

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD MEETING  
TUESDAY, SEPTEMBER 20, 2022  
ANTELOPE VALLEY TRANSIT AUTHORITY DISTRICT OFFICE  
LANCASTER, CA**

**Minutes**

Board Members Present:

Marvin Crist, *Chair*, City of Lancaster  
Newton Chelette, Public Member  
Howard Harris, Los Angeles County  
Ron Hawkins, Los Angeles County  
Raj Mahli, City of Lancaster

Board Members Absent:

Austin Bishop, *Vice Chair*, City of Palmdale  
Steven Hofbauer, City of Palmdale

**CALL TO ORDER**

Chair **CRIST** called the meeting to order at 10:03 a.m. Chair **CRIST** called for roll call, roll call was taken. Chair **CRIST** asked Board Member **CHELETTE** to lead the Pledge of Allegiance.

**Special Announcements/Presentation:**

**Presentation of the 2021/2022 William J. "Pete" Knight Memorial AIRE Award (no backup materials).**

**Presenter: Chair Crist, City of Lancaster.**

Chair Crist provided background information on the AIRE Award (Achievement in Reducing Emissions) and is proud to recognize Desert Haven Enterprises. The air quality within the AVAQMD has benefited from their efforts and as a result they have earned the distinction of being named recipients of the 2021/2022 William J. "Pete" Knight Memorial AIRE Award the AVAQMD highest honor .

Executive Director Bret Banks explained Desert Haven Enterprises received the 2021/2022 AIRE Award for the transition of their landscape maintenance operations from gas powered to battery electric powered equipment achieving zero emissions.

**PUBLIC COMMENT**

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

**CONSENT CALENDAR**

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

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

Approved Minutes from Regular Governing Board Meeting of August 16, 2022.

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

Presenter: Bret Banks, Executive Director/APCO.

Received and Filed Monthly Grant Funding Summary.

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

Presenter: Bret Banks, Executive Director/APCO.

Received and Filed Monthly Activity Report.

**Agenda Item #4 – Approve payment to MDAQMD in the amount of \$144,970.68 for July 2022 expenditures.**

Presenter: Bret Banks, Executive Director/APCO.

Approved payment to MDAQMD in the amount of \$144,970.68 for July 2022 expenditures.

**Agenda Item #5 – Receive and file the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at September 30, 2022. The Financial Reports for September 2022 provide pre-audit financial and budgetary performance information for the District for the period referenced.**

Presenter: Bret Banks, Executive Director/APCO.

Received and filed the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at September 30, 2022. The Financial Reports for September 2022 provide financial and budgetary performance information for the District for the period referenced.

**ITEMS FOR DISCUSSION**

**DEFERRED ITEMS**

None.

**NEW BUSINESS**

**Agenda Item #6 – 1) Award an amount not to exceed \$41,200 in Carl Moyer Program funds to AV Farming for the replacement of (2) older diesel utility vehicles; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.**

Presenter: Julie McKeehan, Grants Analyst.

Chair CRIST opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair CRIST called for public comment, no public comment was made in person, or electronically, being none, Chair CRIST closed the public hearing. Upon motion by Board Member HARRIS, seconded by Board Member MAHLI, and carried by the following roll call vote, with five AYES votes by Board Members, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS and RAJ MAHLI, with Board Members AUSTIN BISHOP and STEVEN HOFBAUER absent, the Board, 1) Awarded an amount not to exceed \$41,200 in Carl Moyer Program funds to AV Farming for the replacement of (2) older diesel utility vehicles; 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 #7 – 1) Award an amount not to exceed \$51,304 in Carl Moyer Program funds to Copeland’s Cherry Ranch for the replacement of an older diesel tractor with new, cleaner technology; and 2) Authorize the Deputy Director 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.

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 MAHLI, and carried by the following roll call vote, with five AYES votes by Board Members, **NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS and RAJ MAHLI**, with Board Members AUSTIN BISHOP and STEVEN HOFBAUER absent, the Board, 1) Awarded an amount not to exceed \$51,304 in Carl Moyer Program funds to Copeland’s Cherry Ranch for the replacement of an older diesel tractor with new, cleaner technology; and 2) Authorized the Deputy Director 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 #8 – 1) Award an amount not to exceed \$64,682 in Carl Moyer Program funds to Gary Little Construction for the replacement of (1) older diesel equipment; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.**

Presenter: Julie McKeehan, Grants Analyst

Chair CRIST opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair CRIST called for public comment, no public comment was made in person, or electronically, being none, Chair CRIST closed the public hearing. Upon motion by Board Member CHELETTE, seconded by Board Member HAWKINS, and carried by the following roll call vote, **with five AYES votes by Board Members, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS and RAJ MAHLI**, with Board Members AUSTIN BISHOP and STEVEN HOFBAUER absent, 1) Awarded an amount not to exceed \$64,682 in Carl Moyer Program funds to Gary Little Construction for the replacement of (1) older diesel equipment; 2) Authorized the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorized the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.

**Agenda Item #9 – 1) Award an amount not to exceed \$79,433 to Gene Wheeler Farms for the replacement of older diesel farm equipment with newer, cleaner technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; and 3) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute agreements, approved as to legal form by the Office of District Counsel, and pending review by the Governing Board Chairman.**

Presenter: Julie McKeehan, Grants Analyst.

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 HAWKINS, seconded by Board Member HARRIS, and carried by the following roll call vote, with five AYES votes by Board Members, **NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS,**

**RON HAWKINS and RAJ MAHLI, with Board Members AUSTIN BISHOP and STEVEN HOFBAUER absent,** 1) Awarded an amount not to exceed \$79,433 to Gene Wheeler Farms for the replacement of older diesel farm equipment with newer, cleaner technology; 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 #10 - Letter to Brad Poiriez Regarding Termination of Agreement Between the Antelope Valley Air Quality Management District (AVAQMD) and Mojave Desert Air Quality Management District (MDAQMD). Receive and file.**

Presenter: Bret Banks, Executive Director/APCO.

Chair **CRIST** opened the public hearing. Bret Banks, Executive Director/APCO, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **CHELETTE**, seconded by Board Member **HARRIS**, and carried by the following roll call vote, **with five AYES votes by Board Members, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS and RAJ MAHLI,** with Board Members **AUSTIN BISHOP and STEVEN HOFBAUER** absent, the Board receive and Filed the Letter to Brad Poiriez Regarding Termination of Agreement Between the Antelope Valley Air Quality Management District (AVAQMD) and Mojave Desert Air Quality Management District (MDAQMD).

**Agenda Item #11 - Consider the Employment Agreement with Bret Banks, the Executive Director/Air Pollution Control Officer; authorize the Chairman of the Governing Board to sign the agreement; and direct staff actions.**

Presenter: Allison Burns, Legal Counsel.

Chair **CRIST** opened the public hearing. Allison Burns, Legal Counsel, presented background information, and amended the language in the proposed Employment Agreement to a Consulting Agreement, 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 five AYES votes by Board Members, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS and RAJ MAHLI,** with Board Members **AUSTIN BISHOP and STEVEN HOFBAUER** absent, the Board Approved the Consulting Agreement with Bret Banks, the Executive Director/Air Pollution Control Officer; authorize the Chairman of the Governing Board to sign the agreement; and direct staff actions.

**Agenda Item #12– Reports.**

**Governing Board Counsel –**

- No Report.

**Executive Director/APCO –**

- The contract between the Antelope Valley AQMD and Mojave Desert AQMD ends September 30<sup>th</sup> . AVAQMD has entered into consulting contracts for Air Monitoring and Permit Engineering assistance in support of that work.

**Staff –**

- No report.

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

- Board Member Chelette commented that Paraclete High School’s new Athletic Complex project might require Antelope Valley AQMD’s attention.

**Agenda Item #14– Adjourn to Regular Governing Board Meeting of Tuesday, September 20, 2022.**

Being no further business, the meeting adjourned at 10:23 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, October 18, 2022.