

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, MARCH 26, 2018 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Jeff Williams, Vice Chair, City of Needles
John Cole, City of Twentynine Palms
Joseph "Joey" DeConinck, City of Blythe
Carmen Hernandez, City of Barstow
Robert Leone, Town of Yucca Valley
Robert Lovingood, San Bernardino County
V. Manuel Perez, Riverside County
Barb Stanton, Town of Apple Valley

Board Members Absent:

Ed Camargo, City of Adelanto
James Ramos, San Bernardino County
Barbara Riordan, Public Member
Paul Russ, City of Hesperia

CALL TO ORDER

Chair **JIM COX** called the meeting to order at 10:00 a.m. and asked Board Member **BARB STANTON** to lead the Pledge of Allegiance.

Chair **JIM COX** asked for roll call; roll was called.

Chair **JIM COX** called for items with potential conflict of interest – for information only: None

Chair **JIM COX** called for **PUBLIC COMMENT** – Public Comment made by Kevin Kane on Agenda Item #15. Mr. Kane spoke favorably of the Mobile Source Reduction Program (AB 2766). Public Comment made by David Rib on Agenda Item #16. Mr. Rib spoke favorably of the Mojave Environmental Education Consortium (MEEC) partnership with the District and publicly thanked the Board for their support to MEEC.

CLOSED SESSION

District Counsel Karen K. Nowak stated that there was no update on the one closed session item since the last meeting. Upon consensus of the Board, the Closed Session item was waived.

Agenda Item 1 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9).

OPEN SESSION - Disclosure of any Reportable Action(s) taken in Closed Session(s); and the Vote and Abstention of Every Member Present in the Closed Session.

No reportable action occurred as item was waived by consensus of the Board.

CONSENT CALENDAR - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **ROBERT LOVINGOOD**, Seconded by Board Member **BARB STANTON**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **JOHN COLE, JIM COX, JOSEPH DECONINCK, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARB STANTON and JEFF WILLIAMS** as follows:

Agenda Item 2 – Approve Minutes from Regular Governing Board Meeting of February 26, 2018.

Approved Minutes from Regular Governing Board Meeting of February 26, 2018.

Agenda Item 3 – Amend Governing Board Policy 11-02, Designation of Ethics Training and Recordkeeping Requirements.

Amended Governing Board Policy 11-02, Designation of Ethics Training and Recordkeeping Requirements.

Agenda Item 4 – Ratify the actions of the Executive Director/APCO to: 1) establish commercial revolving bank accounts to disburse funds for eligible projects for the Mobile Source Emissions Reduction Program (AB 2766) and the Carl Moyer Program; 2) appoint signatures on the account; 3) transfer funds; and 4) negotiate and execute any necessary agreements to establish the accounts and disbursement mechanisms, approved as to legal form.

Ratified the actions of the Executive Director/APCO to: 1) establish commercial revolving bank accounts to disburse funds for eligible projects for the Mobile Source Emissions Reduction Program (AB 2766) and the Carl Moyer Program; 2) appoint signatures on the account; 3) transfer funds; and 4) negotiate and execute any necessary agreements to establish the accounts and disbursement mechanisms, approved as to legal form.

Agenda Item 5 – Set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 102 – Definition of Terms and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 102 – Definition of Terms and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 6 – Set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 1104 – Organic Solvent Degreasing Operations and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 1104 – Organic Solvent Degreasing Operations and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 7 – Set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 1162 – Polyester Resin Operations and approval of California Environmental Quality Act (CEQA) documentation.
Approved set date of April 23, 2018 to conduct a public hearing to consider the amendment of Rule 1162 – Polyester Resin Operations and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 8 – Set date of April 23, 2018 to conduct a public hearing to consider the adoption of the Federal Negative Declarations for Two Control Techniques Guidelines Source Categories and approval of CEQA documentation.

Approved set date of April 23, 2018 to conduct a public hearing to consider the adoption of the Federal Negative Declarations for Two Control Techniques Guidelines Source Categories and approval of CEQA documentation.

Agenda Item 9 – Receive and file the Financial Report for FY18, through the month of January 2017, which provides financial information and budget performance concerning the fiscal status of the District.

Received and filed the Financial Report for FY18, through the month of January 2017, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 10 – Receive and file the Legislative Report for March 9, 2018.

Received and filed the Legislative Report for March 9, 2018.

Agenda Item 11 – DEFERRED ITEMS:

None.

Agenda Item 12 – PUBLIC COMMENT.

Public Comment made by Kevin Kane on Agenda Item #15. Mr. Kane spoke favorably of the Mobile Source Reduction Program (AB 2766). Public Comment made by David Rib on Agenda Item #16. Mr. Rib spoke favorably of the Mojave Environmental Education Consortium (MEEC) partnership with the District and publicly thanked the Board for their support to MEEC.

Agenda Item 13 – Adopt resolution amending the Conflict of Interest Code for the Mojave Desert Air Quality Management District (MDAQMD) and direct staff action.

Upon motion by Board Member **JEFF WILLIAMS**, Seconded by Board Member **CARMEN HERNANDEZ**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **JOHN COLE, JIM COX, JOSEPH DECONINCK, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARB STANTON and JEFF WILLIAMS** the Board **adopted Resolution 18-09, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT ADOPTING AMENDMENTS TO THE MDAQMD CONFLICT OF INTEREST CODE AND DIRECTING STAFF ACTION.”**

Agenda Item 14 – The Annual Financial Report and Management Report (Audit) for Fiscal Year 2016-17 is being presented for review and approval. Fedak & Brown LLP of Riverside performed the audit services for the District.

After discussion and upon motion by Board Member **BARB STANTON**, Seconded by Board Member **CARMEN HERNANDEZ**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **JOHN COLE, JIM COX, JOSEPH DECONINCK, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARB STANTON and JEFF WILLIAMS** the Board **continued the item to the Regular Governing Board meeting of April 23, 2018.**

Agenda Item 15 – Approve the program structure for the MDAQMD Mobile Source Emission Reduction Program (AB2766); direct development of a Work Plan to implement this Program; and direct implementation immediately on approval of this Program structure.

After discussion and public comment the Board upon motion by Board Member **ROBERT LOVINGOOD**, Seconded by Board Member **ROBERT LEONE**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **JOHN COLE, JIM COX, JOSEPH DECONINCK, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARB STANTON and JEFF WILLIAMS** the Board **approved** the program structure for the MDAQMD Mobile Source Emission Reduction Program (AB2766); direct development of a Work Plan to implement this Program; and direct implementation immediately on approval of this Program structure.

Agenda Item 16 – Receive and file a presentation from the Mojave Environmental Educational Consortium (MEEC) describing the work and responsibilities associated with providing educational resources.

After discussion and public comment the Board **received and filed** a presentation from the Mojave Environmental Educational Consortium (MEEC) describing the work and responsibilities associated with providing educational resources.

Agenda Item 17 – Reports:

Executive Director Brad Poiriez:

- Mr. Poiriez recognized and congratulated staff members Guy Smith, MD AQMD Engineer and Vickie Rausch, AV AQMD Engineer, both for 10 years of service;
- Mr. Poiriez informed the Board that the District received an extra \$22,000 for a PM Monitor, the District will purchase another portable Teledyne T640 mobile unit and we will be BETA testing our first unit in the near future.
- Mr. Poiriez informed the Board the vacant CRE Specialist and Grants Specialist positions have been filled and both incumbents start on March 30th.
- Mr. Poiriez notified the Board that the District has not been receiving Certificate of Occupancy from the majority of the surrounding cities and seeks assistance from Board Member to speak with their respective Planning Directors.

Mr. Poiriez updated the Board of past events:

- March 1st – call with Michael Sarbaz, representative Rancho Lucerne Development, regarding ongoing dust complaints. March 27th Mr. Poiriez will meet with Mr. Sarbaz on subject property;
- March 6th – toured the Barstow Railyard to understand operations and potential project for emission reduction grants;

- March 13th – 15th – the District hosted CARB training course on Health Risk Assessments – staff participated as well as outside agencies;
- March 13 – 15th – attended CAPCOA Board Meeting with a focus on legislature activity on air bills;
- March 15th – the District hosted a conference call regarding Southwest Regional Exceptional Events Workgroup – staff member Michelle Zumwalt lead this conference call;
- March 21st – hosted a LMTF working lunch between Management and the new union representative Natalie Harts;
- March 21st – attended MEEC Board Meeting as the District occupies a seat on the MEEC Board;
- March 22nd – Attended CARB Board Hearing in Riverside regarding the topic of freight strategies and AB 617.

Mr. Poiriez informed the Board of upcoming events:

- March 27th – call with Shawn Muir, Enviro Coordinator for Twentynine Palms Tribal, regarding air quality work, partner on grants, etc;
- March 28th – Community meeting to discuss AB 134 & AB 617 from 6 – 8 pm here at District office;
- March 30th – meeting with Joseph Brady, Bradco, regarding our continued cooperative work on newsletter;
- April 3rd – 6th – attending AAPCA Conference;
- April 14th – District hosting Lawn & Garden Equipment Program scheduled 8:00 am to 1:00 pm at the San Bernardino Fairgrounds.
- April 17th – call with EPA, CARB, SCAQMD on grant opportunities for Railyard & transportation projects;
- April 24th – 26th – attending WRAP Board of Directors Conference.

Agenda Item 18 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **Leone** notified all that he will be absent for the next regular governing board meeting of April 23, 2018 but he would be actively working on the topic of re-introducing sponsor legislative proposal to allow cities and counties within the Mojave Desert Air Quality Management District (MDAQMD) to set speed limits on unpaved roads which are lower than the prima facie speed limits set forth in the vehicle code for the purposes of dust control.
- Board Member **Stanton** publicly complimented Samantha Murray of MEEC and former employees Christie Robinson and Violette Roberts for all their efforts with MEEC.

Being no further business, Chair **JIM COX** adjourned the meeting at **11:08 a.m.** to the next Regular Meeting of **April 23, 2018.**

ACTION OF THE GOVERNING BOARD

APPROVED

Upon Motion by **ROBERT LOVINGOOD**, Seconded by **JOHN COLE**, as approved by the following roll call vote:

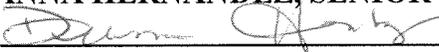
Ayes: 9 CAMARGO, COLE, COX, DECONINCK, LOVINGOOD, PEREZ, RIORDAN, STANTON, WILLIAMS

Noes:
Absent: 4 HERNANDEZ, LEONE, RAMOS, RUSS

Abstain:

Vacant:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY 

Dated: April 23, 2018