

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, APRIL 21, 2020
ANTELOPE VALLEY DISTRICT OFFICE
LANCASTER, CA**

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** waived the Pledge of Allegiance. Roll call was taken.

PUBLIC COMMENT

❖ None.

CONSENT CALENDAR

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of February 18, 2020.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board **Approved** Minutes from Regular Governing Board Meeting of February 18, 2020.

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

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HAWKINS** seconded by **HARRIS**, and carried unanimously, the Board **Received and Filed** Monthly Grand Funding Summary.

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

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board **Received and Filed** Monthly Activity Report.

Agenda Item #4 – Approve payment to MDAQMD in the total amount of \$128,374.40, subject to availability of funds, for services provided during the month of January 2020.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, **approved** payment to MDAQMD in the total amount of \$128,374.40, subject to availability of funds, for services provided during the month of January 2020.

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 January 31, 2020, which provides financial information and budget performance concerning the current fiscal status of the District. Presenter: Bret Banks, Executive Director/APCO.

Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, **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 January 31, 2020, which provides financial information and budget performance concerning the current fiscal status of the District.

Agenda Item #6 – Amend Governing Board Procedural Rules to clarify term and election of public member, set election month for chair, and update formatting. Presenter: Bret Banks, Executive Director/APCO.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, **amended** Governing Board Procedural Rules to clarify term and election of public member, set election month for chair, and update formatting.

Agenda Item #7 – 1) Authorize reassignment of funds reserved for the Lawn and Garden Replacement Program for commercial landscapers; and 2) Adjust the amount of funding reserved to correspond with estimated activity; 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. Presenter: Julie McKeehan, Grants Analyst.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, 1) **Authorized** reassignment of funds reserved for the Lawn and Garden Replacement Program for commercial landscapers; and 2) **Adjusted** the amount of funding reserved to correspond with estimated activity; 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.

Agenda Item #8 – 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.

Upon Motion by **HAWKINS** seconded by **HARRIS**, and carried unanimously, the Board, 1) **Authorized** the acceptance of AB 197 Emission Inventory District Grant Program Funding; 2) **Accepted** the terms and conditions for the funds; and 3) **Authorized** 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.

Agenda Item #9 – 1) Authorize \$5,799 of District Grant funds to the City of Palmdale toward the purchase of a zero-emission electric food delivery van; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel. Presenter: Julie McKeehan, Grants Analyst.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, 1) **Authorized** \$5,799 of District Grant funds to the City of Palmdale toward the purchase of a zero-emission electric food delivery van; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item #10 – 1) Authorize \$11,500 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; and 2) Authorize the Executive Director/APCO and staff to execute

the Alternative Fuel Vehicle Program as outlined in the Work Plan. Presenter: Julie McKeehan, Grants Analyst.

Upon Motion by **HAWKINS**, seconded by **HARRIS**, and carried unanimously, the Board, 1) **Authorized** \$11,500 in Mobile Emission Reductions Program (AB 2766) funds to the Alternative Fuel Vehicle Program; and 2) **Authorized** the Executive Director/APCO and staff to execute the Alternative Fuel Vehicle Program as outlined in the Work Plan.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #11 – Adopt a Resolution proclaiming a local emergency. Presenter: Bret Banks, Executive Director/APCO.

Bret Banks, Executive Director/APCO, presented the background information and the presentation and answered questions from the Board. After discussion and upon Motion by **HOFBAUER**, seconded by **CHELETTE**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, **adopted** a Resolution 20-03, **“A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT (AVAQMD) PROCLAIMING A LOCAL EMERGENCY.”**

Agenda Item #12 – Adopt a Resolution confirming the Emergency Regulations (Standard Practice 4-21) for public meetings as issued by the Executive Director/APCO to mitigate transmission of COVID-19.

Presenter: Bret Banks, Executive Director/APCO.

Bret Banks, Executive Director/APCO, presented the background information and the presentation and answered questions from the Board. After discussion and upon Motion by **HARRIS**, seconded by **MANN**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, **adopted** Resolution 20-04, **“A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT (AVAQMD) CONFIRMING EMERGENCY REGULATIONS (STANDARD PRACTICE 4-21) FOR PUBLIC MEETINGS AS ISSUED BY THE EXECUTIVE DIRECTOR/APCO TO MITIGATE TRANSMISSION OF COVID-19.”**

Agenda Item #13 – Adopt a form Resolution (OES 130) designating agents for purpose of obtaining Federal financial assistance. Presenter: Bret Banks, Executive Director/APCO.

Bret Banks, Executive Director/APCO, presented the background information and the presentation and answered questions from the Board. After discussion and upon Motion by **HAWKINS**, seconded by **CHELETTE**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, **adopted** a form Resolution 20-05 (OES 130) designating agents for purpose of obtaining Federal financial assistance.

Agenda Item #14 – Receive and file the annual financial audit for Fiscal Year 2018-19. The annual financial audit for Fiscal Year 2018-19 is complete and presented for review and to receive and file.

Presenter: Laquita Cole, Finance Manager (MDAQMD) on behalf of the AVAQMD, with a representative from Fedak & Brown.

Laquita Cole, Finance Manager (MDAQMD) on behalf of the AVAQMD, with a representative from Fedak & Brown, presented the background information and the presentation and answered questions from the Board. After discussion and upon Motion by **HOFBAUER**, seconded by **HARRIS**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, **received and filed** the annual financial audit for Fiscal Year 2018-19.

Agenda Item #15 – 1) Award an amount not to exceed \$123,000 in Carl Moyer Program funds to CA Compaction to replace an older heavy-duty diesel equipment with new, cleaner technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **CHELETTE**, seconded by **HARRIS**, and carried with six **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, and STEVEN HOFBAUER with KEN MANN recused**, the Board, 1) **Awarded** an amount not to exceed \$123,000 in Carl Moyer Program funds to CA Compaction to replace an older heavy-duty diesel equipment with new, cleaner technology; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details, and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item #16 – 1) Approve the use of District Grant funds for the 2020 Lawn and Garden Exchange Program; and 2) 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.

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **CHELETTE**, seconded by **HOFBAUER**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, 1) **Approved** the use of District Grant funds for the 2020 Lawn and Garden Exchange Program; and 2) **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.

Agenda Item #17 – 1) Award an amount not to exceed \$24,850 in Carl Moyer Program funds to Bill's Landscaping, Inc. for the replacement of older diesel off-road equipment with new, cleaner technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **CHELETTE**, seconded by **HOFBAUER**, and carried with six **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, RON HAWKINS, STEVEN HOFBAUER and KEN MANN with Board Member HOWARD HARRIS abstaining**, the Board, 1) **Awarded** an amount not to exceed \$24,850 in Carl Moyer Program funds to Bill's Landscaping, Inc. for the replacement of older diesel off-road equipment with new, cleaner technology; and 2)

Authorized the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item #18 – 1) Award an amount not to exceed \$150,000 of Community Air Protection Project (AB 134) and/or Mobile Source Emission Reductions Program funds to Lancaster Choice Energy (LCE) toward the development of electric vehicle charging stations; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **HARRIS**, seconded by **MANN**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, 1) Award an amount not to exceed \$150,000 of Community Air Protection Project (AB 134) and/or Mobile Source Emission Reductions Program funds to Lancaster Choice Energy (LCE) toward the development of electric vehicle charging stations; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel

Agenda Item #19 – 1) Authorize reassignment of funds reserved for Waste Management dba Antelope Valley Hauling (WM) for the development of a compressed natural gas (CNG) fueling station; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **CHELETTE**, seconded by **HAWKINS**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, 1) **Authorized** reassignment of funds reserved for Waste Management dba Antelope Valley Hauling (WM) for the development of a compressed natural gas (CNG) fueling station; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item #20 – 1) Award an amount not to exceed \$30,000 of Mobile Source Emission Reductions (AB 2766) funds to Jack O'Connor Construction for the replacement of an older diesel truck with newer, cleaner engine technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Julie McKeehan, Grants Analyst.

Julie McKeehan, Grants Analyst, presented the background information and answered questions from the Board. After discussion and upon Motion by **HARRIS**, seconded by **CHELETTE**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$30,000 of Mobile Source Emission Reductions (AB 2766) funds to Jack O'Connor Construction for the replacement of an older diesel truck with newer, cleaner engine technology; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item #21 – Conduct a public hearing to consider the amendment of Rule 1107 – Coating of Metal Parts and Products: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption amending Rule 1107 – Coating of Metal Parts and Products and directing staff actions. Presenter: Bret Banks, Executive Director/APCO.

Chair Crist opened the public hearing. Bret Banks, Executive Director/APCO, presented the staff report and answered questions from the Board. Chair Crist called for public comment, being none, Chair Crist closed the public hearing, made the determination that the CEQA Categorical Exemption applies, waived reading of the resolution. After discussion and upon Motion by **HOFBAUER**, seconded by **MANN**, and carried with seven **AYES** votes by Board Members **AUSTIN BISHOP, MARVIN CRIST, NEWTOW CHELETTE, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and KEN MANN**, the Board, **adopted** Resolution 20-06, “**A RESOLUTION OF THE GOVERNING BOARD OF THE ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 1107-COATING OF METAL PARTS AND PRODUCTS AND DIRECTING STAFF ACTIONS.**”

Agenda Item #22 – 1) Allocate an amount not to exceed \$75,000 of Mobile Source Emission Reductions Program (AB 2766) funds to the Antelope Valley Fair Association to implement various emission reduction projects in response to the COVID-19 pandemic and social distancing requirements; and 2) 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. Presenter: Bret Banks, Executive Director/APCO.

Bret Banks, Executive Director, presented the background information and answered questions from the Board. After discussion and upon Motion by **MANN**, seconded by **HOFBAUER**, and carried with five **AYES** votes by Board Members **MARVIN CRIST, NEWTOW CHELETTE, RON HAWKINS, STEVEN HOFBAUER and KEN MANN with Board Member AUSTIN BISHOP recused and Board Member HOWARD HARRIS abstaining**, the Board, 1) **Allocated** an amount not to exceed \$75,000 of Mobile Source Emission Reductions Program (AB 2766) funds to the Antelope Valley Fair Association to implement various emission reduction projects in response to the COVID-19 pandemic and social distancing requirements; and 2) **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.

Agenda Item #23 – Reports.

Governing Board Counsel –

- No report.

Executive Director/APCO –

- Informed the Board that the draft budget FY 21 hearing in May 2020 and adoption in June 2020.
- Recognized and thanked staff for success of the FARMER program.
- Recognized and thanked both the City of Lancaster and the City of Palmdale for their community updates.

Staff –

- None.

Agenda Item #24 – Board Member Reports and Suggestions for Future Agenda Items.

- Chair **CRIST** thanked everyone for their efforts with this meeting.

- Board Member CHELETTE congratulated Board Member MANN for his election win.
- Board Member HARRIS inquired about the effect of the stay-at-home order for air quality; comparison.
- Board Member HOFBAUER suggested creating a SOP for future field inspections.

Agenda Item #25 – Adjourn to Regular Governing Board Meeting of Tuesday, May 19, 2020.

Being no further business, the meeting adjourned at 10:45 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, May 19, 2020.

**ACTION OF THE GOVERNING BOARD
APPROVED**

Upon motion by **KENN MANN**, seconded by **STEVEN HOFBAUER**, as approved by the following vote:

**Ayes: 7 BISHOP, CRIST, CHELETTE, HARRIS, HAWKINS, HOFBAUER,
MANN**

Noes:

Absent:

Abstain:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY Deanna Hernandez

Dated: May 19, 2020