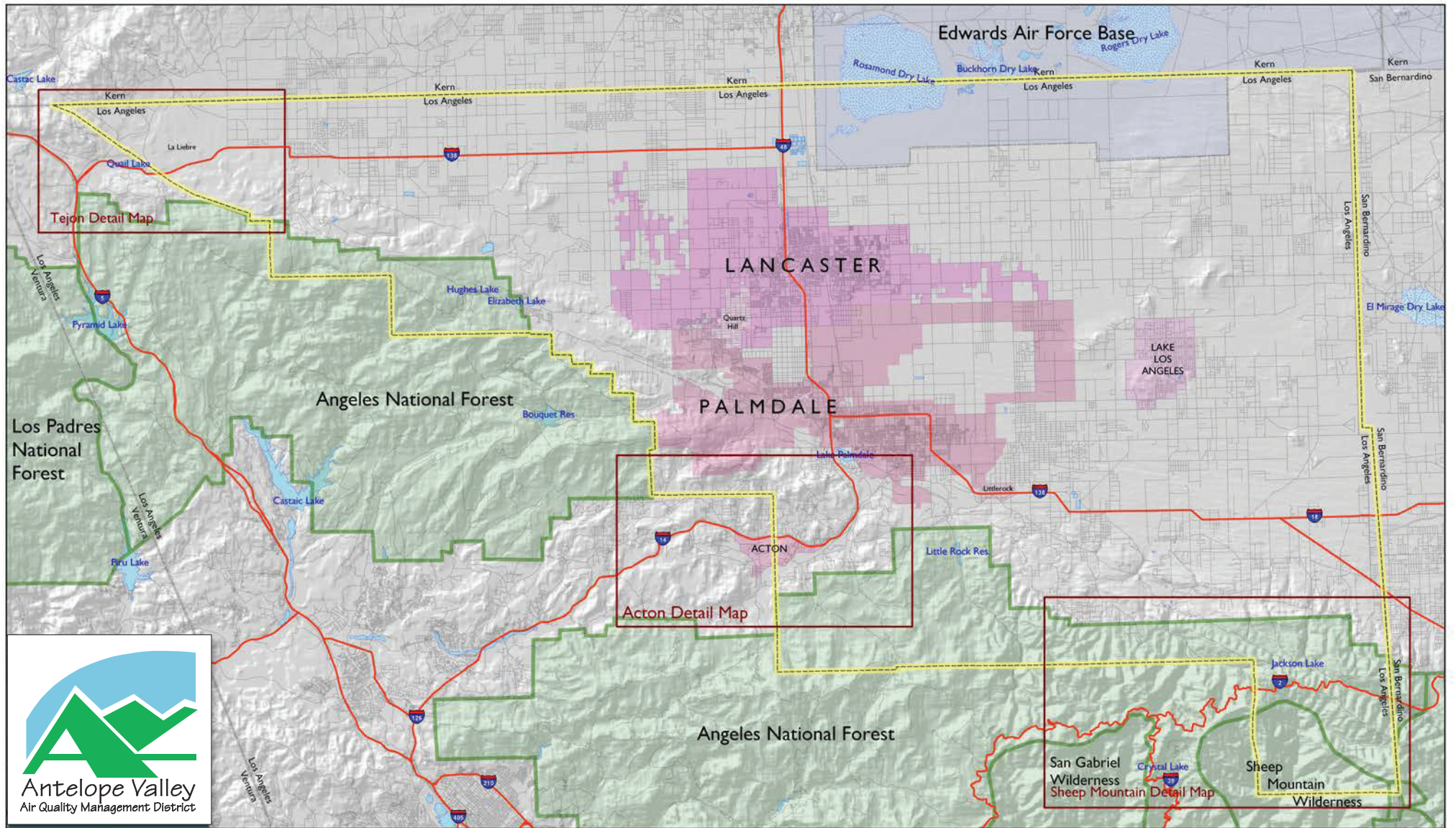
Educating the community is the most important investment the District can make to impact the future of air quality in the region. Using technology and social media the District is able to reach the public with the latest version of the District rulebook, application for permits, various forms, and air quality information – such as forecasts, ozone maps and real time air quality data provided through Purple Air monitoring stations throughout the community

## COMMUNITY OUTREACH

The District strives to be known as a partner in the development of a sustainable local economy that values health and environmental conservation. This is achieved by providing information through involvement in community events such as the Antelope Valley Economic Development and Growth Enterprise's Business Outlook Conference, school education programs, attendance at regular meetings held by City Councils, local business and organizations.

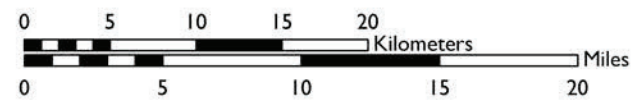


The District lies within the northern part of Los Angeles County. The District boundaries start on the south just outside of Acton, north to the Kern County line, east to the San Bernardino County line, and west to the Quail Lake area. The AVAQMD is located within the Mojave Desert air basin. An air basin is a geographical region to describe an area with a commonly shared air mass, since air pollution does not follow county, city, or political boundaries.



- Edwards Air Force Base
- National Forest
- Air Quality Management District Border
- County Lines
- Bodies of Water
- Dry Lakes
- Highways
- Roads

## Antelope Valley Air Quality Management District Boundary



# GOVERNING Board

**CHAIR**



**Marvin Crist**  
*City of Lancaster*

**VICE CHAIR**



**Austin Bishop**  
*City of Palmdale*



**Newton Chelette**  
*Public Member*



**Howard Harris**  
*Los Angeles County,  
Fifth District*



**Ron Hawkins**  
*Los Angeles County,  
Fifth District*



**Steven Hofbauer**  
*City of Palmdale*



**Ken Mann**  
*City of Lancaster*



## WHAT WE DO

- Adopt rules that limit pollution, issue permits to ensure compliance, and inspect pollution sources.
- Administer agricultural burning and dust plans to preserve the air quality in Antelope Valley, protect public health and safety, and to ensure agricultural activity continues in a safe regulated fashion.
- Inventory and assess the health risks of toxic air emissions.
- Monitor the county's air quality through the use of an air quality monitoring station.
- Administer the Motor Vehicle Emission Reduction Program funding projects which reduce air pollution from motor vehicles, and for related planning, monitoring, and enforcement activities.
- Prepare Clean Air Plans to identify how much pollution is in our air, where it comes from, and how to control it most effectively.
- Analyze the air quality impact of new businesses and land development projects. Respond to public complaints and inquiries.
- Work with other government agencies to ensure their decisions & coordinate with good air quality programs.
- Help individuals and businesses understand and comply with federal, state, and local air pollution control laws.
- Inform the public about air quality conditions and health implications.
- Issue permits to build, alter, and operate equipment to companies under our jurisdiction that either cause, contribute to, or control air pollution



**Antelope Valley AQMD**  
**ALL FUNDS, Consolidated**

	<b>Budget FY 2022</b>	<b>EOY Estimate FY 2022</b>	<b>Budget FY 2023</b>
<b>Revenues</b>			
Permit Fees	1,047,500	1,124,947	1,199,200
Application Fees	30,500	31,176	32,500
Federal Revenue	0	0	63,982
Fines & Penalties	10,000	14,250	10,000
Interest Income	17,500	19,909	44,602
Revenue from Programs	2,833,400	2,510,794	3,755,106
State Revenue	1,096,000	1,179,925	1,446,315
<b>Total Revenues</b>	<b>5,034,900</b>	<b>4,881,001</b>	<b>6,551,705</b>
<b>Expenses</b>			
<b>Personnel Expenses</b>			
Program Staff	1,389,000	1,532,974	1,800,000
<b>Total Personnel Expenses</b>	<b>1,389,000</b>	<b>1,532,974</b>	<b>1,800,000</b>
<b>Operating Expenses</b>			
Communications	21,050	26,405	35,870
Dues & Subscriptions	46,650	19,050	21,100
Non-Depreciable Inventory	2,300	5,395	10,500
Legal	44,000	16,700	79,000
Professional Services	230,150	269,930	305,150
Maintenance & Repairs	6,500	4,700	7,000
Training & Travel	15,150	14,075	16,650
Vehicles	7,900	15,005	15,930
Office Expenses	110,125	109,701	132,761
Program Expenses	3,104,500	2,887,118	4,119,978
Miscellaneous Expenses	2,900	550	2,900
<b>Total Operating Expenses</b>	<b>3,591,225</b>	<b>3,368,629</b>	<b>4,746,839</b>
<b>Capital Expenses</b>			
Equipment	25,000	15,120	25,000
Software	25,000	0	25,000
<b>Total Capital Expenses</b>	<b>50,000</b>	<b>15,120</b>	<b>50,000</b>
<b>Total Expenses</b>	<b>5,030,225</b>	<b>4,916,723</b>	<b>6,596,839</b>
<b>Cash To (From) Reserves</b>	<b>4,675</b>	<b>(35,722)</b>	<b>(45,134)</b>



## **COST RECOVERY FISCAL YEAR 2022-2023**

### **BACKGROUND**

The District is responsible for protecting public health and the environment by achieving and maintaining health-based national and state ambient air quality standards which help with reducing public exposure to toxic air contaminants within our jurisdiction. Fulfilling this task involves reducing air pollutant emissions from sources of regulated air pollutants, and maintaining these emission reductions over time.

The District regulates and inventories criteria and toxic emissions and conducts regional scale air quality monitoring within our jurisdictional boundaries. The District's air quality programs are primarily funded by revenue from regulatory fees, government grants and subventions.

### **OBJECTIVES**

The cost of programs to address air pollution should be borne by the individuals and businesses that cause air pollution through regulatory and service fees. The primary authority for recovering the cost of District programs and activities related to stationary sources is given in Section 41240 of the Health and Safety Code(HSC). Using this guideline, the District must

- Recover the costs of programs related to permitted stationary sources
- Recover the costs of programs related to area-wide and indirect sources of emissions which are regulated, but for which permits are not issued
- Recover the costs of certain Hearing Board proceedings
- Recover the costs related to programs that regulate toxic air contaminants

### **STUDY METHODOLOGY**

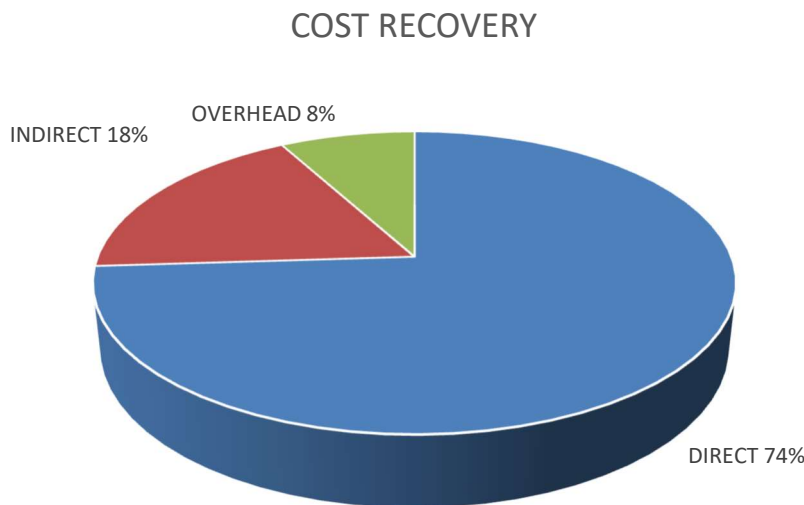
The measure of the revenue that may be recovered through source fees is the full cost of all programs related to these sources, including all direct program costs, a commensurate share of indirect program costs, and overhead unless otherwise funded. It is the District's practice that such fees are valid so long as they do not exceed the reasonable cost of the service or regulatory program for which the fee is charged, and are apportioned such that the costs allocated to each source bears a fair or reasonable relationship to its burden on, and benefits from, the regulatory system.

Cost accounting is the process of ascertaining, accumulating, and assigning the costs of District programs. It begins with a system of accounting that assigns costs directly to their cost centers. By classifying each cost to its center, we are able to calculate whether program revenues are covering their associated costs.

Costs are classified as direct, indirect or overhead.

Direct costs can be associated directly with a particular program or activity such as permitting activities. Indirect costs are associated indirectly with a particular program or activity such as administrative activities or professional services. Overhead costs are those necessary for the

general operation of the District as a whole and are not directly associated with a particular program or activity such as operating expenses.



Annually, the District's direct, indirect, and overhead rate are established based on the prior fiscal years audited financial information. These rates are used in determining fairly and conveniently within the boundaries of generally accepted accounting principles, what proportion of costs each program

should bear. For the FY23 budget, the direct rate is 74%, the indirect rate is 18% and overhead is 8%.

The cost recovery process is designed so that individual program revenue adequately addresses expenses. Through the use of cost accounting, we analyze Permit Revenue and other programs for accuracy, appropriateness, and controls. Further, we evaluate the need for, and calculate the rate for fee increases to our Permitting Program based on 100% cost recovery. Permit Revenue for FY23 is \$1.24M and covers 75% of the cost of permitting.

**Antelope Valley AQMD**  
**GENERAL FUND, Consolidated**

	<b>Budget FY 2022</b>	<b>EOY Estimates FY 2022</b>	<b>Budget FY 2023</b>
<b>Revenues</b>			
Permit Fees	1,047,500	1,124,947	1,199,200
Application Fees	30,500	31,176	32,500
Federal Revenue	0	0	63,982
Fines & Penalties	10,000	14,250	10,000
Interest Income	15,000	9,922	10,000
Revenue from Programs	731,400	678,199	934,045
State Revenue	1,096,000	1,179,925	1,446,315
<b>Total Revenues</b>	<b>2,930,400</b>	<b>3,038,419</b>	<b>3,696,042</b>
<b>Expenses</b>			
<b>Personnel Expenses</b>			
Program Staff	1,389,000	1,532,974	1,800,000
<b>Total Personnel Expenses</b>	<b>1,389,000</b>	<b>1,532,974</b>	<b>1,800,000</b>
<b>Operating Expenses</b>			
Communications	21,050	26,405	35,870
Dues & Subscriptions	46,650	19,050	21,100
Non-Depreciable Inventory	2,300	5,395	10,500
Legal	44,000	16,700	79,000
Professional Services	230,150	269,930	305,150
Maintenance & Repairs	6,500	4,700	7,000
Training & Travel	15,150	14,075	16,650
Vehicles	7,900	15,005	15,930
Office Expenses	110,125	109,700	132,761
Program Expenses	1,000,000	1,044,536	1,264,315
Miscellaneous Expenses	2,900	550	2,900
<b>Total Operating Expenses</b>	<b>1,486,725</b>	<b>1,526,046</b>	<b>1,891,176</b>
<b>Capital Expenses</b>			
Equipment	25,000	15,120	25,000
Software	25,000	0	25,000
<b>Total Capital Expenses</b>	<b>50,000</b>	<b>15,120</b>	<b>50,000</b>
<b>Total Expenses</b>	<b>2,925,725</b>	<b>3,074,140</b>	<b>3,741,176</b>
<b>Cash To (From) Reserves</b>	<b>4,675</b>	<b>(35,721)</b>	<b>(45,134)</b>

# GENERAL FUND



## REVENUE

The greatest uncertainties facing Antelope Valley's AQMD's budgetary outlook stem from the potential for major economic disruption due to the COVID-19 global pandemic. We recognize the hardships that many are experiencing. We are making accommodations in many program areas and remain committed to protecting public health and helping business. The Antelope Valley AQMD staff will monitor the financial impacts and in the event that there are major changes in the economic landscape, we would make adjustments to the FY23 Budget being proposed.

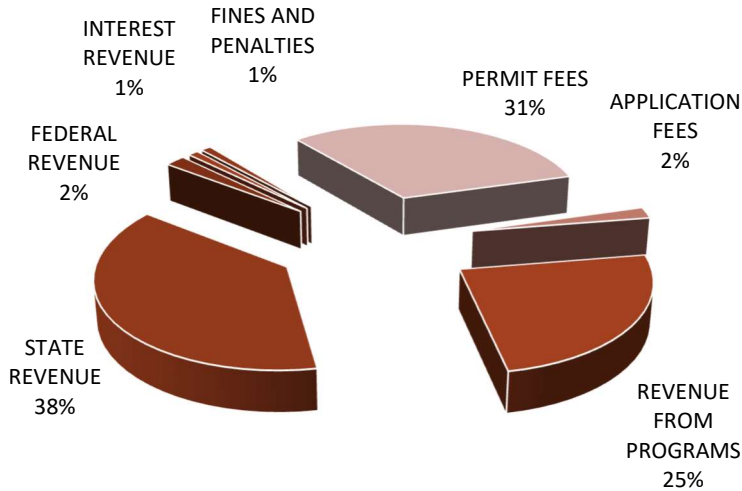


This budget includes a financial summary of all revenues, expenditures and staffing used by each of Antelope Valley AQMD's programs in the delivery of essential services to clean the air and to protect the health of all residents in the Antelope Valley AQMD through practical and innovative strategies.

The proposed General Fund budget for FY23 is not balanced budget with expenditures and revenues of \$3.7M million and 9.5 full time equivalents (FTE) including one vacant FTE. The FY23 proposed budget is 22% percent more than the FY22 adopted budget of \$2.9M. This is due in part to a 10% increase in fees effective January 1, 2023. Additionally, state and federally funded programs within the general fund are responsible for an additional \$.6M in FY23.

**Staff is proposing a budget for FY23 that allows the Antelope Valley AQMD programs to operate efficiently, transparently, and in a manner sensitive to public agencies, businesses and the public, while providing continued emission reductions and health benefit improvements.**

## GENERAL FUND REVENUE



Recommendations include an increase to Regulation III, Fees, by proposing a 10.0% fee increase effective January 1, 2023. Interest projections are a conservative 1% due to current market performance. Permit revenue is 34% of general fund revenue. Revenue from programs is 25% while state and federal revenue is 41% of general fund revenue.

## EXPENSES

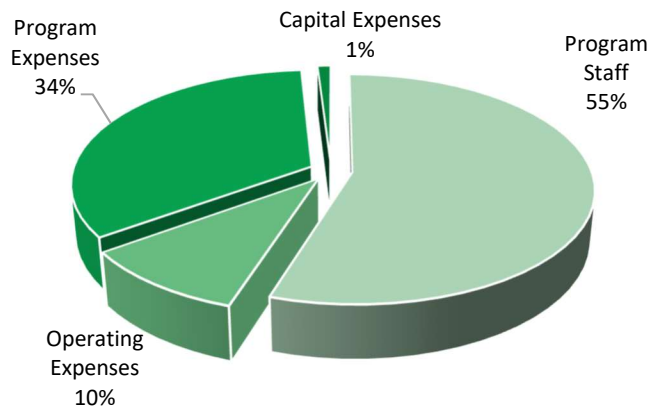
The Antelope Valley Air Quality Management District is in a five year contract for services with the Mojave Desert Air Quality Management District. Administrative and operational services were contracted

in order to meet the regulatory responsibilities of an air quality management district for compensation consistent with all applicable laws and regulations.

The FY23 General Fund expenses are \$3.7M including a Program staff budget of \$1.8M. Operating Expenses are \$627k, Capital Expenses are \$50k, and Program Expenses are \$1.26M. This is a 26% increase from the FY22 budget of \$1M. The additional revenue is from the AB134 Community Air Protection Grant Program revenue and is received from the California Air Resources Board (CARB).

Program staff is 30% more than FY22. This is due to an increase of 2 FTEs, a COLA of 5%, and other miscellaneous benefit increases. Staffing costs account for 55% of the General Fund Budget.

## GENERAL FUND EXPENSES



**Antelope Valley AQMD**  
**GENERAL FUND, Revenue Detail**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b>Revenues</b>			
<b>Permit Fees</b>			
Permit Fees Rev	953,000	1,053,818	1,105,000
Asbestos Demo/Reno Rev	90,000	85,319	90,000
Title V Rev	4,500	4,000	4,200
Permit Fee Adjustments	0	(18,190)	0
	<u>1,047,500</u>	<u>1,124,947</u>	<u>1,199,200</u>
<b>Application Fees</b>			
Permit Application Fees	30,000	29,226	32,000
AG Application Fees	500	1,950	500
	<u>30,500</u>	<u>31,176</u>	<u>32,500</u>
<b>Fines &amp; Penalties</b>			
Notice of Violations Fee	10,000	14,250	10,000
	<u>10,000</u>	<u>14,250</u>	<u>10,000</u>
<b>Interest Income</b>			
Interest Revenue	15,000	9,922	10,000
	<u>15,000</u>	<u>9,922</u>	<u>10,000</u>
<b>Other Revenue</b>			
<b>Revenue from Programs</b>			
Administrative Funding	100,000	25,000	247,045
AB2766 Program	630,000	651,729	650,000
AB923 Program	0	0	36,000
Hot Spots	1,400	1,470	1,000
	<u>731,400</u>	<u>678,199</u>	<u>934,045</u>
<b>State and Federal Revenue</b>			
PERP Regulation	40,000	33,057	35,000
State Contracts	959,000	1,049,868	1,314,315
State Subvention	97,000	97,000	97,000
ARB PM 2.5 Section 103	0	0	63,982
	<u>1,096,000</u>	<u>1,179,925</u>	<u>1,510,297</u>
<b>Total General Fund Revenues</b>	<b><u>2,930,400</u></b>	<b><u>3,038,419</u></b>	<b><u>3,696,042</u></b>



# AVAQMD PROGRAMS

## PROGRAM DESCRIPTIONS

### U.S. Environmental Protection Agency

The sets nationwide air quality and emissions standards and oversees state efforts and enforcement.

### California Air Resources Board

Focuses on unique air quality challenges by setting the state's emissions standards for a range of pollution sources including vehicles, fuels and consumer products.

## COMUNICATIONS

The Antelope Valley Air Quality Management District conducts public information and education programs in order to educate businesses and residents in the Antelope Valley region about air pollution, its sources, health effects on humans, damage to the environment and the various programs offered by the Districts to reduce air emissions. Education is provided on methods of control and to encourage individual means of reducing pollution.

The programs are targeted to many audiences: academia, the general adult population, elementary to college level students, as well as business and industry. This information uses public workshops, conferences, presentations, social media and other multimedia promotions. In addition, press releases, press conferences and air quality forecasts are provided to the local media on an ongoing basis as a means of keeping the public informed.

## AIR QUALITY MONITORING PROGRAM

The District operates an ambient air monitoring and meteorological network that tracks air quality trends within the Antelope Valley region. The station is an active part of the State and Local Air Monitoring System (SLAMS) network.

A computer operated data acquisition system collects daily and real time levels of pollutants. This data is reported to the California Air Resources Board (CARB), Federal Environmental Protection Agency (EPA), regulated industry and the general public. This information is also used to provide pollution episode forecast and notification to school systems and the general population in the event of harmful levels of pollution.





## STATIONARY SOURCES

One of the District's primary responsibilities is to process applications for permits in accordance with all applicable local, State, and Federal regulations. These permits are required for projects that propose industrial and/or commercial processes that have the potential to emit specific air contaminants. The wide range of requirements applied depends on the type and size of the proposed project.

District staff provides technical reviews of various documents, such as permit applications, manufacturer's data, test reports, risk assessments, and emission inventory. The District implements and manages:

- Title III & V Programs. The Title III program is the federal toxic program specifically for Title V facilities. Title V (EPA Regulation) is a Federal Operating Permits Program required by the 1990 Clean Air Act. This program requires the District to develop and implement a Federal Permitting Program approved by the Environmental Protection Agency (EPA) for sources of a certain capacity.
- Emissions Inventory. This program maintains an active inventory of the sources of criteria air pollutants within the District and measures progress towards attainment and maintaining compliance with National and State Ambient Air Quality Standards. State and Federal Law require this program.
- Toxic Emissions Inventory. (Air Toxic "Hot Spot" Information and Assessment Act of 1987) This program assesses the amounts, types and health impacts of air toxics produced from stationary sources.

## COMPLIANCE

The District's responsibility is to protect the health and welfare of the public by assisting the regulated community in complying with Federal, State and Local regulatory requirements. This responsibility is carried out through various programs and activities:

- Comprehensive annual inspections performed to verify compliance to air quality regulations and permit requirements.
- Investigation of citizen complaints pertaining to air related matters
- Legal case development when necessary to address non-complying situations
- Federal Asbestos Demolition and Renovation Program
- State-mandated Variance Program
- Continuous Emissions Monitoring Programs
- Reporting to the Environmental Protection Agency's AIRS and Significant Violator programs
- Source testing or stack sampling is the process that evaluates the emissions for industrial facilities to determine compliance with permit conditions.

## PLANNING & RULEMAKING

The District promulgates rules and plans in accordance with State and Federal planning requirements in order to achieve and maintain regional compliance with the ambient air quality standards. Planning staff serve as the District liaison with regional, State and Federal governments, ensuring District compliance with applicable requirements. Planning staff also performs California Environmental Quality Act (CEQA) review in the District's role as the expert agency for air quality. Staff in Planning and Rulemaking implement and maintain the following programs:

- California Ambient Air Quality Standards Attainment Planning, in the California Clean Air Act and subsequent state legislation. This program currently focuses on the California ozone standard.
- National Ambient Air Quality Standards (NAAQS) in the Federal Clean Air Act, the Clean Air Act Amendments and subsequent Federal legislation. This program currently focuses on the National eight-hour ozone standard and the National 24-hour annual PM10 and PM 2.5 standards.
- Federal General and Transportation Conformity, entailing regional project review and comment.
- California Environmental Quality Act (CEQA), requiring local and regional project review.

**Antelope Valley AQMD**  
**DISTRICT WIDE, Expense Detail**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b>Expenses</b>			
<b>Personnel Expenses</b>			
<b>Operating Expenses</b>			
<b>Communications</b>			
Telephones	6,000	5,140	6,000
Long Distance Charges	500	320	500
Video/Teleconference	150	150	150
Internet	10,000	10,395	11,820
Web Hosting	2,400	2,400	2,400
Tech Support	2,000	2,000	10,000
Computers	0	6,000	5,000
	<u>21,050</u>	<u>26,405</u>	<u>35,870</u>
<b>Dues &amp; Subscriptions</b>			
Memberships & Sponsorships	45,000	18,750	20,000
Publications & Subscriptions	800	300	500
Professional Dues	600	0	600
	<u>46,400</u>	<u>19,050</u>	<u>21,100</u>
<b>Non-Depreciable Inventory</b>			
Furniture & Fixtures Exp	100	220	2,500
Machinery & Equipment Exp	1,200	5,000	7,000
Safety Equipment Exp	1,000	170	1,000
	<u>2,300</u>	<u>5,390</u>	<u>10,500</u>
<b>Legal</b>			
Legal Notices	4,000	615	4,000
Legal Services	40,000	16,085	75,000
	<u>44,000</u>	<u>16,700</u>	<u>79,000</u>
<b>Professional Services</b>			
Payroll Contract	0	1,215	1,000
Research Studies	6,000	6,000	6,000
Consulting Fees	3,000	8,220	25,000
Stipends	8,400	8,400	8,400
	<u>17,400</u>	<u>23,835</u>	<u>40,400</u>
<b>Maintenance &amp; Repairs</b>			
General Bldg. Maintenance	2,000	0	2,000
Custodial Services	3,000	2,700	3,000
Equipment Repair	1,500	2,000	2,000
	<u>6,500</u>	<u>4,700</u>	<u>7,000</u>
<b>Training &amp; Travel</b>			
Training	4,500	5,000	4,500
Travel	8,000	9,000	12,000
Mileage	150	75	150
	<u>12,650</u>	<u>14,075</u>	<u>16,650</u>

**Antelope Valley AQMD**  
**DISTRICT WIDE, Expense Detail**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b>Vehicles</b>			
Vehicle Gas & Oil	1,500	3,775	4,000
Vehicle Maintenance	2,000	2,000	2,000
Vehicle Repairs	3,000	3,000	3,000
Vehicle Insurance	1,400	5,680	6,930
	<u>7,900</u>	<u>14,455</u>	<u>15,930</u>
<b>Office Expenses</b>			
Software	1,300	2,000	25,000
Utilities	8,600	8,600	8,860
Supplies	3,000	3,000	3,000
Facility Leases	60,100	60,100	60,000
Equipment Lease	5,000	5,000	5,000
Postage	0	300	2,000
Courier	175	175	300
Printing/Shredding Services	1,350	1,350	1,350
Security	500	675	600
Liability Insurance	18,100	12,436	14,726
Meeting Expenses	1,000	1,225	1,225
Community Relations	9,500	9,500	9,500
	<u>108,625</u>	<u>104,361</u>	<u>131,561</u>
<b>Program Expenses</b>			
Program Expenditures	900,000	1,041,286	1,264,315
Program Expenditures Administrative	100,000	3,250	0
	<u>1,000,000</u>	<u>1,044,536</u>	<u>1,264,315</u>
<b>Miscellaneous Expenses</b>			
Bank Fees	2,900	550	2,900
	<u>2,900</u>	<u>550</u>	<u>2,900</u>
<b>Total Operating Expenses</b>	<b><u>1,269,725</u></b>	<b><u>1,274,057</u></b>	<b><u>1,625,226</u></b>
<b>Capital Expenses</b>			
Equipment	25,000	15,120	25,000
Software	25,000	0	25,000
<b>Total Capital Expenses</b>	<b><u>50,000</u></b>	<b><u>15,120</u></b>	<b><u>50,000</u></b>
<b>Total Expenses</b>	<b><u>1,319,725</u></b>	<b><u>1,289,177</u></b>	<b><u>1,675,226</u></b>



# SUPPORT STAFF

## EXECUTIVE SERVICES

The Executive Office is responsible to the Governing Board for the general administration and coordination of all District operations and programs, including those programs mandated by the Federal Environmental Protection Agency and the California Air Resources Board. This office monitors state and federal legislation affecting the District and advises the Governing Board on actions required to protect the interests of the District.

The Governing Board, with seven members, meets monthly and members receive \$100.00 stipend per meeting plus travel expenses. The Hearing Board, with six members, meets as needed and members may receive \$100.00 stipend per meeting plus travel expenses.

## LEGAL COUNSEL

Special Counsel to the Governing Board serves as general legal counsel to the Governing Board, the Air Pollution Control Officer and the District, providing general public agency legal services regarding the Brown Act, the Political Reform Act, California Environmental Quality Act, as well the Administrative Code, contracts, personnel matters, civil actions, and related litigation. District Counsel also provides legal advice and opinions on mandates specific to air districts such as the Federal Clean Air Act, California air pollution control laws and air quality rules and regulations. District Counsel exercises authority to bring civil actions in the name of the people of the State of California for violations of various air quality laws and regulations. The District Counsel also represents the District in actions brought before the Hearing Board.

## ADMINISTRATIVE SERVICES

The Administrative Services office provides financial, administrative and personnel management services to the operating divisions of the District. Finance staff prepares the annual budget and controls expenditures by providing information regarding expenditures and the availability of budgeted funds. Finance also purchases equipment and supplies. Invoices for a variety of fees are issued, collected, deposited and accounted for through the Compliance and Permit System (CAPS). This office also manages the District's risk management, fleet and facility management, and fixed assets.

**Antelope Valley AQMD  
CONTRACT, Expense Detail**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b>Expenses</b>			
<b>Personnel Expenses</b>			
Program Staff	1,389,000	1,532,974	1,800,000
<b>Total Personnel Expenses</b>	<b>1,389,000</b>	<b>1,532,974</b>	<b>1,800,000</b>
<b>Operating Expenses</b>			
<b>Communications</b>			
<b>Dues &amp; Subscriptions</b>			
Publications & Subscriptions	250	0	0
	250	0	0
<b>Non-Depreciable Inventory</b>			
Safety Equipment Exp	0	5	0
	0	5	0
<b>Legal</b>			
<b>Professional Services</b>			
Payroll Contract	125	200	250
Financial Services	212,625	245,895	264,500
	212,750	246,095	264,750
<b>Maintenance &amp; Repairs</b>			
<b>Training &amp; Travel</b>			
Training	500	0	0
Travel	2,000	0	0
	2,500	0	0

**Antelope Valley AQMD  
CONTRACT, Expense Detail**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b>Vehicles</b>			
Vehicle Gas & Oil	0	550	0
	<u>0</u>	<u>550</u>	<u>0</u>
<b>Office Expenses</b>			
Software	0	3,750	0
Supplies	500	450	0
Postage	1,000	1,000	1,000
Courier	0	140	200
	<u>1,500</u>	<u>5,340</u>	<u>1,200</u>
<b>Program Expenses</b>			
<b>Miscellaneous Expenses</b>			
<b>Total Operating Expenses</b>	<u>217,000</u>	<u>251,990</u>	<u>265,950</u>
<b>Capital Expenses</b>			
<b>Total Expenses</b>	<u>1,606,000</u>	<u>1,784,964</u>	<u>2,065,950</u>



# THE CONTRACT - MDAQMD

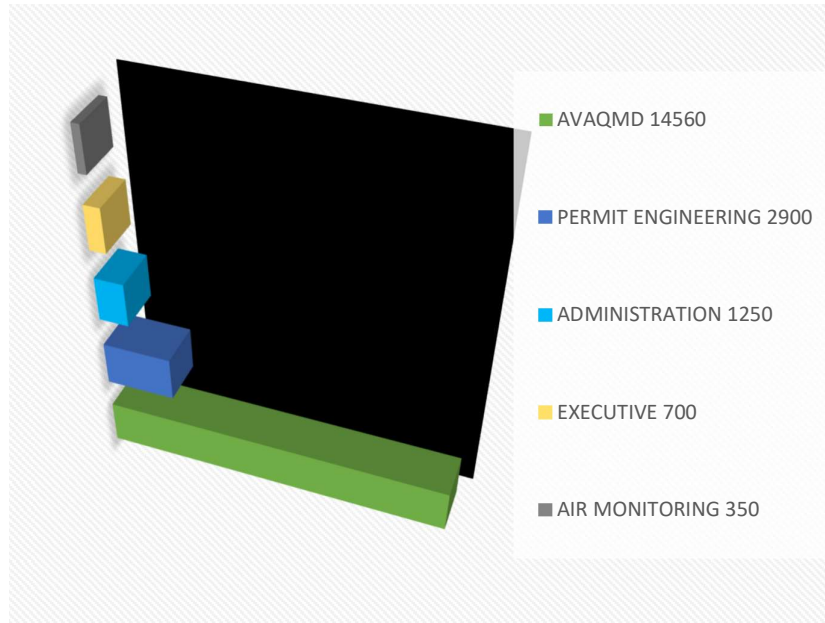
**PROGRAM STAFF: 19,760 HOURS • 9.5 FTE • 1.80M**

**PERIOD JULY 1, 2022 – JUNE 30, 2023**

## TERMS AND CONDITIONS

The Antelope Valley Air Quality Management District contracts with the Mojave Desert Air Quality Management District for administrative and operations services as necessary to enable AVAQMD to meet the regulatory and legislated responsibilities of an air quality management district for compensation consistent with all applicable laws and regulations. On March 15, 2022, the AVAQMD initiated the process of ending the 25 year contract for services with the MDAQMD with an effective date of September 30, 2022. After September 30, 2022, any services contracted by the AVAQMD, through the MDAQMD, could be considered on a temporary as needed basis.

This agreement is pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 of the California Government Code (commencing with §6500).



## CONTRACT HOURS

The total contracted hours for FY2023 is 19,760. The Antelope Valley AQMD office located in Lancaster, CA is staffed by 6 full time equivalents (FTE) with one vacant FTE.

Additionally, 2.5 FTEs provide administrative, executive, air monitoring, permit engineering, and other technical services. On a monthly basis, the Mojave Desert AQMD shall deliver to the Antelope Valley AQMD an itemized invoice for actual materials and services provided.



# AVAQMD GRANTS

## AB2766

The District's air quality programs are primarily funded by revenue from regulatory fees, government grants and subventions. The AB2766 program is funded through a \$4 (four dollar) assessment by the District's Governing Board, and collected by the California Department of Motor Vehicles on motor vehicle registrations. Calls for projects, eligibility determinations, and Governing Board award are all part of the process that makes funds available to the region for qualified emission reducing projects.

The FY23 AB2766 Program Budget is unchanged at \$620k ; which represents 22% of all program revenue.

## AB923

The District regulates and inventories criteria and toxic emissions and conducts regional scale air quality monitoring within our jurisdictional boundaries. Funds collected under AB923 allows air districts in state non-attainment areas to adopt an additional \$2 (two dollar) surcharge on motor vehicle registration fees to be used strictly for incentive-based emission reduction funding programs.



The use of the fees is limited to projects eligible for grants under the Carl Moyer Program, the purchase of school buses under the Lower-Emission School Bus Program, light-duty scrap or repair programs and unregulated agricultural sources. The FY23 AB923 Program Budget is \$546k; which represents 19% of all program revenue.



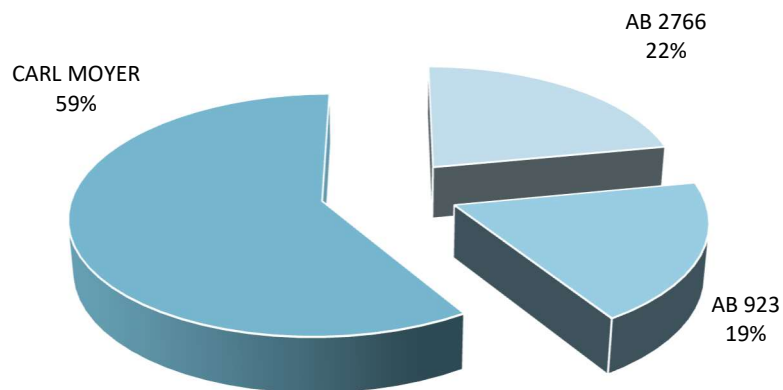
## CARL MOYER

The Moyer Program complements California’s regulatory program by providing incentives to obtain early or extra emission reductions, especially from emission sources in minority and low-income communities and areas disproportionately impacted by air pollution. Incentives encourage customers to purchase cleaner technologies, and stimulate the marketplace to manufacture cleaner technologies.

Although the Moyer Program has grown in scope, it retains its primary objective of obtaining cost-effective and surplus emission reductions to be credited toward California’s legally enforceable obligations in the State Implementation Plan (SIP) – California’s road map for attaining health-based national ambient air quality standards.

Carl Moyer Grant Program Funds are distributed by the California Air Resources Board for projects obligated by the District under this state regulated program.

Projects are awarded to qualifying applicants on a formula basis according to specific criteria and cost effectiveness. The FY23 Carl Moyer Program Budget is \$1.5M compared to \$800k in FY22; which represents 59% of all program revenue.



**Antelope Valley AQMD**  
**Program Funds Consolidated GRANT PROGRAMS**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b><u>Revenues</u></b>			
Administrative Funding	100,000	67,557	141,258
AB2766 Program	620,000	620,000	620,000
Carl Moyer Program Round 21	800,000	599,413	1,513,803
AB923 Program	582,000	545,625	546,000
Interest Revenue	2,500	9,987	34,602
	<hr/>	<hr/>	<hr/>
<b>Total Consolidated Program Revenue</b>	<b>2,104,500</b>	<b>1,842,582</b>	<b>2,855,663</b>
<b><u>Expenses</u></b>			
Program Expenditures	2,004,500	1,811,400	2,714,405
Program Expenditures Administrative	100,000	31,182	141,258
	<hr/>	<hr/>	<hr/>
<b>Total Consolidated Program Expense</b>	<b>2,104,500</b>	<b>1,842,582</b>	<b>2,855,663</b>

**Antelope Valley AQMD**  
**Program Funds AB2766 GRANT PROGRAMS**

	Budget FY 2022	EOY Estimate FY 2022	Budget FY 2023
<b><u>Revenues</u></b>			
AB2766 Program	620,000	620,000	620,000
Interest Revenue	500	0	0
<b>Total AB2766 Program Revenue</b>	<b>620,500</b>	<b>620,000</b>	<b>620,000</b>
<b><u>Expenses</u></b>			
Program Expenditures	620,500	620,000	620,000
<b>Total AB2766 Program Expense</b>	<b>620,500</b>	<b>620,000</b>	<b>620,000</b>

**Antelope Valley AQMD**  
**Program Funds AB923 GRANT PROGRAMS**

	Budget FY 2022	EOY Estimate FY 2022	Budget FY 2023
<b><u>Revenues</u></b>			
Administrative Funding	0	36,375	0
AB923 Program	582,000	545,625	546,000
Interest Revenue	1,500	0	0
<b>Total AB923 Program Revenue</b>	<b>583,500</b>	<b>582,000</b>	<b>546,000</b>

<b><u>Expenses</u></b>			
Program Expenditures	583,500	582,000	546,000
<b>Total AB923 Program Expense</b>	<b>583,500</b>	<b>582,000</b>	<b>546,000</b>

**Antelope Valley AQMD**  
**Program Funds Carl Moyer GRANT PROGRAMS**

	<u>Budget FY 2022</u>	<u>EOY Estimate FY 2022</u>	<u>Budget FY 2023</u>
<b><u>Revenues</u></b>			
Administrative Funding	100,000	31,182	141,258
Carl Moyer Program	800,000	599,413	1,513,803
Interest Revenue	500	9,987	34,602
	<hr/>	<hr/>	<hr/>
<b>Total Carl Moyer Program Revenue</b>	<b>900,500</b>	<b>640,582</b>	<b>1,689,663</b>
<b><u>Expenses</u></b>			
Program Expenditures	800,500	609,400	1,548,405
	100,000	31,182	141,258
	<hr/>	<hr/>	<hr/>
<b>Total Carl Moyer Program Expense</b>	<b>900,500</b>	<b>640,582</b>	<b>1,689,663</b>

# Antelope Valley AQMD

## ALL FUNDS, Consolidated Historical

	Budget FY 2019	Budget FY 2020	Budget FY 2021	Budget FY 2022	Budget FY 2023
<b>Revenues</b>					
Permit Fees	792,150	1,019,500	971,500	1,047,500	1,199,200
Application Fees	42,000	30,000	41,500	30,500	32,500
Federal Revenue	0	0	0	0	63,982
Fines & Penalties	59,000	62,000	63,000	10,000	10,000
Interest Income	14,300	22,435	58,000	17,500	44,602
Revenue from Programs	2,603,044	2,570,566	2,667,385	2,833,400	3,755,106
State Revenue	141,500	206,305	169,500	1,096,000	1,446,315
<b>Total Revenues</b>	<b>3,651,994</b>	<b>3,910,806</b>	<b>3,970,885</b>	<b>5,034,900</b>	<b>6,551,705</b>
<b>Expenses</b>					
<b>Personnel Expenses</b>					
Salaries & Wages	1,200,218	1,338,000	1,425,175	1,389,000	1,800,000
<b>Total Personnel Expenses</b>	<b>1,200,218</b>	<b>1,338,000</b>	<b>1,425,175</b>	<b>1,389,000</b>	<b>1,800,000</b>
<b>Operating Expenses</b>					
Communications	23,500	20,500	18,500	21,050	35,870
Dues & Subscriptions	10,500	20,500	46,100	46,650	21,100
Non-Depreciable Inventory	11,000	10,000	1,000	2,300	10,500
Legal	19,000	19,000	19,000	44,000	79,000
Professional Services	207,650	217,400	217,400	230,150	305,150
Maintenance & Repairs	6,500	6,500	6,500	6,500	7,000
Training & Travel	11,000	10,150	12,150	15,150	16,650
Vehicles	12,000	10,000	5,500	7,900	15,930
Office Expenses	107,425	102,575	97,475	110,125	132,761
Program Expenses	1,753,826	2,060,266	2,036,085	3,104,500	4,119,978
Miscellaneous Expenses	800	915	1,000	2,900	2,900
<b>Total Operating Expenses</b>	<b>2,163,201</b>	<b>2,477,806</b>	<b>2,460,710</b>	<b>3,591,225</b>	<b>4,746,839</b>
<b>Capital Expenses</b>					
Furniture & Fixtures	25,000	0	0	0	0
Equipment	0	40,000	40,000	25,000	25,000
Vehicles	30,000	30,000	20,000	0	0
Computers	35,000	0	0	0	0
Software	0	25,000	25,000	25,000	25,000
<b>Total Capital Expenses</b>	<b>90,000</b>	<b>95,000</b>	<b>85,000</b>	<b>50,000</b>	<b>50,000</b>
<b>Total Expenses</b>	<b>3,453,419</b>	<b>3,910,806</b>	<b>3,970,885</b>	<b>5,030,225</b>	<b>6,596,839</b>

# 5 YEAR BUDGET RECAP

Over the last 5 years, the Antelope Valley budget has focused on streamlining many of its operations while still meeting its program commitments despite new federal and state mandates and increased workload complexity. The focus has been, and continues to be, on reducing or maintaining operating expenditure levels in General Fund and maximizing the efficient use of staff resources to enable select vacant positions to remain vacant, be deleted or be unfunded whenever possible.

In FY19 the District began to receive funding from the California Resource Board under AB 617 to reduce exposure in neighborhoods most impacted by air pollution as well as



funding under the AB 134 Community Air Protection Fund. Additionally, the Funding Agricultural Replacement Measures for Emission Reductions (FARMER) Program provides funding through local air districts for agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations.

Permit Revenue is up 48% from FY19 as a result of strategic fee increases designed to measure the revenue that may be recovered through source fees against the full cost of providing the services. The cost of all programs related to these sources includes all direct program costs, a commensurate share of indirect program costs, and overhead unless otherwise funded. It is the District's practice that such fees are valid so long as they do not exceed the reasonable cost of the service or regulatory program for which the fee is charged, and are apportioned such that the costs allocated to each source bears a fair or reasonable relationship to its burden on, and benefits from, the regulatory system. Revenue from General Fund Programs increased by 26% from FY2019 as a result of a state and federal funding.

Staffing costs increased by 30% from the FY22 budget commensurate with the increase in FTEs. Excluding programs, Operating expenses have increased 29% since FY19. The rise in costs are the direct result of staffing increases of 30% recommendations for procedural changes to the Districts contract with the Mojave Desert AQMD.



**Antelope Valley AQMD**  
**GENERAL FUND, Consolidated Historical**

	Budget FY 2019	Budget FY 2020	Budget FY 2021	Budget FY 2022	Budget FY 2023
<b>Revenues</b>					
Permit Fees	792,150	1,019,500	971,500	1,047,500	1,199,200
Application Fees	42,000	30,000	41,500	30,500	32,500
Federal Revenue	0	0	0	0	63,982
Fines & Penalties	59,000	62,000	63,000	10,000	10,000
Interest Income	4,000	6,435	30,000	15,000	10,000
Revenue from Programs	774,300	611,300	659,300	731,400	934,045
State Revenue	141,500	206,305	169,500	1,096,000	1,446,315
<b>Total Revenues</b>	<b>1,812,950</b>	<b>1,935,540</b>	<b>1,934,800</b>	<b>2,930,400</b>	<b>3,696,042</b>
<b>Expenses</b>					
<b>Personnel Expenses</b>					
Salaries & Wages	1,100,000	1,338,000	1,425,175	1,389,000	1,800,000
<b>Total Personnel Expenses</b>	<b>1,100,000</b>	<b>1,338,000</b>	<b>1,425,175</b>	<b>1,389,000</b>	<b>1,800,000</b>
<b>Operating Expenses</b>					
Communications	23,500	20,500	18,500	21,050	35,870
Dues & Subscriptions	10,500	20,500	46,100	46,650	21,100
Non-Depreciable Inventory	11,000	10,000	1,000	2,300	10,500
Legal	19,000	19,000	19,000	44,000	79,000
Professional Services	207,650	217,400	217,400	230,150	305,150
Maintenance & Repairs	6,500	6,500	6,500	6,500	7,000
Training & Travel	11,000	10,150	12,150	15,150	16,650
Vehicles	12,000	10,000	5,500	7,900	15,930
Office Expenses	107,425	102,575	97,475	110,125	132,761
Program Expenses	15,000	85,000	0	1,000,000	1,264,315
Miscellaneous Expenses	800	915	1,000	2,900	2,900
<b>Total Operating Expenses</b>	<b>424,375</b>	<b>502,540</b>	<b>424,625</b>	<b>1,486,725</b>	<b>1,891,176</b>
<b>Capital Expenses</b>					
Furniture & Fixtures	25,000	0	0	0	0
Equipment	0	40,000	40,000	25,000	25,000
Vehicles	30,000	30,000	20,000	0	0
Computers	35,000	0	0	0	0
Software	0	25,000	25,000	25,000	25,000
<b>Total Capital Expenses</b>	<b>90,000</b>	<b>95,000</b>	<b>85,000</b>	<b>50,000</b>	<b>50,000</b>
<b>Total Expenses</b>	<b>1,614,375</b>	<b>1,935,540</b>	<b>1,934,800</b>	<b>2,925,725</b>	<b>3,741,176</b>



## FINANCIAL RESERVES

It is the policy of the Governing Board of the Antelope Valley Air Quality Management District (District) to direct the Air Pollution Control Officer (APCO) to establish and maintain certain fund balances to ensure the sound fiscal management of District resources.

The purposes of the District's fund balance policy include maintaining prudent level of financial resources to protect against reducing service levels or raising fees because of temporary revenue shortfalls or unpredicted one-time expenditures. Another purpose is to reserve funds for unanticipated large expenditures, such as capital expenses; or extraordinary costs associated with defending the District's regulatory activities.

## CLASSIFICATION OF FUNDS

**Restricted Fund Balance** is designated for the specific purposes stipulated by the external source, government code, enabling legislation, or other legal restriction. Following are an example of this classification: Mobile Emission Reduction Revenue (AB 2766), Incentive Based Emission Reduction Funding (AB 923), and Carl Moyer Grant Program Funds. These funds are held in separate trust accounts and are reported separate from the District's General Fund.

**Committed Fund Balance** is designated by policy and includes amounts that can be used only for the specific purposes determined by a formal action of the Governing Board. Commitments may be changed only by action of the Governing Board. The District's Operating Cash Reserves is an example of this classification. The FY23 Cash Reserves are \$1M or 27% of the annual operating Budget.

**Assigned Fund Balance** is used to describe the portion of the fund balance that reflects the intended use of resources; the intent being established by the Governing Board, or the Board's designee. Such fund balance will be allocated and defined in the District's annual adopted budget. The District's Budget Stabilization Reserves is an example of this classification.

**REVENUES**

**Permit Fees**

Permit Fees Rev	Operating and Annual Renewal Permit Fees
Asbestos Demo/Reno Rev	Fees for Permits related to Asbestos Removal - Rule 302
Title V Permit Rev	Permit fees for Federal Permit Program

**Application Fees**

ERC Application Fees	Emission Reduction Credit
New Source Review	Project Evaluation for Complex Source-Rule 301
Permit Application Fees	Filing of new permits and permit changes
Variance Filing Fees	Filing fee for each petition to District Hearing Board -Rule 303
AG Application Fee	

**Fine & Penalties**

Excess Emissions Fees	Fee charged when a variance is granted by Hearing Board - Rule 303
Notice of Violations Fees	Fee Charged for unpermitted source, or violation of permit condition
Interest Revenue	Interest on funds held on deposit, all funds

**Revenue from Programs**

Administrative Funding	Program pass thru funds for administration costs of the program
AB2766 Program	Revenue received through DMV vehicle registration
California Clean Air Act Fees	State mandated fee collected on behalf of Carb
Hot Sports	State mandated fee: "Air Toxic "Hot Spot"

**State Revenue**

PERP State Funds	Portable Engine Registration Program
State Subvention	Funds received from state budget to supplement Permitting and Air Monitoring

**EXPENSES**

**Program Staff**

Contracted costs to provide staff for District operations

**Operating Expenses**

Communications	Telephones, teleconferencing, internet, cable, hosting, tech support
Dues & Subscriptions	District memberships, sponsorships, publications, subscriptions
Non-Depreciable Inventory	Furniture, equipment, machinery, and safety equipment < \$5,000
Legal	Legal services for Governing Board, Hearing Board; publications
Professional Services	Financial services, audit, research studies, consulting fees, stipends
Maintenance & Repairs	General building maintenance, custodial services, and repairs
Training and Travel	Employee training; professional development and related travel
Vehicles	Fuel and oil, maintenance and repair, insurance for District's fleet
Office Expenses	Software, utilities, supplies, leases, postage, courier, printing and shredding services, security, insurance, meeting expenses and community relations

**PROGRAM EXPENSES**

Expenses attributable to the use of special funds

**CAPITAL EXPENSES**

Furniture & fixtures, Equipment, vehicles, computers, and software over \$5K

## ACRONYMS

<b>AB2766</b>	Enabling legislation for collection of fees for mobile source reduction projects
<b>AIRS</b>	Aerometric Information Retrieval System
<b>APCD</b>	Air Pollution Control District
<b>APCO</b>	Air Pollution Control Officer
<b>AQMD</b>	Air Quality Management District
<b>ARB</b>	Air Resources Board
<b>AVAQMD</b>	Antelope Valley Air Quality Management District
<b>BACT</b>	Best Available Control Technology
<b>CAA</b>	Clean Air Act
<b>CAPCOA</b>	California Air Pollution Control Officers Association
<b>CAPP</b>	Clean Air Patrol Program
<b>CAPS</b>	Compliance and Permit System (permit tracking database)
<b>CARB</b>	California Air Resources Board
<b>CNGVG</b>	California Natural Gas Vehicle Coalition
<b>CRE</b>	Community Relations and Education
<b>CREEC</b>	California Regional Environmental Education Community
<b>CSDA</b>	California Special Districts Association
<b>DAPCO</b>	Deputy Air Pollution Control Officer
<b>EPA</b>	Environmental Protection Agency
<b>ERC</b>	Emission Reduction Credit
<b>FY</b>	Fiscal Year
<b>ICTC</b>	Interstate Clean Transportation Corridor
<b>MACT</b>	Maximum Achievable Control for Toxics
<b>MEEC</b>	Mojave Environmental Education Consortium
<b>MDAQMD</b>	Mojave Desert Air Quality Management District
<b>MOU</b>	Memorandum of Understanding
<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NESHAP</b>	National Emissions Standard for Hazardous Pollutants
<b>NSPS</b>	New Source Performance Standards
<b>OPEB</b>	Other Post Employment Benefits
<b>PARS</b>	Public Agency Retirement Services
<b>PERP</b>	Portable Equipment Registration Program
<b>PSD</b>	Prevention of Significant Deterioration
<b>PTBS</b>	Permit Tracking and Billing System
<b>SDRMA</b>	Special Districts Risk Management Authority
<b>SLAMS</b>	State and Local Air Monitoring Stations
<b>TAC</b>	Technical Advisory Committee
<b>VPN</b>	Virtual Private Network

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$27,132 of Mobile Source Emission Reductions Program (AB 923) funds to Jeovany Herrera Farms to replace an older diesel-powered farm tractor with 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.

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 #10*

**DATE:** June 21, 2022

**RECOMMENDATION:** 1) Award an amount not to exceed \$27,132 of Mobile Source Emission Reductions Program (AB 923) funds to Jeovany Herrera Farms to replace an older diesel-powered farm tractor with 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 \$27,132 of Mobile Source Emission Reductions Program (AB 923) funds toward the replacement of a 1968 Ford Tractor with a 2021 Kubota certified to the Final Tier 4/current emission standards.

**BACKGROUND:** AVAQMD received an application from Jeovany Herrera Farms (Applicant) for grant funding towards retirement and replacement of an older diesel-powered farm tractor. Total replacement costs are \$71,064. Applicant is seeking 38 percent of the replacement costs in the amount of \$27,132 which will co-fund 42 percent of the replacement costs recently awarded by the US Department of Agriculture's Natural Resources Conservation Service (USDA NRCA) California in the amount of \$29,719. The proposed project provides significant emission reductions estimated at 1.0 tons/yr. for a 3-year project life. Staff has evaluated the project for the use of AB 923 and finds the applicant eligible for the maximum 80 percent grant pursuant to program guidelines. Older heavy-duty off-road equipment is a significant source of GHG, diesel particulate matter (PM), and oxides of nitrogen (NOx) emissions. Surplus emission reductions are achieved by early removal and permanent destruction of older, high-polluting internal combustion engines and replacing with new, cleaner technologies.

---

cc: Laquita Cole  
Michelle Powell  
Julie McKeehan

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

*AGENDA ITEM #10*

**PAGE 2**

**REASON FOR RECOMMENDATION:** Governing Board approval is needed for the use of District grant funding. 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 June 6, 2022.

**FINANCIAL DATA:** Sufficient funds are available from the District's Mobile Source Emission Reductions Program (AB 923) funds.

**PRESENTER:** Julie McKeehan, Grants Analyst