

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, MARCH 19, 2024
ANTELOPE VALLEY TRANSIT AUTHORITY DISTRICT OFFICE
LANCASTER, CA**

Minutes

Board Members Present:

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

Board Members Absent:

The swearing-in of new Board Member City of Palmdale Alternate Board Member **LAURA BETTENCOURT** occurred prior to the meeting. Legal Counsel ALLISON BURNS swore-in new Alternate Board Member **LAURA BETTENCOURT**.

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:01 a.m. Chair **CRIST** asked Board Member **MANN** to lead the Pledge of Allegiance. Chair **CRIST** called for roll call, roll call was taken.

PUBLIC COMMENT

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

CLOSED SESSION

Agenda Item #1- CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Antelope Valley Air Quality Management District v. United States Environmental Protection Agency, et al. 9th Cir. Case No. 23-1614.

The Governing board entered the Closed session at 10:09 am and concluded at 10:24 am with no report.

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

Agenda Item #2 – Approve Minutes from Regular Governing Board Meeting of February 20, 2024. Find that the California Environmental Quality Act does not apply to this item.

Approved Minutes from Regular Governing Board Meeting February 20, 2024.

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

Received and Filed Monthly Grant Funding Summary.

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

Presenter: Barbara Lods, Executive Director/APCO.

Received and Filed Monthly Activity Report.

Agenda Item #5– This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at January 31, 2024.

Presenter: Barbara Lods, Executive Director/APCO.

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

CONSENT CALENDAR – The following consent item was acted upon by the Board at one time without discussion. Board Member **AUSTIN BISHOP** recused himself from this item due to conflicts of interest and left the room prior to the vote. Upon motion by Board Member **MANN**, seconded by Board Member **BETTENCOURT**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, LAURA BETTENCOURT and KEN MANN** with Board Member **BISHOP** recused, on the Consent Calendar, as follows:

Agenda Item #6– Approve a Second Amendment to the Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

Presenter: Barbara Lods, Executive Director/APCO.

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

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #7– 1) Award an amount not to exceed \$38,000 in Community Air Protection Program funds to Dieseltronics Equipment Repair for the replacement of an older diesel forklift with new, cleaner technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an

agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **AUSTIN BISHOP**, seconded by Alternate Board Member **BETTENCOURT**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, LAURA BETTENCOURT, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$38,000 in Community Air Protection Program funds to Dieseltronics Equipment Repair for the replacement of an older diesel forklift with new, cleaner technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

Agenda Item #8– 1) Award an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with new, zero emissions technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **HARRIS**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, LAURA BETTENCOURT, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$66,266 in Carl Moyer Program funds to QSP Auto Salvage for the replacement of an older propane forklift with new, zero emissions technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

Agenda Item #9– 1) Award an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi for the replacement of an older diesel tractor with new, cleaner technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was

made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **HARRIS**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, LAURA BETTENCOURT, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$39,000 in Carl Moyer Program funds to Guy Taghavi for the replacement of an older diesel tractor with new, cleaner technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act

Agenda Item #10– Reports.

Governing Board Counsel –

- Legal Counsel, reminded the Board and staff of the Form 700 submission deadline of April 1, 2024.

Executive Director/APCO –

- Fiscal Year 23 Year end audit is complete and will be presented during April Meeting.
- Interim Audit for FY24 will begin in early May.
- The Contingency Measure Plan has been posted and is out for public review. Will be brought to April meeting for Board approval.
- Announced that our Executive Assistant is leaving at the end of July. and Staff will begin the process to find a replacement as well as add a new Planner to staff.
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Staff –

- No report.

Agenda Item #11– Board Member Reports and Suggestions for Future Agenda Items.

- No Report.

Agenda Item #12– Adjourn to Regular Governing Board Meeting of Tuesday, April 16, 2024.

Being no further business, the meeting adjourned at 10:28 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, April 16, 2024.

**ACTION OF THE GOVERNING BOARD
APPROVED**

Upon motion by **AUSTIN BISHOP**, seconded by **KEN MANN**, as approved by the following vote:

Ayes: 6 CRIST, BISHOP, CHELETTE, LOA, MANN, HARRIS

Noes:

Absent: 1 HAWKINS

Abstain:

ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT

BY *Adrianna Castañeda*

Dated: April 16, 2023